

House Bill 548

By: Representatives Stovall of the 74th, Glanton of the 75th, Burnough of the 77th, Scott of the 76th, and Bazemore of the 63rd

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act to incorporate the City of Riverdale, approved February 13, 1956 (Ga. L.
2 1956, p. 2205), as amended, so as to provide for a governing authority; to create wards for
3 the election of members of the governing authority; to provide for definitions and inclusions;
4 to provide for method of election and filling vacancies; to provide for the continuation in
5 office of current members; to provide for related matters; to provide for effective dates; to
6 repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 An Act to incorporate the City of Riverdale, approved February 13, 1956 (Ga. L. 1956, p.
10 2205), is amended by revising Section 7 as follows:

11 **"Section 7. Incumbents.** The members of the city council elected in the November, 2013,
12 general election shall continue in office for the terms to which they were elected and until
13 their successors are elected and qualified as provided in this Act. The members of the city
14 council elected in the November, 2015, general election shall continue in office for the
15 terms to which they were elected and until their successors are elected and qualified as
16 provided in this Act."

17 **SECTION 2.**

18 Said Act is further amended by revising Section 7A as follows:

19 **"Section 7A. Wards.** (a) For the purpose of electing the four councilmembers of the City
20 of Riverdale, the city shall be divided into four wards. Wards 1, 2, 3, and 4 shall
21 correspond to those four numbered wards described in a plan and attached to and made a
22 part of this Act and further identified as 'Plan: riverdale-pl-2016 Plan Type: Local
23 Administrator: H074 User: Gina.'

24 (b)(1) For the purposes of such plan:

25 (A) The term 'VTD' shall mean and describe the same geographical boundaries as
 26 provided in the report of the Bureau of the Census for the United States decennial
 27 census of 2010 for the State of Georgia. The separate numeric designations in a ward
 28 description which are underneath a 'VTD' heading shall mean and describe individual
 29 blocks within a VTD as provided in the report of the Bureau of the Census for the
 30 United States decennial census of 2010 for the State of Georgia; and

31 (B) Except as otherwise provided in the description of any ward, whenever the
 32 description of any ward refers to a named city, it shall mean the geographical
 33 boundaries of that city as shown on the census maps for the United States decennial
 34 census of 2010 for the State of Georgia.

35 (2) Any part of the City of Riverdale that is not included in any ward described in
 36 subsection (a) of this section shall be included within that ward contiguous to such part
 37 which contains the least population according to the United States decennial census of
 38 2010 for the State of Georgia.

39 (3) Any part of the City of Riverdale which is described in subsection (a) of this section
 40 as being included in a particular ward shall nevertheless not be included within such ward
 41 if such part is not contiguous to such ward. Such noncontiguous part shall instead be
 42 included within that ward contiguous to such part which contains the least population
 43 according to the United States decennial census of 2010 for the State of Georgia."

44 **SECTION 3.**

45 Said Act is further amended by revising Section 8 as follows:

46 **"Section 8. Election, oath, and vacancies.**

47 (a) There shall be one member of the city council elected for each ward. A candidate shall
 48 designate the ward for which such candidate offers for election. Members of the city
 49 council shall be elected by qualified electors of the ward for which they offer for election.
 50 The election of members of the city council shall be conducted in accordance with the
 51 provisions of Chapter 2 of Title 21 of the O.C.G.A., the 'Georgia Election Code.'

52 (b) The first members of the reconstituted governing authority of the City of Riverdale
 53 from Wards 1 and 3 shall be elected in the November, 2017, general election. Such
 54 members shall take office on January 1 following their election and shall serve for terms
 55 of four years each and until their successors are elected and qualified.

56 (c) The first members of the reconstituted governing authority of the City of Riverdale
 57 from Wards 2 and 4 shall be elected in the November, 2019, general election. Such
 58 members shall take office on January 1 following their election and shall serve for terms
 59 of four years each and until their successors are elected and qualified.

60 (d) Successors to members elected under subsections (b) and (c) of this section shall be
61 elected in the November general election next preceding the expiration of such terms of
62 office and shall take office on January 1 following their election for terms of four years and
63 until their successors are elected and qualified.

64 (e) All elections shall be conducted on a city-wide basis and in order for a candidate to be
65 eligible to qualify as a candidate, in addition to the other qualifications enumerated in this
66 charter, he or she must reside in the ward for which he or she offers for election for at least
67 30 days prior to an election. In order to be elected, a candidate for mayor or
68 councilmember must receive a majority of the votes cast for the position for which he or
69 she is offering as a candidate.

70 (f) In the event a councilmember moves his or her residence from the ward that he or she
71 represents after taking office, the mayor and city council shall declare his or her office
72 vacant and it shall be filled as any other vacancy in the city's government.

73 (g)(1) At the first regular meeting of the mayor and city council after each regular
74 election of members of the mayor and city council, they shall meet in the city hall or
75 other designated place in the city and then and there severally take, before some officer
76 authorized under the laws of Georgia to administer oaths, the following oath of office, to
77 wit: 'I do solemnly swear that I will well and truly demean myself as mayor or
78 councilmember, as the case may be, of the City of Riverdale for the ensuing term, and
79 that I will faithfully enforce the charter and ordinances of said city to the best of my skill
80 and ability, without fear or favor, so help me God.'

81 (2) Should the mayor or any councilmember be absent from said meeting, such person
82 shall take the oath of office as soon as possible thereafter.

83 (h) Said mayor and councilmembers shall provide, by ordinance, for regular monthly
84 meetings and may hold such special or called meetings as the business of the city may
85 require, which special or called meetings shall be called either by the mayor in his or her
86 discretion or by at least three councilmembers in their discretion, to be convened as
87 provided by the city ordinances. Notice of special or called meetings shall be served by the
88 city clerk or his or her designee on all other members personally or by telephone at least
89 24 hours in advance of the meeting. If the clerk or his or her designee is unable to reach
90 a member, it shall be deemed sufficient notice under this section if telephonic
91 communication is attempted via the member's telephone number designated for that
92 purpose or by delivery of written notice at the member's home address, provided such
93 attempt is made at least 24 hours in advance of the meeting and, if possible, a message is
94 left for the member. Notice to councilmembers of special or called meetings shall not be
95 required if the mayor and all councilmembers are present when the special meeting is
96 convened. Notice of any special or called meeting may be waived by a member in writing

97 either before or after such a meeting. Also, attendance at any special or called meeting
98 shall constitute a waiver of notice concerning any business transacted in such member's
99 presence. At special or called meetings, only the business stated in the call may be
100 transacted.

101 (i) In the event that the office of mayor or any one or more of the councilmembers shall
102 become vacant by death, resignation, removal, or otherwise, said vacancy or vacancies may
103 be filled by appointment and selection by the mayor and councilmembers in the case of
104 vacancies in the city council, and by the councilmembers in the case of a vacancy in the
105 office of mayor. Persons so selected shall be duly qualified to fill such vacancies for the
106 unexpired term provided it does not exceed 12 months; otherwise, a special election shall
107 be called."

108 **SECTION 4.**

109 The provisions of this Act relating to and necessary for the 2017 regular election of members
110 of the governing authority of the City of Riverdale shall become effective upon its approval
111 by the Governor or upon its becoming effective without such approval; and this Act shall
112 otherwise become effective January 1, 2018.

113 **SECTION 5.**

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

Plan: riverdale-p1-2016
Plan Type: Local
Administrator: H074
User: Gina

District 001
Clayton County
VTD: 063OAK4 - OAK 4
040510:
1015 1016 1017
VTD: 063RD01 - RIVERDALE 1
040509:
2018
VTD: 063RD03 - RIVERDALE 3
040510:
2004 2011 2012 2013 2014 2015 2018 2020 2021 2023
040512:
1000 1001 1002 1003 1004 1005 1006 1007 1013 1014 1015

1016
3006 3007 3008 3009 3010 3011 3012 3013 3014 3017
VTD: 063RD08 - RIVERDALE 8
040510:
2017
040512:
3002 3003
VTD: 063RD10 - RIVERDALE 10
040510:
2025

District 002
Clayton County
VTD: 063RD04 - RIVERDALE 4
040521:
1007 2000 2001 2004 2005 2008 2009 2011 2012 2013 2016

2017
2018 2020 2025 2026
040522:
1002 1003 1004 1007 1008 1009 1010 1016 1017 1018 1019

1020
1021 1022 1023 1024 3021
040524:
1002 1003 3000
VTD: 063RD07 - RIVERDALE 7
040522:
3003 3004 3005 3006 3007

District 003
Clayton County
VTD: 063JB02 - JONESBORO 2
040515:
2000 2002 2004 2006 2007 2008 2009 2010 2011 2017 2019

2020
2027 3000 3012
040516:
1005 1010 1011 1012 1013 1014 1017 1018 1019 1020 1021

1022
1024 1025 1026 1029 1030 1031
VTD: 063RD09 - RIVERDALE 9
040523:
1020 1021 1022 1023
040524:
2001 2002 2012

District 004
Clayton County
VTD: 063JB02 - JONESBORO 2
040515:
3006
VTD: 063RD03 - RIVERDALE 3
040512:
1010 1011 2000 2001 2002 2003 2004 2005 2006 2007 2008

2009
2010 2011 2012 2015 2016

040513:
3005 3006 3007
040522:
1013 1027 1028
040523:
1003 1004
VTD: 063RD04 - RIVERDALE 4
040522:
1011 1014 1015 1026 1029 1030 1031
040523:
1000 1001 1002 1005 1006 1007 1008 1009 1010 1011 1012
VTD: 063RD05 - RIVERDALE 5
040524:
3002 3011
VTD: 063RD07 - RIVERDALE 7
040522:
3013 3014 3015 3018
VTD: 063RD08 - RIVERDALE 8
040513:
3010
VTD: 063RD09 - RIVERDALE 9
040523:
1013 1017 1018 1019 1024 1025 1026 1028 1029 1032 1033

1036
1043 1044
VTD: 063RD10 - RIVERDALE 10
040510:
2007 2010
040522:
1012 3016 3017
VTD: 063RD12 - RIVERDALE 12
040513:
3000 3001 3002 3003 3004 3024 3025 3030 3032
040514:
3000
040515:
3005
040523:
1014 1015 1034 1035 1039 1040 1045