

House Bill 514 (AS PASSED HOUSE AND SENATE)

By: Representatives Bruce of the 61<sup>st</sup>, Fludd of the 64<sup>th</sup>, Kaiser of the 59<sup>th</sup>, Mabra of the 63<sup>rd</sup>, Jones of the 53<sup>rd</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To incorporate the City of South Fulton in Fulton County, Georgia; to provide a charter for  
2 the City of South Fulton; to provide for incorporation, boundaries, and powers of the city;  
3 to provide for a governing authority of such city and the powers, duties, authority, election,  
4 terms, method of filling vacancies, compensation, qualifications, prohibitions, and removal  
5 from office relative to members of such governing authority; to provide for inquiries and  
6 investigations; to provide for organization and procedures; to provide for ordinances and  
7 codes; to provide for the offices of mayor and city manager and certain duties and powers  
8 relative to those offices; to provide for administrative responsibilities; to provide for boards,  
9 commissions, and authorities; to provide for a city attorney, a city clerk, a city treasurer, and  
10 other personnel; to provide for rules and regulations; to provide for a municipal court and the  
11 judge or judges thereof; to provide for practices and procedures; to provide for taxation and  
12 fees; to provide for franchises, service charges, and assessments; to provide for bonded and  
13 other indebtedness; to provide for accounting and budgeting; to provide for purchases; to  
14 provide for the sale of property; to provide for general homestead exemption; to provide for  
15 bonds for officials; to provide for definitions and construction; to provide for other matters  
16 relative to the foregoing; to provide for a referendum; to provide effective dates; to provide  
17 for transition of powers and duties; to provide for directory nature of dates; to provide for a  
18 charter commission; to provide for severability; to repeal conflicting laws; and for other  
19 purposes.

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

21 ARTICLE I

22 INCORPORATION AND POWERS

23 SECTION 1.10.

24 Incorporation.

25 The City of South Fulton in Fulton County is incorporated by the enactment of this charter  
 26 and is constituted and declared a body politic and corporate under the name of the "City of  
 27 South Fulton." References in this charter to "the city" or "this city" refer to the City of South  
 28 Fulton. The city shall have perpetual existence.

29 SECTION 1.11.

30 Corporate boundaries.

31 The boundaries of the City of South Fulton shall include all unincorporated areas of Fulton  
 32 County, including the Fulton County Industrial District, as such exist on July 1, 2016;  
 33 provided, however, that, if the local constitutional amendment establishing the Fulton County  
 34 Industrial District is not repealed or determined judicially to be of no force and effect prior  
 35 to the first municipal election being conducted under this charter, the Fulton County  
 36 Industrial District shall not become a part of the City of South Fulton. The boundaries of the  
 37 city are more particularly described in Appendix A, attached to and made a part of this  
 38 charter. The city clerk shall maintain a current map and written legal description of the  
 39 corporate boundaries of the city, and such map and description shall incorporate any changes  
 40 which may hereafter be made in such corporate boundaries.

41 SECTION 1.12.

42 Municipal powers.

43 (a) This city shall have all powers possible for a city to have under the present or future  
 44 Constitution and laws of this state as fully and completely as though they were specifically  
 45 enumerated in this charter. This city shall have all the powers of self-government not  
 46 otherwise prohibited by this charter or by general law.

47 (b) The powers of this city shall be construed liberally in favor of the city. The specific  
 48 mention or failure to mention particular powers shall not be construed as limiting in any way  
 49 the powers of this city. Said powers shall include, but are not limited to, the following:

50 (1) Air and water pollution and environmental issues. To regulate the emission of smoke  
 51 or other exhaust which pollutes the air and to prevent the pollution of natural streams

52 which flow within the corporate limits of the city and to regulate any other environmental  
53 matters that would affect the quality of life within the boundaries of the city;

54 (2) Animal regulations. To regulate and license or to prohibit the keeping or running at  
55 large of animals and fowl and to provide for the impoundment of same if in violation of  
56 any ordinance or lawful order; to provide for the disposition by sale, gift, or humane  
57 destruction of animals and fowl when not redeemed as provided by ordinance; and to  
58 provide punishment for violation of ordinances enacted under this paragraph;

59 (3) Appropriations and expenditures. To make appropriations for the support of the  
60 government of the city; to authorize the expenditure of money for any purposes  
61 authorized by this charter and for any purpose for which a municipality is authorized by  
62 the laws of the State of Georgia; and to provide for the payment of expenses of this city;

63 (4) Building regulations. To regulate and to license the erection and construction of  
64 buildings and all other structures not inconsistent with general law; to adopt building,  
65 housing, plumbing, electrical, gas, and heating and air conditioning codes; and to regulate  
66 all housing and building trades except as otherwise prohibited by general law;

67 (5) Business regulation and taxation. To levy and to provide for the collection of license  
68 fees and taxes on privileges, occupations, trades, and professions; to license and regulate  
69 the same; to provide for the manner and method of payment of such licenses and taxes;  
70 and to revoke such licenses after due process for the failure to pay any city taxes or fees;

71 (6) Condemnation. To condemn property, inside or outside the corporate limits of the  
72 city, for present or future use and for any corporate purpose deemed necessary by the  
73 governing authority, utilizing procedures enumerated in Title 22 of the O.C.G.A. or such  
74 other laws as are or may hereafter be enacted;

75 (7) Contracts. To enter into contracts and agreements with other governments and  
76 entities and with private persons, firms, and corporations;

77 (8) Emergencies. To establish procedures for determining and proclaiming that an  
78 emergency situation exists inside or outside the city and to make and carry out all  
79 reasonable provisions deemed necessary to deal with or meet such an emergency for the  
80 protection, safety, health, or well-being of the citizens of the city;

81 (9) Environmental protection. To protect and preserve the natural resources,  
82 environment, and vital areas of the city, the region, and the state through the preservation  
83 and improvement of air quality, the restoration and maintenance of water resources, the  
84 control of erosion and sedimentation, the management of storm water and establishment  
85 of a storm-water utility, the management of solid and hazardous waste, and other  
86 necessary actions for the protection of the environment;

87 (10) Ethics. To adopt ethics ordinances and regulations governing the conduct of  
88 municipal elected officials, appointed officials, and employees, establishing procedures

89 for handling ethics complaints, and setting forth penalties for violations of such rules and  
90 procedures;

91 (11) Fire regulations. To fix and establish fire limits and from time to time to extend,  
92 enlarge, or restrict the same; to prescribe fire safety regulations, not inconsistent with  
93 general law relating to both fire prevention and detection and to fire fighting; and to  
94 prescribe penalties and punishment for violations thereof;

95 (12) Garbage fees. To levy, fix, assess, and collect a garbage, refuse, and trash collection  
96 and disposal and other sanitary service charge, tax, or fee for such services as may be  
97 necessary in the operation of the city from all individuals, firms, and corporations  
98 residing in or doing business within the city and benefiting from such services; to enforce  
99 the payment of such charges, taxes, or fees; and to provide for the manner and method  
100 of collecting such service charges;

101 (13) General health, safety, and welfare. To define, regulate, and prohibit any act,  
102 practice, conduct, or use of property which is detrimental to the health, sanitation,  
103 cleanliness, welfare, and safety of the inhabitants of the city and to provide for the  
104 enforcement of such standards;

105 (14) Gifts. To accept or refuse gifts, donations, bequests, or grants from any source for  
106 any purpose related to the powers and duties of the city and the general welfare of its  
107 citizens on such terms and conditions as the donor or grantor may impose;

108 (15) Health and sanitation. To prescribe standards of health and sanitation within the  
109 city and to provide for the enforcement of such standards;

110 (16) Homestead exemption. To establish and maintain procedures for offering  
111 homestead exemptions to residents of the city as authorized by Act of the General  
112 Assembly;

113 (17) Jail sentences. To provide that persons given jail sentences in the municipal court  
114 may work out such sentences in any public works or on the streets, roads, drains, and  
115 other public property of the city; to provide for the commitment of such persons to any  
116 jail; to provide for the use of pretrial diversion and any alternative sentencing allowed by  
117 law; or to provide for the commitment of such persons to any county work camp or  
118 county jail by agreement with the appropriate county officials;

119 (18) Motor vehicles. To regulate the operation of motor vehicles and exercise control  
120 over all traffic, including parking, upon or across the streets, roads, alleys, and walkways  
121 of the city;

122 (19) Municipal agencies and delegation of power. To create, alter, or abolish  
123 departments, boards, offices, commissions, and agencies of the city and to confer upon  
124 such agencies the necessary and appropriate authority for carrying out all the powers  
125 conferred upon or delegated to the same;

- 126 (20) Municipal debts. To appropriate and borrow money for the payment of debts of the  
127 city and to issue bonds for the purpose of raising revenue to carry out any project,  
128 program, or venture authorized by this charter or the laws of the State of Georgia;
- 129 (21) Municipal property ownership. To acquire, dispose of, lease, and hold in trust or  
130 otherwise any real, personal, or mixed property, in fee simple or lesser interest, inside or  
131 outside the property limits of the city;
- 132 (22) Municipal property protection. To provide for the preservation and protection of  
133 property and equipment of the city and the administration and use of same by the public;  
134 and to prescribe penalties and punishment for violations thereof;
- 135 (23) Municipal utilities. To acquire, lease, construct, operate, maintain, sell, and dispose  
136 of public utilities, including, but not limited to, a system of waterworks, sewers, and  
137 drains, sewage disposal, gas works, electric plants, transportation facilities, public  
138 airports, and any other public utility; and to fix the taxes, charges, rates, fares, fees,  
139 assessments, regulations, and penalties therefor; and to provide for the withdrawal of  
140 service for refusal or failure to pay the same; and to authorize the extension of water,  
141 sewerage, and electrical distribution systems, and all necessary appurtenances by which  
142 said utilities are distributed, inside and outside the corporate limits of the city; and to  
143 provide utility services to persons, firms, and corporations inside and outside the  
144 corporate limits of the city as provided by ordinance;
- 145 (24) Nuisances. To define a nuisance and provide for its abatement whether on public  
146 or private property;
- 147 (25) Penalties. To provide penalties for violation of any ordinances adopted pursuant to  
148 the authority of this charter and the laws of the State of Georgia;
- 149 (26) Planning and zoning. To provide comprehensive city planning for development by  
150 zoning and to provide subdivision regulation and the like as the city council deems  
151 necessary and reasonable to ensure a safe, healthy, and esthetically pleasing community;
- 152 (27) Police and fire protection. To exercise the power of arrest through duly appointed  
153 police officers and to establish, operate, or contract for a police and a fire-fighting  
154 agency;
- 155 (28) Public hazards; removal. To provide for the destruction and removal of any  
156 building or other structure which is or may become dangerous or detrimental to the  
157 public;
- 158 (29) Public improvements. To provide for the acquisition, construction, building,  
159 operation, and maintenance of public ways, parks, playgrounds, recreational facilities,  
160 cemeteries, markets and market houses, public buildings, libraries, public housing,  
161 airports, hospitals, terminals, docks, parking facilities, or charitable, cultural, educational,  
162 recreational, conservation, sport, curative, corrective, detentional, penal, and medical

163 institutions, agencies, and facilities; to provide any other public improvements inside or  
164 outside the corporate limits of the city; to regulate the use of public improvements; and,  
165 for such purposes, property may be acquired by condemnation under Title 22 of the  
166 O.C.G.A. or such other applicable laws as are or may hereafter be enacted;

167 (30) Public peace. To provide for the prevention and punishment of loitering, disorderly  
168 conduct, drunkenness, riots, and public disturbances;

169 (31) Public transportation. To organize and operate or contract for such public  
170 transportation systems as are deemed beneficial;

171 (32) Public utilities and services. To grant franchises or make contracts for public  
172 utilities and public services and to prescribe the rates, fares, regulations, and the standards  
173 and conditions of service applicable to the service to be provided by the franchise grantee  
174 or contractor, insofar as not in conflict with valid regulations of the Public Service  
175 Commission;

176 (33) Regulation of roadside areas. To prohibit or regulate and control the erection,  
177 removal, and maintenance of signs, billboards, trees, shrubs, fences, buildings, and any  
178 and all other structures or obstructions upon or adjacent to the rights of way of streets and  
179 roads or within view thereof, inside or abutting the corporate limits of the city and to  
180 prescribe penalties and punishment for violation of such ordinances;

181 (34) Retirement. To provide and maintain a retirement plan for officers and employees  
182 of the city;

183 (35) Roadways. To lay out, open, extend, widen, narrow, establish or change the grade  
184 of, abandon or close, construct, pave, curb, gutter, adorn with shade trees, or otherwise  
185 improve, maintain, repair, clean, prevent erosion of, and light the roads, alleys, and  
186 walkways within the corporate limits of the city; and to negotiate and execute leases over,  
187 through, under, or across any city property or the right of way of any street, road, alley,  
188 and walkway or portion thereof within the corporate limits of the city for bridges,  
189 passageways, or any other purpose or use between buildings on opposite sides of the  
190 street and for other bridges, overpasses, and underpasses for private use at such location  
191 and to charge a rental therefor in such manner as may be provided by ordinance; and to  
192 authorize and control the construction of bridges, overpasses, and underpasses within the  
193 corporate limits of the city; and to grant franchises and rights of way throughout the  
194 streets and roads and over the bridges and viaducts for the use of public utilities and for  
195 private use; and to require real estate owners to repair and maintain in a safe condition  
196 the sidewalks adjoining their lots or lands and to impose penalties for failure to do so;

197 (36) Sewer fees. To levy a fee, charge, or sewer tax as necessary to assure the acquiring,  
198 constructing, equipping, operating, maintaining, and extending of a sewage disposal plant  
199 and sewerage system; to levy on those to whom sewers and sewerage systems are made

200 available a sewer service fee, charge, or tax for the availability or use of the sewers; to  
201 provide for the manner and method of collecting such service charge; and to impose on  
202 and collect a sewer connection fee or fees from those connected to the system;

203 (37) Solid waste disposal. To provide for the collection and disposal of garbage, rubbish,  
204 and refuse and to regulate the collection and disposal of garbage, rubbish, and refuse by  
205 others; and to provide for the separate collection of glass, tin, aluminum, cardboard,  
206 paper, and other recyclable materials and provide for the sale of such items;

207 (38) Special areas of public regulation. To regulate or prohibit junk dealers, pawnshops,  
208 pain management clinics, the manufacture, sale, or transportation of intoxicating liquors,  
209 and the use of firearms; to regulate the transportation, storage, and use of combustible,  
210 explosive, and inflammable materials, the use of lighting and heating equipment, and any  
211 other business or situation which may be dangerous to persons or property; to regulate  
212 and control the conduct of peddlers and itinerant traders, theatrical performances,  
213 exhibitions, and shows of any kind, by taxing or otherwise; and to license, tax, regulate,  
214 or prohibit professional fortunetelling, palmistry, adult bookstores, adult entertainment,  
215 and massage parlors;

216 (39) Special assessments. To levy and provide for the collection of special assessments  
217 to cover the costs of any public improvement;

218 (40) Taxes (ad valorem). To levy and provide for the assessment, valuation, revaluation,  
219 and collection of taxes on all property subject to taxation; provided, however, that:

220 (A) For all years, the millage rate imposed for ad valorem taxes on real property for  
221 operating budget purposes shall not exceed 13.469 unless a higher limit is  
222 recommended by resolution of the city council and approved by a majority of the  
223 qualified voters of the city voting in a referendum; provided, however, that for the  
224 purposes of compliance with Code Section 48-8-91 of the O.C.G.A., the millage rate  
225 may be adjusted upward for the sole purpose of complying with the millage rate  
226 rollback provisions set forth therein. For the purposes of this subparagraph, the term  
227 "qualified voters" means those voters of the city who are qualified to vote in city  
228 elections and cast a vote for or against such measure in such referendum. The question  
229 to be presented to the voters in the referendum on increasing the millage rate shall be  
230 "Do you approve increasing taxes on residential and nonresidential property for City  
231 of South Fulton property owners by raising from [current millage rate] to [proposed  
232 millage rate] the operating budget millage rate, which was capped in the original charter  
233 for the city?" If such millage rate increase is approved by the qualified voters of the  
234 City of South Fulton voting in the referendum, the new rate shall become the maximum  
235 limit until changed again by resolution of the city council and approval by a majority  
236 of the qualified voters of the City of South Fulton voting in a referendum.

237 Notwithstanding any provision of this paragraph to the contrary, during the first five  
 238 years of existence, the city shall not be authorized to increase the millage rate higher  
 239 than 14.469 except for the purposes of complying with Code Section 48-8-91 of the  
 240 O.C.G.A.;

241 (B) For all years, the fair market value of all property subject to taxation shall be  
 242 determined according to the tax digest of Fulton County, as provided in Code  
 243 Section 48-5-352 of the O.C.G.A.; and

244 (C) For all years, the billing date or dates and due date or dates for municipal ad  
 245 valorem taxes shall be the same as for Fulton County ad valorem taxes;

246 (41) Taxes (other). To levy and collect such other taxes as may be allowed now or in the  
 247 future by law;

248 (42) Taxicabs. To regulate and license vehicles operated for hire in the city; to limit the  
 249 number of such vehicles; to require the operators thereof to be licensed; to require public  
 250 liability insurance on such vehicles in the amounts to be prescribed by ordinance; and to  
 251 regulate the parking of such vehicles;

252 (43) Urban redevelopment. To organize and operate an urban redevelopment program;  
 253 and

254 (44) Other powers. To exercise and enjoy all other powers, functions, rights, privileges,  
 255 and immunities necessary or desirable to promote or protect the safety, health, peace,  
 256 security, good order, comfort, convenience, or general welfare of the city and its  
 257 inhabitants; to exercise all implied powers necessary to carry into execution all powers  
 258 granted in this charter as fully and completely as if such powers were fully stated in this  
 259 charter; and to exercise all powers now or in the future authorized to be exercised by  
 260 other municipal governments under other laws of the State of Georgia; and no listing of  
 261 particular powers in this charter shall be held to be exclusive of others, nor restrictive of  
 262 general words and phrases granting powers, but shall be held to be in addition to such  
 263 powers unless expressly prohibited to municipalities under the Constitution or applicable  
 264 laws of the State of Georgia.

265 **SECTION 1.13.**

266 Exercise of powers.

267 All powers, functions, rights, privileges, and immunities of the city, its officers, agencies, or  
 268 employees shall be carried into execution as provided by this charter. If this charter makes  
 269 no provision, such shall be carried into execution as provided by ordinance or as provided  
 270 by pertinent laws of the State of Georgia.





**SECTION 2.11.**

## Elections.

304 (a) At any election, all persons who are qualified under the Constitution and laws of Georgia  
305 to vote for members of the General Assembly of Georgia and who are bona fide residents of  
306 the area comprising the City of South Fulton or of such city shall be eligible to qualify as  
307 voters in the election.

308 (b) All primaries and elections shall be held and conducted in accordance with Chapter 2 of  
309 Title 21 of the O.C.G.A., the "Georgia Election Code." Except as otherwise provided by this  
310 charter, the city council shall, by ordinance, prescribe such rules and regulations it deems  
311 appropriate to fulfill any options and duties under the "Georgia Election Code."

312 (c) Each councilmember shall be elected by a majority vote of the qualified electors of his  
313 or her respective council district voting at the elections of the city. For the purpose of  
314 electing members of the council, the City of South Fulton shall consist of seven council  
315 districts as described in Appendix B of this charter, which is attached and incorporated into  
316 this charter by reference; provided, however, that no territory described in such council  
317 districts shall be included in such council districts that has been annexed into other  
318 municipalities before July 1, 2016; and provided, further, that the territory known as the  
319 Fulton County Industrial District shall not be included in such council districts unless the  
320 local constitutional amendment creating such district is repealed or determined judicially to  
321 be of no force and effect prior to the first municipal election being conducted under this  
322 charter. Each candidate for election to the council other than the mayor shall reside in the  
323 council district he or she seeks to represent.

324 (d) The first election for mayor and councilmembers shall be a special election held on the  
325 third Tuesday in March, 2017. At such election, the mayor and councilmembers elected  
326 from Council Districts 2, 4, and 6 shall be elected for initial terms of office beginning  
327 immediately after their election and expiring on December 31, 2021. The councilmembers  
328 elected from Council Districts 1, 3, 5, and 7 shall be elected for initial terms of office  
329 beginning immediately after their election and expiring on December 31, 2019. Thereafter,  
330 at the elections provided for by subsection (f) of this section, their successors shall be elected  
331 for terms of four years. All members shall serve until their successors are elected and  
332 qualified.

333 (e) The mayor, for the special election and each subsequent election for mayor, shall be  
334 elected by the qualified electors of the city at large voting in such elections of the city.

335 (f) A special election shall be held on the third Tuesday in March, 2017, to elect the first  
336 mayor and council as provided in subsection (d) of this section. At such election, the first  
337 mayor and council shall be elected to serve for the initial terms of office specified in

338 subsection (d) of this section. Thereafter, the time for holding regular municipal elections  
 339 shall be on the Tuesday next following the first Monday in November of each odd-numbered  
 340 year beginning in 2019. The successors to the first mayor and councilmembers and future  
 341 successors shall be elected at the municipal election immediately preceding the expiration  
 342 of the respective terms of office and shall take office on the first day of January immediately  
 343 following their election for terms of four years and until their successors are elected and  
 344 qualified.

345 (g) All municipal elections shall be nonpartisan and without primaries.

346 **SECTION 2.12.**

347 Vacancies in office.

348 (a) The office of mayor or councilmember shall become vacant upon the incumbent's death,  
 349 resignation, forfeiture of office, or removal from office in any manner authorized by this  
 350 charter or the general laws of the State of Georgia.

351 (b) Upon the suspension from office of mayor or councilmember in any manner authorized  
 352 by the general laws of the State of Georgia, the city council or those remaining shall appoint  
 353 a successor for the duration of the suspension. If the suspension becomes permanent, then  
 354 the office shall become vacant and shall be filled as provided in subsection (c) of this section.

355 (c) In the event that the office of mayor or councilmember shall become vacant, the city  
 356 council or those remaining shall order a special election to fill the balance of the unexpired  
 357 term of such official; provided, however, if such vacancy occurs within 12 months of the  
 358 expiration of the term of that office, the city council or those members remaining shall  
 359 appoint a successor for the remainder of the term. In all other respects, the special election  
 360 shall be held and conducted in accordance with Chapter 2 of Title 21 of the O.C.G.A., the  
 361 "Georgia Election Code," as now or hereafter amended.

362 **SECTION 2.13.**

363 Election by majority vote.

364 The candidate for mayor who receives a majority of the votes cast in the applicable election  
 365 in the city at large shall be elected to a term of office. The candidates for councilmember  
 366 who receive a majority of the votes cast in the applicable election by the electors of their  
 367 respective districts shall be elected to a term of office. In the event no candidate receives a  
 368 majority of the votes cast in such election for such office, a run-off election shall be held  
 369 between the candidates receiving the two highest numbers of votes. Such run-off election

370 shall be held at the time specified by state election law, unless such run-off date is postponed  
371 by court order.

372 **SECTION 2.14.**

373 Compensation and expenses.

374 The annual salary of the mayor shall be \$23,000.00 and the annual salary for each  
375 councilmember shall be \$13,000.00. Such salary shall be paid from municipal funds in  
376 monthly installments. The city council may provide for the reimbursement of expenses  
377 actually and necessarily incurred by the mayor and members of the city council in carrying  
378 out their official duties.

379 **SECTION 2.15.**

380 Prohibitions.

381 (a) No elected official, appointed officer, or employee of the city or any agency or political  
382 entity to which this charter applies shall knowingly:

383 (1) Engage in any business or transaction or have a financial or other personal interest,  
384 direct or indirect, which is incompatible with the proper discharge of official duties or  
385 which would tend to impair the independence of his or her judgment or action in the  
386 performance of official duties;

387 (2) Engage in or accept private employment or render services for private interests when  
388 such employment or service is incompatible with the proper discharge of official duties  
389 or would tend to impair the independence of his or her judgment or action in the  
390 performance of official duties;

391 (3) Disclose confidential information concerning the property, government, or affairs of  
392 the governmental body by which engaged without proper legal authorization or use such  
393 information to advance the financial or other private interest of himself or herself or  
394 others;

395 (4) Accept any valuable gift, whether in the form of service, loan, object, or promise,  
396 from any person, firm, or corporation which to his or her knowledge is interested, directly  
397 or indirectly, in any manner whatsoever in business dealings with the governmental body  
398 by which he or she is engaged; provided, however, that an elected official who is a  
399 candidate for public office may accept campaign contributions and services in connection  
400 with any such campaign;

401 (5) Represent other private interests in any action or proceeding against this city or any  
402 portion of its government; or

403 (6) Vote or otherwise participate in the negotiation or in the making of any contract with  
 404 any business or entity in which he or she has a financial interest.

405 (b) Any elected official, appointed officer, or employee who has any private financial  
 406 interest, directly or indirectly, in any contract or matter pending before or within any  
 407 department of the city shall disclose such private interest to the city council. The mayor or  
 408 any councilmember who has a private interest in any matter pending before the city council  
 409 shall disclose such private interest and such disclosure shall be entered on the records of the  
 410 city council, and he or she shall disqualify himself or herself from participating in any  
 411 decision or vote relating thereto. Any elected official, appointed officer, or employee of any  
 412 agency or political entity to which this charter applies who shall have any private financial  
 413 interest, directly or indirectly, in any contract or matter pending before or within such entity  
 414 shall disclose such private interest to the governing body of such agency or entity.

415 (c) No elected official, appointed officer, or employee of the city or any agency or entity to  
 416 which this charter applies shall use property owned by such governmental entity for personal  
 417 benefit, convenience, or profit, except in accordance with policies promulgated by the city  
 418 council or the governing body of such agency or entity.

419 (d) Any violation of this section which occurs with the knowledge, express or implied, of  
 420 a party to a contract or sale shall render said contract or sale voidable at the option of the city  
 421 council.

422 (e) Except as authorized by law, no member of the council shall hold any other elective city  
 423 office or other city employment during the term for which elected. The provisions of this  
 424 subsection shall not apply to any person holding employment on the effective date of this  
 425 Act.

## 426 SECTION 2.16.

### 427 Removal of officers.

428 (a) The mayor, a councilmember, or other appointed officers provided for in this charter  
 429 shall be removed from office for any one or more of the following causes:

- 430 (1) Incompetence, misfeasance, or malfeasance in office;
- 431 (2) Conviction of a crime involving moral turpitude;
- 432 (3) Failure at any time to possess any qualifications of office as provided by this charter  
 433 or by law;
- 434 (4) Knowingly violating Section 2.15 or any other express prohibition of this charter;
- 435 (5) Abandonment of office or neglect to perform the duties thereof; or
- 436 (6) Failure for any other cause to perform the duties of office as required by this charter  
 437 or by state law.

438 (b) Removal of any officer pursuant to subsection (a) of this section shall be accomplished  
 439 by one of the following methods:

440 (1) By the vote of five councilmembers after an investigative hearing. In the event an  
 441 elected officer is sought to be removed by the action of the city council, such officer shall  
 442 be entitled to a written notice specifying the ground or grounds for removal and to a  
 443 public hearing which shall be held not less than ten days after the service of such written  
 444 notice. Any elected officer sought to be removed from office as provided in this section  
 445 shall have the right of appeal from the decision of the city council to the Superior Court  
 446 of Fulton County. Such appeal shall be governed by the same rules as govern appeals to  
 447 the superior court from the probate court; or

448 (2) By an order of the Superior Court of Fulton County following a hearing on a  
 449 complaint seeking such removal brought by any resident of the City of South Fulton.

### 450 ARTICLE III

#### 451 ORGANIZATION OF GOVERNMENT, GENERAL

#### 452 AUTHORITY, AND ORDINANCES

#### 453 SECTION 3.10.

#### 454 General power and authority.

455 (a) Except as otherwise provided by this charter, the city council shall be vested with all the  
 456 powers of government of this city as provided by Article I of this charter.

457 (b) In addition to all other powers conferred upon it by law, the city council shall have the  
 458 authority to adopt and provide for the execution of such ordinances, resolutions, rules, and  
 459 regulations, not inconsistent with this charter and with the Constitution and the laws of the  
 460 State of Georgia, which it shall deem necessary, expedient, or helpful for the peace, good  
 461 order, protection of life and property, health, welfare, sanitation, comfort, convenience,  
 462 prosperity, or well-being of the inhabitants of the City of South Fulton and may enforce such  
 463 ordinances by imposing penalties for violations thereof.

464 (c) Except for the office of city manager, the city council, by resolution, may establish,  
 465 abolish, merge, or consolidate offices, positions of employment, departments, and agencies  
 466 of the city as it shall deem necessary for the proper administration of the affairs of the  
 467 government of the city. The council shall prescribe the functions and duties of departments,  
 468 offices, and agencies; may provide that the same person shall fill any number of offices or  
 469 positions of employment; and may transfer or change the functions and duties of offices,  
 470 positions of employment, departments, and agencies of the city.

471 (d) The operations and responsibilities of each department now or hereafter established in  
 472 the city shall be distributed among such divisions or bureaus as may be provided by

473 ordinance of the city council. Each department shall consist of such officers, employees, and  
 474 positions of employment as may be provided by this charter or by ordinance and shall be  
 475 subject to the general supervision and guidance of the mayor and councilmembers.

476 (e) In all cases, unless otherwise prohibited by this charter or by state law, those functions  
 477 and duties necessary for the efficient and proper administration of the affairs of government  
 478 of the city may be provided through intergovernmental agreements or private contracts or  
 479 both.

### 480 **SECTION 3.11.**

#### 481 Organization.

482 (a) The city council shall hold an organizational meeting not later than the first regular  
 483 meeting in January following an election. The meeting shall be called to order by the  
 484 mayor-elect, and the oath of office shall be administered to the newly elected mayor and  
 485 councilmembers by a judicial officer authorized to administer the oaths required by  
 486 Chapter 3 of Title 45 of the O.C.G.A. and the following oath:

487 "I do solemnly (swear) (affirm) that I will faithfully perform the duties of (mayor)  
 488 (councilmember) of this city and that I will support and defend the charter thereof as well  
 489 as the Constitution and laws of the State of Georgia and of the United States of America."

490 (b) Following the induction of the mayor and councilmembers, the city council, by a  
 491 majority vote, shall elect a councilmember to serve as mayor pro tempore. The mayor pro  
 492 tempore shall assume the official duties and powers of the mayor during any disability or  
 493 absence of the mayor, as set forth in Section 3.30 of this charter. Any such disability or  
 494 absence shall be declared by a majority vote of the city council.

### 495 **SECTION 3.12.**

#### 496 Inquiries and investigations.

497 The city council may make inquiries and investigations into the affairs of the city and the  
 498 conduct of any department, office, or agency thereof and for this purpose may subpoena  
 499 witnesses, administer oaths, take testimony, and require the production of evidence. Any  
 500 person who fails or refuses to obey a lawful order issued in the exercise of these powers by  
 501 the council shall be punished as provided by ordinance.

502 **SECTION 3.13.**

503 Meetings.

504 (a) The city council shall, at least once during each calendar month, hold regular meetings  
505 at such times and places as prescribed by ordinance. The council may recess any such  
506 regular meeting and continue such meeting on any weekday or at any hour it may fix and  
507 may transact any business at such continued meeting as may be transacted at any regular  
508 meeting.

509 (b) Special meetings of the city council may be held on call of the mayor or four members  
510 of the city council. Notice of such special meeting shall be served on all other members  
511 personally, or by telephone personally, at least 48 hours in advance of the meeting. Such  
512 notice to councilmembers shall not be required if the mayor and all councilmembers are  
513 present when the special meeting is called. Such notice of any special meeting may be  
514 waived by a councilmember in writing before or after such a meeting and attendance at the  
515 meeting shall also constitute a waiver of notice on any business transacted in such  
516 councilmember's presence. Only the business stated in the call may be transacted at the  
517 special meeting.

518 (c) All meetings of the city council shall be public to the extent required by law and notice  
519 to the public of special meetings shall be given as required by law.

520 **SECTION 3.14.**

521 Procedures.

522 (a) The city council shall adopt its rules of procedure and order of business consistent with  
523 the provisions of this charter and shall provide for keeping a journal of its proceedings which  
524 shall be a public record.

525 (b) All committees and committee chairpersons and officers of the city council shall be  
526 appointed as prescribed by ordinance or resolution of the city council.

527 **SECTION 3.15.**

528 Voting.

529 (a) Except as otherwise provided in subsection (c) of this section, four councilmembers shall  
530 constitute a quorum and shall be authorized to transact the business of the city council. For  
531 voting and quorum purposes, the mayor shall be counted as one of the councilmembers.  
532 Voting on the adoption of ordinances shall be by voice vote and the vote shall be recorded  
533 in the journal, but any member of the city council shall have the right to request a roll-call



534 vote and such vote shall be recorded in the journal. No councilmember shall abstain from  
535 voting except in the case of a conflict of interest or if absent when a motion being voted upon  
536 was made. The councilmember shall provide a specific explanation of the conflict, and the  
537 explanation shall be recorded in the journal.

538 (b) Except as otherwise provided in this charter, the affirmative vote of a majority of the  
539 councilmembers present shall be required for the adoption of any ordinance, resolution, or  
540 motion.

541 (c) In the event vacancies in office result in less than a quorum of councilmembers holding  
542 office, then the remaining councilmembers in office shall constitute a quorum and shall be  
543 authorized to transact business of the city council. A vote of a majority of the remaining  
544 councilmembers shall be required for the adoption of any ordinance, resolution, or motion.

545 **SECTION 3.16.**

546 Ordinances.

547 (a) Any proposal for a new or amended ordinance shall be in writing and in the format  
548 required for final adoption. No ordinance shall contain a subject which is not expressed in  
549 its title. The enacting clause shall be "The Council of the City of South Fulton hereby  
550 ordains ..." and every ordinance shall so begin.

551 (b) A new or amended ordinance may be proposed by the mayor or councilmember at a  
552 regular or special meeting of the city council. Ordinances shall be considered and adopted  
553 or rejected by the city council in accordance with the rules which it shall establish; provided,  
554 however, an ordinance shall not be adopted the same day it is introduced, except for  
555 emergency ordinances provided for in Section 3.18 of this charter. After adoption of any  
556 ordinance, the city clerk shall, as soon as possible, forward an appropriately formatted  
557 version of the adopted ordinance to that entity or agency that the city has retained to facilitate  
558 the codification and online viewing and download of all city ordinances.

559 **SECTION 3.17.**

560 Effect of ordinances.

561 Acts of the city council which have the force and effect of law shall be enacted by ordinance.

562 **SECTION 3.18.**

563 Emergencies.

564 To meet a public emergency affecting life, health, property, or public peace, the city council  
 565 may convene on call of the mayor or four councilmembers and may promptly adopt an  
 566 emergency ordinance, but such ordinance shall not levy taxes; grant, renew, or extend a  
 567 franchise; regulate the rate charged by any public utility for its services; or authorize the  
 568 borrowing of money except for loans to be repaid within 30 days. An emergency ordinance  
 569 shall be introduced in the form prescribed for ordinances generally, except that it shall be  
 570 plainly designated as an emergency ordinance and shall contain, after the enacting clause,  
 571 a declaration stating that an emergency exists and describing the emergency in clear and  
 572 specific terms. An emergency ordinance may be adopted, with or without amendment, or  
 573 rejected at the meeting at which it is introduced, but the affirmative vote of a majority of the  
 574 councilmembers present shall be required for adoption. It shall become effective upon  
 575 adoption or at such later time as it may specify. Every emergency ordinance shall  
 576 automatically stand repealed 30 days following the date upon which it was adopted, but this  
 577 shall not prevent reenactment of the ordinance in the manner specified in this section if the  
 578 emergency continues to exist. An emergency ordinance shall also be repealed by adoption  
 579 of a repealing ordinance in the same manner specified in this section for adoption of  
 580 emergency ordinances.

581 **SECTION 3.19.**

582 Codes.

583 (a) The city council may adopt any standard code of technical regulations by reference  
 584 thereto in an adopting ordinance. The procedure and requirements governing such adopting  
 585 ordinance shall be as prescribed for ordinances generally except that: (1) the requirements  
 586 of subsection (b) of Section 3.16 of this charter for distribution and filing of copies of the  
 587 ordinance shall be construed to include copies of any code of technical regulations, as well  
 588 as the adopting ordinance; and (2) a copy of each adopted code of technical regulations, as  
 589 well as the adopting ordinance, shall be authenticated and recorded by the city clerk pursuant  
 590 to Section 3.20 of this charter.

591 (b) Any adopted code of technical regulations shall be forwarded for online codification,  
 592 viewing, and download in the same manner as provided for ordinances in subsection (b) of  
 593 Section 3.16 of this charter and shall otherwise be made available for review and copying  
 594 upon request in accord with Code Section 50-18-70, et seq., of the O.C.G.A.

595

**SECTION 3.20.**

596

## Codification of ordinances.

597 (a) The city clerk shall authenticate by the city clerk's signature and record in full in a  
598 properly indexed book kept for that purpose all ordinances adopted by the council.

599 (b) The city shall provide for the preparation of a general codification of all the ordinances  
600 of the city having the force and effect of law. The general codification shall be adopted by  
601 the city council by ordinance and shall be published promptly together with all amendments  
602 thereto and shall contain such codes of technical regulations and other rules and regulations  
603 as the city council may specify. This compilation shall be known and cited officially as "The  
604 Code of the City of South Fulton, Georgia." Copies of the code shall be furnished to all  
605 officers, departments, and agencies of the city and shall be made available for purchase by  
606 the public at a reasonable price as fixed by the city council.

607 (c) The city council shall cause each ordinance and each amendment to this charter to be  
608 promptly delivered in an appropriate format to that entity or agency that the city has retained  
609 to facilitate the codification and online viewing and download of all city ordinances, charter  
610 amendments, and technical regulations. Ordinances, charter amendments, and technical  
611 regulations shall otherwise be available in hard copy format for viewing and copying at the  
612 office of the city clerk in conformance with Code Section 50-18-70, et seq., of the O.C.G.A.  
613 Following publication of the first code under this charter and at all times thereafter, the  
614 ordinances and charter amendments shall be made available, whether in electronic or hard  
615 copy format, in substantially the same style as the code then in effect and shall be suitable  
616 in form for incorporation within the code. The city council shall make such further  
617 arrangements as deemed desirable with reproduction and distribution of any changes in or  
618 additions to codes of technical regulations and other rules and regulations included in the  
619 code.

620

**SECTION 3.21.**

621

## Submission of ordinances to the mayor.

622 (a) Every ordinance, resolution, or other action adopted by the city council shall be  
623 presented to the mayor for signature within five business days following the adoption of such  
624 ordinance, resolution, or other action by the city council. The mayor shall have the right to  
625 veto any ordinance adopted by the city council, in accordance with the procedure set forth  
626 in this section.

627 (b) The mayor, within ten business days following receipt of an ordinance, shall return it to  
628 the city clerk with or without the mayor's approval or with the mayor's veto. If an ordinance

629 has been approved by the mayor or if it is returned to the city clerk neither approved nor  
 630 disapproved, it shall become law upon its return to the city clerk. However, if the mayor fails  
 631 to return an ordinance to the city clerk within ten business days of receipt, it shall become  
 632 law at 12:00 Midnight on the tenth business day after receipt. If the ordinance is vetoed by  
 633 the mayor, the mayor shall submit to city council, through the city clerk, the reasons for the  
 634 mayor's veto. The city clerk shall record upon the ordinance the date of its delivery to and  
 635 its receipt from the mayor.

636 (c) An ordinance vetoed by the mayor shall automatically be on the agenda at the next  
 637 regular meeting of the city council for reconsideration. If the minimum number of  
 638 councilmembers necessary to vote to override the veto are not present, the action may be  
 639 continued until the next meeting at which such minimum number of councilmembers are  
 640 present. The city council may override a veto by the mayor and adopt any ordinance that  
 641 has been vetoed by the mayor by the affirmative votes of at least five councilmembers, not  
 642 including the mayor.

643 (d) In addition, the mayor may disapprove or reduce any item or items of appropriation in  
 644 any ordinance or resolution. The approved part or parts of any ordinance or resolution  
 645 making appropriations shall become law, and the part or parts disapproved or reduced shall  
 646 not become law unless subsequently passed by the city council over the mayor's veto as  
 647 provided herein. The disapproved or reduced part or parts of any such ordinance or  
 648 resolution shall be presented to the city council as though disapproved and shall not become  
 649 law unless overridden by the city council as set forth in subsection (c) of this section.

### 650 **SECTION 3.22.**

#### 651 Powers and duties of mayor.

652 (a) The mayor shall be the chief executive officer of the city government and a member of  
 653 and the presiding officer of the city council and responsible for the efficient and orderly  
 654 administration of the city's affairs. The mayor shall be responsible for the enforcement of  
 655 laws, rules, regulations, ordinances, and franchises in the city. The mayor may conduct  
 656 inquiries and investigations into the conduct of the city's affairs and shall have such powers  
 657 and duties as specified in this charter or as may be provided by ordinance consistent with this  
 658 charter.

659 (b) The mayor shall:

660 (1) Preside at all meetings of the city council and participate therein as a voting member,  
 661 and in the mayor's absence, the mayor pro tempore shall preside as set forth in  
 662 Section 3.30 of this charter;

- 663 (2) Be the head of the city for the purpose of service of process and for ceremonial  
 664 purposes and be the official spokesperson for the city and the chief advocate of policy;  
 665 (3) Have power to administer oaths and execute affidavits;  
 666 (4) Sign as a matter of course on behalf of the city all written and approved contracts,  
 667 ordinances, resolutions, and other instruments executed by the city which by law are  
 668 required to be in writing. The city council may delegate contract signing authority to the  
 669 city manager to the extent allowed by law;  
 670 (5) See that all laws and ordinances of the city are faithfully executed;  
 671 (6) Vote on any motion, resolution, ordinance, or other question before the council other  
 672 than a veto override;  
 673 (7) Obtain short-term loans in the name of the city when authorized by the city council  
 674 to do so;  
 675 (8) Have the authority to appoint city council committees and appoint councilmembers  
 676 to oversee and report on the functions of the various departments of the city, subject to  
 677 confirmation by the city council;  
 678 (9) Require the city manager to meet with him or her at a time and place designated for  
 679 consultation and advice upon the affairs of the city;  
 680 (10) Nominate the city manager, city attorney, chief judge of municipal court, city clerk,  
 681 and city treasurer, subject to ratification by the city council; provided, however, that if  
 682 the mayor's nomination is rejected by the city council or the mayor fails to offer a  
 683 nomination, nominations may be offered by members of the city council;  
 684 (11) Prepare or have prepared an agenda for each meeting of the city council which shall  
 685 include all business submitted by the mayor, any councilmember, the city manager, and  
 686 the city attorney; and  
 687 (12) Fulfill and perform such other duties as are imposed by this charter and duly  
 688 adopted ordinances.

689 **SECTION 3.23.**

690 City manager; appointment;

691 qualifications; compensation; removal.

- 692 (a) The mayor shall nominate a city manager for an indefinite term and shall set the city  
 693 manager's initial compensation, subject to confirmation by the city council. The city  
 694 manager shall be nominated solely on the basis of that person's executive and administrative  
 695 qualifications.  
 696 (b) The mayor or a councilmember may recommend the removal of the city manager from  
 697 office in accordance with the following procedures:

- 698 (1) In response to such recommendation, the city council shall adopt by affirmative vote  
 699 of a majority of all its members a preliminary resolution which must state the reasons for  
 700 removal and may suspend the city manager from duty for a period not to exceed 45 days.  
 701 A copy of the resolution shall be delivered promptly to the city manager;
- 702 (2) Within ten days after a copy of the resolution is delivered to the city manager, that  
 703 person may file with the city council a written request for a public hearing. This hearing  
 704 shall be held within 30 days after the request is filed. The city manager may file with the  
 705 city council a written reply not later than five days before the hearing; and
- 706 (3) If the city manager has not requested a public hearing within the time specified in  
 707 paragraph (2) of this subsection, the city council may adopt a final resolution for removal,  
 708 which may be made effective immediately, by an affirmative vote of a majority of all its  
 709 members. If the city manager has requested a public hearing, the city council may adopt  
 710 a final resolution for removal, which may be made effective immediately, by an  
 711 affirmative vote of a majority of all its members at any time after the public hearing.
- 712 (c) The city manager shall continue to receive the city manager's salary until the effective  
 713 date of a final resolution of removal.

714 **SECTION 3.24.**

715 Acting city manager.

716 By letter filed with the city clerk, the city manager shall designate or in the absence of the  
 717 city manager the mayor shall designate, subject to approval of the city council, a qualified  
 718 city administrative officer to exercise the powers and perform the duties of city manager  
 719 during the city manager's temporary absence or physical or mental disability. During such  
 720 absence or disability, the city council may revoke such designation at any time and appoint  
 721 another officer of the city to serve until the city manager shall return or the city manager's  
 722 disability shall cease.

723 **SECTION 3.25.**

724 Powers and duties of the city manager.

725 The city manager shall be the chief administrative officer of the city. The city manager shall  
 726 be responsible to the city council for the administration of all city affairs placed in the city  
 727 manager's charge by or under this charter. As the chief administrative officer, the city  
 728 manager shall:

- 729 (1) Have the authority to hire persons to act as department heads or directors and fill  
 730 other positions designated by ordinance or resolution and appoint and, when the city

731 manager deems it necessary for the good of the city, suspend or remove any city  
 732 employees and administrative officers the city manager hires or appoints, except as  
 733 otherwise provided by law or personnel ordinances adopted pursuant to this charter. The  
 734 city manager may authorize any administrative officer who is subject to the city  
 735 manager's direction and supervision to exercise these powers with respect to subordinates  
 736 in that officer's department, office, or agency;

737 (2) Direct and supervise the administration of all departments, offices, and agencies of  
 738 the city, except as otherwise provided by this charter or by law;

739 (3) Attend all city council meetings, except for closed meetings held for the purposes of  
 740 deliberating on the appointment, discipline, or removal of the city manager, and have the  
 741 right to take part in discussion, but the city manager may not vote;

742 (4) See that all laws, provisions of this charter, and acts of the city council, subject to  
 743 enforcement by the city manager or by officers subject to the city manager's direction and  
 744 supervision, are faithfully executed;

745 (5) Prepare and submit the annual operating budget and capital budget to the city  
 746 council;

747 (6) Submit to the city council and make available to the public a complete report on the  
 748 finances and administrative activities of the city as of the end of each fiscal year;

749 (7) Make such other reports as the city council or mayor may require concerning the  
 750 operations of those city departments, offices, and agencies that are subject to the city  
 751 manager's direction and supervision;

752 (8) Keep the city council fully advised as to the financial condition and future needs of  
 753 the city and make such recommendations to the city council concerning the affairs of the  
 754 city as the city manager deems desirable; and

755 (9) Perform other such duties as are specified in this charter or as may be required by the  
 756 city council.

757 **SECTION 3.26.**

758 Reserved.

759 **SECTION 3.27.**

760 Reserved.

761 **SECTION 3.28.**

762 Council's interference with administration.

763 Except for the purpose of inquiries and investigations under Section 3.12 of this charter, the  
 764 city council and its members shall deal with city officers and employees who are subject to  
 765 the direction and supervision of the city manager solely through the city manager, and neither  
 766 the city council nor its members shall give orders to any such officer or employee, either  
 767 publicly or privately.

768 **SECTION 3.29.**

769 Selection of mayor pro tempore.

770 There shall be a mayor pro tempore elected from among the councilmembers by the city  
 771 council at the first regular meeting of each calendar year. All subsequent successors shall  
 772 be elected at the first regular meeting of the city council in each calendar year to serve until  
 773 the first regular meeting of the city council in the immediately following calendar year. The  
 774 mayor pro tempore shall continue to vote and otherwise participate as a councilmember. A  
 775 vacancy in the position of mayor pro tempore resulting from the mayor pro tempore ceasing  
 776 to serve as a councilmember or from any other cause shall be filled for the remainder of the  
 777 unexpired term at the next regularly scheduled council meeting.

778 **SECTION 3.30.**

779 Mayor pro tempore.

780 During the absence or physical or mental disability of the mayor for any cause, the mayor  
 781 pro tempore of the city council or, in such person's absence or disability for any reason, any  
 782 one of the councilmembers chosen by a majority vote of the city council shall be clothed with  
 783 all the rights and privileges of the mayor and shall perform the official duties of the office  
 784 of the mayor so long as such absence or disability shall continue, except that the mayor pro  
 785 tempore shall not have the mayor's veto power except in the case of physical or mental  
 786 disability of the mayor. A councilmember acting as mayor shall have only one vote. Any  
 787 such absence or disability shall be declared by majority vote of all councilmembers. The  
 788 mayor pro tempore or selected councilmember shall sign all contracts and ordinances in  
 789 which the mayor has a disqualifying financial interest.



790 ARTICLE IV  
 791 ADMINISTRATIVE AFFAIRS  
 792 SECTION 4.10.  
 793 Department heads.

794 (a) Except as otherwise provided in this charter, the city council by ordinance shall prescribe  
 795 the functions or duties and establish, abolish, or alter all nonelective offices, positions of  
 796 employment, departments, and agencies of the city as necessary for the proper administration  
 797 of the affairs and government of this city.

798 (b) Except as otherwise provided by this charter or by law, the directors of departments and  
 799 other officers of the city shall be appointed solely on the basis of their respective  
 800 administrative and professional qualifications.

801 (c) All appointed officers and directors of departments shall receive such compensation as  
 802 prescribed by the city council.

803 (d) There shall be a director of each department or agency who shall be its principal officer.  
 804 Each director shall, subject to the direction and supervision of the city manager, be  
 805 responsible for the administration and direction of the affairs and operations of the director's  
 806 department or agency.

807 (e) The city manager may suspend or terminate directors or department heads, so long as the  
 808 city attorney reviews the facts supporting suspension or termination and concurs such action  
 809 is appropriate before such action is taken.

810 SECTION 4.11.  
 811 Boards.

812 (a) The city council shall create by ordinance such boards, commissions, and authorities to  
 813 fulfill any investigative, quasi-judicial, or quasi-legislative function the city council deems  
 814 necessary and shall by ordinance establish the composition, period of existence, duties, and  
 815 powers thereof.

816 (b) Every member of any appointed board, commission, or authority of the city shall be  
 817 appointed by a majority vote of the city council for such term of office and in such manner  
 818 as shall be provided by ordinance. Unless otherwise provided by ordinance or law, each  
 819 board, commission, or authority shall consist of eight members with one member being  
 820 nominated by each member of the city council and the mayor. Unless otherwise provided  
 821 by ordinance or law, there shall be no requirement that a board, commission, or authority  
 822 member reside in the district of the councilmember who nominates the member, but all  
 823 members shall be residents of the city.

- 824 (c) The city council, by ordinance, may provide for the compensation and reimbursement  
825 for actual and necessary expenses of the members of any board, commission, or authority.
- 826 (d) Except as otherwise provided by charter or by law, no member of any board,  
827 commission, or authority shall hold any elective office in the city.
- 828 (e) Any vacancy on a board, commission, or authority of the city shall be filled for the  
829 unexpired term in the manner prescribed for the original appointment, except as otherwise  
830 provided by this charter or by law.
- 831 (f) No member of a board, commission, or authority shall assume office until he or she has  
832 executed and filed with the clerk of the city an oath obligating himself or herself to perform  
833 faithfully and impartially the duties of the office, such oath to be prescribed by ordinance and  
834 administered by the mayor.
- 835 (g) Any member of a board, commission, or authority may be removed from office by  
836 majority vote of the city council.
- 837 (h) Except as otherwise provided by this charter or by law, each board, commission, or  
838 authority of the city shall elect one of its members as chairperson and one member as  
839 vice-chairperson, and may elect as its secretary one of its members or may appoint as  
840 secretary an employee of the city. Each board, commission, or authority of the city  
841 government may establish such bylaws, rules, and regulations, not inconsistent with this  
842 charter, an ordinance of the city, or law, as it deems appropriate and necessary for the  
843 fulfillment of its duties or the conduct of its affairs. Copies of such bylaws, rules, and  
844 regulations shall be filed with the clerk of the city.

845 **SECTION 4.12.**

846 City attorney.

847 The mayor shall nominate and the city council shall confirm by a majority vote a city  
848 attorney who shall be a member of the State Bar of Georgia and shall have actively practiced  
849 law for at least seven years. The city attorney shall serve at the pleasure of the city council.  
850 The city attorney shall be responsible for representing and defending the city in all litigation  
851 in which the city is a party, may be the prosecuting officer in the municipal court, shall attend  
852 the meetings of the council as directed, shall advise the city council, mayor, and other  
853 officers and employees of the city concerning legal aspects of the city's affairs, and shall  
854 perform such other duties as may be required by virtue of the position of city attorney. The  
855 city council shall provide for the compensation of the city attorney.

856 **SECTION 4.13.**

857 City clerk.

858 The mayor shall nominate and the city council shall confirm by a majority vote a city clerk  
859 who shall not be a councilmember. The city clerk shall be custodian of the official city seal,  
860 maintain city council records required by this charter, and perform such other duties as may  
861 be required by the city council. The city council shall provide for the compensation of the  
862 city clerk.

863 **SECTION 4.14.**

864 Treasurer.

865 The mayor shall nominate and the city council shall confirm by a majority vote a city  
866 treasurer to collect all taxes, licenses, fees, and other moneys belonging to the city subject  
867 to the provisions of this charter and the ordinances of the city and to enforce all laws of  
868 Georgia relating to the collection of delinquent taxes and sale or foreclosure for nonpayment  
869 of taxes to the city. The city treasurer shall also be responsible for the general duties of a  
870 treasurer and fiscal officer. The city council shall provide for the compensation of the  
871 treasurer.

872 **SECTION 4.15.**

873 Rules and regulations.

874 The city council shall adopt rules and regulations consistent with this charter concerning:

875 (1) The method of employee selection and probationary periods of employment;

876 (2) The administration of a position classification and pay plan, methods of promotion  
877 and applications of service ratings thereto, and transfer of employees within the  
878 classification plan;

879 (3) Hours of work, vacation, sick leave, and other leaves of absence, overtime pay, and  
880 the order and manner in which layoffs shall be effected;

881 (4) Such dismissal hearings as due process may require; and

882 (5) Such other personnel notices as may be necessary to provide for adequate and  
883 systematic handling of personnel affairs.

884                                   ARTICLE V  
 885                                   JUDICIAL BRANCH  
 886                                   **SECTION 5.10.**  
 887                                   Municipal court.

888    There shall be a court to be known as the Municipal Court of the City of South Fulton.

889                                   **SECTION 5.11.**  
 890                                   Judges.

891    (a) The municipal court shall be presided over by a chief judge and such part-time, full-time,  
 892    or stand-by judges as shall be provided by ordinance. The chief judge shall be nominated  
 893    by the mayor and shall be confirmed by resolution of the city council, and the method of  
 894    selection and terms of any other judges shall be provided by ordinance.

895    (b) No person shall be qualified or eligible to serve as a judge on the municipal court unless  
 896    that person shall have attained the age of 21 years and shall have been a member of the State  
 897    Bar of Georgia for a minimum of three years.

898    (c) Compensation of the chief judge and other judges shall be fixed by the city council. The  
 899    position of chief judge shall not be a full-time position, and the person serving as chief judge  
 900    may engage in the private practice of law.

901    (d) The chief judge shall serve a term of four years, coincident with the term of the mayor,  
 902    but may be removed for cause by a vote of five members of the city council or upon action  
 903    taken by the Judicial Qualification Commission.

904    (e) Before assuming office, each judge shall take an oath, given by the mayor, that the judge  
 905    will honestly and faithfully discharge the duties of the office to the best of his or her ability  
 906    and without fear, favor, or partiality. The oath shall be entered upon the minutes of the city  
 907    council journal required in Section 3.14 of this charter.

908                                   **SECTION 5.12.**  
 909                                   Convening of court.

910    The municipal court shall be convened at regular intervals as provided by ordinance.

911 **SECTION 5.13.**

## 912 Powers.

913 (a) The municipal court shall try and punish violations of this charter, all city ordinances,  
914 and such other violations as provided by law.

915 (b) The municipal court shall have the authority to punish those in its presence for contempt,  
916 provided that such punishment shall not exceed the statutory limits for fines and  
917 imprisonment for such municipal court.

918 (c) The municipal court may fix punishment for offenses within its jurisdiction, including  
919 both fines and imprisonment or alternative sentencing, provided that such fines or  
920 imprisonment does not exceed the statutory limits as now exist or hereafter provided by law.

921 (d) The municipal court shall have the authority to establish a schedule of fees to defray the  
922 cost of operation and shall be entitled to reimbursement of the actual cost of meals,  
923 transportation, and caretaking of prisoners bound over to superior courts for violation of state  
924 law.

925 (e) The municipal court shall have authority to establish bail and recognizances to ensure  
926 the presence of those charged with violations before said court and shall have discretionary  
927 authority to accept cash or personal or real property as surety bond for the appearance of  
928 persons charged with violations. Whenever any person shall give bail for appearance and  
929 shall fail to appear at the time fixed for trial, the bond shall be forfeited by the judge  
930 presiding at such time and an execution shall be issued thereon by serving the defendant and  
931 his or her sureties with a rule nisi at least two days before a hearing on the rule nisi.

932 (f) The municipal court shall have the same authority as superior courts to compel the  
933 production of evidence in the possession of any party; to enforce obedience to its orders,  
934 judgments, and sentences; and to administer such oaths as are necessary.

935 (g) The municipal court shall have the authority to bind prisoners over to the appropriate  
936 court when it appears by probable cause that state law has been violated.

937 (h) Each judge of the municipal court may compel the presence of all parties necessary to  
938 a proper disposal of each case by the issuance of summonses, subpoenas, and warrants which  
939 may be served as executed by any officer as authorized by this charter or by law.

940 (i) Each judge of the municipal court shall be authorized to issue warrants for the arrest of  
941 persons charged with offenses against any ordinance of the city, and each judge of the  
942 municipal court shall have the same authority as a magistrate of the state to issue warrants  
943 for offenses against state laws committed within the city.

944 (j) The municipal court is specifically vested with all the jurisdiction and powers throughout  
945 the geographic area of this city granted by law to municipal courts and particularly by such  
946 laws as authorize the abatement of nuisances and prosecution of traffic violations.

947 **SECTION 5.14.**

948 Certiorari.

949 The right of certiorari from the decision and judgment of the municipal court shall exist in  
 950 all criminal cases and ordinance violation cases, and such certiorari shall be obtained under  
 951 the sanction of a judge of the Superior Court of Fulton County, under the laws of the State  
 952 of Georgia regulating the granting and issuance of writs of certiorari.

953 **SECTION 5.15.**

954 Rules.

955 With the approval of the city council, the judge shall have full power and authority to make  
 956 reasonable rules and regulations necessary and proper to secure the efficient and successful  
 957 administration of the municipal court; provided, however, that the city council may adopt in  
 958 part or in toto the rules and regulations applicable to superior courts. The rules and  
 959 regulations made or adopted shall be filed with the city clerk, shall be available for public  
 960 inspection, and, upon request, shall be furnished to all defendants in municipal court  
 961 proceedings at least 48 hours prior to said proceedings.

962 **ARTICLE VI**

963 **FINANCE**

964 **SECTION 6.10.**

965 Property tax.

966 The city council may assess, levy, and collect an ad valorem tax on all real and personal  
 967 property within the corporate limits of the city that is subject to such taxation by the state and  
 968 county. This tax is for the purpose of raising revenues to defray the costs of operating the city  
 969 government, of providing governmental services, for the repayment of principal and interest  
 970 on general obligations, and for any other public purpose as determined by the city council  
 971 in its discretion.

972 **SECTION 6.11.**

973 Millage.

974 (a) The city council by ordinance shall establish a millage rate for the city property tax, a  
 975 due date, and the time period within which these taxes must be paid. The city council by

976 ordinance may provide for the payment of these taxes by installments or in one lump sum,  
 977 as well as authorize the voluntary payment of taxes prior to the time when due.

978 (b) For all years, the millage rate imposed for ad valorem taxes on real property shall not  
 979 exceed 13.469 unless a higher millage rate is recommended by resolution of the city council  
 980 and subsequently approved by a majority of the qualified voters of the city voting in a  
 981 referendum. For the purposes of this subsection, the term "qualified voters" means those  
 982 voters of the city who are qualified to vote in city elections and cast a vote for or against such  
 983 measure in such referendum. This millage rate limit shall apply to the millage rate actually  
 984 levied and shall not apply to the hypothetical millage rate computed under subsection (a) of  
 985 Code Section 48-8-91 of the O.C.G.A., relating to conditions on imposition of the joint  
 986 county and municipal sales tax.

987 **SECTION 6.12.**

988 Occupation taxes and business license fees.

989 The city council by ordinance shall have the power to levy such occupation or business taxes  
 990 as are not denied by law. Such taxes may be levied on both individuals and corporations who  
 991 transact business in this city or who practice or offer to practice any profession or calling  
 992 within the city to the extent such persons have a constitutionally sufficient nexus to this city  
 993 to be so taxed. The city council may classify businesses, occupations, professions, or  
 994 callings for the purpose of such taxation in any way which may be lawful and may compel  
 995 the payment of such taxes as provided in Section 6.18 of this charter.

996 **SECTION 6.13.**

997 Licenses.

998 The city council by ordinance shall have the power to require any individual or corporation  
 999 who transacts business in this city or who practices or offers to practice any profession or  
 1000 calling within the city to obtain a license or permit for such activity from the city and pay a  
 1001 reasonable fee for such license or permit where such activities are not now regulated by  
 1002 general law in such a way as to preclude city regulations. Such fees may reflect the total cost  
 1003 to the city of regulating the activity and, if unpaid, shall be collected as provided in  
 1004 Section 6.18 of this charter. The city council by ordinance may establish reasonable  
 1005 requirements for obtaining or keeping such licenses as the public health, safety, and welfare  
 1006 necessitate.

**SECTION 6.14.**

1007  
1008 Reserved.

**SECTION 6.15.**

1009  
1010 Sewer fees.

1011 The city council by ordinance shall have the power to assess and collect fees, charges, and  
1012 tolls for sewers, sanitary and health services, or any other services provided or made  
1013 available inside or outside the corporate limits of the city for the total cost to the city of  
1014 providing or making available such services. If unpaid, such charges shall be collected as  
1015 provided in Section 6.18 of this charter.

**SECTION 6.16.**

1016  
1017 Roads.

1018 The city council by ordinance shall have the power to assess, charge, and collect the costs  
1019 of constructing, reconstructing, widening, or improving any public way, street, sidewalk,  
1020 curbing, gutters, sewers, or other utility mains and appurtenances from the abutting property  
1021 owners under such terms and conditions as are reasonable. If unpaid, such charges shall be  
1022 collected as provided in Section 6.18 of this charter.

**SECTION 6.17.**

1023  
1024 Other taxes.

1025 This city shall be empowered to levy any other tax allowed now or hereafter by law, and the  
1026 specific mention of any right, power, or authority in this article shall not be construed as  
1027 limiting in any way the general powers of this city to govern its local affairs.

**SECTION 6.18.**

1028  
1029 Collection of delinquent taxes.

1030 The city council by ordinance may provide generally for the collection of delinquent taxes,  
1031 fees, or other revenue due the city under Sections 6.10 through 6.17 of this charter by  
1032 whatever reasonable means as are not precluded by law. This shall include providing for the  
1033 dates when the taxes or fees are due, late penalties or interest, issuance and execution of fi.  
1034 fas., creation and priority of liens, making delinquent taxes and fees personal debts of the



1035 persons required to pay the taxes or fees imposed, revoking city licenses for failure to pay  
1036 any city taxes or fees, and providing for the assignment or transfer of tax executions.

1037 **SECTION 6.19.**

1038 Borrowing.

1039 The city council shall have the power to issue bonds for the purpose of raising revenue to  
1040 carry out any project, program, or venture authorized under this charter or the laws of the  
1041 state. Such bonding authority shall be exercised in accordance with the laws governing bond  
1042 issuance by municipalities in effect at the time said issue is undertaken.

1043 **SECTION 6.20.**

1044 Revenue bonds.

1045 Revenue bonds may be issued by the city council as state law now or hereafter provides.  
1046 Such bonds are to be paid out of any revenue produced by the project, program, or venture  
1047 for which they were issued.

1048 **SECTION 6.21.**

1049 Loans.

1050 The city may obtain short-term loans and must repay such loans not later than December 31  
1051 of each year, unless otherwise provided by law.

1052 **SECTION 6.22.**

1053 Accounting and budgeting.

1054 The city council shall set the fiscal year by ordinance. This fiscal year shall constitute the  
1055 budget year and the year for financial accounting and reporting of each and every office,  
1056 department, agency, and activity of the city government.

1057 **SECTION 6.23.**

1058 Budget ordinance.

1059 The city council shall provide an ordinance on the procedures and requirements for the  
1060 preparation and execution of an annual operating budget, a capital improvement program,  
1061 and a capital budget, including requirements as to the scope, content, and form of such

1062 budgets and programs. The city council shall comply with the provisions of Chapter 81 of  
1063 Title 36 of the O.C.G.A.

1064 **SECTION 6.24.**

1065 Operating budget.

1066 On or before a date fixed by the city council but not later than 30 days prior to the beginning  
1067 of each fiscal year, the city manager shall submit to the city council a proposed operating  
1068 budget for the ensuing fiscal year. The budget shall be accompanied by a message from the  
1069 city manager containing a statement of the general fiscal policies of the city, the important  
1070 features of the budget, explanations of major changes recommended for the next fiscal year,  
1071 a general summary of the budget, and such other comments and information as the city  
1072 manager may deem pertinent. The operating budget, the capital improvements budget, the  
1073 budget message, and all supporting documents shall be filed in the office of the city clerk and  
1074 shall be open to public inspection.

1075 **SECTION 6.25.**

1076 Adoption.

1077 (a) The city council may amend the operating budget proposed by the city manager, except  
1078 that the budget as finally amended and adopted must provide for all expenditures required  
1079 by state law or by other provisions of this charter and for all debt service requirements for  
1080 the ensuing fiscal year. The total appropriations from any fund shall not exceed the  
1081 estimated fund balance, reserves, and revenues.

1082 (b) After the conducting of a budget hearing, the city council shall adopt the final operating  
1083 budget for the ensuing fiscal year on or before a date fixed by ordinance of the council. If the  
1084 city council fails to adopt the budget by said date, the amounts appropriated for operation for  
1085 the then current fiscal year shall be deemed adopted for the ensuing fiscal year on a  
1086 month-to-month basis, with all items prorated accordingly, until such time as the city council  
1087 adopts a budget for the ensuing fiscal year. Adoption of the budget shall take the form of an  
1088 appropriations ordinance setting out the estimated revenues in detail by sources and making  
1089 appropriations according to fund and by organizational unit, purpose, or activity as set out  
1090 in the budget preparation ordinance adopted pursuant to Section 6.23 of this charter.

1091 (c) The amount set out in the adopted operating budget for each organizational unit shall  
1092 constitute the annual appropriation for such, and no expenditure shall be made or  
1093 encumbrance created in excess of the otherwise unencumbered balance of the appropriations  
1094 or allotments thereof to which it is chargeable.

1095 **SECTION 6.26.**

1096 Levy of taxes.

1097 Following adoption of the operating budget, the city council shall levy by ordinance such  
 1098 taxes as are necessary. The taxes and tax rates set by such ordinance shall be such that  
 1099 reasonable estimates of revenues from such levy shall at least be sufficient, together with  
 1100 other anticipated revenues, fund balances, and applicable reserves, to equal the total amount  
 1101 appropriated for each of the several funds set forth in the annual operating budget for  
 1102 defraying the expense of the general government of this city.

1103 **SECTION 6.27.**

1104 Changes in budget.

1105 The city council by majority vote may make changes in the appropriations contained in the  
 1106 current operating budget at any regular meeting or special or emergency meeting called for  
 1107 such purposes.

1108 **SECTION 6.28.**

1109 Capital improvements.

1110 (a) On or before the date fixed by the city council, but not later than 30 days prior to the  
 1111 beginning of each fiscal year, the city manager shall submit to the city council a proposed  
 1112 capital improvements budget with any recommendations as to the means of financing the  
 1113 improvements proposed for the ensuing year. The city council shall have the power to  
 1114 accept, with or without amendments, or reject the proposed program and proposed means of  
 1115 financing. The city council shall not authorize an expenditure for the construction of any  
 1116 building, structure, work, or improvement, unless the appropriations for such project are  
 1117 included in the capital improvements budget, except to meet a public emergency as provided  
 1118 in Section 3.18 of this charter.

1119 (b) After the conducting of a public hearing, the city council shall adopt by ordinance the  
 1120 final capital improvements budget for the ensuing fiscal year on or before a date fixed by  
 1121 ordinance of the council. No appropriations provided for in a prior capital improvements  
 1122 budget shall lapse until the purpose for which the appropriations were made shall have been  
 1123 accomplished or abandoned; provided, however, the mayor may submit amendments to the  
 1124 capital improvements budget at any time during the fiscal year, accompanied by any  
 1125 recommendations. Any such amendments to the capital improvements budget shall become  
 1126 effective only upon adoption by majority vote of the city council.

1127 **SECTION 6.29.**

1128 Audits.

1129 There shall be an annual independent audit of all city accounts, funds, and financial  
 1130 transactions by a certified public accountant selected by the city council. The audit shall be  
 1131 conducted according to generally accepted accounting principles. Any audit of any funds by  
 1132 the state or federal government may be accepted as satisfying the requirements of this  
 1133 charter. Copies of all audit reports shall be available at printing costs to the public.

1134 **SECTION 6.30.**

1135 Procurement and property management.

1136 No contract with the city shall be binding on the city unless:

1137 (1) It is in writing;

1138 (2) It is drawn or submitted and reviewed by the city attorney and, as a matter of course,  
 1139 is signed by the city attorney to indicate such drafting or review; and

1140 (3) It is made or authorized by the city council and such approval is entered in the city  
 1141 council journal of proceedings pursuant to Section 3.14 of this charter.

1142 **SECTION 6.31.**

1143 Purchasing.

1144 The city council shall by ordinance prescribe procedures for a system of centralized  
 1145 purchasing for the city.

1146 **SECTION 6.32.**

1147 Sale of property.

1148 (a) The city council may sell and convey any real or personal property owned or held by the  
 1149 city for governmental or other purposes as now or hereafter provided by law, as well as any  
 1150 abandoned or surplus property.

1151 (b) The city council may quitclaim any rights it may have in property not needed for public  
 1152 purposes upon request by the mayor and adoption of a resolution, both finding that the  
 1153 property is not needed for public or other purposes and that the interest of the city has no  
 1154 readily ascertainable monetary value.

1155 (c) Whenever in opening, extending, or widening any street, avenue, alley, or public place  
 1156 of the city a small parcel or tract of land is cut off or separated by such work from a larger

1157 tract or boundary of land owned by the city, the city council may authorize the mayor to  
 1158 execute and deliver in the name of the city a deed conveying said cut-off or separated parcel  
 1159 or tract of land to an abutting or adjoining property owner or owners in exchange for rights  
 1160 of way of said street, avenue, alley, or public place when such exchange is deemed to be in  
 1161 the best interest of the city. All deeds and conveyances heretofore and hereafter so executed  
 1162 and delivered shall convey all title and interest the city has in such property, notwithstanding  
 1163 the fact that no public sale after advertisement was or is hereafter made.

1164 **SECTION 6.33.**

1165 General homestead exemption.

1166 (a) As used in this section, the term:

1167 (1) "Ad valorem taxes for municipal purposes" means all ad valorem taxes for municipal  
 1168 purposes levied by, for, or on behalf of the City of South Fulton, except for any ad  
 1169 valorem taxes to pay interest on and to retire municipal bonded indebtedness.

1170 (2) "Homestead" means homestead as defined and qualified in Code Section 48-5-40 of  
 1171 the O.C.G.A., as amended.

1172 (b) Each resident of the City of South Fulton is granted an exemption on that person's  
 1173 homestead from City of South Fulton ad valorem taxes for municipal purposes in the amount  
 1174 of \$30,000.00 of the assessed value of that homestead. The value of that property in excess  
 1175 of such exempted amount shall remain subject to taxation.

1176 (c) A person shall not receive the homestead exemption granted by subsection (b) of this  
 1177 section unless the person or person's agent files an application with the governing authority  
 1178 of the City of South Fulton, or the designee thereof, giving such information relative to  
 1179 receiving such exemption as will enable the governing authority of the City of South Fulton,  
 1180 or the designee thereof, to make a determination regarding the initial and continuing  
 1181 eligibility of such person for such exemption. The governing authority of the City of South  
 1182 Fulton, or the designee thereof, shall provide application forms for this purpose.

1183 (d) The exemption shall be claimed and returned as provided in Code Section 48-5-50.1 of  
 1184 the O.C.G.A., as amended. The exemption shall be automatically renewed from year to year  
 1185 so long as the owner occupies the residence as a homestead. After a person has filed the  
 1186 proper application as provided in subsection (c) of this section, it shall not be necessary to  
 1187 make application thereafter for any year and the exemption shall continue to be allowed to  
 1188 such person. It shall be the duty of any person granted the homestead exemption under  
 1189 subsection (b) of this section to notify the governing authority of the City of South Fulton,  
 1190 or the designee thereof, in the event that person for any reason becomes ineligible for such  
 1191 exemption.

1192 (e) The exemption granted by subsection (b) of this section shall not apply to or affect state  
 1193 ad valorem taxes, county ad valorem taxes for county purposes, or county or independent  
 1194 school district ad valorem taxes for educational purposes. The homestead exemption granted  
 1195 by subsection (b) of this section shall be in addition to and not in lieu of any other homestead  
 1196 exemption applicable to municipal ad valorem taxes for municipal purposes.

1197 (f) The exemption granted by subsection (b) of this section shall apply to all taxable years  
 1198 beginning on or after January 1, 2017.

#### 1199 **SECTION 6.34.**

#### 1200 **General homestead exemption for citizens age 65 or over.**

1201 (a) As used in this section, the term:

1202 (1) "Ad valorem taxes for municipal purposes" means all ad valorem taxes for municipal  
 1203 purposes levied by, for, or on behalf of the City of South Fulton, except for any ad  
 1204 valorem taxes to pay interest on and to retire municipal bonded indebtedness.

1205 (2) "Homestead" means homestead as defined and qualified in Code Section 48-5-40 of  
 1206 the O.C.G.A., as amended.

1207 (3) "Senior citizen" means a person who is 65 years of age or over on or before January 1  
 1208 of the year in which application for the exemption under subsection (b) of this section is  
 1209 made.

1210 (b) Each resident of the City of South Fulton who is a senior citizen is granted an exemption  
 1211 on that person's homestead from City of South Fulton ad valorem taxes for municipal  
 1212 purposes in the amount of \$15,000.00 of the assessed value of that homestead. The value of  
 1213 that property in excess of such exempted amount shall remain subject to taxation.

1214 (c) A person shall not receive the homestead exemption granted by subsection (b) of this  
 1215 section unless the person or person's agent files an application with the governing authority  
 1216 of the City of South Fulton, or the designee thereof, giving the person's age and such  
 1217 additional information relative to receiving such exemption as will enable the governing  
 1218 authority of the City of South Fulton, or the designee thereof, to make a determination  
 1219 regarding the initial and continuing eligibility of such person for such exemption. The  
 1220 governing authority of the City of South Fulton, or the designee thereof, shall provide  
 1221 application forms for this purpose.

1222 (d) The exemption shall be claimed and returned as provided in Code Section 48-5-50.1 of  
 1223 the O.C.G.A., as amended. The exemption shall be automatically renewed from year to year  
 1224 so long as the owner occupies the residence as a homestead. After a person has filed the  
 1225 proper application, as provided in subsection (c) of this section, it shall not be necessary to  
 1226 make application thereafter for any year and the exemption shall continue to be allowed to

1227 such person. It shall be the duty of any person granted the homestead exemption under  
 1228 subsection (b) of this section to notify the governing authority of the City of South Fulton,  
 1229 or the designee thereof, in the event that person for any reason becomes ineligible for that  
 1230 exemption.

1231 (e) The exemption granted by subsection (b) of this section shall not apply to or affect state  
 1232 ad valorem taxes, county ad valorem taxes for county purposes, or county or independent  
 1233 school district ad valorem taxes for educational purposes. The homestead exemption granted  
 1234 by subsection (b) of this section shall be in addition to and not in lieu of any other homestead  
 1235 exemption applicable to municipal ad valorem taxes for municipal purposes.

1236 (f) The exemption granted by subsection (b) of this section shall apply to all taxable years  
 1237 beginning on or after January 1, 2017.

### 1238 **SECTION 6.35.**

1239 Homestead exemption for citizens age 65 or over  
 1240 meeting certain income requirements.

1241 (a) As used in this section, the term:

1242 (1) "Ad valorem taxes for municipal purposes" means all ad valorem taxes for municipal  
 1243 purposes levied by, for, or on behalf of the City of South Fulton, including, but not  
 1244 limited to, any ad valorem taxes to pay interest on and to retire municipal bonded  
 1245 indebtedness.

1246 (2) "Homestead" means homestead as defined and qualified in Code Section 48-5-40 of  
 1247 the O.C.G.A., as amended.

1248 (3) "Income" means adjusted gross income as such term is defined in the Internal  
 1249 Revenue Code of 1986, as such code is defined in Code Section 48-1-2 of the O.C.G.A.,  
 1250 except that for purposes of this section the term shall include only that portion of income  
 1251 or benefits received as retirement, survivor, or disability benefits under the federal Social  
 1252 Security Act or under any other public or private retirement, disability, or pension system  
 1253 which exceeds the maximum amount which may be received by an individual and an  
 1254 individual's spouse under the federal Social Security Act.

1255 (4) "Senior citizen" means a person who is 65 years of age or over on or before January 1  
 1256 of the year in which application for the exemption under subsection (b) of this section is  
 1257 made.

1258 (b) Each resident of the City of South Fulton who is a senior citizen is granted an exemption  
 1259 on that person's homestead from City of South Fulton ad valorem taxes for municipal  
 1260 purposes in the amount of \$10,000.00 of the assessed value of that homestead. The  
 1261 exemption granted by this subsection shall only be granted if that person's income, together

1262 with the income of the spouse who also occupies and resides at such homestead, does not  
 1263 exceed the maximum amount which may be received by an individual and an individual's  
 1264 spouse under the federal Social Security Act for the immediately preceding year. The value  
 1265 of that property in excess of such exempted amount shall remain subject to taxation.

1266 (c) A person shall not receive the homestead exemption granted by subsection (b) of this  
 1267 section unless the person or person's agent files an application with the governing authority  
 1268 of the City of South Fulton, or the designee thereof, giving the person's age, income, and  
 1269 such additional information relative to receiving such exemption as will enable the governing  
 1270 authority of the City of South Fulton, or the designee thereof, to make a determination  
 1271 regarding the initial and continuing eligibility of such person for such exemption. The  
 1272 governing authority of the City of South Fulton, or the designee thereof, shall provide  
 1273 application forms for this purpose.

1274 (d) The exemption shall be claimed and returned as provided in Code Section 48-5-50.1 of  
 1275 the O.C.G.A., as amended. The exemption shall be automatically renewed from year to year  
 1276 so long as the owner occupies the residence as a homestead. After a person has filed the  
 1277 proper application, as provided in subsection (c) of this section, it shall not be necessary to  
 1278 make application thereafter for any year and the exemption shall continue to be allowed to  
 1279 such person. It shall be the duty of any person granted the homestead exemption under  
 1280 subsection (b) of this section to notify the governing authority of the City of South Fulton,  
 1281 or the designee thereof, in the event that person for any reason becomes ineligible for that  
 1282 exemption.

1283 (e) The exemption granted by subsection (b) of this section shall not apply to or affect state  
 1284 ad valorem taxes, county ad valorem taxes for county purposes, or county or independent  
 1285 school district ad valorem taxes for educational purposes. The homestead exemption granted  
 1286 by subsection (b) of this section shall be in addition to and not in lieu of any other homestead  
 1287 exemption applicable to municipal ad valorem taxes for municipal purposes.

1288 (f) The exemption granted by subsection (b) of this section shall apply to all taxable years  
 1289 beginning on or after January 1, 2017.

1290 **SECTION 6.36.**

1291 Homestead exemption for citizens age 70 or over  
 1292 and disabled persons meeting certain income requirements.

1293 (a) As used in this section, the term:

1294 (1) "Ad valorem taxes for municipal purposes" means all ad valorem taxes for municipal  
 1295 purposes levied by, for, or on behalf of the City of South Fulton, including, but not



1296 limited to, any ad valorem taxes to pay interest on and to retire municipal bonded  
1297 indebtedness.

1298 (2) "Homestead" means homestead as defined and qualified in Code Section 48-5-40 of  
1299 the O.C.G.A., as amended.

1300 (3) "Income" means adjusted gross income determined pursuant to the Internal Revenue  
1301 Code of 1986, as amended, for federal income tax purposes, except that for the purposes  
1302 of this section the term shall include only that portion of income or benefits received as  
1303 retirement, survivor, or disability benefits under the federal Social Security Act or under  
1304 any other public or private retirement, disability, or pension system which exceeds the  
1305 maximum amount which may be received by an individual and an individual's spouse  
1306 under the federal Social Security Act.

1307 (4) "Senior citizen" means a person who is 70 years of age or over on or before January 1  
1308 of the year in which application for the exemption under subsection (b) of this section is  
1309 made.

1310 (b) Each resident of the City of South Fulton who is a senior citizen or who is disabled is  
1311 granted an exemption on that person's homestead from City of South Fulton ad valorem taxes  
1312 for municipal purposes for the full value of that homestead. The exemption granted by this  
1313 subsection shall only be granted if that person's income, together with the income of the  
1314 spouse who also occupies and resides at such homestead, does not exceed the maximum  
1315 amount which may be received by an individual and an individual's spouse under the federal  
1316 Social Security Act for the immediately preceding year.

1317 (c)(1) In order to qualify for the exemption provided for in subsection (b) of this section  
1318 as being disabled, the person claiming such exemption shall be required to obtain a  
1319 certificate from not more than three physicians licensed to practice medicine under  
1320 Chapter 34 of Title 43 of the O.C.G.A., as amended, certifying that in the opinion of such  
1321 physician or physicians such person is mentally or physically incapacitated to the extent  
1322 that such person is unable to be gainfully employed and that such incapacity is likely to  
1323 be permanent. Such certificate or certificates shall constitute part of and be submitted  
1324 with the application provided for in paragraph (2) of this subsection.

1325 (2) A person shall not receive the homestead exemption granted by subsection (b) of this  
1326 section unless the person or person's agent files an application with the governing  
1327 authority of the City of South Fulton, or the designee thereof, giving the person's age,  
1328 income, and such additional information relative to receiving such exemption as will  
1329 enable the governing authority of the City of South Fulton, or the designee thereof, to  
1330 make a determination regarding the initial and continuing eligibility of such person for  
1331 such exemption. The governing authority of the City of South Fulton, or the designee  
1332 thereof, shall provide application forms for this purpose.

1333 (d) The exemption shall be claimed and returned as provided in Code Section 48-5-50.1 of  
 1334 the O.C.G.A., as amended. The exemption shall be automatically renewed from year to year  
 1335 so long as the owner occupies the residence as a homestead. After a person has filed the  
 1336 proper application, as provided in subsection (c) of this section, it shall not be necessary to  
 1337 make application thereafter for any year and the exemption shall continue to be allowed to  
 1338 such person. It shall be the duty of any person granted the homestead exemption under  
 1339 subsection (b) of this section to notify the governing authority of the City of South Fulton,  
 1340 or the designee thereof, in the event that person for any reason becomes ineligible for that  
 1341 exemption.

1342 (e) The exemption granted by subsection (b) of this section shall not apply to or affect state  
 1343 ad valorem taxes, county ad valorem taxes for county purposes, or county or independent  
 1344 school district ad valorem taxes for educational purposes. The homestead exemption granted  
 1345 by subsection (b) of this section shall be in addition to and not in lieu of any other homestead  
 1346 exemption applicable to municipal ad valorem taxes for municipal purposes.

1347 (f) The exemption granted by subsection (b) of this section shall apply to all taxable years  
 1348 beginning on or after January 1, 2017.

## 1349 ARTICLE VII

### 1350 GENERAL PROVISIONS

#### 1351 SECTION 7.10.

1352 Bonds for officials.

1353 The officers and employees of this city, both elected and appointed, shall execute such surety  
 1354 or fidelity bonds in such amounts and upon such terms and conditions as the city council  
 1355 shall from time to time require by ordinance or as may be provided by law.

#### 1356 SECTION 7.11.

1357 Reserved.

#### 1358 SECTION 7.12.

1359 Definitions and construction.

1360 (a) Section captions in this charter are informative only and shall not be considered as a part  
 1361 thereof.

1362 (b) The word "shall" is mandatory and the word "may" is permissive.

1363 (c) The singular shall include the plural, the masculine shall include the feminine, and vice  
 1364 versa.

1365 **SECTION 7.13.**

1366 Qualified electors.

1367 (a) For the purposes of the referendum election provided for in Section 7.14 of this charter  
 1368 and for the purposes of the special election to be held on the third Tuesday in March, 2017,  
 1369 the qualified electors of the City of South Fulton shall be those qualified electors of Fulton  
 1370 County residing within the corporate limits of the City of South Fulton as described by  
 1371 Section 1.11 of this charter. At subsequent municipal elections, the qualified electors of the  
 1372 City of South Fulton shall be determined pursuant to the authority of Chapter 2 of Title 21  
 1373 of the O.C.G.A., known as the "Georgia Election Code."

1374 (b) Only for the purpose of holding and conducting the referendum election provided for by  
 1375 Section 7.14 of this charter and only for the purpose of holding and conducting the special  
 1376 election of the City of South Fulton to be held on the third Tuesday in March, 2017, the  
 1377 election superintendent of Fulton County is vested with the powers and duties of the election  
 1378 superintendent of the City of South Fulton and the powers and duties of the governing  
 1379 authority of the City of South Fulton.

1380 **SECTION 7.14.**

1381 Referendum.

1382 The election superintendent of Fulton County shall call a special election for the purpose of  
 1383 submitting this Act to the qualified voters of the proposed City of South Fulton, as provided  
 1384 in Section 7.13 of this charter, for approval or rejection. The superintendent shall set the date  
 1385 of such election for the Tuesday next following the first Monday in November, 2016. The  
 1386 superintendent shall issue the call for such election at least 30 days prior to the date thereof.  
 1387 The superintendent shall cause the date and purpose of the election to be published once a  
 1388 week for two weeks immediately preceding the date thereof in the official organ of Fulton  
 1389 County. The ballot shall have written or printed thereon the words:

1390 "( ) YES Shall the Act incorporating the City of South Fulton in Fulton County and

1391 ( ) NO granting the homestead exemptions described therein be approved?"

1392 All persons desiring to vote for approval of the Act shall vote "Yes," and those persons  
 1393 desiring to vote for rejection of the Act shall vote "No." If more than one-half of the votes  
 1394 cast on such question are for approval of the Act, it shall become of full force and effect;  
 1395 otherwise, it shall thereafter be void and of no force and effect. The expense of the special  
 1396 election set forth in this section shall be borne by Fulton County. It shall be the duty of the  
 1397 superintendent to hold and conduct such election. It shall be his or her further duty to certify  
 1398 the result thereof to the Secretary of State.

**SECTION 7.15.**

## Effective dates.

1401 (a) Sections 1.10 and 1.11 of this charter and those provisions of this charter necessary for  
 1402 the special election provided for in Section 7.14 of this charter shall become effective  
 1403 immediately upon this Act's approval by the Governor or upon its becoming law without  
 1404 such approval.

1405 (b) Those provisions of this Act necessary for the special election to be held on the third  
 1406 Tuesday in March, 2017, as provided by Article II of this charter, shall be effective upon the  
 1407 certification of the results of the referendum election provided for by Section 7.14 of this  
 1408 charter, if this Act is approved at such referendum election.

1409 (c) The remaining provisions of this Act shall become of full force and effect for all  
 1410 purposes on May 1, 2017, except that the initial mayor and councilmembers shall take office  
 1411 immediately following their election and by action of a quorum may prior to May 1, 2017,  
 1412 meet and take actions binding on the city.

**SECTION 7.16.**

## Transition.

1415 (a) A period of time will be needed for an orderly transition of various government functions  
 1416 from Fulton County to the City of South Fulton. Accordingly, there shall be a transition  
 1417 period beginning on the date of the certification of the referendum results approving the  
 1418 incorporation of the City of South Fulton and ending at midnight on the last day of the  
 1419 twenty-fourth month following such date. During such transition period, all provisions of  
 1420 this charter shall be effective as law, but not all provisions of this charter shall be  
 1421 implemented.

1422 (b) During such transition period, Fulton County shall continue to provide within the  
 1423 territorial limits of the City of South Fulton all government services and functions which  
 1424 Fulton County provided in that area during 2016 and at the same actual cost, except to the  
 1425 extent otherwise provided in this section; provided, however, that upon at least 30 days' prior  
 1426 written notice to Fulton County by the City of South Fulton, responsibility for any such  
 1427 service or function shall be transferred to the City of South Fulton. Beginning on May 1,  
 1428 2017, the City of South Fulton shall collect taxes, fees, assessments, fines and forfeitures,  
 1429 and other moneys within the territorial limits of the City of South Fulton; provided, however,  
 1430 that upon at least 30 days' prior written notice to Fulton County by the City of South Fulton,  
 1431 the authority to collect any tax, fee, assessment, fine or forfeiture, or other moneys shall  
 1432 remain with Fulton County after May 1, 2017, until such time as Fulton County receives

- 1433 subsequent notice from the City of South Fulton that such authority shall be transferred to  
1434 the City of South Fulton.
- 1435 (c) During the transition period, the governing authority of the City of South Fulton:
- 1436 (1) Shall hold regular meetings and may hold special meetings as provided in this  
1437 charter;
- 1438 (2) May enact ordinances and resolutions as provided in this charter;
- 1439 (3) May amend this charter by home rule action as provided by general law;
- 1440 (4) May accept gifts and grants;
- 1441 (5) May borrow money and incur indebtedness to the extent authorized by this charter  
1442 and general law;
- 1443 (6) May levy and collect an ad valorem tax for calendar years 2018 and 2019;
- 1444 (7) May establish a fiscal year and budget;
- 1445 (8) May create, alter, or abolish departments, boards, offices, commissions, and agencies  
1446 of the city; appoint and remove officers and employees; and exercise all necessary or  
1447 appropriate personnel and management functions; and
- 1448 (9) May generally exercise any power granted by this charter or general law, except to  
1449 the extent that a power is specifically and integrally related to the provision of a  
1450 governmental service, function, or responsibility not yet provided or carried out by the  
1451 city.
- 1452 (d) Except as otherwise provided in this section, during the transition period, the Municipal  
1453 Court of the City of South Fulton shall not exercise its jurisdiction. During the transition  
1454 period, all ordinances of Fulton County shall remain applicable within the territorial limits  
1455 of the City of South Fulton and the appropriate court or courts of Fulton County shall retain  
1456 jurisdiction to enforce such ordinances. However, by appropriate agreement (and concurrent  
1457 resolutions and ordinances if needed) Fulton County and the City of South Fulton may during  
1458 the transition period transfer all or part of such regulatory authority and the appropriate court  
1459 jurisdiction to the City of South Fulton. Any transfer of jurisdiction to the City of South  
1460 Fulton during or at the end of the transition period shall not in and of itself abate any judicial  
1461 proceeding pending in Fulton County or the pending prosecution of any violation of any  
1462 ordinance of Fulton County.
- 1463 (e) During the transition period, the governing authority of South Fulton may at any time,  
1464 without the necessity of any agreement by Fulton County, commence to exercise its planning  
1465 and zoning powers; provided, however, that the city shall give the county notice of the date  
1466 on which the city will assume the exercise of such powers. Upon the governing authority of  
1467 South Fulton commencing to exercise its planning and zoning powers, the Municipal Court  
1468 of the City of South Fulton shall immediately have jurisdiction to enforce the planning and

1469 zoning ordinances of the city. The provisions of this subsection shall control over any  
1470 conflicting provisions of any other subsection of this section.

1471 (f) Effective upon the termination of the transition period, subsections (b) through (e) of this  
1472 section shall cease to apply except for the last sentence of subsection (d) which shall remain  
1473 effective. Effective upon the termination of the transition period, the City of South Fulton  
1474 shall be a full functioning municipal corporation and subject to all general laws of this state.

1475 **SECTION 7.17.**

1476 Directory nature of dates.

1477 It is the intention of the General Assembly that this Act be construed as directory rather than  
1478 mandatory with respect to any date prescribed in this Act. If it is necessary to delay any  
1479 action called for in this Act for providential cause or any other reason, it is the intention of  
1480 the General Assembly that the action be delayed rather than abandoned. Any delay in  
1481 performing any action under this Act, whether for cause or otherwise, shall not operate to  
1482 frustrate the overall intent of this Act. Without limiting the generality of the foregoing it is  
1483 specifically provided that:

1484 (1) If it is not possible to hold the referendum election provided for in Section 7.14 of  
1485 this Act on the date specified in that section, then such referendum shall be held as soon  
1486 thereafter as is reasonably practicable; and

1487 (2) If it is not possible to hold the first municipal election provided for in Section 2.11  
1488 of this Act on the date specified in that section, then there shall be a special election for  
1489 the initial members of the governing authority to be held as soon thereafter as is  
1490 reasonably practicable, and the commencement of the initial terms of office shall be  
1491 delayed accordingly.

1492 **SECTION 7.18.**

1493 Charter commission.

1494 At the first regularly scheduled city council meeting, five years after the inception of the City  
1495 of South Fulton, the mayor and city council shall call for a charter commission to review the  
1496 city's experience and recommend to the General Assembly any changes to the city charter.  
1497 Members of the charter commission shall be appointed as follows: one by the mayor, one by  
1498 the city council, and one by each member of the Georgia House of Representatives and  
1499 Senate whose district lies wholly or partially within the corporate boundaries of the City of  
1500 South Fulton. All members of the charter commission must reside in the City of South

1501 Fulton. The commission must complete the recommendations within six months of its  
1502 creation.

1503 **SECTION 7.19.**

1504 Severability.

1505 In the event any section, subsection, sentence, clause, or phrase of this Act shall be declared  
1506 or adjudged invalid or unconstitutional, such adjudication shall in no manner affect the other  
1507 sections, subsections, sentences, clauses, or phrases of this Act, which shall remain of full  
1508 force and effect, as if the section, subsection, sentence, clause, or phrase so declared or  
1509 adjudged invalid or unconstitutional were not originally a part hereof. The General  
1510 Assembly hereby declares that it would have passed the remaining parts of this Act if it had  
1511 known that such part or parts hereof would be declared or adjudged invalid or  
1512 unconstitutional.

1513 **SECTION 7.20.**

1514 General repealer.

1515 All laws and parts of laws in conflict with this Act are repealed.

1516 APPENDIX A  
 1517 CORPORATE LIMITS  
 1518 CITY OF SOUTH FULTON

1519 The City of South Fulton shall include all the territory embraced within the following census  
 1520 blocks based upon the 2010 United States decennial census but shall not include any territory  
 1521 that was annexed into another municipality before July 1, 2016, and shall not include the  
 1522 territory included within the Fulton County Industrial District unless the local constitutional  
 1523 amendment creating such district is repealed or determined judicially to be of no force and  
 1524 effect prior to the first municipal election for the city:

1525 Fulton County  
 1526 VTD: 12109B - 09B  
 1527 008202:  
 1528 4002  
 1529 VTD: 12111E4 - 11E4  
 1530 007706:  
 1531 2028  
 1532 VTD: 121CP08B - CP08B  
 1533 010511:  
 1534 2004  
 1535 VTD: 121EP08A - EP08A  
 1536 011305:  
 1537 3015 3017  
 1538 011306:  
 1539 1031 2008 2018 2021  
 1540 VTD: 121FA01A - FA01A  
 1541 010400:  
 1542 3064 3066 3078 3079 3087 3099  
 1543 010514:  
 1544 2051 2078 2086 2100 2101 2102  
 1545 VTD: 121FA01B - FA01B  
 1546 010510:  
 1547 3126  
 1548 VTD: 121SC01 - SC01  
 1549 VTD: 121SC02 - SC02  
 1550 VTD: 121SC04 - SC04



1551 VTD: 121SC05 - SC05  
 1552 VTD: 121SC07 - SC07  
 1553 010304:  
 1554 2087 2103 2105 2106 2107 2108 2109 2112  
 1555 010400:  
 1556 3000 3003 3005 3006 3008 3009 3011 3012 3013 3014 3017 3019  
 1557 3021 3028 3029 3042 3043 3053 3054 3065 3080  
 1558 010513:  
 1559 1021 1022 1043 1044 1045 1048 1049 1050 1051 1052 1055 1060  
 1560 1061 1062 1078 1098 1119 2022 2024 2029 2030 2056 3045  
 1561 010514:  
 1562 1002 1003 1004 1005 1006 1012 1013 1014 1017 1019 1021 1022  
 1563 1023 1024 1025 1026 1027 1028 1029 1030 1031 1032 1033 1034  
 1564 1036 1037 1043 1044 1046 1051 1054 1055 1056 1057 1059 1061  
 1565 1062 1063 1065 1066 1067 1073 1087 1088 1089 2000 2002 2003  
 1566 2004 2005 2006 2007 2008 2009 2010 2011 2012 2013 2014 2015  
 1567 2016 2017 2018 2019 2020 2021 2022 2023 2024 2025 2026 2028  
 1568 2029 2030 2031 2032 2033 2034 2035 2038 2040 2043 2044 2045  
 1569 2046 2054 2055 2057 2059 2060 2061 2068 2071 2072 2073 2074  
 1570 2075 2076 2077 2080 2085 2087 2091 2094 2098 2108 2109 2110  
 1571 2111 3055 3056 3079 3080  
 1572 VTD: 121SC08 - SC08  
 1573 010507:  
 1574 3066  
 1575 010510:  
 1576 2003 4000 4001 4009  
 1577 010511:  
 1578 1033 1034 1035 1036 1037 1038 1039 1040 1041 1043 1045 1046  
 1579 1047 1048 1049 1061 1062 2005 2006 2008 2009 2010 2011 2012  
 1580 2013 2014 2015 2017 2018 2019 2020 2021 2024 2027 2028 2029  
 1581 2030 2031 2032 2033 2034 2036 2037 2038 2039 2040 2041 2042  
 1582 2043 2044 2045 2046 2047 2051 2052 2053 2054 2055 2056 2058  
 1583 2062 2064 3000 3001 3002 3003 3004 3005 3008 3011 3012 3013  
 1584 3014 3015  
 1585 010512:  
 1586 1002 1003 1004 1005 1006 1007 1008 1016 1017 1024 1025 2001  
 1587 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011 2012 2015

1588 2019 2020 2035 2036  
 1589 010513:  
 1590 1007 1008 1063 1064 1069 1070 1071 1073 1074 1075 1077 1087  
 1591 1088 1089 1094 1096 1097 1102 1105 1109 1110  
 1592 VTD: 121SC09 - SC09  
 1593 VTD: 121SC10 - SC10  
 1594 010507:  
 1595 1006 1008 2001 2002 2003 2004 2005 2006 2007 3037 3055 3056  
 1596 3057 3059 3060 3067 3068  
 1597 010511:  
 1598 2066  
 1599 VTD: 121SC11 - SC11  
 1600 VTD: 121SC13A - SC13A  
 1601 VTD: 121SC13B - SC13B  
 1602 010301:  
 1603 1016 1017 1018 1026 1027 1028 1029 1030 1031 1032 1049 1050  
 1604 1051 1052 1053 1056 1057 1058 1062 1063 1064 1065 1066 1067  
 1605 1068 1083 1084 1085 1086 1087 1088 1089 1090 1091 1092 1093  
 1606 1097 1098 1099 1100 1101 1102 1103 1104 1105 1106 1110 1115  
 1607 1116 1119 1123 1137  
 1608 VTD: 121SC14 - SC14  
 1609 VTD: 121SC16A - SC16A  
 1610 VTD: 121SC16B - SC16B  
 1611 VTD: 121SC17 - SC17  
 1612 010511:  
 1613 1019 1020 1021 1022 1023 1027 1028 1029 1032 1050 1051 1052  
 1614 1053 1054 1055 1056 1057 1058 1059 1063 1064 1065 1066  
 1615 010513:  
 1616 1001 1005 1016 1030 1031 1032 1037 1038 1039 1041 1042 1103  
 1617 1104 1106 1107 1117  
 1618 VTD: 121SC18 - SC18  
 1619 007706:  
 1620 2007 2014 2017 2018 2019 2020 2021 2023 2029  
 1621 010304:  
 1622 1015 1016 1017 1018 1019 1020 1021 1023 1024 1025 1026 1027  
 1623 1030 1031 1032 1033 1034 1035 1036 2000 2001 2004 2011 2012  
 1624 2013 2014 2015 2016 2017 2018 2019 2020 2021 2022 2023 2024

1625 2025 2026 2041 2042 2043 2044 2045 2072 2073 2075 2078 2081  
 1626 2092 2093 2115  
 1627 VTD: 121SC19 - SC19  
 1628 010507:  
 1629 3002 3004 3005 3006 3007 3008 3009 3010 3011 3017 3020 3021  
 1630 3022  
 1631 010511:  
 1632 1012 1013 1015 1016 1018 1024 1025 1026 1030 1031 1067  
 1633 010604:  
 1634 3011 3012 3013 3015 3016  
 1635 011305:  
 1636 3018 3019 3020 3021  
 1637 011306:  
 1638 1011 1012 1032 1033 1034 1036 1038 1039 1040 2019 2020 2025  
 1639 2028 2029 2030 2031 2032 2033 2035 2036 2037 2038 2039  
 1640 VTD: 121SC21 - SC21  
 1641 010510:  
 1642 2019 2020 2021 3002 3010 3011 3012 3013 3015 3016 3017 3026  
 1643 3027 3028 3029 3031 3034 3036 3037 3038 3039 3042 3043 3044  
 1644 3045 3046 3047 3048 3049 3050 3051 3052 3053 3054 3055 3064  
 1645 3066 3067 3068 3069 3070 3071 3072 3073 3074 3075 3076 3077  
 1646 3078 3079 3080 3082 3083 3085 3086 3087 3088 3089 3091 3096  
 1647 3102 3103 3104 3105 3106 3107 3108 3109 3110 3112 3114 3115  
 1648 3116 3127 3174 3186 3187 3188 3189 3190 3192 3214 3215 3216  
 1649 3217 3220 3221 3222  
 1650 010513:  
 1651 2036  
 1652 010515:  
 1653 1022 1023 1024 1025 1036 1037 1038 1039 1040 1041 1042 1046  
 1654 1048  
 1655 VTD: 121SC23 - SC23  
 1656 VTD: 121SC27 - SC27  
 1657 VTD: 121SC29 - SC29  
 1658 VTD: 121SC30 - SC30  
 1659 007703:  
 1660 3000 3001 3002 3003 3016  
 1661 007704:

1662 3005 3006

1663 007802:

1664 1000 1001 1002 1003 1004 1006 1016 1018 1025 1027 1028 4012

1665 007806:

1666 2002 2020 2021 2022 2023 2024

1667 007900:

1668 3017 3018 3019 3038 3042 3051 3052 3058

1669 VTD: 121UC02 - UC02

1670 010510:

1671 3014

1672 010513:

1673 2037 2057

1674 VTD: 121UC03A - UC03A

1675 010510:

1676 3008

1677 For the purposes of this description, the term "VTD" shall mean and describe the same  
 1678 geographical boundaries as provided in the report of the Bureau of the Census for the United  
 1679 States decennial census of 2010 for the State of Georgia. The separate numeric designations  
 1680 in the description which are underneath a VTD heading shall mean and describe individual  
 1681 blocks within a VTD as provided in the report of the Bureau of the Census for the United  
 1682 States decennial census of 2010 for the State of Georgia.

1683 APPENDIX B  
 1684 CITY COUNCIL DISTRICTS  
 1685 CITY OF SOUTH FULTON

1686 Plan: SF-7dp1  
 1687 Plan Type: Local  
 1688 Administrator: HD61  
 1689 User: bak

1690 District 001  
 1691 Fulton County  
 1692 VTD: 12109B - 09B  
 1693 008202:  
 1694 4002  
 1695 VTD: 121SC01 - SC01  
 1696 007802:  
 1697 2017  
 1698 010303:  
 1699 1000 1001 1002 1003 1004 1014 1015 1016 1017 1018 1019 1020  
 1700 1040 1041 1043 2049 2050 2051 2053 2054 2055 2056 2057 2058  
 1701 2059 2060 2061 2062 2063 2064 2065 2070 2081  
 1702 010304:  
 1703 1000 1001 1002 1003 1004  
 1704 VTD: 121SC02 - SC02  
 1705 VTD: 121SC14 - SC14  
 1706 VTD: 121SC16A - SC16A  
 1707 VTD: 121SC16B - SC16B  
 1708 VTD: 121SC30 - SC30  
 1709 007703:  
 1710 3000 3001 3002 3003 3016  
 1711 007704:  
 1712 3005 3006  
 1713 007802:  
 1714 1000 1001 1002 1003 1004 1006 1016 1018 1025 1027 1028 4012  
 1715 007806:  
 1716 2002 2020 2021 2022 2023 2024

1717 007900:  
 1718 3017 3018 3019 3038 3042 3051 3052 3058  
  
 1719 District 002  
 1720 Fulton County  
 1721 VTD: 12111E4 - 11E4  
 1722 007706:  
 1723 2028  
 1724 VTD: 121SC01 - SC01  
 1725 010303:  
 1726 1048 1049 1050 1051  
 1727 010304:  
 1728 1005 1006 1007 1008 1009 1010 1011 1012 1013 1014 1022 1028  
 1729 1029  
 1730 VTD: 121SC13A - SC13A  
 1731 VTD: 121SC18 - SC18  
 1732 007706:  
 1733 2007 2014 2017 2018 2019 2020 2021 2023 2029  
 1734 010304:  
 1735 1015 1016 1017 1018 1019 1020 1021 1023 1024 1025 1026 1027  
 1736 1030 1031 1032 1033 1034 1035 1036 2000 2001 2016 2017 2018  
 1737 2019 2020 2021 2022 2023 2024 2025 2026  
  
 1738 District 003  
 1739 Fulton County  
 1740 VTD: 121EP08A - EP08A  
 1741 011305:  
 1742 3015 3017  
 1743 011306:  
 1744 1031 2008 2018 2021  
 1745 VTD: 121SC05 - SC05  
 1746 010301:  
 1747 1095 2034 2035 2038 2039 2040 2042 2043 2044 2045 2046 2047  
 1748 2048 2049  
 1749 010304:  
 1750 2027 2028 2029 2030 2031 2032 2033 2034 2035 2036 2037 2038  
 1751 2039 2040 2046 2047 2048 2049 2050 2051 2052 2053 2054 2055

1752 2056 2057 2060 2061 2063 2064 2065 2066 2067 2068 2069 2070  
 1753 2071 2083 2085 2089 2090 2091 2094 2095 2096 2097 2098 2099  
 1754 2100 2101 2114  
 1755 010513:  
 1756 1009 1025 1026  
 1757 010514:  
 1758 1000  
 1759 VTD: 121SC08 - SC08  
 1760 010513:  
 1761 1007 1008 1063 1064 1069 1070 1073 1074 1075 1087 1088 1089  
 1762 1094 1102 1110  
 1763 VTD: 121SC17 - SC17  
 1764 010511:  
 1765 1019 1020 1021 1022 1023 1027 1028 1029 1032 1050 1051 1052  
 1766 1053 1054 1055 1056 1057 1058 1059 1063 1064 1065 1066  
 1767 010513:  
 1768 1001 1005 1016 1030 1031 1032 1037 1038 1039 1041 1042 1103  
 1769 1104 1106 1107 1117  
 1770 VTD: 121SC18 - SC18  
 1771 010304:  
 1772 2004 2011 2012 2013 2014 2015 2041 2042 2043 2044 2045 2072  
 1773 2073 2075 2078 2081 2092 2093 2115  
 1774 VTD: 121SC19 - SC19  
 1775 010511:  
 1776 1012 1013 1015 1016 1018 1024 1025 1026 1030 1031 1067  
 1777 010604:  
 1778 3011 3012 3013 3015 3016  
 1779 011305:  
 1780 3018 3019 3020 3021  
 1781 011306:  
 1782 1011 1012 1032 1033 1034 1036 1038 1039 1040 2019 2020 2025  
 1783 2028 2029 2030 2031 2032 2033 2035 2036 2037 2038 2039  
  
 1784 District 004  
 1785 Fulton County  
 1786 VTD: 121FA01A - FA01A

1787 010400:  
 1788 3064 3066 3078 3079 3087 3099  
 1789 010514:  
 1790 2051 2078 2086 2100 2101 2102  
 1791 VTD: 121SC04 - SC04  
 1792 VTD: 121SC05 - SC05  
 1793 010301:  
 1794 1048 1054 1055 2009 2010 2011 2013 2014 2015 2016 2017 2018  
 1795 2019 2020 2021 2022 2023 2024 2025 2026 2027 2028 2029 2030  
 1796 2031 2032 2033 2051 2052 2053  
 1797 VTD: 121SC07 - SC07  
 1798 010304:  
 1799 2087 2103 2105 2106 2107 2108 2109 2112  
 1800 010400:  
 1801 3000 3003 3005 3006 3008 3009 3011 3012 3013 3014 3017 3019  
 1802 3021 3028 3029 3042 3043 3053 3054 3065 3080  
 1803 010513:  
 1804 1021 1022 1043 1044 1045 1048 1049 1050 1051 1052 1055 1060  
 1805 1061 1062 1078 1098 1119 3045  
 1806 010514:  
 1807 1002 1003 1004 1005 1006 1012 1013 1014 1017 1019 1021 1022  
 1808 1023 1024 1025 1026 1027 1028 1029 1030 1031 1032 1033 1034  
 1809 1036 1037 1043 1044 1046 1051 1054 1055 1056 1057 1059 1061  
 1810 1062 1063 1065 1066 1067 1073 1087 1088 1089 2000 2002 2003  
 1811 2004 2005 2006 2007 2008 2009 2010 2011 2012 2013 2014 2015  
 1812 2016 2017 2018 2019 2020 2021 2022 2023 2024 2025 2026 2028  
 1813 2029 2030 2031 2032 2033 2034 2035 2038 2040 2043 2044 2045  
 1814 2046 2054 2055 2057 2059 2060 2061 2068 2071 2072 2073 2074  
 1815 2075 2076 2077 2080 2085 2087 2091 2094 2098 2108 2109 2110  
 1816 2111  
 1817 VTD: 121SC08 - SC08  
 1818 010513:  
 1819 1077  
 1820 VTD: 121SC13B - SC13B  
 1821 010301:  
 1822 1016 1017 1018 1026 1027 1028 1029 1030 1031 1032 1049 1050  
 1823 1051 1052 1053 1056 1057 1058 1062 1063 1064 1065 1066 1067



1824 1068 1083 1084 1085 1086 1087 1088 1089 1090 1091 1092 1093  
 1825 1097 1098 1099 1100 1101 1102 1103 1104 1105 1106 1110 1115  
 1826 1116 1119 1123 1137  
  
 1827 District 005  
 1828 Fulton County  
 1829 VTD: 121CP08B - CP08B  
 1830 010511:  
 1831 2004  
 1832 VTD: 121SC08 - SC08  
 1833 010507:  
 1834 3066  
 1835 010510:  
 1836 2003 4000 4001 4009  
 1837 010511:  
 1838 1033 1034 1035 1036 1037 1038 1039 1040 1041 1043 1045 1046  
 1839 1047 1048 1049 1061 1062 2005 2006 2008 2009 2010 2011 2012  
 1840 2013 2014 2015 2017 2018 2019 2020 2021 2024 2027 2028 2029  
 1841 2030 2031 2032 2033 2034 2036 2037 2038 2039 2040 2041 2042  
 1842 2043 2044 2045 2046 2047 2051 2052 2053 2054 2055 2056 2058  
 1843 2062 2064 3000 3001 3002 3003 3004 3005 3008 3011 3012 3013  
 1844 3014 3015  
 1845 010512:  
 1846 1002 1003 1004 1005 1006 1007 1008 1016 1017 1024 1025 2001  
 1847 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011 2012 2015  
 1848 2019 2020 2035 2036  
 1849 010513:  
 1850 1071 1096 1097 1105 1109  
 1851 VTD: 121SC09 - SC09  
 1852 010507:  
 1853 4000 4001 4002 4003 4004 4005 4006 4007 4008 4009 4010 4011  
 1854 4012 4013 4014 4015 4016 4017 4018  
 1855 010508:  
 1856 1012 1013 1014 1015 1016 1017 1018 1019 1020  
 1857 010510:  
 1858 2002 2013 4003 4004 4005 4006 4008 4010

1859 VTD: 121SC10 - SC10  
 1860 010507:  
 1861 1006 1008 2001 2002 2003 2004 2005 2006 2007 3037 3055 3056  
 1862 3057 3059 3060 3067 3068  
 1863 010511:  
 1864 2066  
 1865 VTD: 121SC19 - SC19  
 1866 010507:  
 1867 3002 3004 3005 3006 3007 3008 3009 3010 3011 3017 3020 3021  
 1868 3022  
  
 1869 District 006  
 1870 Fulton County  
 1871 VTD: 121SC09 - SC09  
 1872 010508:  
 1873 1009 1010 1011 1021 1022 1023 1024 1025 1026 1027 1028 1029  
 1874 1030 1031 1032 1033 1034 1035 1036 1037 1038 1039 1045 1046  
 1875 VTD: 121SC11 - SC11  
 1876 VTD: 121SC23 - SC23  
 1877 010516:  
 1878 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2012  
 1879 2013 2014 2015 2016 2019 2020 2021 2022 2023 2024 2025 2026  
 1880 2027 2028 2029 2030 2031 2032 2033 2034 2035 2036 2037  
 1881 VTD: 121SC27 - SC27  
  
 1882 District 007  
 1883 Fulton County  
 1884 VTD: 121FA01B - FA01B  
 1885 010510:  
 1886 3126  
 1887 VTD: 121SC07 - SC07  
 1888 010513:  
 1889 2022 2024 2029 2030 2056  
 1890 010514:  
 1891 3055 3056 3079 3080  
 1892 VTD: 121SC21 - SC21

1893 010510:  
 1894 2019 2020 2021 3002 3010 3011 3012 3013 3015 3016 3017 3026  
 1895 3027 3028 3029 3031 3034 3036 3037 3038 3039 3042 3043 3044  
 1896 3045 3046 3047 3048 3049 3050 3051 3052 3053 3054 3055 3064  
 1897 3066 3067 3068 3069 3070 3071 3072 3073 3074 3075 3076 3077  
 1898 3078 3079 3080 3082 3083 3085 3086 3087 3088 3089 3091 3096  
 1899 3102 3103 3104 3105 3106 3107 3108 3109 3110 3112 3114 3115  
 1900 3116 3127 3174 3186 3187 3188 3189 3190 3192 3214 3215 3216  
 1901 3217 3220 3221 3222  
 1902 010513:  
 1903 2036  
 1904 010515:  
 1905 1022 1023 1024 1025 1036 1037 1038 1039 1040 1041 1042 1046  
 1906 1048  
 1907 VTD: 121SC23 - SC23  
 1908 010510:  
 1909 1027  
 1910 010515:  
 1911 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011  
 1912 1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1028 1044  
 1913 1045  
 1914 010516:  
 1915 2011 2017 2018  
 1916 VTD: 121SC29 - SC29  
 1917 VTD: 121UC02 - UC02  
 1918 010510:  
 1919 3014  
 1920 010513:  
 1921 2037 2057  
 1922 VTD: 121UC03A - UC03A  
 1923 010510:  
 1924 3008

1925 For the purposes of this plan (SF-7dp1):

1926 (1) The term "VTD" shall mean and describe the same geographical boundaries as  
 1927 provided in the report of the Bureau of the Census for the United States decennial census  
 1928 of 2010 for the State of Georgia. The separate numeric designations in a district

1929 description which are underneath a VTD heading shall mean and describe individual  
1930 blocks within a VTD as provided in the report of the Bureau of the Census for the United  
1931 States decennial census of 2010 for the State of Georgia;

1932 (2) Except as otherwise provided in the description of any district, whenever the  
1933 description of any district refers to a named city, it shall mean the geographical  
1934 boundaries of that city as shown on the census maps for the United States decennial  
1935 census of 2010 for the State of Georgia;

1936 (3) Any part of the City of South Fulton which is not included in any district described  
1937 in this plan (SF-7dp1) shall be included within that district contiguous to such part which  
1938 contains the least population according to the United States decennial census of 2010 for  
1939 the State of Georgia; and

1940 (4) Any part of the City of South Fulton which is described in this plan (SF-7dp1) as  
1941 being included in a particular district shall nevertheless not be included within such  
1942 district if such part is not contiguous to such district. Such noncontiguous part shall  
1943 instead be included within that district contiguous to such part which contains the least  
1944 population according to the United States decennial census of 2010 for the State of  
1945 Georgia.

1946 (5) Any part of the territory described in this plan (SF-7dp1) that has been annexed into  
1947 another municipality before July 1, 2016, shall nevertheless not be included in any of the  
1948 districts described in the plan.

## APPENDIX C

## CERTIFICATE AS TO MINIMUM STANDARDS

## FOR INCORPORATION OF A NEW MUNICIPAL CORPORATION

1952 I, Representative Roger Bruce, Georgia State Representative from the 61st District and the  
 1953 author of this bill introduced at the 2015 session of the General Assembly of Georgia, which  
 1954 grants an original municipal charter to the City of South Fulton, do hereby certify that this  
 1955 bill is in compliance with the minimum standards required by Chapter 31 of Title 36 of the  
 1956 O.C.G.A. in that the area embraced within the original incorporation in this bill is in all  
 1957 respects in compliance with the minimum standards required by Chapter 31 of Title 36 of the  
 1958 O.C.G.A. This certificate is executed to conform to the requirements of Code  
 1959 Section 36-31-5 of the O.C.G.A.

1960 So certified, this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

1961

\_\_\_\_\_

1962

Honorable Roger Bruce

1963

Representative, 61st District

1964

Georgia State House of Representatives