

House Bill 548 (COMMITTEE SUBSTITUTE)

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

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.**

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

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

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

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

36 (2) Any part of the City of Riverdale that is not included in any ward described in  
 37 subsection (a) of this section shall be included within that ward contiguous to such part  
 38 which contains the least population according to the United States decennial census of  
 39 2010 for the State of Georgia.

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

45 **SECTION 3.**

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

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

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

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

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

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

65 (e) All elections shall be conducted on a district-wide basis and in order for a candidate  
66 to be eligible to qualify as a candidate, in addition to the other qualifications enumerated  
67 in this charter, he or she must reside in the ward for which he or she offers for election for  
68 at least 12 months prior to an election. In order to be elected, a candidate for mayor or  
69 councilmember must receive a majority of the votes cast for the position for which he or  
70 she is offering as a candidate.

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

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

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

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

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

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

109 **SECTION 4.**

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

114 **SECTION 5.**

115 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