

House Bill 618

By: Representative Petrea of the 166th

A BILL TO BE ENTITLED
AN ACT

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

18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

19 ARTICLE I
20 INCORPORATION AND POWERS
21 SECTION 1.10.
22 Name.

23 This city and the inhabitants thereof are incorporated by the enactment of this charter and are
24 hereby constituted and declared a body politic and corporate under the name and style City
25 of Skidaway Island, Georgia, and by that name shall have perpetual succession.

H. B. 618

26

SECTION 1.11.

27

Corporate boundaries.

28 (a) The corporate boundaries of this city shall include all of that territory described in and
 29 set forth in Appendix A of this charter which is incorporated into and made a part of this
 30 charter.

31 (b) The city clerk shall maintain a current map and written legal description of the corporate
 32 boundaries of the city, and such map and description shall incorporate any changes which
 33 may hereafter be made in such corporate boundaries.

34

SECTION 1.12.

35

Powers and construction.

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

40 (b) The powers of this city shall be construed liberally in favor of the city. The specific
 41 mention or failure to mention particular powers shall not be construed as limiting in any way
 42 the powers of this city.

43

SECTION 1.13.

44

Examples of powers.

45 (1) Animal regulations. To regulate and license or to prohibit the keeping or running
 46 at-large of animals and fowl and to provide for the impoundment of same if in violation of
 47 any ordinance or lawful order; to provide for the disposition by sale, gift, or humane
 48 destruction of animals and fowl when not redeemed as provided by ordinance; and to provide
 49 punishment for violation of ordinances enacted hereunder.

50 (2) Appropriations and expenditures. To make appropriations for the support of the
 51 government of the city; to authorize the expenditure of money for any purposes authorized
 52 by this charter and for any purpose for which a municipality is authorized by the laws of the
 53 State of Georgia; and to provide for the payment of expenses of the city.

54 (3) Building regulation. To regulate and to license the erection and construction of buildings
 55 and all other structures; to adopt building, housing, plumbing, fire safety, electrical, gas, and
 56 heating and air conditioning codes; and to regulate all housing and building trades.

57 (4) Business regulation and taxation. To levy and to provide for the collection of regulatory
58 fees and taxes on privileges, occupations, trades, and professions as authorized by Title 48
59 of the O.C.G.A., or other such applicable laws as are or may hereafter be enacted; to permit
60 and regulate the same; to provide for the manner and method of payment of such regulatory
61 fees and taxes; and to revoke such permits after due process for failure to pay any city taxes
62 or fees.

63 (5) Condemnation. To condemn property, inside or outside the corporate limits of the city,
64 for present or future use and for any corporate purpose deemed necessary by the governing
65 authority, utilizing procedures enumerated in Title 22 of the O.C.G.A., or such other
66 applicable laws as are or may hereafter be enacted.

67 (6) Contracts. To enter into contracts and agreements with other governmental entities and
68 with private persons, firms, and corporations.

69 (7) Emergencies. To establish procedures for determining and proclaiming that an
70 emergency situation exists within or without the city and to make and carry out all reasonable
71 provisions deemed necessary to deal with or meet such an emergency for the protection,
72 safety, health, or well-being of the citizens of the city.

73 (8) Environmental protection. To protect and preserve the natural resources, environment,
74 and vital areas of the city, the region, and the state through the preservation and improvement
75 of air quality, the restoration and maintenance of water resources, the control of erosion and
76 sedimentation, the management of storm water and establishment of a storm-water utility,
77 the management of solid and hazardous waste, and other necessary actions for the protection
78 of the environment.

79 (9) Fire regulations. To fix and establish fire limits and from time to time to extend, enlarge,
80 or restrict the same; to prescribe fire safety regulations not inconsistent with general law,
81 relating to both fire prevention and detection and to firefighting; and to prescribe penalties
82 and punishment for violations thereof.

83 (10) Garbage fees. To levy, fix, assess, and collect a garbage, refuse, and trash collection
84 and disposal and other sanitary service charge, tax, or fee for such services as may be
85 necessary in the operation of the city from all individuals, firms, and corporations residing
86 in or doing business therein benefiting from such services; to enforce the payment of such
87 charges, taxes, or fees; and to provide for the manner and method of collecting such service
88 charges.

89 (11) General health, safety, and welfare. To define, regulate, and prohibit any act, practice,
90 conduct, or use of property which is detrimental to health, sanitation, cleanliness, welfare,
91 and safety of the inhabitants of the city and to provide for the enforcement of such standards.

- 92 (12) Gifts. To accept or refuse gifts, donations, bequests, or grants from any source for any
93 purpose related to powers and duties of the city and the general welfare of its citizens, on
94 such terms and conditions as the donor or grantor may impose.
- 95 (13) Health and sanitation. To prescribe standards of health and sanitation and to provide
96 for the enforcement of such standards.
- 97 (14) Jail sentences. To provide that persons given jail sentences in the city's court may work
98 out such sentences in any public works or on the streets, roads, drains, and other public
99 property in the city; to provide for commitment of such persons to any jail; to provide for the
100 use of pretrial diversion and any alternative sentencing allowed by law; or to provide for
101 commitment of such persons to any county work camp or county jail by agreement with the
102 appropriate county officials.
- 103 (15) Motor vehicles. To regulate the operation of motor vehicles and exercise control over
104 all traffic, including parking upon or across the streets, roads, alleys, and walkways of the
105 city.
- 106 (16) Municipal agencies and delegation of power. To create, alter, or abolish departments,
107 boards, offices, commissions, and agencies of the city and to confer upon such agencies the
108 necessary and appropriate authority for carrying out all the powers conferred upon or
109 delegated to the same.
- 110 (17) Municipal debts. To appropriate and borrow money for the payment of debts of the city
111 and to issue bonds for the purpose of raising revenue to carry out any project, program, or
112 venture authorized by this charter or the laws of the State of Georgia.
- 113 (18) Municipal property ownership. To acquire, dispose of, lease, and hold in trust or
114 otherwise any real, personal, or mixed property, in fee simple or lesser interest, inside or
115 outside the property limits of the city.
- 116 (19) Municipal property protection. To provide for the preservation and protection of
117 property and equipment of the city and the administration and use of same by the public; and
118 to prescribe penalties and punishment for violations thereof.
- 119 (20) Municipal utilities. To acquire, lease, construct, operate, maintain, sell, and dispose of
120 public utilities, including, but not limited to, a system of waterworks, sewers and drains,
121 sewage disposal, storm-water management, gas works, electric light plants, cable television
122 and other telecommunications, transportation facilities, public airports, and any other public
123 utility; to fix the taxes, charges, rates, fares, fees, assessments, regulations, and penalties; and
124 to provide for the withdrawal of service for refusal or failure to pay the same.
- 125 (21) Nuisance. To define a nuisance and provide for its abatement whether on public or
126 private property.
- 127 (22) Penalties. To provide penalties for violation of any ordinances adopted pursuant to the
128 authority of this charter and the laws of the State of Georgia.

- 129 (23) Planning and zoning. To provide comprehensive city planning for development by
130 zoning and to provide subdivision regulation and the like as the city council deems necessary
131 and reasonable to ensure a safe, healthy, and aesthetically pleasing community.
- 132 (24) Police and fire protection. To exercise the power of arrest through duly appointed
133 police officers and to establish, operate, or contract for a police and a firefighting agency.
- 134 (25) Public hazards: removal. To provide for the destruction and removal of any building
135 or other structure which is or may become dangerous or detrimental to the public.
- 136 (26) Public improvements. To provide for the acquisition, construction, building, operation,
137 and maintenance of public improvements, inside or outside the corporate limits of the city;
138 to regulate the use of public improvements; and for such purposes, property may be acquired
139 by condemnation under Title 22 of the O.C.G.A., or such other applicable laws as are or may
140 hereafter be enacted.
- 141 (27) Public peace. To provide for the prevention and punishment of loitering, disorderly
142 conduct, drunkenness, riots, and public disturbances.
- 143 (28) Public transportation. To organize and operate such public transportation systems as
144 are deemed beneficial.
- 145 (29) Public utilities and services. To grant franchises or make contracts for or impose taxes
146 on public utilities and public service companies and to prescribe the rates, fares, regulations
147 and standards, and conditions of service applicable to the service to be provided by the
148 franchise grantee or contractor, insofar as not in conflict with valid regulations of the Public
149 Service Commission.
- 150 (30) Regulation of roadside areas. To prohibit or regulate and control the erection, removal,
151 and maintenance of signs, billboards, trees, shrubs, fences, buildings, and any and all other
152 structures or obstructions upon or adjacent to the rights-of-way of streets and roads or within
153 view thereof, within or abutting the corporate limits of the city; and to prescribe penalties and
154 punishment for violation of such ordinances.
- 155 (31) Retirement. To provide and maintain a retirement plan and other employee benefit
156 plans and programs for officers and employees of the city.
- 157 (32) Roadways. To lay out, open, extend, widen, narrow, establish or change the grade of,
158 abandon or close, construct, pave, curb, gutter, adorn with shade trees, or otherwise improve,
159 maintain, repair, clean, prevent erosion of, and light the roads, alleys, and walkways within
160 the corporate limits of the city; and to grant franchises and rights-of-way throughout the
161 streets and roads and over the bridges and viaducts for the use of public utilities; and to
162 require real estate owners to repair and maintain in a safe condition the sidewalks adjoining
163 their lots or lands and to impose penalties for failure to do so.
- 164 (33) Sewer fees. To levy a fee, charge, or sewer tax as necessary to assure the acquiring,
165 constructing, equipping, operating, maintaining, and extending of a sewage disposal plant

166 and sewerage system, and to levy on those to whom sewers and sewerage systems are made
167 available a sewer service fee, charge, or sewer tax for the availability or use of the sewers;
168 to provide for the manner and method of collecting such service charges and for enforcing
169 payment of the same; and to charge, impose, and collect a sewer connection fee or fees to
170 those connected with the system.

171 (34) Solid waste disposal. To provide for the collection and disposal of garbage, rubbish,
172 and refuse; to regulate the collection and disposal of garbage, rubbish, and refuse by others;
173 and to provide for the separate collection of glass, tin, aluminum, cardboard, paper, and other
174 recyclable materials and to provide for the sale of such items.

175 (35) Special areas of public regulation. To regulate or prohibit junk dealers and the
176 manufacture and sale of intoxicating liquors; to regulate the transportation, storage, and use
177 of combustible, explosive, and inflammable materials, the use of lighting and heating
178 equipment, and any other business or situation which may be dangerous to persons or
179 property; to regulate and control the conduct of peddlers and itinerant traders, theatrical
180 performances, exhibitions, and shows of any kind, by taxation or otherwise; to license and
181 tax professional fortune-telling, palmistry, and massage parlors; and to restrict adult
182 bookstores to certain areas.

183 (36) Special assessments. To levy and provide for the collection of special assessments to
184 cover the costs for any public improvements.

185 (37) Taxes: ad valorem. To levy and provide for the assessment, valuation, revaluation, and
186 collection of taxes on all property subject to taxation.

187 (38) Taxes: other. To levy and collect such other taxes as may be allowed now or in the
188 future by law.

189 (39) Taxicabs. To regulate and license vehicles operated for hire in the city; to limit the
190 number of such vehicles; to require the operators thereof to be licensed; to require public
191 liability insurance on such vehicles in the amounts to be prescribed by ordinance; and to
192 regulate the parking of such vehicles.

193 (40) Urban redevelopment. To organize and operate an urban redevelopment program.

194 (41) Other powers. To exercise and enjoy all other powers, functions, rights, privileges, and
195 immunities necessary or desirable to promote or protect the safety, health, peace, security,
196 good order, comfort, convenience, or general welfare of the city and its inhabitants; to
197 exercise all implied powers necessary or desirable to carry into execution all powers granted
198 in this charter as fully and completely as if such powers were fully stated herein; and to
199 exercise all powers now or in the future authorized to be exercised by other municipal
200 governments under other laws of the State of Georgia. No listing of particular powers in this
201 charter shall be held to be exclusive of others, nor restrictive of general words and phrases

202 granting powers, but shall be held to be in addition to such powers unless expressly
 203 prohibited to municipalities under the Constitution or applicable laws of the State of Georgia.

204 **SECTION 1.14.**

205 Exercise of powers.

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

210 **ARTICLE II**

211 **GOVERNMENT STRUCTURE**

212 **SECTION 2.10.**

213 City council; creation; number; election.

214 The legislative authority of the government of this city, except as otherwise specifically
 215 provided in this charter, shall be vested in a city council to be composed of a mayor and four
 216 councilmembers. The councilmembers shall be elected in the manner provided by general
 217 law and this charter. The members of the council shall be elected by the voters of their
 218 respective council districts in accordance with provisions of Article V of this charter. The
 219 mayor shall be elected as provided in Section 2.32 of this charter.

220 **SECTION 2.11.**

221 City council terms and qualifications for office; initial election and terms.

222 (a) Except as provided otherwise in this charter, the members of the city council shall serve
 223 for terms of four years and until their respective successors are elected and qualified. No
 224 person shall be eligible to serve as councilmember unless that person is at least 21 years of
 225 age at the time of qualifying and has been a resident of the territory encompassed by the city
 226 boundaries for at least 12 months prior to the date of his or her election; each shall continue
 227 to reside therein during that member's period of service and to be registered and qualified to
 228 vote in municipal elections of this city.

229 (b) For the purpose of electing members of the council, the City of Skidaway Island shall
 230 consist of four council districts as described in Appendix B of this charter, which is attached
 231 and incorporated into this charter by reference. Each candidate for election to the council
 232 other than the mayor shall reside in the council district he or she seeks to represent.

233 (c) The first election for mayor and councilmembers shall be a special election held on the
 234 third Tuesday in March, 2019. At such election, the mayor and councilmembers from
 235 Council Posts 1 and 2 shall be elected for initial terms of office beginning immediately after
 236 their election and expiring on December 31, 2023. The councilmembers elected from
 237 Council Posts 3 and 4 shall be elected for initial terms of office beginning immediately after
 238 their election and expiring on December 31, 2021. Thereafter, their successors shall be
 239 elected for terms of four years. All members shall serve until their successors are elected and
 240 qualified.

241 **SECTION 2.12.**

242 Vacancy; filling of vacancies.

243 (a) The office of mayor or councilmember shall become vacant upon the incumbent's death,
 244 resignation, forfeiture of office, or occurrence of any event specified by the Constitution of
 245 the State of Georgia, Title 45 of the O.C.G.A., or such other applicable laws as are or may
 246 hereafter be enacted.

247 (b) A vacancy in the office of mayor or councilmember shall be filled for the remainder of
 248 the unexpired term, if any, by appointment by the city council or those members remaining
 249 if less than 12 months remains in the unexpired term. If such vacancy occurs 12 months or
 250 more prior to the expiration of the term of that office, it shall be filled for the remainder of
 251 the unexpired term by a special election, as provided for in Section 5.14 of this charter and
 252 in accordance with Titles 21 and 45 of the O.C.G.A., or other such laws as are or may
 253 hereafter be enacted.

254 (c) This provision shall also apply to a temporary vacancy created by the suspension from
 255 office of the mayor or any councilmember.

256 **SECTION 2.13.**

257 Compensation and expenses.

258 The mayor and councilmembers shall receive an annual salary of \$6,000.00 per year, paid
 259 from city funds in equal monthly installments. The mayor and councilmembers shall be
 260 reimbursed for their necessary and actual expenses incurred in the performance of their
 261 duties of office as provided by ordinance. The compensation of the mayor and members of
 262 council may be increased or decreased by ordinance in accordance with Code
 263 Section 36-35-4 of the O.C.G.A.

264 **SECTION 2.14.**

265 Holding other office; voting when financially interested.

266 (a) Elected and appointed officers of the city are trustees and servants of the residents of the
267 city and shall act in a fiduciary capacity for the benefit of such residents.

268 (b) Except as authorized by law, the mayor or any councilmember shall not hold any other
269 city office or city employment during the term for which that person was elected.

270 (c) Neither the mayor nor any member of the city council shall vote upon, sign, or veto any
271 ordinance, resolution, contract, or other matter in which that person is financially interested.

272 **SECTION 2.15.**

273 Inquiries and Investigations.

274 Following the adoption of an authorizing resolution, the city council may make inquiries and
275 investigations into the affairs of the city and the conduct of any department, office, or agency
276 thereof, and for this purpose may subpoena witnesses, administer oaths, take testimony, and
277 require the production of evidence. Any person who fails or refuses to obey a lawful order
278 issued in the exercise of these powers by the city council shall be punished as provided by
279 ordinance.

280 **SECTION 2.16.**

281 General power and authority of the city council.

282 (a) Except as otherwise provided by law or this charter, the city council shall be vested with
283 all the powers of government of this city.

284 (b) In addition to all other powers conferred upon it by law, the council shall have the
285 authority to adopt and provide for the execution of such ordinances, resolutions, rules, and
286 regulations, not inconsistent with this charter and the Constitution and the laws of the State
287 of Georgia, which it shall deem necessary, expedient, or helpful for the peace, good order,
288 protection of life and property, health, welfare, sanitation, comfort, convenience, prosperity,
289 or well-being of the inhabitants of the City of Skidaway Island and may enforce such
290 ordinances by imposing penalties for violation thereof.

291 **SECTION 2.17.**

292 Eminent domain.

293 The city council is hereby empowered to acquire, construct, operate, and maintain public
 294 improvements inside or outside the city and to regulate the use thereof, and for such
 295 purposes, property may be condemned under procedures established under general law
 296 applicable now or as provided in the future.

297 **SECTION 2.18.**

298 Organizational meetings.

299 The city council shall hold an organizational meeting on the first business day in January
 300 following each election year for members of the city council. The meeting shall be called
 301 to order by the city clerk, and the oath of office shall be administered to the newly elected
 302 members by a judicial officer authorized to administer oaths and shall, to the extent that it
 303 comports with federal and state law, be as follows:

304 "I do solemnly (swear)(affirm) that I will faithfully perform the duties of
 305 (mayor)(councilmember) of this city and that I will support and defend the charter thereof
 306 as well as the constitution and laws of the State of Georgia and of the United States of
 307 America. I am not the holder of any unaccounted for public money due this state or any
 308 political subdivision or authority thereof. I am not the holder of any office of trust under
 309 the government of the United States, any other state, or any foreign state which I by the
 310 laws of the State of Georgia am prohibited from holding. I am otherwise qualified to hold
 311 such office according to the Constitution and laws of Georgia. I have been a resident of
 312 my district and the City of Skidaway Island for the time required by the Constitution and
 313 laws of this state and by the municipal charter. I will perform the duties of my office in the
 314 best interest of the City of Skidaway Island to the best of my ability without fear, favor,
 315 affection, reward, or expectation thereof."

316 **SECTION 2.19.**

317 Regular and special meetings.

318 (a) The city council shall hold not less than 12 regular meetings each year at such times and
 319 places as shall be prescribed by ordinance.

320 (b) Special meetings of the city council may be held on call of the mayor or two members
 321 of the city council. Notice of such special meetings shall be served on all other members
 322 personally, or by telephone personally, at least 48 hours in advance of the meeting. Such

323 notice to such members shall not be required if the mayor and all councilmembers are present
 324 when the special meeting is called. Such notice of any special meeting may be waived by
 325 the mayor or a councilmember in writing before or after such a meeting, and attendance at
 326 the meeting shall also constitute a waiver of notice on any business transacted in such
 327 councilmember's presence. Only the business stated in the call may be transacted at the
 328 special meeting, and no other business may be transacted at such meeting.

329 (c) All meetings of the city council shall be public to the extent required by law, and notice
 330 to the public of special meetings shall be made fully as is reasonably possible as provided by
 331 Code Section 50-14-1 of the O.C.G.A., or other such applicable laws as are or may hereafter
 332 be enacted.

333 **SECTION 2.20.**

334 Rules of procedure.

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

338 (b) All committees and committee chairs and officers of the city council shall be appointed
 339 by the city council and shall serve at the pleasure of the city council. The city council shall
 340 have the power to appoint new members to any committee at any time.

341 **SECTION 2.21.**

342 Quorum: voting

343 (a) A majority of councilmembers shall constitute a quorum and shall be authorized to
 344 transact business of the city council. Voting on the adoption of ordinances shall be by voice
 345 vote and the vote shall be recorded in the journal, but any member of the city council shall
 346 have the right to request a roll call vote and such vote shall be recorded in the journal.
 347 Except as otherwise provided in this charter, the affirmative vote of a majority of
 348 councilmembers present shall be required for the adoption of any ordinance, resolution, or
 349 motion.

350 (b) No member of the city council shall abstain from voting on any matter properly brought
 351 before the city council for official action except when such councilmember has a conflict of
 352 interest which is disclosed in writing prior to or at the meeting and made a part of the
 353 minutes. Any member of the city council present and eligible to vote on a matter and
 354 refusing to do so for any reason other than a properly disclosed and recorded conflict of

355 interest shall be deemed to have acquiesced or concurred with the members of the majority
 356 who did vote on the question involved.

357 **SECTION 2.22.**

358 Ordinance form; procedures.

359 (a) Every proposed ordinance shall be introduced in writing and in the form required for
 360 final adoption. No ordinance shall contain a subject which is not expressed in its title. The
 361 enacting clause shall be "It is hereby ordained by the governing authority of the City of
 362 Skidaway Island" and every ordinance shall so begin.

363 (b) An ordinance may be introduced by any councilmember and be read at a regular or
 364 special meeting of the city council. Ordinances shall be considered and adopted or rejected
 365 by the city council in accordance with the rules which it shall establish; provided, however,
 366 that an ordinance shall not be adopted the same day it is introduced, except for emergency
 367 ordinances provided in Section 2.24 of this charter. Upon introduction of any ordinance, the
 368 clerk shall as soon as possible distribute a copy to the mayor and to each councilmember and
 369 shall file a reasonable number of copies in the office of the clerk and at such other public
 370 places as the city council may designate.

371 (c) Each ordinance shall contain only one subject which shall be expressed in its title;
 372 provided, however, that appropriation ordinances may contain the various subjects, accounts,
 373 and amounts for which moneys are appropriated and that ordinances which are codified or
 374 recodified are not subject to the limitations of containing one subject.

375 **SECTION 2.23.**

376 Action requiring an ordinance.

377 Actions of the city council which have the force and effect of law shall be enacted by
 378 ordinance. Every action of a general or permanent nature, including, but not limited to,
 379 granting a franchise, levying a tax, appropriating money, contracting indebtedness to be
 380 evidenced by the issuance of bonds or notes, for the purchase, lease, sale, or transfer of real
 381 property or for establishing an offense and fixing the penalty therefor shall be taken by
 382 ordinance in the manner provided in this charter.

383

SECTION 2.24.

384

Emergencies.

385 (a) To meet a public emergency affecting life, health, property, or public peace, the city
 386 council may convene on call of the mayor or two councilmembers and promptly adopt an
 387 emergency ordinance, but such ordinance may not levy taxes; grant, renew, or extend a
 388 franchise; regulate the rate charged by any public utility for its services; or authorize the
 389 borrowing of money except for loans to be repaid within 30 days. An emergency ordinance
 390 shall be introduced in the form prescribed for ordinances generally, except that it shall be
 391 plainly designated as an emergency ordinance and shall contain, after the enacting clause,
 392 a declaration stating that an emergency exists and describing the emergency in clear and
 393 specific terms. An emergency ordinance may be adopted, with or without amendment, or
 394 rejected at the meeting at which it is introduced, but the affirmative vote of at least a majority
 395 of councilmembers present shall be required for adoption. It shall become effective upon
 396 adoption or at such later time as it may specify. Every emergency ordinance shall
 397 automatically stand repealed 30 days following the date upon which it was adopted, but this
 398 shall not prevent reenactment of the ordinance in the manner specified in this section if the
 399 emergency still exists. An emergency ordinance may also be repealed by adoption of a
 400 repealing ordinance in the same manner specified in this section for adoption of emergency
 401 ordinances.

402 (b) Such meetings shall be open to the public to the extent required by law, and notice to the
 403 public of emergency meetings shall be made as fully as is reasonably possible in accordance
 404 with Code Section 50-14-1 of the O.C.G.A., or such other applicable laws as are or may
 405 hereafter be enacted.

406

SECTION 2.25.

407

Codes of technical regulations.

408 (a) The city council may adopt any standard code of technical regulations by reference
 409 thereto in an adopting ordinance. The procedure and requirements governing such adopting
 410 ordinance shall be as prescribed for ordinances generally except that the requirements of
 411 subsection (b) of Section 2.22 of this charter for distribution and filing of copies of the
 412 ordinance shall be construed to include copies of any code of technical regulations, as well
 413 as the adopting ordinance and a copy of each adopted code of technical regulations, as well
 414 as the adopting ordinance, and shall be authenticated and recorded by the city clerk pursuant
 415 to Section 2.26 of this charter.

416 (b) Copies of any adopted code of technical regulations shall be made available by the city
417 clerk for inspection by the public.

418 **SECTION 2.26.**

419 Signing; authenticating; recording; codification; printing.

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

422 (b) The city council shall provide for the preparation of a general codification of all the
423 ordinances of the city having the force and effect of law. The general codification shall be
424 adopted by the city council by ordinance and shall be published promptly, together with all
425 amendments thereto and such codes of technical regulations and other rules and regulations
426 as the city council may specify. This compilation shall be known and cited officially as "The
427 Code of the City of Skidaway Island, Georgia." Copies of the code shall be furnished to all
428 officers, departments, and agencies of the city and shall be made available for purchase by
429 the public at a reasonable price as fixed by the city council.

430 (c) The city council shall cause each ordinance and each amendment to this charter to be
431 printed promptly following its adoption, and the printed ordinances and charter amendments
432 shall be made available for purchase by the public at reasonable prices to be fixed by the city
433 council. Following publication of the first code under this charter and at all times thereafter,
434 the ordinances and charter amendments shall be printed in substantially the same style as the
435 code currently in effect and shall be suitable in form for incorporation therein. The city
436 council shall make such further arrangements as deemed desirable with reproduction and
437 distribution of any current changes in or additions to codes of technical regulations and other
438 rules and regulations included in the code.

439 **SECTION 2.27.**

440 City manager; appointment; qualifications; compensation.

441 The city council shall appoint a city manager for an indefinite term and shall fix the city
442 manager's compensation. The city manager shall be appointed solely on the basis of
443 executive and administrative qualifications.

444

SECTION 2.28.

445

Removal of city manager.

446 The city manager is employed at will and may be summarily removed from office at any time

447 by the city council.

448

SECTION 2.29.

449

Acting city manager.

450 By letter filed with the city clerk, the city manager shall designate, subject to approval of the

451 city council, a qualified city administrative officer to exercise the powers and perform the

452 duties of the city manager during the city manager's temporary absence or physical or mental

453 disability. During such absence or disability, the city council may revoke such designation

454 at any time and appoint another officer of the city to serve until the city manager shall return

455 or the city manager's disability shall cease.

456

SECTION 2.30.

457

Powers and duties of the city manager.

458 The city manager shall be the chief administrative officer of the city. The city manager shall

459 be responsible to the city council for the administration of all city affairs placed in the city

460 manager's charge by or under this charter. As the chief administrative officer, the city

461 manager shall:

462 (1) Appoint and, when the city manager deems it necessary for the good of the city,

463 suspend or remove any city employee and administrative officer that the city manager

464 appoints, except as otherwise provided by law or personnel ordinances adopted pursuant

465 to this charter. The city manager may authorize any administrative officer who is subject

466 to the city manager's direction and supervision to exercise these powers with respect to

467 subordinates in that officer's department, office, or agency;

468 (2) Direct and supervise the administration of all departments, offices, and agencies of the

469 city, except as otherwise provided by this charter or by law;

470 (3) Attend all city council meetings except for closed meetings held for the purposes of

471 deliberating on the appointment, discipline, or removal of the city manager and have the

472 right to take part in discussion but not vote;

473 (4) See that all laws, provisions of this charter, and acts of the city council, subject to

474 enforcement by the city manager or by officers subject to the city manager's direction and

475 supervision, are faithfully executed;

- 476 (5) Prepare and submit the annual operating budget and capital budget to the city council;
 477 (6) Submit to the city council and make available to the public a complete report on the
 478 finances and administrative activities of the city as of the end of each fiscal year;
 479 (7) Fulfill state reporting requirements of Code Section 36-80-16 of the O.C.G.A., the
 480 "Local Government Authorities Registration Act"; the Department of Community Affairs
 481 local planning requirements for "Qualified Local Government" (QLG) status; and the
 482 requirements of Article 2 of Chapter 70 of Title 36 of the O.C.G.A., regarding service
 483 delivery;
 484 (8) Make such other reports as the city council may require concerning the operations of
 485 city departments, offices, and agencies subject to the city manager's direction and
 486 supervision;
 487 (9) Keep the city council fully advised as to the financial condition and future needs of the
 488 city and make such recommendations to the city council concerning the affairs of the city
 489 as the city manager deems desirable; and
 490 (10) Perform other such duties as are specified in this charter or as may be required by the
 491 city council.

492 **SECTION 2.31.**

493 Council interference with administration.

494 Except for the purpose of inquiries and investigations under Section 2.15 of this charter, the
 495 city council or its members shall deal with city officers and employees who are subject to the
 496 direction and supervision of the city manager solely through the city manager, and neither
 497 the city council nor its members shall give orders to any such officer or employee, either
 498 publicly or privately.

499 **SECTION 2.32.**

500 Selection of mayor and mayor pro tem.

501 In accordance with the alternating election cycle for terms of office in subsection (b) of
 502 Section 5.11 of this charter, except as otherwise provided in this charter, at each regular
 503 election where the mayor is to be elected, the voters of the city shall elect a mayor at large
 504 for a term of four years. At the first organizational meeting in July, 2019, and thereafter at
 505 the beginning of each even-numbered year, beginning in 2020, the city council shall elect
 506 from among its members a mayor pro tem who shall act as mayor during the absence or
 507 disability of the mayor, but shall only have one vote on matters before the city council, and,

508 if a vacancy occurs, the mayor pro tem shall become mayor for the remainder of the expired
509 term.

510 **SECTION 2.33.**

511 Powers and duties of mayor.

512 The mayor shall:

- 513 (1) Preside at all meetings of the city council;
514 (2) Be the head of the city for the purpose of service of process and for ceremonial
515 purposes and be the official spokesperson for the city and the chief advocate of policy;
516 (3) Have power to administer oaths and to take affidavits; and
517 (4) Sign as a matter of course on behalf of the city all written and approved contracts,
518 ordinances, and other instruments executed by the city which by law are required to be in
519 writing.

520 **SECTION 2.34.**

521 Position of mayor pro tem.

522 During the absence or physical or mental disability of the mayor for any reason, the mayor
523 pro tem, or in the mayor pro tem's absence or disability for any reason, any one of the
524 councilmembers chosen by a majority vote of the city council, shall be clothed with all the
525 rights and privileges of the mayor and shall perform the duties of the office of the mayor so
526 long as such absence or disability shall continue. Any such absence or disability shall be
527 declared by majority vote of all councilmembers. The mayor pro tem or selected
528 councilmember shall sign all contracts and ordinances in which the mayor has a disqualifying
529 financial interest as provided in Section 2.14 of this charter. When acting as mayor, the
530 mayor pro tem shall continue to have only one vote as a member of the council.

531 **ARTICLE III**

532 **ADMINISTRATIVE STRUCTURE**

533 **SECTION 3.10.**

534 Administrative and service departments.

535 (a) Except as otherwise provided in this charter, the city council, by ordinance, shall
536 prescribe the functions or duties, and establish, abolish, alter, consolidate, or leave vacant all
537 nonelective offices, positions of employment, departments, and agencies of the city, as
538 necessary for the proper administration of the affairs and government of this city.

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

542 (c) All appointive officers and directors of departments shall receive such compensation as
 543 prescribed by ordinance or resolution.

544 (d) There may be a director of each department or agency who shall be its principal officer.
 545 Each director shall, subject to the direction and supervision of the city manager, be
 546 responsible for the administration and direction of the affairs and operations of that director's
 547 department or agency.

548 (e) All appointive officers and directors under the supervision of the city manager shall be
 549 appointed by the city manager. All appointive officers and directors shall be employees at
 550 will and subject to removal or suspension at any time by the city manager unless otherwise
 551 provided by law or ordinance.

552 **SECTION 3.11.**

553 Consolidation of functions.

554 The city manager may consolidate any two or more positions or functions or may assign the
 555 functions of any one or more positions to the holder or holders of any other positions. The
 556 city manager may also perform all or part of the functions of any of the positions or offices
 557 in lieu of the appointment of other persons to perform the same.

558 **SECTION 3.12.**

559 Boards, commissions, and authorities.

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

564 (b) All members of boards, commissions, and authorities of the city shall be appointed by
 565 the city council for such terms of office and in such manner as shall be provided by
 566 ordinance, except where other appointing authority, terms of office, or manner of
 567 appointment is prescribed by this charter or by law.

568 (c) The city council, by ordinance, may provide for the compensation and reimbursement
 569 for actual and necessary expenses of the members of any board, commission, or authority.

570 (d) Except as otherwise provided by charter or by law, no member of any board,
 571 commission, or authority shall hold any elective office in the city.

572 (e) Any vacancy on a board, commission, or authority of the city shall be filled for the
573 unexpired term in the manner prescribed herein for original appointment, except as otherwise
574 provided by this charter or by law.

575 (f) No member of a board, commission, or authority shall assume office until that person has
576 executed and filed with the city clerk an oath obligating himself or herself to faithfully and
577 impartially perform the duties of that member's office, such oath to be prescribed by
578 ordinance and administered by the mayor.

579 (g) All board members serve at-will and may be removed at any time by a vote of three
580 members of the city council unless otherwise provided by law.

581 (h) Except as otherwise provided by this charter or by law, each board, commission, or
582 authority of the city shall elect one of its members as chairperson and one member as
583 vice-chairperson and may elect as its secretary one of its own members or may appoint as
584 secretary an employee of the city. Each board, commission, or authority of the city
585 government may establish such bylaws, rules, and regulations, not inconsistent with this
586 charter, ordinances of the city, or law, as it deems appropriate and necessary for the
587 fulfillment of its duties or the conduct of its affairs. Approval of such bylaws, rules, and
588 regulations shall be authorized by the affirmative vote of city council. Copies of such
589 bylaws, rules, and regulations shall be filed with the city clerk.

590

SECTION 3.13.

591

City attorney.

592 The city council shall appoint a city attorney, together with such assistant city attorneys as
593 may be authorized, and shall provide for the payment of such attorney or attorneys for
594 services rendered to the city. The city attorney shall be responsible for providing for the
595 representation and defense of the city in all litigation in which the city is a party; may be the
596 prosecuting officer in the municipal court; shall attend the meetings of the council as
597 directed; shall advise the city council, mayor, and other officers and employees of the city
598 concerning legal aspects of the city's affairs; and shall perform such other duties as may be
599 required by virtue of the person's position as city attorney. The city attorney shall not be a
600 public official of the city and shall not take an oath of office. The city attorney shall at all
601 times be an independent contractor. A law firm, rather than an individual, may be designated
602 as the city attorney.

603 **SECTION 3.14.**

604 City clerk.

605 The city council shall appoint a city clerk who shall not be a councilmember. The city clerk
 606 shall be custodian of the official city seal and city records; maintain city council records
 607 required by this charter; and perform such other duties as may be required by the city
 608 council.

609 **SECTION 3.15.**

610 Position classification and pay plans.

611 The city manager shall be responsible for the preparation of a position classification and pay
 612 plan which shall be submitted to the city council for approval. Such pay plan may apply to
 613 all employees of the city and any of its agencies, departments, boards, commissions, or
 614 authorities. When a pay plan has been adopted, the city council shall not increase or decrease
 615 the salary range applicable to any position except by amendment of such pay plan. For
 616 purposes of this section, all elected and appointed city officials are not city employees.

617 **ARTICLE IV**

618 **JUDICIAL BRANCH**

619 **SECTION 4.10.**

620 Creation; name.

621 There shall be a court to be known as the Municipal Court of the City of Skidaway Island.

622 **SECTION 4.11.**

623 Chief judge; associate judge.

624 (a) The municipal court shall be presided over by a chief judge and such part-time, full-time,
 625 or stand-by judges as shall be provided by ordinance.

626 (b) No person shall be qualified or eligible to serve as a judge on the municipal court unless
 627 that person shall have attained the age of 21 years, shall be a member of the State Bar of
 628 Georgia, and shall possess all qualifications required by law. All judges shall be appointed
 629 by the city council and shall serve until a successor is appointed and qualified.

630 (c) Compensation of the judges shall be fixed by ordinance.

631 (d) Judges serve at-will and may be removed from office at any time by the city council
 632 unless otherwise provided by ordinance.

633 (e) Before assuming office, each judge shall take an oath, given by the mayor, that the judge
 634 will honestly and faithfully discharge the duties of the office to the best of that person's
 635 ability and without fear, favor, or partiality. The oath shall be entered upon the minutes of
 636 the city council journal required in Section 2.20 of this charter.

637 **SECTION 4.12.**

638 Convening.

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

640 **SECTION 4.13.**

641 Jurisdiction; powers.

642 (a) The municipal court shall have jurisdiction and authority to try and punish violations of
 643 this charter, all city ordinances, and such other violations as provided by law.

644 (b) The municipal court shall have authority to punish those in its presence for contempt,
 645 provided that such punishment shall not exceed \$200.00 or ten days in jail.

646 (c) The municipal court may fix punishment for offenses within its jurisdiction not
 647 exceeding a fine of \$1,000.00, imprisonment for 180 days, or both, or may fix punishment
 648 by fine, imprisonment, or alternative sentencing as now or hereafter provided by law.

649 (d) The municipal court shall have authority to establish a schedule of fees to defray the cost
 650 of operation and shall be entitled to reimbursement of the cost of meals, transportation, and
 651 caretaking of prisoners bound over to superior courts for violations of state law.

652 (e) The municipal court shall have authority to establish bail and recognizances to ensure
 653 the presence of those charged with violations before such court and shall have discretionary
 654 authority to accept cash or personal or real property as surety for the appearance of persons
 655 charged with violations. Whenever any person shall give bail for that person's appearance
 656 and shall fail to appear at the time fixed for trial, the bond shall be forfeited by the judge
 657 presiding at such time and an execution issued thereon by serving the defendant and the
 658 defendant's sureties with a rule nisi at least two days before a hearing on the rule nisi. In the
 659 event that cash or property is accepted in lieu of bond for security for the appearance of a
 660 defendant at trial, and if such defendant fails to appear at the time and place fixed for trial,
 661 the cash so deposited shall be on order of the judge declared forfeited to the city, or the
 662 property so deposited shall have a lien against it for the value forfeited, which lien shall be
 663 enforceable in the same manner and to the same extent as a lien for city property taxes.

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

667 (g) The municipal court may compel the presence of all parties necessary to a proper
 668 disposal of each case by the issuance of summonses, subpoenas, and warrants which may be
 669 served as executed by any officer as authorized by this charter or by law.

670 (h) Each judge of the municipal court shall be authorized to issue warrants for the arrest of
 671 persons charged with offenses against any ordinance of the city, and each judge of the
 672 municipal court shall have the same authority as a magistrate of the state to issue warrants
 673 for offenses against state laws committed within the city.

674 **SECTION 4.14.**

675 Certiorari.

676 The right of certiorari from the decision and judgment of the municipal court shall exist in
 677 all criminal cases and ordinance violation cases, and such certiorari shall be obtained under
 678 the sanction of a judge of the Superior Court of Chatham County under the laws of the State
 679 of Georgia regulating the granting and issuance of writs of certiorari.

680 **SECTION 4.15.**

681 Rules for court.

682 With the approval of the city council, the judge shall have full power and authority to make
 683 reasonable rules and regulations necessary and proper to secure the efficient and successful
 684 administration of the municipal court; provided, however, that the city council may adopt in
 685 part or in toto the rules and regulations applicable to municipal courts. The rules and
 686 regulations made or adopted shall be filed with the city clerk and shall be available for public
 687 inspection, and, upon request, a copy shall be furnished to all defendants in municipal court
 688 proceedings at least 48 hours prior to said proceedings.

689 **ARTICLE V**

690 **ELECTIONS AND REMOVAL**

691 **SECTION 5.10.**

692 Applicability of general law.

693 All primaries and elections shall be held and conducted in accordance with Chapter 2 of
 694 Title 21 of the O.C.G.A., the "Georgia Election Code," as now or hereafter amended.

695

SECTION 5.11.

696

Election of the city council.

697 (a) There shall be a municipal general election every odd-numbered year on the Tuesday
698 next following the first Monday in November, beginning in 2021.

699 (b) There shall be elected two councilmembers and a mayor at one election and at every
700 other regular election thereafter. The two remaining city council seats shall be filled at the
701 election alternating with the first election so that a continuing body is created. Terms of
702 office shall be for four years and until their respective successors are elected and qualified.

703 (c) When qualifying to seek election to the city council, the individual qualifying shall
704 specify the position for which he or she is offering for election. Members of the city council
705 shall be elected by the voters of their respective districts, and the mayor shall be elected by
706 the voters of the city at-large.

707 (d) In the initial election under this charter to be held on the third Tuesday in March, 2019,
708 the mayor and four council posts shall be filled. The initial terms of office for those
709 individuals elected to the positions of mayor and Council Districts 1 and 2 shall take office
710 immediately upon the certification of the results of such initial election and shall serve until
711 December 31, 2023, and until their respective successors are elected and qualified. The
712 individuals elected to Council Districts 3 and 4 shall take office immediately upon the
713 certification of the results of such initial election and shall serve until December 31, 2021,
714 and until their respective successors are elected and qualified. Thereafter, all members of the
715 city council shall be elected in November immediately preceding the end of their respective
716 terms of office and shall take office on January 1 immediately following such election for
717 terms of office of four years and until their respective successors are elected and qualified.

718 (e) City council members, other than the mayor, shall be limited to three consecutive
719 four-year terms of office as members of the city council. The mayor shall be limited to two
720 consecutive four-year terms of office as mayor. The initial terms of office under
721 subsection (d) of this section of less than four years and partial terms of office shall not be
722 counted toward this number.

723

SECTION 5.12.

724

Nonpartisan elections.

725 Political parties shall not conduct primaries for city offices, and all names of candidates for
726 city offices shall be listed without party designations.

727 **SECTION 5.13.**

728 Election by plurality.

729 The candidate receiving the highest number of votes cast for the council seat for which he
730 or she is offering for election shall be elected, and the candidate receiving the highest number
731 of votes cast for the office of mayor shall be elected.

732 **SECTION 5.14.**

733 Special elections; vacancies.

734 In the event that the office of a councilmember shall become vacant as provided in
735 Section 2.12 of this charter, the city council or those remaining shall order a special election
736 to fill the balance of the unexpired term of such official; provided, however, that if such
737 vacancy occurs within 12 months of the expiration of the term of that office, the city council
738 or those remaining shall appoint a successor for the remainder of the term. In all other
739 respects, the special election shall be held and conducted in accordance with Chapter 2 of
740 Title 21 of the O.C.G.A., the "Georgia Election Code," as now or hereafter amended.

741 **SECTION 5.15.**

742 Other provisions.

743 Except as otherwise provided by this charter, the city council shall, by ordinance, prescribe
744 such rules and regulations it deems appropriate to fulfill any options and duties under
745 Chapter 2 of Title 21 of the O.C.G.A., the "Georgia Election Code."

746 **SECTION 5.16.**

747 Removal of officers.

748 (a) The mayor, councilmembers, and other appointed officers provided for in this charter
749 shall be removed from office for any one or more of the causes provided in Title 45 of the
750 O.C.G.A. or such other applicable laws as are or may hereafter be enacted.

751 (b) Removal of an officer pursuant to subsection (a) of this section shall be accomplished
752 by one of the following methods:

753 (1) Following a hearing at which an impartial panel shall render a decision. In the event
754 an elected officer is sought to be removed by the action of the city council, such officer
755 shall be entitled to a written notice specifying the ground or grounds for removal and to a
756 public hearing which shall be held not less than ten days after the service of such written

757 notice. The city council shall provide by ordinance for the manner in which such hearings
 758 shall be held. Any elected officer sought to be removed from office as provided in this
 759 paragraph shall have the right of appeal from the decision of the city council to the
 760 Superior Court of Chatham County. Such appeal shall be governed by the same rules as
 761 govern appeals to the superior court from the probate court; or

762 (2) By an order of the Superior Court of Chatham County following a hearing on a
 763 complaint seeking such removal brought by any resident of the City of Skidaway Island.

764 **ARTICLE VI**
 765 **FINANCE**
 766 **SECTION 6.10.**
 767 **Property tax.**

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

774 **SECTION 6.11.**
 775 **Millage rate; due dates; payment methods.**

776 The city council, by ordinance, shall establish a millage rate for the city property tax, not to
 777 exceed 4.13 mills, a due date, and the time period within which these taxes shall be paid.
 778 The city council, by ordinance, may provide for the payment of these taxes by two
 779 installments or in one lump sum, as well as authorize the voluntary payment of taxes prior
 780 to the time when due.

781 **SECTION 6.12.**
 782 **Occupation and business taxes.**

783 The city council by ordinance shall have the power to levy such occupation or business taxes
 784 as are not denied by law. The city council may classify businesses, occupations, or
 785 professions for the purpose of such taxation in any way which may be lawful and may
 786 compel the payment of such taxes as provided in Section 6.18 of this charter.

787

SECTION 6.13.

788

Regulatory fees; permits.

789 The city council by ordinance shall have the power to require businesses or practitioners
790 doing business within this city to obtain a permit for such activity from the city and pay a
791 reasonable regulatory fee for such permit as provided by general law. Such fees shall reflect
792 the total cost to the city of regulating the activity, and if unpaid, shall be collected as
793 provided in Section 6.18 of this charter.

794

SECTION 6.14.

795

Franchises.

796 (a) The city council shall have the power to grant franchises for the use of the city's streets
797 and alleys for the purposes of railroads, street railways, telephone companies, electric
798 companies, electric membership corporations, cable television and other telecommunications
799 companies, gas companies, transportation companies, and other similar organizations. The
800 city council shall determine the duration, terms, whether the same shall be exclusive or
801 nonexclusive, and the consideration for such franchises; provided, however, that no franchise
802 shall be granted for a period in excess of 35 years and no franchise shall be granted unless
803 the city receives just and adequate compensation therefor. The city council shall provide for
804 the registration of all franchises with the city clerk in a registration book kept by the city
805 clerk.

806 (b) If no franchise agreement is in effect, the city council has the authority to impose a tax
807 on gross receipts for the use of this city's streets and alleys for the purposes of railroads,
808 street railways, telephone companies, electric companies, electric membership corporations,
809 cable television and other telecommunications companies, gas companies, transportation
810 companies, and other similar organizations.

811

SECTION 6.15.

812

Service charges.

813 The city council by ordinance shall have the power to assess and collect fees, charges,
814 assessments, and tolls for sewers, sanitary and health services, or any other services provided
815 or made available within and without the corporate limits of the city. If unpaid, such charges
816 shall be collected as provided in Section 6.18 of this charter.

817 **SECTION 6.16.**

818 Special assessments.

819 The city council by ordinance shall have the power to assess and collect the cost of
 820 constructing, reconstructing, widening, or improving any public way, street, sidewalk,
 821 curbing, gutters, sewers, or other utility mains and appurtenances from the abutting property
 822 owners. If unpaid, such charges shall be collected as provided in Section 6.18 of this charter.

823 **SECTION 6.17.**

824 Construction; other taxes and fees.

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

828 **SECTION 6.18.**

829 Collection of delinquent taxes and fees.

830 The city council, by ordinance, may provide generally for the collection of delinquent taxes,
 831 fees, or other revenue due the city under Sections 6.10 through 6.17 of this charter by
 832 whatever reasonable means as are not precluded by law. This shall include providing for the
 833 dates when the taxes or fees are due; late penalties or interest; issuance and execution of
 834 fi.fa.'s; creation and priority of liens; making delinquent taxes and fees personal debts of the
 835 persons required to pay the taxes or fees imposed; revoking city permits for failure to pay any
 836 city taxes or fees; and providing for the assignment or transfer of tax executions.

837 **SECTION 6.19.**

838 General obligation bonds.

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

843 **SECTION 6.20.**

844 Revenue bonds.

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

848 **SECTION 6.21.**

849 Short-term loans.

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

852 **SECTION 6.22.**

853 Lease-purchase contracts.

854 The city may enter into multiyear lease, purchase, or lease-purchase contracts for the
855 acquisition of goods, materials, real and personal property, services, and supplies, provided
856 that the contract terminates without further obligation on the part of the municipality at the
857 close of the calendar year in which it was executed and at the close of each succeeding
858 calendar year for which it may be renewed. Contracts shall be executed in accordance with
859 the requirements of Code Section 36-60-13 of the O.C.G.A., or other such applicable laws
860 as are or may hereafter be enacted.

861 **SECTION 6.23.**

862 Fiscal year.

863 The city fiscal year shall be set as January 1 through December 31. This fiscal year shall
864 constitute the budget year and the year for financial accounting and reporting of each and
865 every office, department, agency, and activity of the city government unless otherwise
866 provided by state or federal law.

867

SECTION 6.24.

868

Preparation of budgets.

869 The city council shall provide by ordinance procedures and requirements for the preparation
 870 and execution of an annual operating budget, a capital improvement plan, and a capital
 871 budget, including requirements as to the scope, content, and form of such budgets and plans.

872

SECTION 6.25.

873

Submission of operating budget to city council.

874 On or before a date fixed by the city council but not later than 90 days prior to the beginning
 875 of each fiscal year, the city manager shall submit to the city council a proposed operating
 876 budget for the ensuing fiscal year. The budget shall be accompanied by a message from the
 877 city manager containing a statement of the general fiscal policies of the city, the important
 878 features of the budget, explanations of major changes recommended for the next fiscal year,
 879 a general summary of the budget, and such other pertinent comments and information. The
 880 operating budget and the capital budget hereinafter provided for, the budget message, and
 881 all supporting documents shall be filed in the office of the city clerk and shall be open to
 882 public inspection.

883

SECTION 6.26.

884

Action by city council on budget.

885 (a) The city council may amend the operating budget proposed by the city manager;
 886 provided, however, that the budget as finally amended and adopted shall provide for all
 887 expenditures required by state law or by other provisions of this charter and for all debt
 888 service requirements for the ensuing fiscal year, and the total appropriations from any fund
 889 shall not exceed the estimated fund balance, reserves, and revenues.

890 (b) The city council by ordinance shall adopt the final operating budget for the ensuing fiscal
 891 year not later than the twentieth day of December of each year. If the city council fails to
 892 adopt the budget by this date, the amounts appropriated for operation for the current fiscal
 893 year shall be deemed adopted for the ensuing fiscal year on a month-to-month basis, with all
 894 items prorated accordingly until such time as the city council adopts a budget for the ensuing
 895 fiscal year. Adoption of the budget shall take the form of an appropriations ordinance setting
 896 out the estimated revenues in detail by sources and making appropriations according to fund
 897 and by organizational unit, purpose, or activity as set out in the budget preparation ordinance
 898 adopted pursuant to Section 6.24 of this charter.

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

903 **SECTION 6.27.**

904 Tax levies.

905 The city council shall levy by ordinance such taxes as are necessary. The taxes and tax rates
 906 set by such ordinances shall be such that reasonable estimates of revenues from such levy
 907 shall at least be sufficient, together with other anticipated revenues, fund balances, and
 908 applicable reserves, to equal the total amount appropriated for each of the several funds set
 909 forth in the annual operating budget for defraying the expenses of the general government
 910 of this city.

911 **SECTION 6.28.**

912 Changes in appropriations.

913 The city council by ordinance may make changes in the appropriations contained in the
 914 current operating budget, at any regular meeting or special or emergency meeting called for
 915 such purpose, but any additional appropriations may be made only from an existing
 916 unexpended surplus.

917 **SECTION 6.29.**

918 Capital budget.

919 (a) On or before the date fixed by the city council but no later than 90 days prior to the
 920 beginning of each fiscal year, the city manager shall submit to the city council a proposed
 921 capital improvements plan with a recommended capital budget containing the means of
 922 financing the improvements proposed for the ensuing fiscal year. The city council shall have
 923 power to accept, with or without amendments, or reject the proposed plan and proposed
 924 budget. The city council shall not authorize an expenditure for the construction of any
 925 building, structure, work, or improvement, unless the appropriations for such project are
 926 included in the capital budget, except to meet a public emergency as provided in Section 2.24
 927 of this charter.

928 (b) The city council shall adopt by ordinance the final capital budget for the ensuing fiscal
 929 year not later than the twentieth day of December of each year. No appropriation provided

930 for in a prior capital budget shall lapse until the purpose for which the appropriation was
 931 made shall have been accomplished or abandoned; provided, however, that the city manager
 932 may submit amendments to the capital budget at any time during the fiscal year,
 933 accompanied by recommendations. Any such amendments to the capital budget shall
 934 become effective only upon adoption by ordinance.

935 **SECTION 6.30.**

936 Independent audit.

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

942 **SECTION 6.31.**

943 Contracting procedures.

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

- 945 (1) It is in writing;
- 946 (2) It is drawn by or submitted to and reviewed by the city attorney, and as a matter of
 947 course, is signed by the city attorney to indicate such drafting or review; and
- 948 (3) It is made or authorized by the city council and such approval is entered in the city
 949 council journal of proceedings pursuant to Section 2.21 of this charter.

950 **SECTION 6.32.**

951 Centralized purchasing.

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

954 **SECTION 6.33.**

955 Sale and lease of city property.

956 (a) The city council may sell and convey or lease any real or personal property owned or
 957 held by the city for governmental or other purposes as now or hereafter provided by law.

958 (b) The city council may quitclaim any rights it may have in property not needed for public
 959 purposes upon report by the city manager and adoption of a resolution, both finding that the
 960 property is not needed for public or other purposes and that the interest of the city has no
 961 readily ascertainable monetary value.

962 (c) Whenever in opening, extending, or widening any street, avenue, alley, or public place
 963 of the city, a small parcel or tract of land is cutoff or separated by such work from a larger
 964 tract or boundary of land owned by the city, the city council may authorize the city manager
 965 to sell and convey said cut-off or separated parcel or tract of land to an abutting or adjoining
 966 property owner or owners where such sale and conveyance facilitates the enjoyment of the
 967 highest and best use of the abutting owner's property. Included in the sales contract shall be
 968 a provision for the rights-of-way of said street, avenue, alley, or public place. Each abutting
 969 property owner shall be notified of the availability of the property and given the opportunity
 970 to purchase said property under such terms and conditions as set out by ordinance. All deeds
 971 and conveyances heretofore and hereafter so executed and delivered shall convey all title and
 972 interest the city has in such property, notwithstanding the fact that no public sale after
 973 advertisement was or is hereafter made.

974 **ARTICLE VII**
 975 **GENERAL PROVISIONS**
 976 **SECTION 7.10.**
 977 **Bonds for officials.**

978 The officers and employees of the city, both elective and appointive, shall execute such
 979 surety or fidelity bonds in such amounts and upon such terms and conditions as the city
 980 council shall from time to time require by ordinance or as may be provided by law.

981 **SECTION 7.11.**
 982 **Construction.**

983 (a) Section captions in this charter are informative only and are not to be considered as a part
 984 thereof.

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

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

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990
991

ARTICLE VIII
HOMESTEAD EXEMPTIONS
SECTION 8.10.
General homestead exemption.

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

993 (1) "Ad valorem taxes for municipal purposes" means all ad valorem taxes for municipal
994 purposes levied by, for, or on behalf of the City of Skidaway Island, except for any ad
995 valorem taxes to pay interest on and to retire municipal bonded indebtedness.

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

998 (b) Each resident of the City of Skidaway Island is granted an exemption on that person's
999 homestead from City of Skidaway Island ad valorem taxes for municipal purposes in the
1000 amount of the assessed value of that homestead. The value of that property in excess of such
1001 exempted amount shall remain subject to taxation.

1002 (c) Any person who as of January 1, 2018, has applied for and is eligible for the \$2,000.00
1003 exemption from county ad valorem taxation provided in Code Section 48-5-44 of the
1004 O.C.G.A. shall be eligible for the exemption provided for by subsection (b) of this section
1005 without applying therefor. Thereafter, a person shall not receive the homestead exemption
1006 granted by subsection (b) of this section unless such person or person's agent files an
1007 application with the governing authority of the City of Skidaway Island, or the designee
1008 thereof, giving such information relative to receiving such exemption as will enable the
1009 governing authority of the City of Skidaway Island, or the designee thereof, to make a
1010 determination regarding the initial and continuing eligibility of such person for such
1011 exemption. The governing authority of the City of Skidaway Island, or the designee thereof,
1012 shall provide application forms for this purpose.

1013 (d) The exemption shall be claimed and returned as provided in Code Section 48-5-50.1 of
1014 the O.C.G.A., as amended. The exemption shall be automatically renewed from year to year
1015 as long as the person granted the homestead exemption under subsection (b) of this section
1016 occupies the residence as a homestead. After a person has filed the proper application as
1017 provided in subsection (c) of this section, it shall not be necessary to make application
1018 thereafter for any year, and the exemption shall continue to be allowed to such person. It
1019 shall be the duty of any person granted the homestead exemption under subsection (b) of this
1020 section to notify the governing authority of the City of Skidaway Island, or the designee
1021 thereof, in the event that person for any reason becomes ineligible for such exemption.

1022 (e) The exemption granted by subsection (b) of this section shall not apply to or affect any
1023 state ad valorem taxes, county ad valorem taxes for county purposes, or county or

1024 independent school district ad valorem taxes for educational purposes. The homestead
 1025 exemption granted by subsection (b) of this section shall be in lieu of and not in addition to
 1026 any other homestead exemption applicable to City of Skidaway Island ad valorem taxes for
 1027 municipal purposes.

1028 (f) The exemption granted by subsection (b) of this section shall apply to all taxable years
 1029 beginning on or after July 1, 2019.

1030 **SECTION 8.11.**

1031 Homestead exemption; senior citizen; disabled.

1032 (a) As used in this section , the term:

1033 (1) "Ad valorem taxes for municipal purposes" means all ad valorem taxes for municipal
 1034 purposes levied by, for, or on behalf of the City of Skidaway Island, including, but not
 1035 limited to, any ad valorem taxes to pay interest on and to retire municipal bonded
 1036 indebtedness.

1037 (2) "Homestead" means homestead as defined and qualified in Code Section 48-5-40 of
 1038 the O.C.G.A., as amended.

1039 (3) "Income" means Georgia taxable net income determined pursuant to Chapter 7 of Title
 1040 48 of the O.C.G.A., as amended, for state income tax purposes, except such term shall not
 1041 include income received as retirement, survivor, or disability benefits under the federal
 1042 Social Security Act or under any other public or private retirement, disability, or pension
 1043 system, except such income which is in excess of the maximum amount authorized to be
 1044 paid to an individual and such individual's spouse under the federal Social Security Act.
 1045 Income from such sources in excess of such maximum amount shall be included as income
 1046 for the purposes of this Act.

1047 (4) "Senior citizen" means a person who is 65 years of age or older on or before January 1
 1048 of the year in which application for the exemption under subsection (b) of this section is
 1049 made.

1050 (b) Each resident of the City of Skidaway Island who is disabled or who is a senior citizen
 1051 is granted an exemption on that person's homestead from City of Skidaway Island ad valorem
 1052 taxes for municipal purposes in the amount of \$14,000.00 of the assessed value of that
 1053 homestead. The exemption under this subsection shall only be granted if that person's
 1054 income, together with the income of the spouse who also occupies and resides at such
 1055 homestead, does not exceed \$15,000.00 for the immediately preceding year. The value of
 1056 that property in excess of such exempted amount shall remain subject to taxation.

1057 (c)(1) In order to qualify for the exemption provided for in subsection (b) of this section
 1058 as being disabled, the person claiming such exemption shall be required to obtain a

1059 certificate from not more than three physicians licensed to practice medicine under Chapter
1060 34 of Title 43 of the O.C.G.A., as amended, certifying that in the opinion of such physician
1061 or physicians, such person is mentally or physically incapacitated to the extent that such
1062 person is unable to be gainfully employed and that such incapacity is likely to be
1063 permanent. Such certificate or certificates shall constitute part of and be submitted with
1064 the application provided for in paragraph (2) of this subsection.

1065 (2) A person shall not receive the homestead exemption granted by subsection (b) of this
1066 section unless such person or person's agent files an application with the governing
1067 authority of the City of Skidaway Island, or the designee thereof, giving the person's age,
1068 income, and such additional information relative to receiving such exemption as will enable
1069 the governing authority of the City of Skidaway Island, or the designee thereof, to make
1070 a determination regarding the initial and continuing eligibility of such person for such
1071 exemption. The governing authority of the City of Skidaway Island, or the designee
1072 thereof, shall provide application forms for this purpose.

1073 (d) The exemption shall be claimed and returned as provided in Code Section 48-5-50.1 of
1074 the O.C.G.A., as amended. The exemption shall be automatically renewed from year to year
1075 as long as the person granted the homestead exemption under subsection (b) of this section
1076 occupies the residence as a homestead. After a person has filed the proper application, as
1077 provided in subsection (c) of this section, it shall not be necessary to make application
1078 thereafter for any year, and the exemption shall continue to be allowed to such person. It
1079 shall be the duty of any person granted the homestead exemption under subsection (b) of this
1080 section to notify the governing authority of the City of Skidaway Island, or the designee
1081 thereof, in the event that person for any reason becomes ineligible for such exemption.

1082 (e) The exemption granted by subsection (b) of this section shall not apply to or affect any
1083 state ad valorem taxes, county ad valorem taxes for county purposes, or county or
1084 independent school district ad valorem taxes for educational purposes. The homestead
1085 exemption granted by subsection (b) of this section shall be in addition to and not in lieu of
1086 any other homestead exemption applicable to City of Skidaway Island ad valorem taxes for
1087 municipal purposes.

1088 (f) The exemption granted by subsection (b) of this section shall apply to all taxable years
1089 beginning on or after July 1, 2019.

1090 **SECTION 8.12.**

1091 Homestead exemption; base year.

1092 (a) As used in this Act, the term:

- 1093 (1) "Ad valorem taxes for municipal purposes" means all municipal ad valorem taxes for
1094 municipal purposes levied by, for, or on behalf of the City of Skidaway Island, except for
1095 any ad valorem taxes to pay interest on and to retire municipal bonded indebtedness.
- 1096 (2) "Base year" means the taxable year immediately preceding the taxable year in which
1097 the exemption under subsection (b) of this section is first granted to the most recent owner
1098 of such homestead, provided that, for any resident who is receiving a base year homestead
1099 exemption from Chatham County taxes on January 1, 2019, the base year for such Chatham
1100 County base year homestead exemption shall be the base year for the exemption under
1101 subsection (b) of this section until such resident becomes ineligible for such exemption
1102 under this section.
- 1103 (3) "Homestead" means homestead as defined and qualified in Code Section 48-5-40 of
1104 the O.C.G.A., as amended, with the additional qualification that it shall include not more
1105 than five contiguous acres of homestead property.
- 1106 (b) Each resident of the City of Skidaway Island is granted an exemption on that person's
1107 homestead from City of Skidaway Island ad valorem taxes for municipal purposes in an
1108 amount equal to the amount by which the current year assessed value of that homestead
1109 exceeds the base year assessed value of that homestead. This exemption shall not apply to
1110 taxes assessed on improvements to such homestead or additional land that is added to such
1111 homestead after January 1 of the base year. If any real property is removed from such
1112 homestead, the base year assessed value shall be adjusted to reflect such removal, and the
1113 exemption shall be recalculated accordingly. The value of that property in excess of such
1114 exempted amount shall remain subject to taxation.
- 1115 (c) The unremarried surviving spouse of a deceased spouse who had been granted the
1116 exemption provided for in subsection (b) of this section shall continue to receive the
1117 exemption provided under subsection (b) of this section so long as that unremarried surviving
1118 spouse continues to occupy the home as a residence and homestead.
- 1119 (d) A person shall not receive the homestead exemption granted by subsection (b) of this
1120 section unless such person or person's agent files an application with the governing authority
1121 of the City of Skidaway Island, or the designee thereof, giving such information relative to
1122 receiving such exemption as will enable the governing authority of the City of Skidaway
1123 Island, or the designee thereof, to make a determination regarding the initial and continuing
1124 eligibility of such person for such exemption. The governing authority of the City of
1125 Skidaway Island, or the designee thereof, shall provide application forms for this purpose.
- 1126 (e) The exemption shall be claimed and returned as provided in Code Section 48-5-50.1 of
1127 the O.C.G.A., as amended. The exemption shall be automatically renewed from year to year
1128 as long as the person granted the homestead exemption under subsection (b) of this section
1129 occupies the residence as a homestead. After a person has filed the proper application as

1130 provided in subsection (d) of this section, it shall not be necessary to make application
 1131 thereafter for any year, and the exemption shall continue to be allowed to such person. It
 1132 shall be the duty of any person granted the homestead exemption under subsection (b) of this
 1133 section to notify the governing authority of the City of Skidaway Island, or the designee
 1134 thereof, in the event that person for any reason becomes ineligible for such exemption.

1135 (f) The exemption granted by subsection (b) of this section shall not apply to or affect any
 1136 state ad valorem taxes, county ad valorem taxes for county purposes, or county or
 1137 independent school district ad valorem taxes for educational purposes. The homestead
 1138 exemption granted by subsection (b) of this section shall be in addition to and not in lieu of
 1139 any other homestead exemption applicable to City of Skidaway Island ad valorem taxes for
 1140 municipal purposes.

1141 (g) The exemption granted by subsection (b) of this section shall apply to all taxable years
 1142 beginning on or after July 1, 2019.

1143 ARTICLE IX

1144 REFERENDUM AND TRANSITION

1145 SECTION 9.10.

1146 Qualified electors.

1147 (a) For the purposes of the referendum election provided for in Section 9.11 of this charter
 1148 and for the purposes of the special election to be held on the third Tuesday in March, 2019,
 1149 the qualified electors of the City of Skidaway Island shall be those qualified electors of
 1150 Chatham County residing within the corporate limits of the City of Skidaway Island as
 1151 described by Section 1.11 of this charter. At subsequent municipal elections, the qualified
 1152 electors of the City of Skidaway Island shall be determined pursuant to the authority of
 1153 Chapter 2 of Title 21 of the O.C.G.A., the "Georgia Election Code."

1154 (b) Only for the purpose of holding and conducting the referendum election provided for by
 1155 Section 9.11 of this charter and only for the purpose of holding and conducting the special
 1156 election of the City of Skidaway Island to be held on the third Tuesday in March, 2019, the
 1157 election superintendent of Chatham County is vested with the powers and duties of the
 1158 election superintendent of the City of Skidaway Island and the powers and duties of the
 1159 governing authority of the City of Skidaway Island.

1160 **SECTION 9.11.**

1161 Referendum.

1162 The election superintendent of Chatham County shall call a special election for the purpose
 1163 of submitting this Act to the qualified voters of the proposed City of Skidaway Island, as
 1164 provided in Section 9.10 of this charter, for approval or rejection. The superintendent shall
 1165 set the date of such election for the date of the 2018 November general election. The
 1166 superintendent shall issue the call for such election at least 60 days prior to the date thereof.
 1167 The superintendent shall cause the date and purpose of the election to be published once a
 1168 week for two weeks immediately preceding the date thereof in the official organ of Chatham
 1169 County. The ballot shall have written or printed thereon the words:

1170 "() YES Shall the Act incorporating the City of Skidaway Island in Chatham County
 1171 () NO and granting the homestead exemptions described therein be approved?"

1172 All persons desiring to vote for approval of the Act shall vote "Yes," and those persons
 1173 desiring to vote for rejection of the Act shall vote "No." If more than one-half of the votes
 1174 cast on such question are for approval of the Act, it shall become of full force and effect as
 1175 provided in Section 9.12 of this charter; otherwise, it shall thereafter be void and of no force
 1176 and effect. The expense of the special election set forth in this section shall be borne by
 1177 Chatham County. It shall be the duty of the superintendent to hold and conduct such
 1178 election. It shall be his or her further duty to certify the result thereof to the Secretary of
 1179 State.

1180 **SECTION 9.12.**

1181 Effective dates.

1182 (a) Sections 1.10 and 1.11 of this charter and those provisions of this charter necessary for
 1183 the special election provided for in Section 9.11 of this charter shall become effective
 1184 immediately upon its approval by the Governor or upon its becoming law without such
 1185 approval.

1186 (b) Those provisions of this Act necessary for the special election to be held on the third
 1187 Tuesday in March, 2019, shall be effective upon the certification of the results of the
 1188 referendum election provided for by Section 9.11 of this charter, if this Act is approved at
 1189 such referendum election.

1190 (c) The remaining provisions of this Act shall become of full force and effect for all
 1191 purposes on July 1, 2019, except that the initial mayor and councilmembers shall take office
 1192 immediately following their election and by action of a quorum may prior to July 1, 2019,
 1193 meet and take actions binding on the city.

1194 **SECTION 9.13.**

1195 Transition.

1196 (a) A period of time will be needed for an orderly transition of various government functions
 1197 from Chatham County to the City of Skidaway Island. Accordingly, there shall be a
 1198 transition period beginning on July 1, 2019, and ending at midnight on the last day of the
 1199 twenty-fourth month following such date. During such transition period, all provisions of
 1200 this charter shall be effective as law, but not all provisions of this charter shall be
 1201 implemented.

1202 (b) During such transition period, Chatham County shall continue to provide within the
 1203 territorial limits of the City of Skidaway Island all government services and functions which
 1204 Chatham County provided in that area during 2018 and at the same actual cost, except to the
 1205 extent otherwise provided in this section; provided, however, that upon at least 30 days' prior
 1206 written notice to Chatham County by the City of Skidaway Island, responsibility for any such
 1207 service or function shall be transferred to the City of Skidaway Island. Beginning on July 1,
 1208 2019, the City of Skidaway Island shall collect taxes, fees, assessments, fines and forfeitures,
 1209 and other moneys within the territorial limits of the City of Skidaway Island; provided,
 1210 however, that upon at least 30 days' prior written notice to Chatham County by the City of
 1211 Skidaway Island, the authority to collect any tax, fee, assessment, fine or forfeiture, or other
 1212 moneys shall remain with Chatham County after July 1, 2019, until such time as Chatham
 1213 County receives subsequent notice from the City of Skidaway Island that such authority shall
 1214 be transferred to the City of Skidaway Island.

1215 (c) During the transition period, the governing authority of the City of Skidaway Island:

- 1216 (1) Shall hold regular meetings and may hold special meetings as provided in this charter;
 1217 (2) May enact ordinances and resolutions as provided in this charter;
 1218 (3) May amend this charter by home rule action as provided by general law;
 1219 (4) May accept gifts and grants;
 1220 (5) May borrow money and incur indebtedness to the extent authorized by this charter and
 1221 general law;
 1222 (6) May levy and collect an ad valorem tax for calendar years 2019 and 2020;
 1223 (7) May establish a fiscal year and budget;
 1224 (8) May create, alter, or abolish departments, boards, offices, commissions, and agencies
 1225 of the city; appoint and remove officers and employees; and exercise all necessary or
 1226 appropriate personnel and management functions; and
 1227 (9) May generally exercise any power granted by this charter or general law, except to the
 1228 extent that a power is specifically and integrally related to the provision of a governmental
 1229 service, function, or responsibility not yet provided or carried out by the city.

1230 (d) Except as otherwise provided in this section, during the transition period, the Municipal
 1231 Court of the City of Skidaway Island shall not exercise its jurisdiction. During the transition
 1232 period, all ordinances of Chatham County shall remain applicable within the territorial limits
 1233 of the City of Skidaway Island and the appropriate court or courts of Chatham County shall
 1234 retain jurisdiction to enforce such ordinances. However, by appropriate agreement (and
 1235 concurrent resolutions and ordinances if needed) Chatham County and the City of Skidaway
 1236 Island may during the transition period transfer all or part of such regulatory authority and
 1237 the appropriate court jurisdiction to the City of Skidaway Island. Any transfer of jurisdiction
 1238 to the City of Skidaway Island during or at the end of the transition period shall not in and
 1239 of itself abate any judicial proceeding pending in Chatham County or the pending
 1240 prosecution of any violation of any ordinance of Chatham County.

1241 (e) During the transition period, the governing authority of Skidaway Island may at any
 1242 time, without the necessity of any agreement by Chatham County, commence to exercise its
 1243 planning and zoning powers; provided, however, that the city shall give the county notice of
 1244 the date on which the city will assume the exercise of such powers. Upon the governing
 1245 authority of Skidaway Island commencing to exercise its planning and zoning powers, the
 1246 Municipal Court of the City of Skidaway Island shall immediately have jurisdiction to
 1247 enforce the planning and zoning ordinances of the city. The provisions of this subsection
 1248 shall control over any conflicting provisions of any other subsection of this section.

1249 (f) Effective upon the termination of the transition period, subsections (b) through (e) of this
 1250 section shall cease to apply except for the last sentence of subsection (d) which shall remain
 1251 effective. Effective upon the termination of the transition period, the City of Skidaway
 1252 Island shall be a full functioning municipal corporation and subject to all general laws of this
 1253 state.

1254 **SECTION 9.14.**

1255 Directory nature of dates.

1256 It is the intention of the General Assembly that this Act be construed as directory rather than
 1257 mandatory with respect to any date prescribed in this Act. If it is necessary to delay any
 1258 action called for in this Act for providential cause or any other reason, it is the intention of
 1259 the General Assembly that the action be delayed rather than abandoned. Any delay in
 1260 performing any action under this Act, whether for cause or otherwise, shall not operate to
 1261 frustrate the overall intent of this Act. Without limiting the generality of the foregoing it is
 1262 specifically provided that:

1263 (1) If it is not possible to hold the referendum election provided for in Section 9.11 of this
 1264 Act on the date specified in that section, then such referendum shall be held as soon
 1265 thereafter as is reasonably practicable; and

1266 (2) If it is not possible to hold the first municipal election provided for in Section 2.11 of
 1267 this Act on the date specified in that section, then there shall be a special election for the
 1268 initial members of the governing authority to be held as soon thereafter as is reasonably
 1269 practicable, and the commencement of the initial terms of office shall be delayed
 1270 accordingly.

1271 **SECTION 9.15.**

1272 General repealer.

1273 All laws and parts of laws in conflict with this Act are repealed.

1274 APPENDIX A

1275 CORPORATE LIMITS

1276 CITY OF SKIDAWAY ISLAND

1277 The City of Skidaway Island shall include all the territory embraced within the following
 1278 census blocks based upon the 2010 United States decennial census:

1279 Plan: skidaway-city-2017

1280 Plan Type: Local

1281 Administrator: H166

1282 User: Gina

1283 District SKIDAWAY

1284 Chatham County

1285 VTD: 0511-12

1286 011006:

1287 1004 1005

1288 VTD: 0514-12

1289 011005:

1290 3011 3062 3063 3064 3065 3068 3069 3073 3074 3075 3076 3077

1291 3079 3083

1292 011006:

1293 1000 1001 1002 1003 1007 1008 1009 1011 1038 1039 1040 2004

1294 2005 2007 2008 2009 2010 2011 2012 2014 2015 2017 2018 2019
 1295 2020 2032 2033 2034
 1296 VTD: 0514-13
 1297 011005:
 1298 1000 1001 1002 1003 1005 1006 1007 1008 1009 1010 2024 4000
 1299 4001 4002 4003 4004 4005 4006 4007 4008 4009 4010 4011 4012
 1300 4013 4014 4015 4016 4017 4019 4023 4035
 1301 011006:
 1302 1037
 1303 VTD: 0514-14
 1304 011005:
 1305 2005 2009 2010 2011 2012 2013 2014 2015 2016 2017 2018 2019
 1306 2020 2021 2022 2023 2025 2026 2027 2028 2029 2030 2031 2032
 1307 2033 2034 2035 2036 2037 2038 2039 2040 2041 2045 2046 2047
 1308 2057 3066 3067 3070 3071 3072 3078 3080
 1309 VTD: 0514-15
 1310 011005:
 1311 1004
 1312 011006:
 1313 1006 1010 1012 1013 1014 1015 1016 1017 1018 1019 1020 1021
 1314 1022 1023 1024 1025 1026 1027 1028 1029 1030 1031 1032 1033
 1315 1034 1041 1043 2006 2013 2016 2035 2036 2037 2038 2039 2040

1316 For the purposes of this description, the term "VTD" shall mean and describe the same
 1317 geographical boundaries as provided in the report of the Bureau of the Census for the United
 1318 States decennial census of 2010 for the State of Georgia. The separate numeric designations
 1319 in the description which are underneath a VTD heading shall mean and describe individual
 1320 blocks within a VTD as provided in the report of the Bureau of the Census for the United
 1321 States decennial census of 2010 for the State of Georgia.

1322 APPENDIX B
 1323 CITY COUNCIL DISTRICTS
 1324 CITY OF SKIDAWAY ISLAND

1325 Plan: skidcc-4d-2017
 1326 Plan Type: Local
 1327 Administrator: H166
 1328 User: Gina

1329 District 001
 1330 Chatham County
 1331 VTD: 0511-12
 1332 011006:
 1333 1004 1005
 1334 VTD: 0514-12
 1335 011006:
 1336 1000 1001 1002 1003 1007 1008 1009 1011 1038 1039 1040 2014
 1337 2019 2020
 1338 VTD: 0514-15
 1339 011006:
 1340 1006 1010 1012 1013 1014 1015 1017 1018 1020 1021 1022 1023
 1341 1024 1025 1026 1033 1034 1041 1043 2006 2013 2016 2035 2036
 1342 2037 2038 2039 2040

1343 District 002
 1344 Chatham County
 1345 VTD: 0514-12
 1346 011005:
 1347 3011 3062 3063 3064 3065 3068 3069 3073 3074 3075 3076 3077
 1348 3079 3083
 1349 011006:
 1350 2004 2005 2007 2008 2009 2010 2011 2012 2015 2017 2018 2032
 1351 2033 2034
 1352 VTD: 0514-14
 1353 011005:
 1354 3067 3070 3071 3072 3078 3080

1355 District 003
 1356 Chatham County
 1357 VTD: 0514-13
 1358 011005:
 1359 1005 1006 1007 1008 1009 1010 2024
 1360 VTD: 0514-14
 1361 011005:
 1362 2005 2009 2010 2011 2012 2013 2014 2015 2016 2017 2018 2019
 1363 2020 2021 2022 2023 2025 2026 2027 2028 2029 2030 2031 2032
 1364 2033 2034 2035 2036 2037 2038 2039 2040 2041 2045 2046 2047
 1365 2057 3066

 1366 District 004
 1367 Chatham County
 1368 VTD: 0514-13
 1369 011005:
 1370 1000 1001 1002 1003 4000 4001 4002 4003 4004 4005 4006 4007
 1371 4008 4009 4010 4011 4012 4013 4014 4015 4016 4017 4019 4023
 1372 4035
 1373 011006:
 1374 1037
 1375 VTD: 0514-15
 1376 011005:
 1377 1004
 1378 011006:
 1379 1016 1019 1027 1028 1029 1030 1031 1032

1380 For the purposes of this plan (skidcc-4d-2017):

1381 (1) The term "VTD" shall mean and describe the same geographical boundaries as
 1382 provided in the report of the Bureau of the Census for the United States decennial census
 1383 of 2010 for the State of Georgia. The separate numeric designations in a district
 1384 description which are underneath a VTD heading shall mean and describe individual
 1385 blocks within a VTD as provided in the report of the Bureau of the Census for the United
 1386 States decennial census of 2010 for the State of Georgia;
 1387 (2) Except as otherwise provided in the description of any district, whenever the
 1388 description of any district refers to a named city, it shall mean the geographical

1389 boundaries of that city as shown on the census maps for the United States decennial
 1390 census of 2010 for the State of Georgia;

1391 (3) Any part of the City of Skidaway Island which is not included in any district
 1392 described in this plan (skidcc-4d-2017) shall be included within that district contiguous
 1393 to such part which contains the least population according to the United States decennial
 1394 census of 2010 for the State of Georgia; and

1395 (4) Any part of the City of Skidaway Island which is described in this plan
 1396 (skidcc-4d-2017) as being included in a particular district shall nevertheless not be
 1397 included within such district if such part is not contiguous to such district. Such
 1398 noncontiguous part shall instead be included within that district contiguous to such part
 1399 which contains the least population according to the United States decennial census of
 1400 2010 for the State of Georgia.

1401 APPENDIX C

1402 CERTIFICATE AS TO MINIMUM STANDARDS

1403 FOR INCORPORATION OF A NEW MUNICIPAL CORPORATION

1404 I, Representative Jesse Petrea, Georgia State Representative from the 166th District and the
 1405 author of this bill introduced at the 2017 session of the General Assembly of Georgia, which
 1406 grants an original municipal charter to the City of Skidaway Island, do hereby certify that this
 1407 bill is in compliance with the minimum standards required by Chapter 31 of Title 36 of the
 1408 O.C.G.A. in that the area embraced within the original incorporation in this bill is in all
 1409 respects in compliance with the minimum standards required by Chapter 31 of Title 36 of the
 1410 O.C.G.A. This certificate is executed to conform to the requirements of Code
 1411 Section 36-31-5 of the O.C.G.A.

1412 So certified, this _____ day of _____, 2017.

1413 _____
 1414 Honorable Jesse Petrea
 1415 Representative, 166th District
 1416 Georgia State House of Representatives