

House Bill 644

By: Representative Mitchell of the 88<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To provide for the incorporation of the City of Greenhaven in DeKalb County, Georgia; to  
2 provide for the name and corporate boundaries; to provide for municipal powers; to provide  
3 for city council and its members, manner of election, terms of office, manner of filling  
4 vacancies, conflicts of interest, duties and authority, compensation, officers, and procedures;  
5 to provide for the powers and duties of the mayor, to provide for a chief operating officer;  
6 to provide for community area planning units; to provide for administrative and service  
7 departments; to provide for a city attorney, chief financial officer, and city clerk; to provide  
8 for boards and authorities; to provide for the regulation of employees; to provide for a  
9 municipal court and the operation thereof; to provide for elections and removal; to provide  
10 for taxation, franchises, service charges, bonds, and other fiscal matters; to provide for  
11 budgeting and audits; to provide for purchasing and contracting; to provide for economic  
12 development; to provide for bonds; to provide for related matters; to provide an effective  
13 date; to repeal conflicting laws; and for other purposes.

14 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

15 ARTICLE I  
16 INCORPORATION AND POWERS  
17 SECTION 1.10.  
18 Incorporation.

19 This city and the inhabitants thereof, are incorporated by the enactment of this charter and  
20 are hereby constituted and declared a body politic and corporate under the name and style  
21 "City of Greenhaven", and by that name shall have perpetual succession.

**SECTION 1.11.**

## Corporate boundaries.

(a) The corporate boundaries of this city shall be as described and set forth in Appendix A attached hereto and said Appendix A is incorporated into and made a part of this charter.

(b) The city council may provide for changes in Appendix A by ordinance to reflect lawful changes in the corporate boundaries. The city clerk shall maintain a current map and written legal description of the corporate boundaries of the city, and such map and description shall incorporate any changes which may hereafter be made in such corporate boundaries.

**SECTION 1.12.**

## Municipal powers.

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

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

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

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

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

(4) Business Regulation and Taxation. To levy and to provide for the collection of regulatory fees and taxes on privileges, occupations, trades, and professions as authorized by Title 48 of the O.C.G.A., or other such applicable laws as are or may hereafter be enacted; to permit and regulate the same; to provide for the manner and method of

56 payment of such regulatory fees and taxes; and to revoke such permits after due process  
57 for failure to pay any city taxes or fees;

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

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

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

68 (8) Environmental Protection. To protect and preserve the natural resources,  
69 environment, and vital areas of the city, the region, and the state through the preservation  
70 and improvement of air quality, the restoration and maintenance of water resources, the  
71 control of erosion and sedimentation, the management of stormwater and establishment  
72 of a stormwater utility, the management of solid and hazardous waste, and other  
73 necessary actions for the protection of the environment;

74 (9) Fire Regulations. To fix and establish fire limits and from time to time to extend,  
75 enlarge, or restrict the same; to prescribe fire safety regulations not inconsistent with  
76 general law, relating to both fire prevention and detection and to fire fighting; and to  
77 prescribe penalties and punishment for violations thereof;

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

84 (11) General Health, Safety, and Welfare. To define, regulate, and prohibit any act,  
85 practice, conduct, or use of property which is detrimental to health, sanitation,  
86 cleanliness, welfare, and safety of the inhabitants of the city, and to provide for the  
87 enforcement of such standards;

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

91 (13) Health and Sanitation. To prescribe standards of health and sanitation and to  
92 provide for the enforcement of such standards;

- 93 (14) Homestead Exemption. To establish and maintain procedures for offering  
94 homestead exemptions to residents of the city and maintaining current homestead  
95 exemptions of residents of the city as authorized by Act of the General Assembly;
- 96 (15) Jail Sentences. To provide that persons given jail sentences in the city's court may  
97 work out such sentences in any public works or on the streets, roads, drains, and other  
98 public property in the city, to provide for commitment of such persons to any jail, to  
99 provide for the use of pretrial diversion and any alternative sentencing allowed by law,  
100 or to provide for commitment of such persons to any county work camp or county jail by  
101 agreement with the appropriate county officials;
- 102 (16) Motor Vehicles. To regulate the operation of motor vehicles and exercise control  
103 over all traffic, including parking upon or across the streets, roads, alleys, and walkways  
104 of the city;
- 105 (17) Municipal Agencies and Delegation of Power. To create, alter, or abolish  
106 departments, boards, offices, commissions, and agencies of the city, and to confer upon  
107 such agencies the necessary and appropriate authority for carrying out all the powers  
108 conferred upon or delegated to the same;
- 109 (18) Municipal Courts. To create a municipal court with a judge or judge and associate  
110 judges as may be necessary and to authorize the creation of a municipal court clerk's  
111 office or make said clerk's duties a part of the duties of the city clerk as designated by the  
112 city council;
- 113 (19) Municipal Debts. To appropriate and borrow money for the payment of debts of the  
114 city and to issue bonds for the purpose of raising revenue to carry out any project,  
115 program, or venture authorized by this charter or the laws of the State of Georgia;
- 116 (20) Municipal Property Ownership. To acquire, dispose of, lease, and hold in trust or  
117 otherwise, any real, personal, or mixed property, in fee simple or lesser interest, inside  
118 or outside the property limits of the city;
- 119 (21) Municipal Property Protection. To provide for the preservation and protection of  
120 property and equipment of the city, and the administration and use of same by the public;  
121 and to prescribe penalties and punishment for violations thereof;
- 122 (22) Municipal Utilities. To acquire, lease, construct, operate, maintain, sell, and dispose  
123 of public utilities, including, but not limited to, a system of waterworks, sewers and  
124 drains, sewage disposal, stormwater management, gas works, electric light plants, cable  
125 television and other telecommunications, transportation facilities, public airports, and any  
126 other public utility; and to fix the taxes, charges, rates, fares, fees, assessments,  
127 regulations, and penalties, and to provide for the withdrawal of service for refusal or  
128 failure to pay the same;

- 129 (23) Nuisance. To define a nuisance and provide for its abatement whether on public or  
130 private property;
- 131 (24) Penalties. To provide penalties for violation of any ordinances adopted pursuant to  
132 the authority of this charter and the laws of the State of Georgia;
- 133 (25) Planning and Zoning. To provide comprehensive city planning for development by  
134 zoning; to provide technical assistance to CAPU's and CAR's to assist them in making  
135 recommendations; and to provide subdivision regulation and the like as the city council  
136 deems necessary and reasonable to insure a safe, healthy, and aesthetically pleasing  
137 community;
- 138 (26) Police and Fire Protection. To exercise the power of arrest through duly appointed  
139 police officers, and to establish, operate, or contract for a police and a firefighting  
140 agency;
- 141 (27) Public Hazards: Removal. To provide for the destruction and removal of any  
142 building or other structure which is or may become dangerous or detrimental to the  
143 public;
- 144 (28) Public Improvements. To provide for the acquisition, construction, building,  
145 operation, and maintenance of public ways, parks and playgrounds, recreational facilities,  
146 cemeteries, markets and market houses, public buildings, libraries, public housing,  
147 airports, hospitals, terminals, docks, parking facilities, or charitable, cultural, educational,  
148 recreational, conservation, sport, curative, corrective, detentional, penal, and medical  
149 institutions, agencies, and facilities; and to provide any other public improvements, inside  
150 or outside the corporate limits of the city; to regulate the use of public improvements; and  
151 for such purposes, property may be acquired by condemnation under Title 22 of the  
152 O.C.G.A., or such other applicable laws as are or may hereafter be enacted;
- 153 (29) Public Peace. To provide for the prevention and punishment of loitering, disorderly  
154 conduct, drunkenness, riots, and public disturbances;
- 155 (30) Public Transportation. To organize and operate such public transportation systems  
156 as are deemed beneficial;
- 157 (31) Public Utilities and Services. To grant franchises or make contracts for, or impose  
158 taxes on public utilities and public service companies; and to prescribe the rates, fares,  
159 regulations, and standards and conditions of service applicable to the service to be  
160 provided by the franchise grantee or contractor, insofar as not in conflict with valid  
161 regulations of the Public Service Commission;
- 162 (32) Regulation of Roadside Areas. To prohibit or regulate and control the erection,  
163 removal, and maintenance of signs, billboards, trees, shrubs, fences, buildings, and any  
164 and all other structures or obstructions upon or adjacent to the rights-of-way of streets and

165 roads or within view thereof, within or abutting the corporate limits of the city; and to  
166 prescribe penalties and punishment for violation of such ordinances;

167 (33) Retirement. To provide and maintain a retirement plan and other employee benefit  
168 plans and programs for officers and employees of the city;

169 (34) Roadways. To lay out, open, extend, widen, narrow, establish, or change the grade  
170 of, abandon or close, construct, pave, curb, gutter, adorn with shade trees, or otherwise  
171 improve, maintain, repair, clean, prevent erosion of, and light the roads, alleys, and  
172 walkways within the corporate limits of the city; and to grant franchises and  
173 rights-of-way throughout the streets and roads, and over the bridges and viaducts for the  
174 use of public utilities; and to require real estate owners to repair and maintain in a safe  
175 condition the sidewalks adjoining their lots or lands, and to impose penalties for failure  
176 to do so;

177 (35) Sewer Fees. To levy a fee, charge, or sewer tax as necessary to assure the acquiring,  
178 constructing, equipping, operating, maintaining, and extending of a sewage disposal plant  
179 and sewerage system, and to levy on those to whom sewers and sewerage systems are  
180 made available a sewer service fee, charge, or sewer tax for the availability or use of the  
181 sewers; to provide for the manner and method of collecting such service charges and for  
182 enforcing payment of the same; and to charge, impose, and collect a sewer connection fee  
183 or fees to those connected with the system;

184 (36) Solid Waste Disposal. To provide for the collection and disposal of garbage,  
185 rubbish, and refuse, and to regulate the collection and disposal of garbage, rubbish, and  
186 refuse by others; and to provide for the separate collection of glass, tin, aluminum,  
187 cardboard, paper, and other recyclable materials, and to provide for the sale of such  
188 items;

189 (37) Special Areas of Public Regulation. To regulate or prohibit junk dealers, the  
190 manufacture and sale of intoxicating liquors; to regulate the transportation, storage, and  
191 use of combustible, explosive, and inflammable materials, the use of lighting and heating  
192 equipment, and any other business or situation which may be dangerous to persons or  
193 property; to regulate and control the conduct of peddlers and itinerant traders, theatrical  
194 performances, exhibitions, and shows of any kind, by taxation or otherwise; to license  
195 and tax professional fortunetelling, palmistry, and massage parlors; and to restrict adult  
196 bookstores to certain areas;

197 (38) Special Assessments. To levy and provide for the collection of special assessments  
198 to cover the costs for any public improvements;

199 (39) Taxes: Ad Valorem. To levy and provide for the assessment, valuation, revaluation,  
200 and collection of taxes on all property subject to taxation.

201 (40) Taxes: Other. To levy and collect such other taxes as may be allowed now or in the  
 202 future by law;

203 (41) Taxicabs. To regulate and license vehicles operated for hire in the city; to limit the  
 204 number of such vehicles; to require the operators thereof to be licensed; to require public  
 205 liability insurance on such vehicles in the amounts to be prescribed by ordinance; and to  
 206 regulate the parking of such vehicles;

207 (42) Tourism, conventions, and trade shows. To provide for the structure, operation, and  
 208 management of the Greenhaven Convention and Visitors Bureau created pursuant to  
 209 Section 1.14 of this charter and to authorize the City of Greenhaven to contract with  
 210 private sector nonprofit organizations or other governmental agencies to promote tourism,  
 211 conventions, and trade shows;

212 (43) Urban Redevelopment. To organize and operate an urban redevelopment program;

213 (44) Other Powers. To exercise and enjoy all other powers, functions, rights, privileges,  
 214 and immunities necessary or desirable to promote or protect the safety, health, peace,  
 215 security, good order, comfort, convenience, or general welfare of the city and its  
 216 inhabitants; and to exercise all implied powers necessary or desirable to carry into  
 217 execution all powers granted in this charter as fully and completely as if such powers  
 218 were fully stated herein; and to exercise all powers now or in the future authorized to be  
 219 exercised by other municipal governments under other laws of the State of Georgia; and  
 220 no listing of particular powers in this charter shall be held to be exclusive of others, nor  
 221 restrictive of general words and phrases granting powers, but shall be held to be in  
 222 addition to such powers unless expressly prohibited to municipalities under the  
 223 Constitution or applicable laws of the State of Georgia.

224 **SECTION 1.13.**

225 Exercise of powers.

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

230 **SECTION 1.14.**

231 Tourism, conventions, and trade shows.

232 The Greenhaven Convention and Visitors Bureau is hereby authorized to be created which  
 233 may be activated by an ordinance of the city council. When activated, the bureau shall

234 consist of a board of seven members appointed by the city council. The bureau shall report  
 235 to the chief operating officer on a regular basis and shall send an annual report to the mayor  
 236 and the city council in January of each year.

237 **ARTICLE II**

238 **LEGISLATIVE BRANCH**

239 **SECTION 2.10.**

240 City council creation; number; election.

241 (a) The legislative authority of the government of the City of Greenhaven, except as  
 242 otherwise specifically provided in this charter, shall be vested in a city council to be  
 243 composed of seven councilmembers. The councilmembers shall be elected in the manner  
 244 provided by general law and this charter.

245 (b) For the purpose of electing the seven councilmembers, there shall be six council districts,  
 246 designated Council Districts 1 through 6, as described in Appendix B of this charter. The  
 247 council districts shall be aligned with the community area planning units (CAPU's)  
 248 established by this charter. Each person desiring to offer as a candidate for councilmember  
 249 shall designate the council district for which he or she is offering.

250 (c) The six council districts shall correspond to the following community area planning  
 251 units:

252 District 1: CAPU West

253 District 2: CAPU South

254 District 3: CAPU South Central

255 District 4: CAPU North Central

256 District 5: CAPU North

257 District 6: CAPU East

258 (d) One councilperson shall be elected from each of the six council districts and shall hold  
 259 Council Posts 1, 2, 3, 4, 5 and 6, respectively. Each person desiring to offer as a candidate  
 260 for councilmember for such posts shall designate the council district for which he or she is  
 261 offering. Councilmembers for such posts shall be elected by a majority vote of the qualified  
 262 electors of the respective council districts voting at the elections of the city. In the event that  
 263 no candidate for a council post obtains a majority vote of the qualified electors of the council  
 264 district for the election, then a run-off election shall be held. The candidates receiving the  
 265 two highest numbers of votes in the election for such council post will be included in the  
 266 run-off election. The person receiving the highest number of votes of the qualified electors  
 267 of the council district voting at such run-off election shall be elected.

268 (e) The president of the council shall be elected from the city at large and shall represent  
 269 Council Post 7. The president of the council shall be elected by a majority vote of the  
 270 qualified electors of the City of Greenhaven voting at the elections of the city. In the event  
 271 that no candidate obtains a majority vote of the qualified electors of the city voting in the  
 272 election, then a run-off election shall be held. The candidates receiving the two highest  
 273 numbers of votes in the election for such office shall be included in the run-off election. The  
 274 person receiving the highest number of votes of the qualified electors of the city voting at  
 275 such run-off election shall be elected.

276 (f) With the exception of the initial terms set forth in this section, councilmembers shall be  
 277 elected to terms of four years and until their successors are elected and qualified.  
 278 Councilmembers shall be elected on a staggered basis in alternate election cycles such that  
 279 every two years three or four councilmembers are up for election. In order to assure  
 280 staggered elections of the councilmembers, in the first election of the city council, the terms  
 281 for the candidates elected for Council Posts 1, 3, 5, and 7 shall expire upon the administration  
 282 of the oath of office to their successors elected in the regular elections held in  
 283 November, 2019. The terms for the candidates elected for Council Posts 2, 4, and 6 along  
 284 with the mayor shall expire upon the administration of the oath of office to their successors  
 285 elected in the regular elections held in November, 2021. Thereafter, a successor to each  
 286 councilmember shall be elected at the November election immediately preceding the end of  
 287 such councilmember's term of office and the term of each councilmember shall expire upon  
 288 the administration of the oath of office to his or her successor.

289 (g) Political parties shall not conduct primaries for any city offices and all names of  
 290 candidates for city offices shall be listed without party designations.

291 (h)(1) Except for minor traffic violations, candidates for any office in the City of  
 292 Greenhaven shall disclose any prior criminal history.

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

296 (i)(1) The mayor, councilmembers, or other appointed officers provided for in this charter  
 297 shall be removed from office for any one or more of the causes provided in Title 45 of  
 298 the O.C.G.A., or such other applicable laws as are or may hereafter be enacted.

299 (2) Removal of an officer pursuant to subsection (a) of this section shall be accomplished  
 300 one of the following methods:

301 (A) Following a hearing, which can be requested by a resident of the city, at which an  
 302 impartial panel shall render a decision. In the event an elected officer is sought to be  
 303 removed by the action of the city council, such officer shall be entitled to a written  
 304 notice specifying the ground or grounds for removal and to a public hearing which shall

305 be held not less than ten days and not more than 30 days after the service of such  
 306 written notice. The city council shall provide by ordinance for the manner in which  
 307 such hearings shall be held.

308 (B) The city council may adopt a final resolution of removal, which may be made  
 309 effective immediately, by affirmative vote of four of its members at any time after five  
 310 days from the date when a copy of preliminary resolution was delivered to the chief  
 311 operating officer, if he or she has not requested a public hearing, or at any time after the  
 312 public hearing if he or she has requested one.

313 (C) The chief operating officer shall continue to receive his or her salary until the  
 314 effective date of a final resolution of his or her removal. The action of the city council  
 315 in suspending or removing the chief operating officer shall not be subject to review by  
 316 any court or agency.

317 **SECTION 2.11.**

318 City council terms.

319 The members of the city council shall serve for terms of four years and until their respective  
 320 successors are elected and qualified. Any councilmember who has been elected for two  
 321 consecutive four-year terms under the provisions of this charter shall not be eligible to be  
 322 elected for the succeeding term except for the initial electees of Council Posts 1, 3, 5, and 7  
 323 who shall be eligible to serve for three consecutive terms but shall not be elected for the  
 324 succeeding term.

325 **SECTION 2.12.**

326 Qualifications for office.

327 (a) To be eligible to qualify for election as a councilmember, a person:

328 (1) Shall be at least 18 years of age;

329 (2) Shall be a resident of the city and of the council district from which he or she seeks  
 330 to qualify for at least one year immediately preceding the date of his or her election; and

331 (3) Shall be a registered voter of the city.

332 (b) To hold office as a councilmember, a person:

333 (1) Shall continue to possess the qualifications prescribed in subsection (a) of this  
 334 section;

335 (2) Shall continue to reside in the same council district from which elected; and

336 (3) Shall not hold any other elected public office.

337 (c) Whenever the terms "reside," "residence," or "residency" appear in this section, the same  
 338 shall be interpreted to mean domicile.

339 **SECTION 2.13.**

340 Vacancy; filling of vacancies.

341 (a) The office of councilmember, president of the council, and mayor shall become vacant  
 342 upon the incumbent's death, resignation, forfeiture of office, declaration of intent to run for  
 343 another office, ceasing to be a resident, removal from office, assumption of or temporary or  
 344 permanent appointment to another office, disability rendering that person ineligible, or  
 345 occurrence of any event specified by the Constitution of the State of Georgia, Title 45 of the  
 346 O.C.G.A., or such other applicable laws as are or may hereafter be enacted.

347 (b) In the event the office of mayor, president of the council, or councilmember shall  
 348 become vacant by reason of death, resignation, or any other cause, the council shall,  
 349 within 15 days after the occurrence of such vacancy, call a special election to fill the balance  
 350 of the unexpired term of such office by giving notice thereof in one or more newspapers of  
 351 general circulation within the city, except:

352 (1) If a regular election for the office of mayor is to be held within six months after the  
 353 date that a vacancy in the office of mayor occurs, the president of the council shall  
 354 assume and discharge the powers and duties of the office of mayor for the duration of the  
 355 mayor's unexpired term. If a regular election for the office of the president of the council  
 356 is to be held within six months after the date that a vacancy occurs in the office of the  
 357 president of the council, the remaining council members shall select one of the existing  
 358 councilmembers to temporarily assume the position of president of the council.

359 (2) If a regular election for the office of councilmember, other than the president of the  
 360 council, is to be held within six months after the date that a vacancy occurs in the office  
 361 of councilmember, the remaining members of the council shall by majority vote appoint  
 362 a qualified person from the district to fill the vacancy. The members of the council shall  
 363 appoint such person within 30 days of the date the vacancy occurs.

364 (3) If the office of mayor or council president is expected to be temporarily vacant (the  
 365 incumbent will return within six months or less), then the processes outlined in this  
 366 subsection shall be considered temporary appointments and the appointed people shall  
 367 resume their previous position upon a return to office of the original elected official.

368 (c) If any elected officer of the city qualifies for another municipal, county, state, or federal  
 369 elected office, his or her resignation shall be governed solely by Article II, Section II,  
 370 Paragraph V, of the Constitution of the State of Georgia.

371 (d) This section shall also apply to a temporary vacancy created by the suspension from  
 372 office of the mayor or any councilmember.

373 **SECTION 2.14.**

374 Compensation and expenses.

375 The annual salary of the councilmember shall be \$25,000.00. The annual salary of the  
 376 president of the council shall be \$35,000.00. The annual salary of the mayor shall be  
 377 determined by the city council. Such salary shall be paid from municipal funds in bi-monthly  
 378 installments. City councilmembers are accountable and responsible for diligently and  
 379 actively representing their constituency in the fulfillment of the strategic plan. The city  
 380 council may provide by ordinance for the provision of insurance, retirement, workers'  
 381 compensation, and other employee benefits to the members of city council and may provide  
 382 by ordinance for the reimbursement of expenses actually and necessarily incurred by the  
 383 members of city council in carrying out their official duties.

384 **SECTION 2.15.**

385 President of the council.

386 (a) The president of the council shall be elected from the city at-large for a term of four  
 387 years commencing on the first Monday in January after each regular municipal election as  
 388 provided in this charter and shall serve until his or her successor takes office.

389 (b)(1) To qualify for election as president of the council, a person:

390 (A) Shall be at least 18 years of age;

391 (B) Shall be a resident of the city for at least one year immediately preceding the date  
 392 of his or her election;

393 (C) Shall be a qualified elector of the city; and

394 (D) Shall not be an employee of the city.

395 (2) To hold office as president of the council, a person:

396 (A) Shall continue to possess the qualifications prescribed in subsection (a) of this  
 397 section; and

398 (B) Shall not hold any elected public office.

399 (c) The president of the council:

400 (1) Shall preside at meetings of the council;

401 (2) Shall vote only in the case of a tie vote of the city council;

402 (3) Shall appoint the members and chairpersons of such committees as may be  
 403 established by the city council pursuant to its rules, and fill vacancies therein, provided

404 any such appointments shall be subject to rejection by a majority vote of the total  
 405 membership of the city council; and the president of the council shall not be a member  
 406 of any such committees;

407 (4) Shall exercise all powers and discharge all duties of the mayor in the case of a  
 408 vacancy in the office of mayor or during the disability of the mayor;

409 (5) Shall be authorized to compel the attendance of councilmembers by subpoena,  
 410 subject to the rules of the city council;

411 (6) Shall have such further powers and perform such other duties consistent with law as  
 412 may be provided by ordinance or resolution of the city council; and

413 (7) May speak to any pending matter before the city council but shall not introduce  
 414 ordinances or resolutions.

415 (d) If the president of the council speaks to a matter pending before the city council, the  
 416 president of the council shall temporarily relinquish his or her role as presiding officer to the  
 417 president pro tempore while speaking to such matter.

418 (e) If the president of the council exercises the powers and discharges the duties of the  
 419 mayor as provided in subsection (c) of this section, he or she shall not exercise any of the  
 420 powers and duties enumerated in this section.

## 421 **SECTION 2.16.**

### 422 Conflicts of interest; holding other offices.

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

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

427 (1) Engage in any business or transaction, or have a financial or other personal interest,  
 428 direct or indirect, which is incompatible with the proper discharge of that person's official  
 429 duties or which would tend to impair the independence of the official's judgment or action  
 430 in the performance of those official duties;

431 (2) Engage in or accept private employment, or render services for private interests when  
 432 such employment or service is incompatible with the proper discharge of that person's  
 433 official duties or would tend to impair the independence of the official's judgment or  
 434 action in the performance of those official duties;

435 (3) Disclose confidential information, including information obtained at meetings which  
 436 are closed pursuant to Chapter 14 of Title 50 of the O.C.G.A., concerning the property,  
 437 government, or affairs of the governmental body by which the official is engaged without

438 proper legal authorization; or use such information to advance the financial or other  
439 private interest of the official or others;

440 (4) Accept any valuable gift, whether in the form of service, loan, thing, or promise,  
441 from any person, firm, or corporation which to the official's knowledge is interested,  
442 directly or indirectly, in any manner whatsoever, in business dealings with the  
443 governmental body by which the official is engaged; provided, however, that an elected  
444 official who is a candidate for public office may accept campaign contributions and  
445 services in connection with any such campaign;

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

448 (6) Vote or otherwise participate in the negotiation or in the making of any contract with  
449 any business or entity in which the official has a financial interest.

450 (c) Any elected official, appointed officer, or employee who shall have any financial  
451 interest, directly or indirectly, in any contract or matter pending before or within any  
452 department of the city shall disclose such interest to the city council. The mayor or any  
453 councilmember who has a financial interest in any matter pending before the city council  
454 shall disclose such interest and such disclosure shall be entered on the records of the city  
455 council, and that official shall disqualify himself or herself from participating in any decision  
456 or vote relating thereto. Any elected official, appointed officer, or employee of any agency  
457 or political entity to which this charter applies who shall have any financial interest, directly  
458 or indirectly, in any contract or matter pending before or within such entity shall disclose  
459 such interest to the governing body of such agency or entity.

460 (d) After investigation and due process proceedings, upon determination of breach of  
461 conflict of interest, the councilmember shall be subject to suspension and a fine or  
462 termination, both to be determined by the ethics board. Upon a second breach of conflict of  
463 interest, the councilmember's term of office shall be terminated.

464 (e) No elected official, appointed officer, or employee of the city or any agency or entity to  
465 which this charter applies shall use property owned by such governmental entity for personal  
466 benefit or profit but shall use such property only in their capacity as an officer or employee  
467 of the city.

468 (f) Any violation of this section which occurs with the knowledge, express or implied, of a  
469 party to a contract or sale shall render said contract or sale voidable at the option of the city  
470 council and any expenses incurred with a voidable contract shall be reimbursable to the city.

471 (g) Except where authorized by law, neither the mayor nor any councilmember shall hold  
472 any other elective or appointive office in the city or otherwise be employed by such  
473 government or any agency thereof during the term for which that official was elected. No

474 former mayor and no former councilmember shall hold any appointive office in the city until  
 475 one year after the expiration of the term for which that official was elected.

476 (h) No appointive officer of the city shall continue in such employment upon qualifying as  
 477 a candidate for nomination or election to any public office. No employee of the city shall  
 478 continue in such employment upon qualifying for or election to any public office in this city  
 479 or any other public office which is inconsistent, incompatible, or in conflict with the duties  
 480 of the city employee. Such determination shall be made by the ethics board either  
 481 immediately upon election or at any time such conflict may arise.

482 (i)(1) Any city officer or employee who knowingly conceals such financial interest or  
 483 knowingly violates any of the requirements of this section shall be guilty of malfeasance  
 484 in office or position and shall be deemed to have forfeited that person's office or position.

485 (2) Any officer or employee of the city who shall forfeit an office or position as  
 486 described in paragraph (1) of this subsection shall be ineligible for appointment or  
 487 election to or employment in a position in the city government for a period of three years  
 488 thereafter.

#### 489 **SECTION 2.17.**

#### 490 Inquiries and investigations.

491 The city council, under the guidance of the city attorney's office, may make inquiries and  
 492 investigations into the affairs of the city and conduct of any department, office, or agency  
 493 thereof and for this purpose may subpoena witnesses, administer oaths, take testimony, and  
 494 require the production of evidence. Any person who fails or refuses to obey a lawful order  
 495 issued in the exercise of these powers by the city council shall be punished as may be  
 496 provided by ordinance.

#### 497 **SECTION 2.18.**

#### 498 General power and authority of the city council.

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

501 (b) In addition to all other powers conferred upon it by law, the council shall have the  
 502 authority to adopt and provide for the execution of such ordinances, resolutions, rules, and  
 503 regulations, not inconsistent with this charter and the Constitution and the laws of the State  
 504 of Georgia, which it shall deem necessary, expedient, or helpful for the peace, good order,  
 505 protection of life and property, health, welfare, sanitation, comfort, convenience, prosperity,

506 or well-being of the inhabitants of the City of Greenhaven and may enforce such ordinances  
507 by imposing penalties for violation thereof.

508 **SECTION 2.19.**

509 Eminent domain.

510 The city council is hereby empowered to acquire, construct, operate, and maintain public  
511 ways, parks, public grounds, cemeteries, markets, market houses, public buildings, libraries,  
512 sewers, drains, sewage treatment, waterworks, electrical systems, gas systems, airports,  
513 hospitals, and charitable, educational, recreational, sport, curative, corrective, detentional,  
514 penal, and medical institutions, agencies, and facilities, and any other public improvements  
515 inside or outside the city, and to regulate the use thereof, and for such purposes, property  
516 may be condemned under procedures established under general law applicable now or as  
517 provided in the future.

518 **SECTION 2.20.**

519 Organizational meeting.

520 (a) The city council shall meet for organization in the council chamber, or any other  
521 designated public place, on the first Monday in January following each regular election, or,  
522 if such Monday is a legal holiday, then on the next following day not a legal holiday.

523 (b) At such organizational meeting, the mayor and councilmembers shall take and subscribe  
524 before a judge of the superior court, or any official authorized to administer oaths, the  
525 following oath of office:

526 "I do solemnly swear that I will faithfully perform the duties of councilmember (or mayor  
527 or president of the council) of the City of Greenhaven, Georgia, and that I will support and  
528 defend the charter thereof as well as the Constitution and laws of the State of Georgia and  
529 of the United States of America. I am not the holder of any unaccounted for public money  
530 due this state or any political subdivision or authority thereof. I am not the holder of any  
531 office of trust under the government of the United States, any other state, or any foreign  
532 state which I by the laws of the State of Georgia am prohibited from holding. I am  
533 otherwise qualified to hold said office according to the Constitution and laws of Georgia.  
534 I have been a resident [of my district and] the City of Greenhaven for the time required by  
535 the Constitution and laws of this state and by the municipal charter. I will perform the  
536 duties of my office in the best interest of the City of Greenhaven to the best of my ability  
537 without fear, favor, affection, reward, or expectation thereof."

538 (c)(1) The mayor and councilmembers shall, following each regular municipal general  
539 election or such election held in place thereof, attend a mandatory training session that  
540 shall include, but not be limited to, matters of campaign and financial disclosure  
541 requirements, standards of conduct, ethics code, and the legislative process. The city  
542 clerk shall hold, or cause to be held, a training session for all current and newly elected  
543 City of Greenhaven officials on two separate dates, but no later than July 1 of the year  
544 following each municipal general election or no later than 60 days following any election  
545 held in lieu thereof, and no later than 60 days following a special election held to fill a  
546 vacancy in office. Persons required to attend shall be present at the entirety of a session,  
547 or at a combination of the offered sessions whereby all training modules designated for  
548 the particular office held are covered. Attendance shall be mandatory. Each official shall  
549 be required to sign an affidavit stating that he or she has completed training, with such  
550 affidavit to be certified by the city clerk or the city clerk's designee.

551 (2) Any official required to attend who has not completed the mandatory training by the  
552 end of the second available training session, shall be deemed non-compliant and shall be  
553 immediately fined \$50.00. An additional \$100.00 fine shall continuously be assessed  
554 each noncompliant official every 30 days after the date of non-compliance in which an  
555 official has not paid the assessed fine or received a waiver and completed a makeup  
556 training session as outlined in paragraphs (6) and (7) of this subsection.

557 (3) All payments of fines shall be paid to the City of Greenhaven and shall be submitted  
558 to the city clerk or the city clerk's designee who shall then record that the fine has been  
559 received and forward each payment to the chief financial officer.

560 (4) Immediately following the second offered training session, and if necessary upon the  
561 assessment of further fines, the city clerk shall notify, by certified mail, each official who  
562 has not completed mandatory training that he or she is in non-compliance of the law and  
563 of the penalty thereby imposed. The city clerk shall simultaneously notify the chief  
564 financial officer of the city and the president of the council of any official's  
565 non-compliance. However, failure of receipt of such notification does not relieve the  
566 official of the obligation to attend the mandatory training and to pay the assessed fine.

567 (5) Any noncompliant official may submit a written appeal to the president of the council  
568 requesting a waiver of the assessed fine. Supporting evidence of the reason or reasons  
569 for his or her non-compliance shall be presented in the appeal. If due cause is shown, the  
570 city council may adopt a resolution, by majority vote, to waive the fine.

571 (6) In all such cases, whether the assessed fine is paid or waived, any non-compliant  
572 official shall be required to attend a make-up training session scheduled by appointment  
573 with the city clerk. Such session may be provided through a videotaped session but shall  
574 cover in its entirety all required training modules. The non-compliant official's signed

575 affidavit of completion of training and the city clerk's or the city clerk's designee's  
 576 certification of same shall be required to avoid further assessments of fines. There shall  
 577 be no waiver of training attendance granted under any circumstances.

578 (7) The city clerk shall develop, or cause to be developed, a manual detailing all of the  
 579 provisions of this subsection.

580 **SECTION 2.21.**

581 Special meetings.

582 (a) Special meetings of the city council may be held on call of the mayor or the president of  
 583 the council or upon the written demand of at least four members of the city council. Notice  
 584 of such special meetings shall be served on all other members personally, or by telephone  
 585 personally, at least 48 hours in advance of the meeting. Such notice to councilmembers shall  
 586 not be required if the mayor and all councilmembers are present when the special meeting  
 587 is called. Such notice of any special meeting may be waived by a councilmember in writing  
 588 before or after such a meeting, and attendance at the meeting shall also constitute a waiver  
 589 of notice on any business transacted in such councilmember's presence. Only the business  
 590 stated in the call may be transacted at the special meeting. Alternative modes of participation  
 591 which can be duly recorded such as conference calls, video conferencing, or other accepted  
 592 forms of communication shall be permitted.

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

597 **SECTION 2.22.**

598 Rules of procedure.

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

602 (b) All committees and committee chairpersons and officers of the city council shall be  
 603 appointed by the president of the council and shall serve at the pleasure of the city council.  
 604 The president of the council shall have the power to appoint new members to any committee  
 605 at any time.

606 **SECTION 2.23.**

607 Quorum: voting.

608 (a) A majority of the city council excluding the president of the council shall constitute a  
609 quorum but a smaller number may adjourn from time to time and may compel the attendance  
610 of absent members. The city council may by ordinance provide methods to compel the  
611 attendance of its members and to punish for the violation thereof.

612 (b) The affirmative vote of a majority of the councilmembers shall be required for the  
613 transaction of business and the passage of ordinances and resolutions, except as otherwise  
614 provided by law. Where no quorum can be assembled except by the filling of vacancies, the  
615 members may transact business by a majority vote of members present to the extent  
616 necessary to fill such vacancies in the membership of the city council as provided by this  
617 charter and by law.

618 (c) Voting on the adoption of ordinances shall be by voice vote and the vote shall be  
619 recorded in the journal, but any member of the city council shall have the right to request a  
620 roll call vote and such vote shall be recorded in the journal. Except as otherwise provided  
621 in this charter, the affirmative vote of four councilmembers shall be required for the adoption  
622 of any ordinance, resolution, or motion. If an affirmative vote of four councilmembers is not  
623 obtained, the proposed ordinance, resolution, or motion is considered closed until and unless  
624 it is introduced again.

625 (d) No member of the city council shall abstain from voting on any matter properly brought  
626 before the city council for official action except when such councilmember has a conflict of  
627 interest which is disclosed in writing prior to or at the meeting and made a part of the  
628 minutes. Any member of the city council present and eligible to vote on a matter and  
629 refusing to do so for any reason other than a properly disclosed and recorded conflict of  
630 interest shall be deemed to have voted no.

631 **SECTION 2.24.**

632 Ordinance form; procedures.

633 (a) Every proposed ordinance shall be introduced in writing and in the form required for  
634 final adoption. No ordinance shall contain a subject which is not expressed in its title. The  
635 enacting clause shall be "It is hereby ordained by the governing authority of the City of  
636 Greenhaven" and every ordinance shall so begin.

637 (b) An ordinance may be introduced by any councilmember and be read at a regular or  
638 special meeting of the city council. Ordinances shall be considered and adopted or rejected

639 by the city council in accordance with the rules which it shall establish; provided, however,  
 640 that an ordinance shall not be adopted the same day it is introduced, except for emergency  
 641 ordinances provided in Section 2.26 of this charter. Upon introduction of any ordinance, the  
 642 city clerk shall as soon as possible distribute a copy to the mayor and to each councilmember  
 643 and shall file a reasonable number of copies in the office of the city clerk and at such other  
 644 public places as the city council may designate.

645 **SECTION 2.25.**

646 Action requiring an ordinance.

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

648 **SECTION 2.26.**

649 Emergencies.

650 (a) To meet a public emergency affecting life, health, property, or public peace, the city  
 651 council may convene on call of the mayor, president of the council, or councilmembers and  
 652 promptly adopt an emergency ordinance, but such ordinance may not levy taxes; grant,  
 653 renew, or extend a franchise; regulate the rate charged by any public utility for its services;  
 654 or authorize the borrowing of money except for loans to be repaid within 30 days. An  
 655 emergency ordinance shall be introduced in the form prescribed for ordinances generally,  
 656 except that it shall be plainly designated as an emergency ordinance and shall contain, after  
 657 the enacting clause, a declaration stating that an emergency exists, and describing the  
 658 emergency in clear and specific terms. An emergency ordinance may be adopted, with or  
 659 without amendment, or rejected at the meeting at which it is introduced, but the affirmative  
 660 vote of at least a majority of council members shall be required for adoption. It shall become  
 661 effective upon adoption or at such later time as it may specify. Every emergency ordinance  
 662 shall automatically stand repealed 30 days following the date upon which it was adopted, but  
 663 this shall not prevent reenactment of the ordinance in the manner specified in this section if  
 664 the emergency still exists. An emergency ordinance may also be repealed by adoption of a  
 665 repealing ordinance in the same manner specified in this section for adoption of emergency  
 666 ordinances.

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

671

**SECTION 2.27.**

672

Codes of technical regulations.

673 (a) The city council may adopt any standard code of technical regulations by reference  
674 thereto in an adopting ordinance. The procedure and requirements governing such adopting  
675 ordinance shall be as prescribed for ordinances generally except that: (1) the requirements  
676 of Section 2.24 of this charter for distribution and filing of copies of the ordinance shall be  
677 construed to include copies of any code of technical regulations, as well as the adopting  
678 ordinance; and (2) a copy of each adopted code of technical regulations, as well as the  
679 adopting ordinance, shall be authenticated and recorded by the clerk pursuant to Section 2.28  
680 of this charter.

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

683

**SECTION 2.28.**

684

Signing; authenticating; recording; codification; printing.

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

687 (b) The city council shall provide for the preparation of a general codification of all the  
688 ordinances of the city having the force and effect of law. The general codification shall be  
689 adopted by the city council by ordinance and shall be published promptly, together with all  
690 amendments thereto and such codes of technical regulations and other rules and regulations  
691 as the city council may specify. This compilation shall be known and cited officially as "The  
692 Code of City of Greenhaven, Georgia." Copies of the code shall be furnished to all officers,  
693 departments and agencies of the city, and made available for purchase by the public at a  
694 reasonable price as fixed by the city council.

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



740 (11) Represent the city in affairs of intergovernmental relations, promote and improve  
 741 the government of the city, encourage the growth of the city, and promote and develop  
 742 the prosperity and social well-being of its people;

743 (12) At his or her discretion, initiate such administrative reorganization within city  
 744 government as he or she may deem desirable;

745 (13) Perform such duties as may be required by law, and in his or her discretion perform  
 746 such other duties as may be authorized by law; and

747 (14) Purchase supplies, material, equipment, and personal property of every type and  
 748 description, and services of every type and description including for the rental, repair, or  
 749 maintenance of equipment, machinery, and other city-owned property; provided,  
 750 however, that the purchase amount does not exceed \$50,000.00 in aggregate to any one  
 751 vendor; it is in accordance with an approved budget, and such purchase conforms with  
 752 the provisions of this charter and any purchasing and procurement ordinances of the city,  
 753 and a duly enacted appropriation by the council authorizes expenditures for such  
 754 purposes. Any award of contract not competitively procured in accordance with this  
 755 charter, the approved budget, or ordinances of the city, or not awarded to the lowest  
 756 bidder or offeror, or any contract that exceeds the aggregate amount of \$50,000.00 to any  
 757 one vendor shall be approved by the city council prior to an award.

758 **SECTION 3.11.**

759 Delegation of powers and duties; prohibition.

760 In no event shall the mayor delegate to the chief operating officer or any other appointed  
 761 officer or employee the power to approve or veto ordinances or resolutions; convene  
 762 meetings of the council; serve as acting mayor; remove the city attorney, chief financial  
 763 officer, or chief operating officer; or amend budgets.

764 **SECTION 3.12.**

765 Mayor's staff.

766 The mayor may hire such staff to aid in the discharge of the mayor's duties, including a chief  
 767 of staff, as authorized by the city council through an approved budget. The chief of staff  
 768 shall have such duties as assigned by the mayor but shall not be assigned any supervisory or  
 769 management duties outside of the mayor's office or duties which are inconsistent with the  
 770 provisions of this charter. Such persons shall serve at the pleasure of the mayor.

771 **SECTION 3.13.**

772 Submission of ordinances to the mayor; veto power.

773 (a) Every ordinance adopted by the city council shall be presented promptly by the city clerk  
774 to the mayor.

775 (b) The mayor, within ten calendar days of receipt of an ordinance, shall return it to the city  
776 clerk with mayor's approval or disapproval. If the ordinance has been approved by the  
777 mayor, it shall become law upon its return to the city clerk; if the ordinance is neither  
778 approved nor disapproved, it shall become law at twelve o'clock Noon on the tenth calendar  
779 day after its adoption; if the ordinance is disapproved, the mayor shall submit to the city  
780 council through the city clerk a written statement of reasons for the veto. The city clerk shall  
781 record upon the ordinance the date of its delivery to and receipt from the mayor.

782 (c) Ordinances vetoed by the mayor shall be presented by the city clerk to the city council  
783 at its next meeting. If the city council then or at its next meeting adopts the ordinance by an  
784 affirmative vote of two-thirds of its members, it shall become law.

785 (d) The mayor may disapprove or reduce any item or items of appropriation in any  
786 ordinance. The approved part or parts of any ordinance making appropriations shall become  
787 law, and the part or parts disapproved shall not become law unless subsequently passed by  
788 the city council over the mayor's veto as provided herein. The reduced part or parts shall be  
789 presented to city council as though disapproved and shall not become law unless overridden  
790 by the council as provided in subsection (c) of this section.

791 **SECTION 3.14.**

792 City council interference with administration.

793 Except for the purpose of inquiries and investigations under Section 2.17 of this charter, the  
794 city council or its members shall deal with city officers and employees who are subject to the  
795 direction and supervision of the chief operating officer solely through the mayor, and neither  
796 the city council nor its members shall give orders to any such officer or employee, either  
797 publicly or privately.

798 **SECTION 3.15.**

799 Chief operating officer.

800 (a) The mayor shall hire, subject to the confirmation by a majority vote of the entire city  
801 council, an officer whose title shall be "chief operating officer."

802 (b) The chief operating officer shall have a graduate or professional degree plus a minimum  
803 of ten years of progressively responsible administrative experience in the public or private  
804 section which has included responsibility for supervising a large scale service delivery  
805 program with a substantial budget. The qualifications herein may be waived by the city  
806 council upon a three-fourths' vote of its membership.

807 (c) The chief operating officer shall receive such compensation as fixed by the council.

808 (d) The chief operating officer shall hold office at the pleasure of the mayor and may not be  
809 dismissed by the mayor without the approval of the city council.

810 (e) The mayor, with the approval of the city council, may appoint any person to exercise all  
811 powers, duties, and functions of the chief operating officer during the chief operating  
812 officer's suspension under this charter, temporary absence from the city, or during the chief  
813 operating officer's disability.

814 (f) The chief operating officer shall have the following powers and duties:

815 (1) To the extent delegated by the mayor, to exercise supervision over all activities of  
816 city departments and the boards and commissions connected with such departments and  
817 be the contact officer between the mayor and such departments, boards, and  
818 commissions;

819 (2) To make periodic reports with such recommendations to the mayor regarding the  
820 activities of the various departments, bureaus, boards, commissions, authorities, and other  
821 agencies of the city under his or her jurisdiction and make or cause to be made  
822 investigations and studies of the organization and procedures thereof and to require such  
823 reports therefrom as deemed necessary;

824 (3) To ensure that an annual budget is constructed whereby anticipated expenses will be  
825 met by projected income in an effort to achieve a balanced budget.

826 (4) To ensure that periodic reviews, not less than quarterly, shall be conducted of the  
827 finances of city departments to ensure that expenditures are aligned with approved  
828 appropriations or to make adjustments accordingly. This is supportive of a balanced  
829 budget;

830 (5) To provide liaison, coordination, and communications between and among city  
831 departments and agencies and the various agencies of the federal, state, and local  
832 governments and other public and private agencies concerning the affairs of the city;

833 (6) To provide direction on participation in federal and state grant-in-aid programs,  
834 monitoring and evaluation of grant contract programs, and communication of program  
835 policies and priorities;

836 (7) To conduct research and make information available to the mayor, city council, and  
837 the various departments, offices, and agencies of the city;

- 838 (8) To attend meetings of the city council and its committees and to make available such  
 839 information as may be requested; and  
 840 (9) To perform all other duties as required by this charter or lawfully delegated to him  
 841 or her by the mayor.

842 **ARTICLE IV**

843 **COMMUNITY AREA PLANNING UNITS**

844 **SECTION 4.10.**

845 **Purpose.**

846 Community area planning units (CAPU's) shall make recommendations to the mayor and city  
 847 council on zoning, land use, and other planning related issues. CAPU's provide an  
 848 opportunity both for the citizenry formally to provide input into the comprehensive  
 849 development plan of the city and to provide a means by which information concerning the  
 850 operation of city government can be provided to the citizens of City of Greenhaven. Further,  
 851 it is the policy of the city to coordinate the recommendations of community area planning  
 852 units with the formulation of the city's budget, both capital and operating. In addition,  
 853 CAPU's may make recommendations to the city council and the mayor on other issues  
 854 relevant to the quality of community life within the City of Greenhaven.

855 **SECTION 4.11.**

856 **Structure.**

- 857 (a) The City of Greenhaven shall be divided into six community area planning units.  
 858 Nothing in this charter shall preclude the option to further subdivide the community area  
 859 planning units.
- 860 (b) The CAPU's shall be designated as follows with boundaries as outlined in Appendix B:
- 861 Council District 1: CAPU West  
 862 Council District 2: CAPU South  
 863 Council District 3: CAPU South Central  
 864 Council District 4: CAPU North Central  
 865 Council District 5: CAPU North  
 866 Council District 6: CAPU East
- 867 (c) Each CAPU shall have six months from the CAPU start date to complete bylaws that will  
 868 define its structure. CAPU's shall begin operating after receiving training from the City of  
 869 Greenhaven and within three months of the implementation of the City of Greenhaven.

870 (d) Each CAPU shall elect an odd number of representatives to comprise its CAPU board.  
871 The CAPU board shall help guide the CAPU and act as a liaison between the City of  
872 Greenhaven city government and the residents of the CAPU. The number of people on the  
873 board shall be determined by each CAPU but shall consist of an odd number of not less than  
874 five and not more than 19 person and shall be written into its bylaws

875 (e) As a liaison between the city government and the residents of the CAPU, CAPU board  
876 members are not entitled to any additional rights or privileges. Except where this charter  
877 expressly permits such, CAPU members or boardmembers shall deal with city officers and  
878 employees solely through the mayor.

879 **SECTION 4.12.**

880 Election; term.

881 (a) Members of the CAPU boards shall be elected for two-year terms in every odd-numbered  
882 year. Elections shall take place in October or November of such year. If an election has not  
883 been held by November 30 in an odd-numbered year, such election shall be conducted by the  
884 planning department of the city during the month of December.

885 (b) The initial CAPU board shall be elected after the City of Greenhaven has provided  
886 technical assistance and training to the residents of the CAPU. CAPU elections and boards  
887 shall be held within three months after the City of Greenhaven begins operations.

888 (c) Any person desiring to be elected to the CAPU Board shall be:

889 (1) A person of 18 years of age or older;

890 (2) A resident of the CAPU for one year prior to the election; and

891 (3) A registered voter of DeKalb County;

892 (d) CAPU board members shall be elected by residents, homeowners, and property owners  
893 within the designated boundaries of that CAPU. Eligible voters can prove residency by the  
894 use of a driver's license, utility bill, or voter registration card. Every individual 18 years of  
895 age and older shall be eligible to vote.

896 (e) Residents, homeowners, and property owners shall establish in their bylaws the odd  
897 number of CAPU board members they wish to elect. Voting procedures shall be established  
898 by each community area planning unit. Although the procedure may vary, bylaws describing  
899 the voting procedures shall contain provisions delineating the voting process for issues as  
900 well as officer elections.

901 **SECTION 4.13.**

902 Governance.

903 (a) Each CAPU shall be guided by boards composed of an odd number of members  
 904 numbering from five to 19 members. The board may elect four positions from amongst the  
 905 CAPU members:

906 (1) Coordinator – The coordinator shall maintain regularly scheduled meetings; facilitate  
 907 regular meetings; and be selected as one of the community area representatives (CAR's).

908 (2) Deputy Coordinator – The deputy coordinator shall fulfill the roles and  
 909 responsibilities of the coordinator in his or her absence.

910 (3) Secretary – The secretary shall keep records of all the individual members,  
 911 homeowner associations, condo associations, and civic associations in the CAPU; keep  
 912 records of the minutes of each regularly public and council scheduled meetings; and keep  
 913 records of all correspondence.

914 (4) Treasurer – The treasurer shall keep track of all funds raised and received; produce  
 915 a monthly report detailing such funds; and help maintain the financial solvency of the  
 916 CAPU.

917 (b) CAPU's shall meet at regularly determined times to inform, discuss, and address issues  
 918 related to planning and quality of life. There shall be regular meetings for the purpose of  
 919 providing input into a comprehensive strategic economic and community plan for the City  
 920 of Greenhaven,

921 **SECTION 4.14.**

922 CAPU powers.

923 CAPU's shall have the power to:

924 (1) Make recommendations to the city council about zoning, land-use, and planning  
 925 issues within their district;

926 (2) Make recommendations to the city council about other quality of life issues within  
 927 their district; and

928 (3) Participate in ensuring that a comprehensive, coordinated, community economic  
 929 development vision is developed and implemented for the City of Greenhaven.

930

**SECTION 4.15.**

931

Community area representatives.

932 (a) Each CAPU board shall select two people to be known as community area  
 933 representatives (CAR's). Community area representatives from each CAPU shall be selected  
 934 at the first CAPU board meeting after CAPU board elections. The names and contact  
 935 information shall be provided to the city clerk after CAPU selection.

936 (b) CAR's shall be representatives of the CAPU's and should seek the advice of CAPU  
 937 members through discussions at CAPU meetings when making recommendations and  
 938 decisions at CAR's meetings. CAR's shall discuss any common issues and ensure there is  
 939 coordination between the six CAPU's.

940 (c) CAR's shall meet at regularly designated times to discuss joint CAPU issues. CAR's can  
 941 create standing or temporary committees which are open to any CAPU resident in good  
 942 standing. These standing committees shall report to the CAR's for the purpose of providing  
 943 input to the comprehensive plan and also to the mayor and city council regarding the  
 944 operational and budgetary needs and concerns of the city, discussing any common issues, and  
 945 ensuring there is coordination between the six CAPU's.

946 (d) CAR's shall have all the power of the CAPU's as well as the power to, in conjunction  
 947 with other CAR's to:

948 (1) Initiate regularly scheduled CAR meetings open to the public;

949 (2) Create standing and temporary committees on issues of joint concern to CAPU's.  
 950 The committees will be composed of CAPU members;

951 (3) Make recommendations to the city council about joint CAPU quality of life issues;  
 952 and

953 (4) Assist in the process of selecting candidates for the City of Greenhaven board of  
 954 ethics as provided in subsection (b) of Section 5.17 of this charter.

955

**SECTION 4.16.**

956

Responsibilities of the City of Greenhaven.

957 The City of Greenhaven will ensure that each CAPU receives the following:

958 (1) Training on the CAPU structure, duties, and responsibilities;

959 (2) Technical assistance in creating bylaws;

960 (3) Assistance with notification of meetings to other residents in the CAPU;

961 (4) Assistance with copying the agenda and other relevant documents or providing a  
 962 projector and other resources that will display the agenda for regularly scheduled  
 963 meetings;

- 964 (5) A space free of charge for the CAPU to hold regular meetings; and  
 965 (6) Provision of a city planner that will provide technical information to the CAPU's  
 966 about the zoning, land-use, and planning proposals that require citizen input.

967 ARTICLE V

968 ADMINISTRATIVE AFFAIRS

969 SECTION 5.10.

970 Administrative and service departments.

971 (a) Except where another meaning is clearly intended, the word "department" in this charter  
 972 shall mean any agency in the executive branch of the city government. The departments of  
 973 the city shall be created and established by ordinance, and the departments shall be  
 974 responsible for the performance of the functions and services enumerated therein.

975 (b) The operations and responsibilities of such departments shall be distributed accordingly:  
 976 that the first degree of organization shall be department; that the second degree of  
 977 organization shall be office; that the third degree of organization shall be division, and that  
 978 the fourth degree of organization shall be bureau. The assignment of organizational structure  
 979 shall be accomplished by the administrative branch of government and shall be published to  
 980 the governing body through a communication that shall set forth the organizational structure  
 981 of each department. The departments shall consist of such officers, employees, and positions  
 982 as may be authorized by ordinance.

983 (c) There shall be a director of each department who shall be the principal officer thereof.  
 984 Each director shall, subject to the direction and supervision of the chief operating officer, be  
 985 responsible for the administration and direction of the affairs and operations of his or her  
 986 department and shall exercise general management and control thereof.

987 (d) Vacancies occurring in an appointed office shall be filled in the same manner as  
 988 prescribed by this charter for original appointments.

989 (e) The directors of departments and other appointed officers shall be appointed solely on  
 990 the basis of their respective executive, administrative, and professional qualifications which  
 991 shall be prescribed by ordinance.

992 (f) All appointed officers and directors under the supervision of the chief operating officer  
 993 shall be nominated by the mayor with confirmation of appointment by the city council. All  
 994 appointed officers and directors shall be employees at-will and subject to removal or  
 995 suspension at any time by the mayor unless otherwise provided by law or ordinance.

996 (g) The compensation of appointed officers and directors of departments shall be fixed by  
 997 the council.

998 (h) The mayor may initiate or create additional departments, or propose the abolishment of  
 999 departments, subject to the provisions of this charter and approval by the city council.

1000 **SECTION 5.11.**

1001 Commissioners of departments - appointment; removal; residency.

1002 (a) The mayor shall appoint all directors of departments, subject to confirmation by a  
 1003 majority of the city council. As used in this section, "director" means the administrative head  
 1004 of each department regardless of the title of a particular department head. Directors may be  
 1005 removed by the mayor upon approval by a majority of the city council.

1006 (b) Directors of departments shall have the power and duty to appoint and remove deputy  
 1007 directors and bureau administrators.

1008 **SECTION 5.12.**

1009 Administrative reorganization.

1010 (a) The mayor, as chief executive of the city, is hereby empowered, subject to any  
 1011 limitations of this charter, to initiate, direct, and implement the reorganization of any  
 1012 department.

1013 (b) The mayor shall prepare and sign a plan of reorganization of any department or  
 1014 departments and shall submit such plan to the city council. Any plan presented shall be in  
 1015 the form of a proposed ordinance and the city council shall by majority vote approve,  
 1016 modify, or reject any such plan within 60 days of its submission to the city council. No  
 1017 reorganization shall become effective until the city council has acted or 60 days have elapsed  
 1018 from the date of submission, whichever first occurs.

1019 **SECTION 5.13.**

1020 City attorney.

1021 (a) There shall be a city attorney who shall be appointed by the mayor subject to  
 1022 confirmation by a majority vote of the city council. The city attorney may be removed at the  
 1023 pleasure of the mayor or the city council by a three-fourths' vote of its membership.

1024 (b) The city attorney shall be an active member of the State Bar of Georgia in good standing  
 1025 and shall have at least ten years' experience in the active practice of municipal law  
 1026 immediately preceding his or her appointment. The number of years' experience herein may  
 1027 be waived by the city council upon a three-fourths' vote of its membership.

1028 (c) The city attorney shall serve as the chief legal advisor of the city and shall be the director  
1029 of the department of law. He or she shall perform such duties as prescribed by this charter,  
1030 ordinance, or law.

1031 (d) The city attorney shall be responsible to the mayor and to the city council.

1032 **SECTION 5.14.**

1033 Chief financial officer.

1034 (a) There shall be a chief financial officer who shall be appointed by the mayor, subject to  
1035 the confirmation by a majority vote of the city council. The chief financial officer may be  
1036 removed at the pleasure of the mayor with approval by a majority vote of the city council.

1037 (b) The chief financial officer shall have at least ten years' experience in the management  
1038 of fiscal operations or public finance and proven administrative ability or have served at least  
1039 ten years as a comptroller or financial head of a business with a substantial budget. The  
1040 number of years' experience herein may be waived by the city council upon a three-fourths'  
1041 vote of its membership.

1042 (c) The chief financial officer shall be the director of the department of finance and shall  
1043 perform such duties as shall be provided by this charter or by ordinance or resolution or  
1044 required by law.

1045 (d) The chief financial officer shall be responsible to the mayor but available to  
1046 councilmembers for budgetary questions.

1047 (e) The chief financial officer shall prepare a quarterly report on the budget status and  
1048 economic trends in conjunction with the budget office. In addition, the third quarter report  
1049 shall include revenue and expenditure projections through the end of the fiscal year so that  
1050 projected overruns and underruns can be considered for use in the subsequent budget year.

1051 **SECTION 5.15.**

1052 City clerk.

1053 (a) There shall be a city clerk who shall be appointed by the council and who shall not be  
1054 a member thereof. To be eligible to occupy this position, the city clerk shall be designated  
1055 a certified city clerk by the Georgia City Clerks and Finance Officers Association, or by an  
1056 equivalent certifying agency from another state, or shall receive such certification within one  
1057 year following his or her appointment. The city clerk shall be appointed and removed at the  
1058 pleasure of the mayor upon a majority vote of the city council membership.

1059 (b) The city clerk shall be the custodian of the official seal and of all records and documents  
1060 of the city which are not assigned to the custody of some other officer. The clerk or his or

1061 her designee shall keep the rules of the city council and the minutes of the proceedings of the  
 1062 council, maintain a current and comprehensive index of all ordinances and resolutions,  
 1063 publish notice of ordinances proposed for adoption under rules prescribed by the city council  
 1064 or required by this charter or law, and perform such other duties as may be assigned by this  
 1065 charter or by ordinance.

1066 (c) The city clerk shall be responsible to the city council president and shall perform the  
 1067 duties of his or her office under the direction and supervision of the president of the council  
 1068 and the committee designated by the council, acting through its chairperson.

1069 **SECTION 5.16.**

1070 Office of economic development.

1071 The City of Greenhaven has the authority to create an office of economic development for  
 1072 the purposes of promoting, encouraging, attracting and retaining business and commercial  
 1073 development for the City of Greenhaven.

1074 **SECTION 5.17.**

1075 Boards; commissions; authorities.

1076 (a) As related to corporate, municipal, governmental, or public purposes and for the security  
 1077 of the peace, health, and good government of the city, the council shall have the authority to  
 1078 create commissions, councils, boards, authorities, or other similar bodies which shall perform  
 1079 duties prescribed by the council, including, but not limited to, making studies, conducting  
 1080 research and investigations, holding hearings, and preparing recommendations as to needed  
 1081 ordinances and resolutions. All members of such boards, commissions, councils, authorities,  
 1082 or other similar bodies shall be legal residents of the city. The chairperson of each board,  
 1083 commission, council, authority or other similar body shall provide to the city clerk the names  
 1084 and addresses of its members.

1085 (b) The city council shall have the authority to provide for the composition of such  
 1086 commissions, councils, boards, authorities, or other similar bodies, their periods of existence,  
 1087 and for the compensation of their members and employees, in whole or in part. The city  
 1088 council may provide by ordinance for reimbursement of the actual and necessary expenses  
 1089 incurred by the members thereof in the performance of their official duties. The city council  
 1090 shall have the authority to annually appropriate and donate money, derived from taxation,  
 1091 contributions, or otherwise, for and to such commissions, councils, boards, authorities, and  
 1092 other similar bodies to provide for their operation, either in whole or in part.

1093 (c) All regular, full-time employees of commissions, councils, boards, authorities, or other  
1094 similar bodies which have been created by the city council shall be considered to be  
1095 employees of the city. Such employees shall be entitled to all of the benefits and privileges  
1096 as are other employees of the city and shall be subject to all laws, ordinances, and resolutions  
1097 governing employees of the city except as otherwise specifically prescribed in the code of  
1098 ordinances. Such employees shall be within the unclassified service of the civil service  
1099 unless the council shall provide by ordinance for other terms and conditions of employment  
1100 and personnel matters relating to such employees. No member of a board, commission,  
1101 council, authority, or similar body shall be deemed an employee of the city under the  
1102 provisions of this subsection.

1103 (d) Any vacancy in office of any member of a board, commission, council, authority, or  
1104 similar body shall be filled for the unexpired term in the manner prescribed for the original  
1105 appointment. The chair shall provide to the city clerk the name and address of its new  
1106 members.

1107 (e) No member of any board, commission, council, authority, or similar body shall assume  
1108 office until he or she has executed and filed with the city clerk an oath or affirmation  
1109 obligating himself or herself to faithfully and impartially perform the duties of his or her  
1110 office, such oath or affirmation to be prescribed by ordinance and administered by the mayor  
1111 or the city clerk.

1112 (f) Any member of a board, commission, council, authority, or similar body created by the  
1113 council may be removed from office for cause by a majority vote of the councilmembers  
1114 present.

1115 (g) Each board, commission, council, authority, and similar body may establish such bylaws,  
1116 rules, and regulations, not inconsistent with this charter, ordinances of the city council, or  
1117 applicable state law, as it deems appropriate and necessary for the conduct of its affairs,  
1118 copies of which shall be filed with the city clerk.

1119 (h) All boards, commissions, councils, authorities, and other similar bodies and their  
1120 employees shall comply with the budgetary procedures of the city as provided in this charter.

1121 (i) The functions of boards, commissions, councils, authorities, and other similar bodies of  
1122 the city, whether established by Acts of the General Assembly or the city council, shall be  
1123 provided for by ordinances or resolutions of the city council. However, any boards,  
1124 commissions, councils, authorities, and other similar bodies which derive their powers from  
1125 general law shall continue to exercise such powers.

1126 (j) The mayor may initiate the creation of additional boards, commissions, councils,  
1127 authorities, and other similar bodies subject to the approval of the city council.

1128 (k) All boards, commissions, councils, authorities, and other similar bodies shall keep an  
1129 attendance record of every meeting for each member.

1130 (l) The appointing authority shall attach a summary of attendance for the period of time  
 1131 served to the appointment communication when re-appointing any individual to the board,  
 1132 commission, council, authority, or similar body.

1133 (m) The chairpersons of city boards, commissions, councils, authorities, and other similar  
 1134 bodies or their designees shall promptly notify the mayor and city council in writing of any  
 1135 membership vacancies, resignations, excessive absences, no-shows, tardiness, or failure to  
 1136 perform.

1137 (n) Any member of a board, commission, council, authority, or similar body, serving an  
 1138 expired term, shall continue to serve until he or she is re-appointed or a successor is  
 1139 appointed.

1140 (o) New members shall be contacted and invited to the first meeting by the chairperson or  
 1141 his or her designee and shall be provided with copies of bylaws, rules, regulations, and  
 1142 previous year's minutes.

1143 (p) The chairperson of each board, commission, council, authority, and similar body or his  
 1144 or her designee shall prepare and submit an annual standardized report for all boards,  
 1145 commissions, authorities, and other agencies outlining activities and accomplishments to the  
 1146 mayor and city council.

1147 **SECTION 5.18.**

1148 Board of ethics.

1149 (a) There is created the board of ethics to be composed of seven citizens of the City of  
 1150 Greenhaven to be appointed as provided in subsection (b) of this section. Each member of  
 1151 the board of ethics shall have been a resident of City of Greenhaven for at least one year  
 1152 immediately preceding the date of taking office and shall remain a resident of the city while  
 1153 serving as a member of the board of ethics. No person shall serve as a member of the board  
 1154 of ethics if the person has, or has had within the immediately preceding two-year period, any  
 1155 interest in any contract, transaction, or official action with the City of Greenhaven.

1156 (b) Two members of the board of ethics shall be appointed by the mayor, five members shall  
 1157 be appointed by a majority vote of the community area representatives (CAR's). Each  
 1158 member shall be appointed for a term of three years. One member appointed by the mayor  
 1159 shall be appointed for an initial term of one year and the other shall be appointed for an initial  
 1160 term of three years. Of the five members appointed by the CAR's, two shall be appointed for  
 1161 initial terms of one year and three shall be appointed for initial terms of three years. The  
 1162 appointing authorities shall designate the initial terms of their respective appointees.  
 1163 Successors to the first members of the board of ethics and future successors shall be  
 1164 appointed by the respective appointing authorities for terms of three years upon the

1165 expiration of the respective terms of office. All members of the board of ethics shall serve  
1166 until their successors are appointed and qualified. The initial seven members of the board  
1167 of ethics shall be appointed to take office on a date to be determined by the mayor but not  
1168 later than one year after the City of Greenhaven begins operations.

1169 **SECTION 5.19.**

1170 Discrimination prohibited.

1171 It shall be the policy of the city, its departments, and boards that all personnel matters shall  
1172 be determined solely on the basis of merit and qualification, without respect to race, color,  
1173 creed, religion, sex, domestic relationship status, parental status, familial status, sexual  
1174 orientation, national origin, political affiliation, gender identity, or racial profiling.

1175 **SECTION 5.20.**

1176 Reserved.

1177 **SECTION 5.21.**

1178 Temporary engagement of person retired under municipal laws.

1179 (a) The mayor and city council may authorize the engagement of any person who has retired  
1180 under any of the pension laws, notwithstanding the age of such person, to render any special  
1181 or particular service as an independent contractor, provided that such contract shall be for a  
1182 period not exceeding 520 business days, whether continuously or in several separate  
1183 engagements. Such employees shall be entitled to receive their regular pension payments but  
1184 shall acquire no further pension or civil service rights by virtue of such temporary contractual  
1185 arrangement. No contractual engagement shall commence pursuant to this subsection until  
1186 such time as the department head or chief judge of the court, as applicable, and chief  
1187 financial officer shall confer with the mayor to confirm the exigency of retaining such  
1188 particularized expertise within city government.

1189 (b) The mayor and city council may authorize the engagement of sworn public safety  
1190 personnel retired under any of the pension laws, notwithstanding the age of such person, to  
1191 render public safety services as an independent contractor. Such contracts shall not be  
1192 subject to the 520 business day limitation provided in subsections (a) and (c) of this section.  
1193 Such sworn employees shall be entitled to receive their regular pension payments but shall  
1194 acquire no further pension or civil service rights by virtue of such temporary contractual  
1195 arrangement. No contractual engagement shall commence pursuant to this subsection until  
1196 such time as the department head or chief judge of the court, as applicable, and chief

1197 financial officer shall confer with the mayor to confirm the exigency of retaining such  
1198 particularized expertise within city government.

1199 (c) In the event the particularized services required by the city are not amenable to an  
1200 independent contractor agreement with a retiree, the City of Greenhaven may reemploy a  
1201 retiree for the purpose of availing the city of some particularized skill possessed by such  
1202 retiree under the following circumstances:

1203 (1) The reemployment for any single period of time, or any several periods of time, shall  
1204 not exceed 520 business days, whether continuously or in separate days of employment;

1205 (2) With the reemployment request, the reemploying department provides a plan,  
1206 including a timetable for the permanent provision of the services which are temporarily  
1207 being provided by the reemployed retiree; and

1208 (3) Single or concurrent multiple reemployment periods shall not exceed 120 business  
1209 days without reauthorization by city council.

1210 (d) Nothing herein contained shall prevent any retiree from holding any office which is filled  
1211 by an election by the people. No additional pension or civil service rights or privileges shall  
1212 accrue to such officer or employee during such period and said retiree shall be entitled to  
1213 continue to receive his or her regular pension payments.

1214 **SECTION 5.22.**

1215 Compulsory retirement, waiver of penalties.

1216 (a) No employee of the city shall be required to retire from employment with the city based  
1217 solely upon the age of any such employee.

1218 (b) Any employee of the city who has completed at least five years of service with the city  
1219 and who retires under a pension plan covering city employees shall be entitled to retire upon  
1220 attaining 65 years of age which may be set forth under any such pension plan.

1221 **SECTION 5.23.**

1222 Modification of pension plans.

1223 As authorized by the provisions of the Constitution of the State of Georgia of 1983,  
1224 Article IX, Section II, Paragraph III(a)(14), the Acts, approved February 15, 1933,  
1225 August 13, 1927, and August 20, 1974 (found respectively at Ga. L. 1933, p. 213, et seq.;  
1226 Ga. L. 1927, p. 265, et seq.; Ga. L. 1924, p. 167, et seq., all as amended), providing for  
1227 pensions for officials and employees of cities having a population of 300,000 or more  
1228 according to the United States Census of 1920 or any subsequent census thereof, shall be

1229 modified, insofar as they appertain to employees and officials of the City of Greenhaven in  
1230 accordance with the following rules and procedures:

1231 (1) Any other provisions in this charter notwithstanding, any pension law modification  
1232 shall be effected only by ordinance adopted by at least two-thirds of the total membership  
1233 of the council and duly approved by the mayor;

1234 (2) Any such ordinance shall be considered for final action by the council only after  
1235 receipt of:

1236 (A) An investigation by an independent actuary of any such proposed modification,  
1237 evidenced by a written report from such actuary which shall include, but not be limited  
1238 to, such actuary's analysis of the funding requirements relating to any such modification  
1239 and the opinion of such actuary as to the propriety of any such modification. Any such  
1240 opinion shall state that such modification is in conformity with applicable state laws  
1241 governing the funding requirements for modifications to such pension plans. Such  
1242 opinion shall be accompanied by the written recommendations of the city attorney and  
1243 chief financial officer; and

1244 (B) A written communication to the board of trustees of each of the respective pension  
1245 funds affected by such modification to provide notice of the proposed modification of  
1246 a provision of the pension plan and to request their non-binding recommendation in  
1247 favor or against the proposed modification within 45 days from the date of introduction  
1248 of the legislation, unless extended by ordinance;

1249 (3) No substitute or amendment to any ordinances presented to the city council hereunder  
1250 shall be considered without a subsequent investigation of such proposed substitute or  
1251 amendment by an independent actuary and recommendations of the city attorney and  
1252 chief financial officer as provided in subparagraph (A) of paragraph (2) of this section,  
1253 and the communication providing notice and requesting a recommendation from the  
1254 boards of trustees of the respective pension fund affected by such modification as set  
1255 forth in subparagraph (B) of paragraph (2) of this section; and

1256 (4) No ordinance which modifies any of the aforesaid pension laws and has a fiscal  
1257 impact on the pension systems established by such laws shall be adopted by the city  
1258 council or approved by the mayor until adequate provision for funding such modification  
1259 has been made to defray the fiscal impact of such modification.

**SECTION 5.24.**

1260

1261

Regulation of complaints, fraud, waste, and abuse definitions.

1262

1263

1264

When a pay plan has been adopted, the city council shall not increase or decrease the salary range applicable to any position except by amendment of such pay plan. For purposes of this section, all elected and appointed city officials are not city employees.

**SECTION 5.25.**

1265

1266

Personnel Policies.

1267

1268

All employees shall serve at-will and may be removed from office at any time unless otherwise provided by ordinance.

**ARTICLE VI**

1269

1270

**JUDICIAL BRANCH**

1271

**SECTION 6.10.**

1272

Creation; name.

1273

There shall be a court to be known as the Municipal Court of the City of Greenhaven.

**SECTION 6.11.**

1274

1275

Convening.

1276

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

**SECTION 6.12.**

1277

1278

Jurisdiction, authority, and powers generally.

1279

1280

(a) The municipal court and each judge thereof shall have jurisdiction and power coextensive with the territorial limits of City of Greenhaven, Georgia, to:

1281

1282

(1) Try and punish violations of this charter, all city ordinances, and such other violations as provided by law;

1283

(2) Try, hear, and abate nuisances as provided by the laws of this state;

1284

1285

(3) Hear, try, and determine as a committing court all warrants for the violation of any state law and, while acting under the authority of the laws of the State of Georgia, to bind

1286

over such persons to an appropriate higher court for the eventual trial of such case;

- 1287 (4) Punish those in its presence for contempt, provided that such punishment shall not  
1288 exceed \$200.00 or ten days in jail or both;
- 1289 (5) Punish for violations within its jurisdiction not exceeding a fine of \$1,000.00 or  
1290 imprisonment for six months or both such fine and imprisonment or may fix punishment  
1291 by fine, imprisonment, or alternative sentencing as now or hereafter provided by law;
- 1292 (6) Establish bail and recognizance to ensure the presence of those charged with  
1293 violations before such court;
- 1294 (7) Compel the production of books, papers, and other evidence in the possession of any  
1295 party with the same authority as magistrates of the state;
- 1296 (8) Compel the presence of witnesses or all parties necessary to a proper disposal of each  
1297 case by issuance of summonses, subpoenas, warrants, orders, and all other process in  
1298 cases within its jurisdiction arising under the laws of the State of Georgia or this charter  
1299 or ordinances of the city with full power to enforce the same;
- 1300 (9) Enforce obedience to its orders, judgments, and sentences with the same authority as  
1301 magistrates of the state;
- 1302 (10) Administer all oaths as are necessary with the same authority as magistrates of the  
1303 state and take affidavits and attest other papers;
- 1304 (11) Issue warrants for the arrest of persons charged with offenses against any ordinance  
1305 of the city, and each judge of the municipal court shall have the authority as magistrate  
1306 of the state to issue warrants for offenses against state laws committed within the city;  
1307 and
- 1308 (12) Such other powers and duties as shall be provided by law or ordinance.
- 1309 (b) The municipal court shall have authority to establish a schedule of fees to defray the cost  
1310 of operation, and shall be entitled to reimbursement of the cost of meals, transportation, and  
1311 caretaking of prisoners bound over to superior courts for violations of state law.
- 1312 (c) The municipal court shall have authority to establish bail and recognizances to ensure  
1313 the presence of those charged with violations before said court, and shall have discretionary  
1314 authority to accept cash or personal or real property as surety for the appearance of persons  
1315 charged with violations. Whenever any person shall give bail for that person's appearance  
1316 and shall fail to appear at the time fixed for trial, the bond shall be forfeited by the judge  
1317 presiding at such time, and an execution issued thereon by serving the defendant and the  
1318 defendant's sureties with a rule nisi, at least two days before a hearing on the rule nisi. In  
1319 the event that cash or property is accepted in lieu of bond for security for the appearance of  
1320 a defendant at trial, and if such defendant fails to appear at the time and place fixed for trial,  
1321 the cash so deposited shall be on order of the judge declared forfeited to the city, or the  
1322 property so deposited shall have a lien against it for the value forfeited which lien shall be  
1323 enforceable in the same manner and to the same extent as a lien for city property taxes.

**SECTION 6.13.**

Appellate review.

The orders, verdicts, judgments, and sentences of the court shall be subject to appellate review by writ of certiorari in the appropriate superior court or as otherwise provided by general law.

**SECTION 6.14.**

Judges; qualifications; term of office; appointment; vacancies.

(a) The municipal court shall be presided over by such number of municipal court judges as shall be authorized by the city council. The city council may determine whether the municipal court judges are part-time or full-time.

(b) To qualify for appointment as a judge of the municipal court, a person shall be at least 25 years of age, a resident of the city for at least one year, a member of the State Bar of Georgia, and a practicing attorney with a minimum of five years' experience. To hold office as a judge after such appointment, a person shall continue to possess said qualifications and shall not hold or qualify for any other public office.

(c) The city council shall appoint a person to the position of municipal court judge in accordance with the provisions of this article.

(d) A judge of the municipal court shall be appointed for a term of four years and, upon completion of such term, such judge shall continue to serve at the pleasure of the city council. Judges may be removed from the position by a two-thirds vote of the entire membership of the city council or shall be removed upon action taken by the State Judicial Qualifications Commission for:

(1) Willful misconduct in office;

(2) Willful and persistent failure to perform duties;

(3) Habitual intemperance;

(4) Conduct prejudicial to the administration of justice which brings the judicial office into disrepute; or

(5) Disability seriously interfering with the performance of duties, which is, or is likely to become, of a permanent character.

(e) Before assuming office, each judge shall take and subscribe an oath or affirmation, before some officer authorized to administer oaths, faithfully to discharge the duties of the office. The oath shall be filed with the city clerk.

1356 (f) In the event of any vacancy in the office of a municipal court judge for any cause,  
 1357 whether by death, resignation, or removal, the city council shall appoint some qualified  
 1358 person to fill such vacancy in accordance with the provisions of this article.

1359 **SECTION 6.15.**

1360 Chief judge.

1361 (a) The municipal court shall be presided over by a chief judge and such part-time, full-time,  
 1362 or stand-by judges as shall be provided by ordinance.

1363 (b) If three or more judges are provided by ordinance, the municipal court judges shall by  
 1364 a majority vote select a chief judge to serve at their pleasure. If two judges are provided by  
 1365 ordinance, the senior judge shall be the chief judge.

1366 (c) The chief judge shall be responsible for the general supervision of the municipal court  
 1367 and shall promulgate all rules necessary for the supervision, conduct, and administration of  
 1368 the court, including, but not limited to, the number of divisions into which the court is  
 1369 divided and the assignment of judges to duty therein; the hours of operation of the court; the  
 1370 preparation of calendars deemed necessary and proper; and a system for keeping court  
 1371 records and shall require such reports from the judges, solicitor, public defender,  
 1372 clerk/administrator, and other court personnel as deemed necessary and proper. Such rules  
 1373 so promulgated shall be reduced to writing. The chief judge shall be responsible also for the  
 1374 preparation and submission of budgets of such court to the mayor and city council and  
 1375 appropriate departments, committees, and agencies. He or she shall further perform other  
 1376 duties as the city council may provide by ordinance or as required by law.

1377 (d) In the event of a vacancy, incapacity, or inability of the chief judge to perform his or her  
 1378 duties, the remaining judges of the court, by a majority vote, shall select another chief judge  
 1379 in accordance with this section.

1380 (e) Judges serve at-will and may be removed from office at any time by the city council  
 1381 unless otherwise provided by ordinance.

1382 **SECTION 6.16.**

1383 Codes of ethics.

1384 (a) The Code of Judicial Conduct, as adopted by the Supreme Court of Georgia, as now or  
 1385 hereafter amended, shall govern the conduct of the judges of the municipal court.

1386 (b) The Code of Professional Responsibility, as adopted by the Supreme Court of Georgia,  
 1387 as now or hereafter amended, shall govern the conduct of the solicitor, public defender, and  
 1388 their assistants of the municipal court.

1389 (c) Such codes are hereby incorporated herein by reference as if set out at length in this  
 1390 section, and copies thereof shall be maintained on file in the office of the city clerk.

1391 **ARTICLE VII**  
 1392 **FINANCE**  
 1393 **SECTION 7.10.**  
 1394 **Property tax.**

1395 The city council may assess, levy, and collect an ad valorem tax on all real and personal  
 1396 property within the corporate limits of the city that is subject to such taxation by the state and  
 1397 county. This tax is for the purpose of raising revenues to defray the costs of operating the  
 1398 city government, of providing governmental services, for the repayment of principal and  
 1399 interest on general obligations, and for any other public purpose as determined by the city  
 1400 council in its discretion.

1401 **SECTION 7.11.**  
 1402 **Millage rate; due dates; payment methods.**

1403 The city council, by ordinance, shall establish a millage rate for the city property tax, a due  
 1404 date, and the time period within which these taxes shall be paid. The city council, by  
 1405 ordinance, may provide for the payment of these taxes by two installments or in one lump  
 1406 sum, as well as authorize the voluntary payment of taxes prior to the time when due. Once  
 1407 the millage rate is established, the City of Greenhaven shall be authorized to increase the  
 1408 millage rate up to 1.5 mills after which any increase shall require a resolution by the city  
 1409 council and approval by a majority of the qualified voters of City of Greenhaven voting in  
 1410 a referendum to approve such increase.

1411 **SECTION 7.12.**  
 1412 **Occupation and business taxes.**

1413 The city council by ordinance shall have the power to levy such occupation or business taxes  
 1414 that are not denied by law. The city council may classify businesses, occupations, or  
 1415 professions for the purpose of such taxation in any way which may be lawful and may  
 1416 compel the payment of such taxes.

**SECTION 7.13.**

1417

1418

Regulatory fees; permits.

1419 The city council by ordinance shall have the power to require businesses or practitioners  
 1420 doing business within this city to obtain a permit for such activity from the city and pay a  
 1421 reasonable regulatory fee for such permit as provided by general law. Such fees shall reflect  
 1422 the total cost to the city of regulating the activity, and if unpaid, shall be collected as  
 1423 provided in Section 7.18 of this charter.

**SECTION 7.14.**

1424

1425

Franchises.

1426 (a) The city council shall have the power to grant franchises for the use of this city's streets  
 1427 and alleys for the purposes of railroads, street railways, telephone companies, electric  
 1428 companies, electric membership corporations, cable television and other telecommunications  
 1429 companies, gas companies, transportation companies, and other similar organizations. The  
 1430 city council shall determine the duration, terms, whether the same shall be exclusive or  
 1431 nonexclusive, and the consideration for such franchises; provided, however, that no franchise  
 1432 shall be granted for a period in excess of 35 years and no franchise shall be granted unless  
 1433 the city receives just and adequate compensation therefor. The city council shall provide for  
 1434 the registration of all franchises with the city clerk in a registration book kept by the clerk.  
 1435 The city council may provide by ordinance for the registration within a reasonable time of  
 1436 all franchises previously granted.

1437 (b) If no franchise agreement is in effect, the city council has the authority to impose a tax  
 1438 on gross receipts for the use of this city's streets and alleys for the purposes of railroads,  
 1439 street railways, telephone companies, electric companies, electric membership corporations,  
 1440 cable television and other telecommunications companies, gas companies, transportation  
 1441 companies, and other similar organizations.

**SECTION 7.15.**

1442

1443

Service charges.

1444 The city council by ordinance shall have the power to assess and collect fees, charges,  
 1445 assessments, and tolls for sewers, sanitary and health services, or any other services provided  
 1446 or made available within and without the corporate limits of the city. If unpaid, such charges  
 1447 shall be collected as provided in Section 7.18 of this charter.

1448 **SECTION 7.16.**

1449 Special assessments.

1450 The city council by ordinance shall have the power to assess and collect the cost of  
 1451 constructing, reconstructing, widening, or improving any public way, street, sidewalk,  
 1452 curbing, gutters, sewers, or other utility mains and appurtenances from the abutting property  
 1453 owners. If unpaid, such charges shall be collected as provided in Section 7.18 of this charter.

1454 **SECTION 7.17.**

1455 Construction; other taxes and fees.

1456 This city shall be empowered to levy any other tax or fee allowed now or hereafter by law,  
 1457 and the specific mention of any right, power, or authority in this article shall not be construed  
 1458 as limiting in any way the general powers of this city to govern its local affairs.

1459 **SECTION 7.18.**

1460 Collection of delinquent taxes and fees.

1461 The city council, by ordinance, may provide generally for the collection of delinquent taxes,  
 1462 fees, or other revenue due the city under Sections 7.10 through 7.17 of this charter by  
 1463 whatever reasonable means as are not precluded by law. This shall include providing for the  
 1464 dates when the taxes or fees are due; late penalties or interest; issuance and execution of  
 1465 fi.fa.'s; creation and priority of liens; making delinquent taxes and fees personal debts of the  
 1466 persons required to pay the taxes or fees imposed; revoking city permits for failure to pay any  
 1467 city taxes or fees; and providing for the assignment or transfer of tax executions.

1468 **SECTION 7.19.**

1469 General obligation bonds.

1470 The city council shall have the power to issue bonds for the purpose of raising revenue to  
 1471 carry out any project, program, or venture authorized under this charter or the laws of the  
 1472 state. Such bonding authority shall be exercised in accordance with the laws governing bond  
 1473 issuance by municipalities in effect at the time said issue is undertaken.

1474 **SECTION 7.20.**

1475 Revenue bonds.

1476 Revenue bonds may be issued by the city council as state law now or hereafter provides.

1477 Such bonds are to be paid out of any revenue produced by the project, program, or venture

1478 for which they were issued.

1479 **SECTION 7.21.**

1480 Short-term loans.

1481 The city may obtain short-term loans, but shall repay such loans not later than the end of each

1482 fiscal year unless otherwise provided by law.

1483 **SECTION 7.22.**

1484 Lease-purchase contracts.

1485 The city may enter into multiyear lease, purchase, or lease purchase contracts for the

1486 acquisition of goods, materials, real and personal property, services, and supplies provided

1487 the contract terminates without further obligation on the part of the municipality at the close

1488 of the calendar or fiscal year in which it was executed and at the close of each succeeding

1489 calendar or fiscal year for which it may be renewed. Contracts shall be executed in

1490 accordance with the requirements of Code Section 36-60-13 of the O.C.G.A., or other such

1491 applicable laws as are or may hereafter be enacted.

1492 **SECTION 7.23.**

1493 Fiscal year.

1494 The fiscal year shall be from July 1 to June 30. This fiscal year shall constitute the budget

1495 year and the year for financial accounting and reporting of each and every office, department,

1496 agency, and activity of the city government unless otherwise provided by state or federal law.

1497 **SECTION 7.24.**

1498 Preparation of budgets.

1499 The city council shall provide an ordinance on the procedures and requirements for the

1500 preparation and execution of an annual operating budget, a capital improvement plan, and

1501 a capital budget, including requirements as to the scope, content, and form of such budgets  
1502 and plans.

1503 **SECTION 7.25.**

1504 Submission of operating budget to city council.

1505 (a) On or before a date fixed by the city council but not later than 90 days prior to the  
1506 beginning of each fiscal year, the mayor shall submit to the city council a proposed operating  
1507 budget for the ensuing fiscal year. The budget shall be accompanied by a message from the  
1508 mayor containing a statement of the general fiscal policies of the city, the important features  
1509 of the budget, explanations of major changes recommended for the next fiscal year, a general  
1510 summary of the budget, and such other pertinent comments and information. The operating  
1511 budget and the capital budget hereinafter provided for, the budget message, and all  
1512 supporting documents shall be filed in the office of the city clerk and shall be open to public  
1513 inspection.

1514 (b) Prior to passage of the budget, the city council shall hold a special public hearing at  
1515 which the budget shall be presented and public comment on the budget shall be solicited.  
1516 The date, time, and place of the special public hearing shall be announced not less than 30  
1517 days prior to the scheduled date for such hearing.

1518 (c) All unencumbered balances of appropriations in the current operating budget at the end  
1519 of the fiscal year shall lapse into the unappropriated surplus or reserves of the fund or funds  
1520 from which such appropriations were made. When a supplemental appropriation is certified  
1521 by the mayor to exist, these appropriations may be spent during the current fiscal year  
1522 following passage of a supplemental appropriation ordinance.

1523 **SECTION 7.26.**

1524 Action by city council on budget.

1525 (a) The city council may amend the operating budget proposed by the mayor; provided,  
1526 however, that the budget as finally amended and adopted shall provide for all expenditures  
1527 required by state law or by other provisions of this charter and for all debt service  
1528 requirements for the ensuing fiscal year, and the total appropriations from any fund shall not  
1529 exceed the estimated fund balance, reserves, and revenues.

1530 (b) The city council by ordinance shall adopt the final operating budget for the ensuing fiscal  
1531 year not later than the first day of the twelfth month of the fiscal year currently ending. If  
1532 the city council fails to adopt the budget by the prescribed deadline, the operating budget and

1533 capital budget proposed by the mayor shall be adopted without further action by the city  
1534 council.

1535 **SECTION 7.27.**

1536 Tax levies.

1537 The city council shall levy by ordinance such taxes as are necessary. The taxes and tax rates  
1538 set by such ordinances shall be such that reasonable estimates of revenues from such levy  
1539 shall at least be sufficient, together with other anticipated revenues, fund balances, and  
1540 applicable reserves, to equal the total amount appropriated for each of the several funds set  
1541 forth in the annual operating budget for defraying the expenses of the general government  
1542 of this city.

1543 **SECTION 7.28.**

1544 Independent audit.

1545 (a) There shall be an annual independent audit of all city accounts, funds, and financial  
1546 transactions by a certified public accountant selected by the city council. The audit shall be  
1547 conducted according to generally accepted auditing principles. Copies of annual audit  
1548 reports shall be available at printing costs to the public.

1549 (b) As a minimum, all audits and budgets of the city shall satisfy the requirements of  
1550 Chapter 81 of Title 36 of the O.C.G.A., relating to local government audits and budgets.

1551 (c) The city council shall appoint the independent auditor.

1552 **SECTION 7.29.**

1553 Contracting procedures.

1554 No contract with the city shall be binding on the city unless:

1555 (1) It is in writing;

1556 (2) It is drawn by or submitted to and reviewed by the city attorney, and as a matter  
1557 of course, is signed by the city attorney to indicate such drafting or review; and

1558 (3) It is made or authorized by the city council and such approval is entered in the city  
1559 council journal of proceedings pursuant to subsection (a) of Section 2.22 of this charter.

1560 **SECTION 7.30.**

1561 Centralized purchasing.

1562 The city council shall by ordinance prescribe procedures upon the recommendation of the  
1563 mayor for a system of centralized purchasing for the city.

1564 **SECTION 7.31.**

1565 Sale and lease of city property.

1566 (a) The city council may sell and convey, or lease any real or personal property owned or  
1567 held by the city for governmental or other purposes as now or hereafter provided by law.

1568 (b) The city council may quitclaim any rights it may have in property not needed for public  
1569 purposes upon report by the mayor and adoption of a resolution, both finding that the  
1570 property is not needed for public or other purposes and that the interest of the city has no  
1571 readily ascertainable monetary value.

1572 (c) Whenever in opening, extending, or widening any street, avenue, alley, or public place  
1573 of the city, a small parcel or tract of land is cut-off or separated by such work from a larger  
1574 tract or boundary of land owned by the city, the city council may authorize the mayor to sell  
1575 and convey said cut-off or separated parcel or tract of land to an abutting or adjoining  
1576 property owner or owners where such sale and conveyance facilitates the enjoyment of the  
1577 highest and best use of the abutting owner's property. Included in the sales contract shall be  
1578 a provision for the rights-of-way of said street, avenue, alley, or public place. Each abutting  
1579 property owner shall be notified of the availability of the property and given the opportunity  
1580 to purchase such property under such terms and conditions as set out by ordinance. All deeds  
1581 and conveyances so executed and delivered shall convey all title and interest the city has in  
1582 such property, notwithstanding the fact that no public sale after advertisement was or is  
1583 hereafter made.

1584 **SECTION 7.32.**

1585 Homestead exemption; freeze.

1586 (a) As used in this section, the term:

1587 (1) "Ad valorem taxes for municipal purposes" means all municipal ad valorem taxes for  
1588 municipal purposes levied by, for, or on behalf of the City of Greenhaven, including, but  
1589 not limited to, ad valorem taxes to pay interest on and to retire municipal bonded  
1590 indebtedness.

1591 (2) "Base year" means the taxable year immediately preceding the taxable year in which  
1592 the exemption under this section is first granted to the most recent owner of such  
1593 homestead.

1594 (3) "Homestead" means homestead as defined and qualified in Code Section 48-5-40 of  
1595 the O.C.G.A., as amended, with the additional qualification that it shall include not more  
1596 than five contiguous acres of homestead property.

1597 (b) Each resident of the City of Greenhaven is granted an exemption on that person's  
1598 homestead from City of Greenhaven ad valorem taxes for municipal purposes in an amount  
1599 equal to the amount by which the current year assessed value of that homestead exceeds the  
1600 base year assessed value of that homestead. This exemption shall not apply to taxes assessed  
1601 on improvements to the homestead or additional land that is added to the homestead after  
1602 January 1 of the base year. If any real property is added to or removed from the homestead,  
1603 the base year assessed value shall be adjusted to reflect such addition or removal, and the  
1604 exemption shall be recalculated accordingly. The value of that property in excess of such  
1605 exempted amount shall remain subject to taxation.

1606 (c) A person shall not receive the homestead exemption granted by subsection (b) of this  
1607 section unless the person or person's agent files an application with the governing authority  
1608 of the City of Greenhaven, or the designee thereof, giving such information relative to  
1609 receiving such exemption as will enable the governing authority of the City of Greenhaven,  
1610 or the designee thereof, to make a determination regarding the initial and continuing  
1611 eligibility of such owner for such exemption. The governing authority of the City of  
1612 Greenhaven, or the designee thereof, shall provide application forms for this purpose.

1613 (d) The exemption shall be claimed and returned as provided in Code Section 48-5-50.1 of  
1614 the O.C.G.A., as amended. The exemption shall be automatically renewed from year to year  
1615 so long as the owner occupies the residence as a homestead. After a person has filed the  
1616 proper application as provided in subsection (c) of this section, it shall not be necessary to  
1617 make application thereafter for any year, and the exemption shall continue to be allowed to  
1618 such person. It shall be the duty of any person granted the homestead exemption under  
1619 subsection (b) of this section to notify the governing authority of the City of Greenhaven, or  
1620 the designee thereof, in the event that person for any reason becomes ineligible for that  
1621 exemption.

1622 (e) The exemption granted by subsection (b) of this section shall not apply to or affect state  
1623 ad valorem taxes, county ad valorem taxes for county purposes, or county or independent  
1624 school district ad valorem taxes for educational purposes. The homestead exemption granted  
1625 by subsection (b) of this section shall be in addition to and not in lieu of any other homestead  
1626 exemption applicable to municipal ad valorem taxes for municipal purposes.

1627 (f) The exemption granted by subsection (b) of this section shall apply to all taxable years  
 1628 beginning on or after January 1, 2019.

1629 **SECTION 7.33.**

1630 Homestead exemption; senior citizens; disabled.

1631 (a) As used in this section, the term:

1632 (1) "Ad valorem taxes for municipal purposes" means all ad valorem taxes for municipal  
 1633 purposes levied by, for, or on behalf of the City of Greenhaven, including, but not limited  
 1634 to, any ad valorem taxes to pay interest on and to retire municipal bonded indebtedness.

1635 (2) "Homestead" means homestead as defined and qualified in Code Section 48-5-40 of  
 1636 the O.C.G.A., as amended.

1637 (3) "Income" means Georgia taxable net income determined pursuant to Chapter 7 of  
 1638 Title 48 of the O.C.G.A., as amended, for state income tax purposes, except income shall  
 1639 not include income received as retirement, survivor, or disability benefits under the  
 1640 federal Social Security Act or under any other public or private retirement, disability, or  
 1641 pension system, except such income which is in excess of the maximum amount  
 1642 authorized to be paid to an individual and such individual's spouse under the federal  
 1643 Social Security Act. Income from such sources in excess of such maximum amount shall  
 1644 be included as income for the purposes of this charter.

1645 (4) "Senior citizen" means a person who is 65 years of age or over on or before January 1  
 1646 of the year in which application for the exemption under subsection (b) of this section is  
 1647 made.

1648 (b) Each resident of the City of Greenhaven who is disabled or is a senior citizen is granted  
 1649 an exemption on that person's homestead from City of Greenhaven ad valorem taxes for  
 1650 municipal purposes in the amount of \$14,000.00 of the assessed value of that homestead.  
 1651 The exemption granted by this subsection shall only be granted if that person's income,  
 1652 together with the income of the spouse who also occupies and resides at such homestead,  
 1653 does not exceed \$15,000.00 for the immediately preceding year. The value of that property  
 1654 in excess of such exempted amount shall remain subject to taxation.

1655 (c)(1) In order to qualify for the exemption provided for in subsection (b) of this section  
 1656 due to being disabled, the person claiming such exemption shall be required to obtain a  
 1657 certificate from not more than three physicians licensed to practice medicine under  
 1658 Chapter 34 of Title 43 of the O.C.G.A., as amended, certifying that, in the opinion of  
 1659 such physician or physicians, such person is mentally or physically incapacitated to the  
 1660 extent that such person is unable to be gainfully employed and that such incapacity is

1661 likely to be permanent. Such certificate or certificates shall constitute part of and be  
 1662 submitted with the application provided for in paragraph (2) of this subsection.

1663 (2) A person shall not receive the homestead exemption granted by subsection (b) of this  
 1664 section unless the person or person's agent files an application with the governing  
 1665 authority of the City of Greenhaven, or the designee thereof, giving the person's age,  
 1666 income, and such additional information relative to receiving such exemption as will  
 1667 enable the governing authority of the City of Greenhaven, or the designee thereof, to  
 1668 make a determination regarding the initial and continuing eligibility of such owner for  
 1669 such exemption. The governing authority of the City of Greenhaven, or the designee  
 1670 thereof, shall provide application forms for this purpose.

1671 (d) The exemption shall be claimed and returned as provided in Code Section 48-5-50.1 of  
 1672 the O.C.G.A., as amended. The exemption shall be automatically renewed from year to year  
 1673 so long as the owner occupies the residence as a homestead. After a person has filed the  
 1674 proper application, as provided in subsection (c) of this section, it shall not be necessary to  
 1675 make application thereafter for any year and the exemption shall continue to be allowed to  
 1676 such person. It shall be the duty of any person granted the homestead exemption under  
 1677 subsection (b) of this section to notify the governing authority of the City of Greenhaven, or  
 1678 the designee thereof, in the event that person for any reason becomes ineligible for that  
 1679 exemption.

1680 (e) The exemption granted by subsection (b) of this section shall not apply to or affect state  
 1681 ad valorem taxes, county ad valorem taxes for county purposes, or county or independent  
 1682 school district ad valorem taxes for educational purposes. The homestead exemption granted  
 1683 by subsection (b) of this section shall be in addition to and not in lieu of any other homestead  
 1684 exemption applicable to municipal ad valorem taxes for municipal purposes.

1685 (f) The exemption granted by subsection (b) of this section shall apply to all taxable year  
 1686 beginning on or after January 1, 2019.

### 1687 **SECTION 7.34.**

#### 1688 Homestead exemption; general.

1689 (a) As used in this section, the term:

1690 (1) "Ad valorem taxes for municipal purposes" means all ad valorem taxes for municipal  
 1691 purposes levied by, for, or on behalf of the City of Greenhaven, including, but not limited  
 1692 to, any ad valorem taxes to pay interest on and to retire municipal bonded indebtedness.

1693 (2) "Homestead" means homestead as defined and qualified in Code Section 48-5-40 of  
 1694 the O.C.G.A., as amended.

1695 (b) Each resident of the City of Greenhaven is granted an exemption on that person's  
 1696 homestead from City of Greenhaven ad valorem taxes for municipal purposes in the amount  
 1697 of \$10,000.00 of the assessed value of that homestead. The value of that property in excess  
 1698 of such exempted amount shall remain subject to taxation.

1699 (c) A person shall not receive the homestead exemption granted by subsection (b) of this  
 1700 section unless the person or person's agent files an application with the governing authority  
 1701 of the City of Greenhaven, or the designee thereof, giving such information relative to  
 1702 receiving such exemption as will enable the governing authority of the City of Greenhaven,  
 1703 or the designee thereof, to make a determination regarding the initial and continuing  
 1704 eligibility of such owner for such exemption. The governing authority of the City of  
 1705 Greenhaven, or the designee thereof, shall provide application forms for this purpose.

1706 (d) The exemption shall be claimed and returned as provided in Code Section 48-5-50.1 of  
 1707 the O.C.G.A., as amended. The exemption shall be automatically renewed from year to year  
 1708 so long as the owner occupies the residence as a homestead. After a person has filed the  
 1709 proper application, as provided in subsection (c) of this section, it shall not be necessary to  
 1710 make application thereafter for any year and the exemption shall continue to be allowed to  
 1711 such person. It shall be the duty of any person granted the homestead exemption under  
 1712 subsection (b) of this section to notify the governing authority of the City of Greenhaven, or  
 1713 the designee thereof, in the event that person for any reason becomes ineligible for that  
 1714 exemption.

1715 (e) The exemption granted by subsection (b) of this section shall not apply to or affect state  
 1716 ad valorem taxes, county ad valorem taxes for county purposes, or county or independent  
 1717 school district ad valorem taxes for educational purposes. The homestead exemption granted  
 1718 by subsection (b) of this section shall be in addition to and not in lieu of any other homestead  
 1719 exemption applicable to municipal ad valorem taxes for municipal purposes.

1720 (f) The exemption granted by subsection (b) of this section shall apply to all taxable years  
 1721 beginning on or after January 1, 2019.

### 1722 **SECTION 7.35.**

#### 1723 Homestead exemption; surviving spouses.

1724 (a) As used in this section, the term:

1725 (1) "Ad valorem taxes for municipal purposes" means all ad valorem taxes for municipal  
 1726 purposes levied by, for, or on behalf of the City of Greenhaven, including, but not limited  
 1727 to, ad valorem taxes to pay interest on and to retire municipal bonded indebtedness.

1728 (2) "Homestead" means homestead as defined and qualified in Code Section 48-5-40 of  
 1729 the O.C.G.A., as amended.

1730 (3) "Unremarried surviving spouse" of a member of the armed forces includes the  
1731 unmarried widow or widower of a member of the armed forces who is receiving spousal  
1732 benefits from the United States Department of Veterans Affairs.

1733 (b) Any person who is a resident of the City of Greenhaven and who is an unremarried  
1734 surviving spouse of a member of the armed forces of the United States, which member has  
1735 been killed in or has died as a result of any war or armed conflict in which the armed forces  
1736 of the United States engaged, whether under United States command or otherwise, shall be  
1737 granted a homestead exemption from all City of Greenhaven ad valorem taxation for  
1738 municipal purposes in the amount of the greater of \$32,500.00 or the maximum amount  
1739 which may be granted to a disabled veteran under Section 2102 of Title 38 of the United  
1740 States Code, as amended. As of January 1, 2013, the maximum amount which may be  
1741 granted to a disabled veteran under Section 2102 of Title 38 of the United States Code, as  
1742 amended, is \$50,000.00. The exemption shall be on the homestead which the unremarried  
1743 surviving spouse owns and actually occupies as a residence and homestead. In the event  
1744 such surviving spouse remarries, such person shall cease to be qualified to continue the  
1745 exemption under this Act effective December 31 of the taxable year in which such person  
1746 remarries. The value of all property in excess of such exemption granted to such unremarried  
1747 surviving spouse shall remain subject to taxation.

1748 (c) In order to qualify for the exemption provided for in this Act, the unremarried surviving  
1749 spouse shall furnish to the governing authority of the City of Greenhaven, or the designee  
1750 thereof, documents from the Secretary of Defense evidencing that such unremarried  
1751 surviving spouse receives spousal benefits as a result of the death of such person's spouse  
1752 who as a member of the armed forces of the United States was killed or died as a result of  
1753 a war or armed conflict while on active duty or while performing authorized travel to or from  
1754 active duty during such war or armed conflict in which the armed forces of the United States  
1755 engaged, whether under United States command or otherwise, pursuant to the Survivor  
1756 Benefit Plan under Subchapter II of Chapter 73 of Title 10 of the United States Code or  
1757 pursuant to any preceding or subsequent federal law which provides survivor benefits for  
1758 spouses of members of the armed forces who were killed or who died as a result of any war  
1759 or armed conflict.

1760 (d) An unremarried surviving spouse filing for the exemption under this section shall be  
1761 required to file with the governing authority of the City of Greenhaven, or the designee  
1762 thereof, information relative to marital status and such other information which the governing  
1763 authority of the City of Greenhaven, or the designee thereof, deems necessary to determine  
1764 eligibility for the exemption. Each unremarried surviving spouse shall file for the exemption  
1765 only once with the governing authority of the City of Greenhaven or the designee thereof.  
1766 Once filed, the exemption shall automatically be renewed from year to year, except that the

1767 governing authority of the City of Greenhaven, or the designee thereof, may require annually  
 1768 that the holder of an exemption substantiate his or her continuing eligibility for the  
 1769 exemption. It shall be the duty of any person granted the homestead exemption under this  
 1770 section to notify the governing authority of the City of Greenhaven, or the designee thereof,  
 1771 in the event that person for any reason becomes ineligible for such exemption.

1772 (e) The exemption granted by this section shall be in lieu of and not in addition to any other  
 1773 exemption from ad valorem taxation for municipal purposes which is equal to or lower in  
 1774 amount than such exemption granted by this section. If the amount of any other exemption  
 1775 from ad valorem taxation for municipal purposes applicable to any resident qualifying under  
 1776 this section is greater than or is increased to an amount greater than the amount of the  
 1777 applicable exemption granted by this section, such other exemption shall apply and shall be  
 1778 in lieu of and not in addition to the exemption granted by this section.

1779 (f) The exemptions granted by this section shall apply to all tax years beginning on or after  
 1780 January 1, 2019.

### 1781 **SECTION 7.36.**

1782 Homestead exemption; one mill equivalent.

1783 (a) As used in this section, the term:

1784 (1) "Ad valorem taxes for municipal purposes" means all ad valorem taxes for municipal  
 1785 purposes levied by, for, or on behalf of the City of Greenhaven, including, but not limited  
 1786 to, any ad valorem taxes to pay interest on and to retire municipal bonded indebtedness.

1787 (2) "Homestead" means homestead as defined and qualified in Code Section 48-5-40 of  
 1788 the O.C.G.A., as amended.

1789 (b) Each resident of the City of Greenhaven is granted an exemption on such person's  
 1790 homestead from City of Greenhaven ad valorem taxes for municipal purposes in an amount  
 1791 that provides the dollar equivalent of a one mill reduction of the millage rate applicable to  
 1792 the homestead property with respect to ad valorem taxes for municipal purposes for the  
 1793 taxable year. The value of such property in excess of such exempted amount shall remain  
 1794 subject to taxation.

1795 (c) A person shall not receive the homestead exemption granted by subsection (b) of this  
 1796 section unless the person or person's agent files an application with the governing authority  
 1797 of the City of Greenhaven, or the designee thereof, giving such information relative to  
 1798 receiving such exemption as will enable the governing authority of the City of Greenhaven,  
 1799 or the designee thereof, to make a determination regarding the initial and continuing  
 1800 eligibility of such owner for such exemption. The governing authority of the City of  
 1801 Greenhaven, or the designee thereof, shall provide application forms for this purpose.

1802 (d) The exemption shall be claimed and returned as provided in Code Section 48-5-50.1 of  
 1803 the O.C.G.A., as amended. The exemption shall be automatically renewed from year to year  
 1804 so long as the owner occupies the residence as a homestead. After a person has filed the  
 1805 proper application as provided in subsection (c) of this section, it shall not be necessary to  
 1806 make application thereafter for any year, and the exemption shall continue to be allowed to  
 1807 such person. It shall be the duty of any person granted the homestead exemption under  
 1808 subsection (b) of this section to notify the governing authority of the City of Greenhaven, or  
 1809 the designee thereof, in the event such person for any reason becomes ineligible for such  
 1810 exemption.

1811 (e) The exemption granted by subsection (b) of this section shall not apply to or affect state  
 1812 ad valorem taxes, county ad valorem taxes for county purposes, or county or independent  
 1813 school district ad valorem taxes for educational purposes. The homestead exemption granted  
 1814 by subsection (b) of this section shall be in addition to and not in lieu of any other homestead  
 1815 exemption applicable to municipal ad valorem taxes for municipal purposes.

1816 (f) The exemption granted by subsection (b) of this section shall apply to all taxable years  
 1817 beginning on or after January 1, 2019.

### 1818 **SECTION 7.37.**

1819 Homestead exemption; fire services tax district HOST equivalent.

1820 (a) As used in this section, the term:

1821 (1) "Ad valorem taxes for fire services" means all ad valorem taxes for the purpose of  
 1822 providing fire services levied by, for, or on behalf of the City of Greenhaven, including,  
 1823 but not limited to, any ad valorem taxes to pay interest on and to retire municipal bonded  
 1824 indebtedness.

1825 (2) "Homestead" means homestead as defined and qualified in Code Section 48-5-40 of  
 1826 the O.C.G.A., as amended.

1827 (b) In the event that the City of Greenhaven assumes responsibility for the transfer of fire  
 1828 services from DeKalb County, each resident of the City of Greenhaven is granted an annual  
 1829 exemption on such person's homestead from City of Greenhaven ad valorem taxes in a fixed  
 1830 amount equal to the HOST tax credit provided to DeKalb County residences who participate  
 1831 in the Fire Services Special Tax District at a level equal to the average percentage credit for  
 1832 the five years immediately preceding the cutover of fire services. The value of such property  
 1833 in excess of such exempted amount shall remain subject to taxation.

1834 (c) A person shall receive the homestead exemption granted by subsection (b) of this section  
 1835 provided that the person or person's agent has filed or files an application with the governing  
 1836 authority of the City of Greenhaven in accordance with subsection (c) of Section 7.34 or

1837 subsection (c) of Section 7.36 of this charter giving such information relative to receiving  
 1838 such exemption as will enable the governing authority of the City of Greenhaven, or the  
 1839 designee thereof, to make a determination regarding the initial and continuing eligibility of  
 1840 such owner for such exemption. No additional homestead exemption form or application is  
 1841 required to grant the homestead exemption under this section.

1842 (d) The exemption shall be automatically renewed from year to year so long as the owner  
 1843 occupies the residence as a homestead. After a person has filed the proper application, it  
 1844 shall not be necessary to make application thereafter for any year, and the exemption shall  
 1845 continue to be allowed to such person. It shall be the duty of any person granted the  
 1846 homestead exemption under subsection (b) of this section to notify the governing authority  
 1847 of the City of Greenhaven, or the designee thereof, in the event such person for any reason  
 1848 becomes ineligible for such exemption.

1849 (e) The exemption granted by subsection (b) of this section shall not apply to or affect state  
 1850 ad valorem taxes, county ad valorem taxes for county purposes, or county or independent  
 1851 school district ad valorem taxes for educational purposes. The homestead exemption granted  
 1852 by subsection (b) of this section shall be in addition to and not in lieu of any other homestead  
 1853 exemption applicable to municipal ad valorem taxes for municipal purposes.

1854 (f) The exemption granted by subsection (b) of this section shall apply to all taxable years  
 1855 beginning in the year in which the City of Greenhaven assumes responsibility for the transfer  
 1856 of fire services from DeKalb County. In the event that the transfer of fire services does not  
 1857 coincide with a taxable year end, the homestead exemption shall be prorated in the first year  
 1858 in an amount equal to the percent of the first year in which Greenhaven provides fire  
 1859 services.

## 1860 ARTICLE VIII

### 1861 ECONOMIC DEVELOPMENT PROVISIONS

#### 1862 SECTION 8.10.

##### 1863 Creation of office of economic development

1864 As provided in Section 5.16 of this charter, an Office of Economic Development shall be  
 1865 created in the executive branch.

#### 1866 SECTION 8.11.

##### 1867 Creation of development authorities.

1868 The City of Greenhaven shall have the authority to create one or more statutory agencies for  
 1869 the purpose of promoting trade, commerce, industry, and employment opportunities for the

1870 public good and to promote the general welfare of the city. The statutory agencies, when  
 1871 permitted by law, may develop financing packages including, but not limited to, provision  
 1872 of taxable and tax-exempt bonds for companies based on the type and number of jobs  
 1873 produced.

1874 **SECTION 8.12.**

1875 Urban redevelopment agency.

1876 The City of Greenhaven shall have the authority to create an urban redevelopment agency  
 1877 with all the powers, rights, and authorities that attend its creation including all financing  
 1878 capability.

1879 **SECTION 8.13.**

1880 Cooperation with community area planning Units (CAPU's).

1881 (a) CAPU's shall develop a comprehensive community economic development vision and  
 1882 plan for their designated area with the technical assistance of the City of Greenhaven Office  
 1883 of Economic Development.

1884 (b) The City of Greenhaven's office of economic development shall work with existing  
 1885 economic development agencies in the City of Greenhaven to implement the CAPU's vision.

1886 **SECTION 8.14.**

1887 Eminent domain for economic development.

1888 The City of Greenhaven's statutory agencies may engage in the use of eminent domain when  
 1889 necessary for economic development purposes, provided it is consistent with state law.

1890 **ARTICLE IX**

1891 **GENERAL PROVISIONS**

1892 **SECTION 9.10.**

1893 DeKalb County special services tax district.

1894 For the taxable years beginning on or after January 1, 2019, the adjusted ad valorem tax  
 1895 millage rate and amount for service charges or fees for district services for the City of  
 1896 Greenhaven special services tax district shall be 0 percent. This section is enacted pursuant  
 1897 to the authority granted to the General Assembly under Section 1 of that local constitutional  
 1898 amendment providing that certain municipalities in DeKalb County shall constitute special

1899 services tax districts, Resolution Act No 168; House Resolution No. 715-1916; Ga. L. 1978,  
 1900 p. 2468, to control the subject matter of such local constitutional amendment. Municipal  
 1901 services provided by DeKalb County for the City of Greenhaven shall be established through  
 1902 intergovernmental agreements or established as otherwise authorized by statute.

1903 **SECTION 9.11.**

1904 Referendum and initial election.

1905 (a) The election superintendent of DeKalb County shall call a special election for the  
 1906 purpose of submitting this Act to the qualified voters of the proposed City of Greenhaven for  
 1907 approval or rejection. The superintendent shall set the date of such election for the Tuesday  
 1908 after the first Monday in November 2018. The superintendent shall issue the call for such  
 1909 election at least 60 days prior to the date thereof. The superintendent shall cause the date and  
 1910 purpose of the election to be published once a week for two weeks immediately preceding  
 1911 the date thereof in the official organ of DeKalb County. The ballot shall have written or  
 1912 printed thereon the words:

1913 "( ) YES Shall the Act incorporating the City of Greenhaven in DeKalb County  
 according to the charter contained in the Act and the homestead exemptions  
 1914 ( ) NO described in the Act be approved?"

1915 All persons desiring to vote for approval of the Act shall vote "Yes," and all persons desiring  
 1916 to vote for rejection of the Act shall vote "No." If more than one-half of the votes cast on  
 1917 such question are for approval of the Act, it shall become of full force and effect as provided  
 1918 in this charter, otherwise it shall be void and of no force and effect. The initial expense of  
 1919 such election shall be borne by DeKalb County. Within two years after the elections if the  
 1920 incorporation is approved, the City of Greenhaven shall reimburse DeKalb County for the  
 1921 actual cost of printing and personnel services for such election and for the initial election of  
 1922 the mayor and councilmember's pursuant to subsection (f) of Section 2.10 of this charter. It  
 1923 shall be the duty of the superintendent to hold and conduct such election. It shall be his or  
 1924 her further duty to certify the result thereof to the Secretary of State.

1925 (b) For the purposes of the referendum election provided for in subsection (a) of this section  
 1926 and for the purposes of the special election of the City of Greenhaven to be held on the third  
 1927 Tuesday in March 2019, the qualified electors of the City of Greenhaven shall be those  
 1928 qualified electors of DeKalb County residing within the corporate limits of the City of  
 1929 Greenhaven as described by Appendix A of this charter. The qualified voters for each  
 1930 District, as stated in subsection (f) of Section 2.10 of this charter and specified in Appendix  
 1931 B shall be the qualified electors of DeKalb County residing within each of the districts within  
 1932 the City of Greenhaven with the exception of the president of the council and the mayor who

1933 shall be elected at-large within the City of Greenhaven. At subsequent municipal elections,  
 1934 the qualified electors of the City of Greenhaven shall be determined pursuant to the authority  
 1935 of Chapter 2 of Title 21 of the O.C.G.A., the "Georgia Election Code."

1936 (c) Only for the purposes of holding and conducting the referendum election provided for  
 1937 by subsection (a) of this section and holding and conducting the special election of the City  
 1938 of Greenhaven provided for by subsection (a) of this section, the election superintendent of  
 1939 DeKalb County is vested with the powers and duties of the election superintendent of the  
 1940 City of Greenhaven and the powers and duties of the governing authority of the City of  
 1941 Greenhaven.

## 1942 **SECTION 9.12.**

### 1943 Effective dates and transition.

1944 (a) The initial mayor and councilmembers shall take the oath of office the next business day  
 1945 after certification of the election of such officers and by action of any four members of the  
 1946 governing authority may, prior to the first day of the second month immediately following  
 1947 the special election provided for in subsection (a) of Section 9.11, meet and take actions  
 1948 binding on the city.

1949 (b) A period of time will be needed for an orderly transition of various government functions  
 1950 from DeKalb County to the City of Greenhaven. Accordingly, there shall be a two-year  
 1951 transition period as allowed by law beginning at 12:01 A.M. on July 1, 2019.

1952 (c) During such transition period, DeKalb County shall continue to provide within the  
 1953 territorial limits of the city all government services and functions which DeKalb County  
 1954 provided in 2018 and at the same actual direct cost and level of service, except to the extent  
 1955 otherwise provided in this section; provided, however, that upon at least 30 days' prior  
 1956 written notice to the governing authority of DeKalb County by the governing authority of the  
 1957 City of Greenhaven, responsibility for any such service or function shall be transferred to the  
 1958 City of Greenhaven. The governing authority of the City of Greenhaven shall determine the  
 1959 date of commencement of collection of taxes, fees, assessments, fines and forfeitures, and  
 1960 other monies within the territorial limits of the city and the date upon which the City of  
 1961 Greenhaven is considered removed from the special services tax district.

1962 (d) During the transition period, the governing authority of the City of Greenhaven may  
 1963 generally exercise any power granted by this charter or general law, except to the extent that  
 1964 a power is specifically and integrally related to the provision of a governmental service,  
 1965 function, or responsibility not yet provided or carried out by the city.

1966 (e) During the transition period, all ordinances of DeKalb County shall remain applicable  
 1967 within the territorial limits of the city unless otherwise amended, repealed, or replaced by the

1968 City of Greenhaven. Any transfer of jurisdiction to the City of Greenhaven during or at the  
 1969 end of the transition period shall not in and of itself abate any judicial proceeding pending  
 1970 in DeKalb County or the pending prosecution of any violation of any ordinance of DeKalb  
 1971 County.

1972 (f) During the transition period, the governing authority of the City of Greenhaven may at  
 1973 any time, without the necessity of any agreement by DeKalb County, commence to exercise  
 1974 its planning and zoning powers; provided, however, that the city shall give the county notice  
 1975 of the date on which the city will assume the exercise of such powers. Upon the governing  
 1976 authority of the City of Greenhaven commencing to exercise its planning and zoning powers,  
 1977 the Municipal Court of City of Greenhaven shall immediately have jurisdiction to enforce  
 1978 the planning and zoning ordinances of the city. The provisions of this subsection shall  
 1979 control over any conflicting provisions of any other subsection of this section.

1980 (g) Effective upon the termination of the transition period, subsections (b) through (f) of this  
 1981 section shall cease to apply except for the last sentence of subsection (e) which shall remain  
 1982 effective. Effective upon the termination of the transition period, the City of Greenhaven  
 1983 shall be a full functioning municipal corporation and subject to all general laws of this state.

### 1984 **SECTION 9.13.**

1985 Directory nature of dates.

1986 It is the intention of the General Assembly that this Act be construed as directory rather than  
 1987 mandatory with respect to any date prescribed in this Act. If it is necessary to delay any  
 1988 action called for in this Act for providential cause or any other reason, it is the intention of  
 1989 the General Assembly that the action be delayed rather than abandoned. Any delay in  
 1990 performing any action under this Act, whether for cause or otherwise, shall not operate to  
 1991 frustrate the overall intent of this Act. Without limiting the generality of the foregoing, it is  
 1992 specifically provided that, if it is not possible to hold the referendum election provided for  
 1993 in subsection (a) of Section 9.11 of this charter on the date specified in that section, then such  
 1994 referendum shall be held as soon thereafter as is reasonably practicable. If the referendum  
 1995 election provided for in subsection (a) of Section 9.11 of this charter is conducted on or  
 1996 before the Tuesday after the first Monday in November, 2018, the special election for the  
 1997 initial members of the governing authority shall be conducted on the date specified in  
 1998 subsection (b) of Section 9.11 of this charter. If the referendum election provided for under  
 1999 subsection (a) of Section 9.11 of this charter is conducted after the Tuesday after the first  
 2000 Monday in November, 2018, then the special election for the initial members of the  
 2001 governing authority shall be held as soon thereafter as is reasonably practicable, and the  
 2002 commencement of the initial terms of office shall be delayed accordingly. If the first election

2003 provided for in subsection (b) of Section 9.11 of this charter occurs after the date specified  
 2004 in such subsection, the city council shall be authorized to delay the dates otherwise specified  
 2005 in Section 9.12 of this charter.

2006 **SECTION 9.14.**

2007 Charter commission.

2008 Not later than five years after the inception of the City of Greenhaven, the mayor and the city  
 2009 council shall call for a charter commission to review the city's experience and recommend  
 2010 to the General Assembly any changes to the charter. Members of the charter commission  
 2011 shall be appointed as follows: one member by the mayor, six community area representatives  
 2012 (one chosen by each councilperson from Districts 1-6), two businesses selected by one of the  
 2013 entities created by Article VIII (Economic Development Provisions) of this charter, and one  
 2014 member appointed by a vote of the Georgia House of Representatives and one member  
 2015 appointed by vote of the Georgia Senate, both of whose districts lie wholly or partially within  
 2016 the corporate boundaries of the City of Greenhaven. All members of the charter commission  
 2017 shall reside in the City of Greenhaven. The commission shall complete the recommendations  
 2018 within the time frame required by the city council.

2019 **SECTION 9.15.**

2020 Bonds for officials.

2021 The officers and employees of this city, both elective and appointive, shall execute such  
 2022 surety or fidelity bonds in such amounts and upon such terms and conditions as the city  
 2023 council shall from time to time require by ordinance or as may be provided by law.

2024 **SECTION 9.16.**

2025 Severability.

2026 If any article, section, subsection, paragraph, sentence, or part thereof of this charter shall be  
 2027 held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect  
 2028 or impair other parts of this charter unless it clearly appears that such other parts are wholly  
 2029 and necessarily dependent upon the part held to be invalid or unconstitutional, it being the  
 2030 legislative intent in enacting this charter that each article, section, subsection, paragraph,  
 2031 sentence or part thereof be enacted separately and independent of each other.

2032 **SECTION 9.17.**

2033 Effective date.

2034 This Act shall become effective upon its approval by the Governor or upon its becoming law  
 2035 without such approval.

2036 **SECTION 9.18.**

2037 Repealer.

2038 All laws and parts of laws in conflict with this Act are repealed.

2039 **APPENDIX A**2040 **LEGAL DESCRIPTION**2041 **CORPORATE LIMITS**2042 **CITY OF GREENHAVEN, DEKALB COUNTY, GEORGIA**

2043 Plan:SouthDeKalb-prop4-2014

2044 Plan Type:local

2045 Administrator: S043

2046 User: bak

2047 District SOUTHDEKALB

2048 DeKalb County

2049 VTD: 089AA - ALLGOOD ELEMENTARY

2050 023204:

2051 1004 1005 1007 1008 1010 1011 1012 2000 2001 2002 2003 2004

2052 2005 2006 2007 2008 2009 2010 2011 2012 2013 2014 2015

2053 VTD: 089AC - ATHERTON ELEMENTARY

2054 VTD: 089AE - AVONDALE (AVO)

2055 023102:

2056 1013

2057 VTD: 089AF - HOOPER ALEXANDER

2058 022900:

2059 3028

2060 023101:

2061 2002 2003 2013 2014

2062 VTD: 089AM - AVONDALE MIDDLE

2063 023112:  
 2064 1007  
 2065 023113:  
 2066 2010  
 2067 023115:  
 2068 1000 1007  
 2069 VTD: 089BJ - BROWN'S MILL ELEMENTARY  
 2070 023426:  
 2071 1001 1002 1003 1005 1006 1007 1008 1009 1010 1011 1012 1013  
 2072 1014 1015 1016 1017 1018 1019 1024 1025 1031 2015 2030 2031  
 2073 2032  
 2074 VTD: 089BL - BOULDERCREST RD  
 2075 VTD: 089BM - BETHUNE MIDDLE  
 2076 VTD: 089CA - COLUMBIA DRIVE  
 2077 VTD: 089CB - CANBY LANE ELEMENTARY  
 2078 VTD: 089CC - COLUMBIA ELEMENTARY  
 2079 VTD: 089CD - CEDAR GROVE ELEMENTARY  
 2080 VTD: 089CG - CHAPEL HILL ELEMENTARY  
 2081 VTD: 089CL - CLIFTON ELEMENTARY  
 2082 VTD: 089CM - COLUMBIA MIDDLE  
 2083 VTD: 089CP - CROSSROADS  
 2084 VTD: 089CQ - CANDLER  
 2085 VTD: 089CR - CEDAR GROVE MIDDLE  
 2086 VTD: 089CS - CEDAR GROVE SOUTH  
 2087 VTD: 089CT - COVINGTON HWY L  
 2088 VTD: 089DE - DUNAIRE ELEM  
 2089 VTD: 089EB - EASTLAND  
 2090 VTD: 089FC - FLAT SHOALS ELEM  
 2091 VTD: 089FE - FLAT SHOALS PARKWAY  
 2092 VTD: 089FJ - FLAT SHOALS  
 2093 VTD: 089FK - FLAKES MILL FIRE  
 2094 VTD: 089FL - FLAT SHOALS LIBRARY  
 2095 VTD: 089FM - FREEDOM MIDDLE  
 2096 VTD: 089GB - GLENHAVEN  
 2097 VTD: 089GC - GRESHAM PARK ELEM  
 2098 VTD: 089GE - GLENHAVEN ELEM  
 2099 VTD: 089HA - HAMBRICK ELEM

2100 021908:  
 2101 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011  
 2102 1012 1013 1014  
 2103 021909:  
 2104 1000 1001 1007 2000 3000  
 2105 022004:  
 2106 2000 2001 2002 2003 2004 2005 2006 3000 3001 3002 3003 3004  
 2107 3005 3006 3007 3008 3009 3010 3011  
 2108 022005:  
 2109 3000  
 2110 VTD: 089HH - NARVIE J HARRIS  
 2111 VTD: 089IB - INDIAN CREEK ELEM  
 2112 022005:  
 2113 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1015  
 2114 2002 2003 2004 2005 2006 2007 2008 2009 2010  
 2115 022007:  
 2116 1003 1004 2015 2017 2019 2020 2021  
 2117 022008:  
 2118 2005 2006 2007 2009 2010 4006  
 2119 VTD: 089JB - JOLLY ELEM  
 2120 022010:  
 2121 1000 1004 1005 1006 1019 1020 1021  
 2122 VTD: 089KA - KELLEY LAKE ELEM  
 2123 VTD: 089KC - KELLEY CHAPEL  
 2124 VTD: 089KD - ML KING JR HIGH  
 2125 VTD: 089KE - KNOLLWOOD ELEM  
 2126 VTD: 089LH - LITHONIA HIGH SCHOOL  
 2127 023309:  
 2128 3015 3016 3017 3018 3019 3020 3021 3022 3023 3024 3025 3026  
 2129 3027 3028 3029 3030 3031 3032  
 2130 VTD: 089MA - ELDRIDGE L MILL  
 2131 VTD: 089MC - MARBUT ELEM  
 2132 023309:  
 2133 1000 1001 1002 1003 1004 2000 2001 2002 2003 2004 2007 4000  
 2134 4001 4002 4003 4004 4005 4006  
 2135 023314:  
 2136 3015

2137 VTD: 089MI - MILLER GROVE MIDDLE SCHOOL  
 2138 023214:  
 2139 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011  
 2140 1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023  
 2141 1024 2004 2005 2006 2007 2015 2016 2017 2018 2019 2020 2021  
 2142 2025  
 2143 VTD: 089ML - MEADOWVIEW ELEM  
 2144 VTD: 089MM - MEMORIAL NORTH  
 2145 022004:  
 2146 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011  
 2147 1012 1013 1014 1015 1016 1017 1018 1019 1020 1021  
 2148 022005:  
 2149 2000 2001 3001 3005 3006 3007 3008 3009 3010 3011 3012 3013  
 2150 3014  
 2151 022008:  
 2152 1000 1001 1005 1006 1007 1008 1009 1015 1016 3000 3003 3004  
 2153 3005 3006  
 2154 VTD: 089MN - MEMORIAL SOUTH  
 2155 VTD: 089MO - MIDWAY ELEM  
 2156 023102:  
 2157 1020 1021 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009  
 2158 2010 2011 2012 2013 2014 2015 2016 2017  
 2159 023107:  
 2160 1017 1018 1023 1024 1025 1026 3000 3001 3002 3003 3004 3005  
 2161 3006 3007 3008 3009 3010 3011 3012 3013 3014 3015  
 2162 VTD: 089MP - MCNAIR MIDDLE  
 2163 VTD: 089MR - BOB MATHIS ELEM  
 2164 VTD: 089NC - NORTH HAIRSTON  
 2165 021910:  
 2166 1001 1002 1003 1004 1005 1006 1007 1008 2001 2002 2003 2004  
 2167 2005 2006 2007 2008 2009 2010 2011  
 2168 VTD: 089OV - OAK VIEW ELEM  
 2169 VTD: 089PA - PEACHCREST ELEM  
 2170 VTD: 089PC - PRINCETON ELEM  
 2171 023306:  
 2172 3000 3001 3002 3003 3004 3009 3010 3011 3017 3018 3019  
 2173 VTD: 089PH - PANOLA

2174 VTD: 089PI - PANOLA WAY ELEM  
 2175 023211:  
 2176 2004 2007 2008 2010 2011 2012 2013 2015 2016  
 2177 023212:  
 2178 2000 2001 2003 2004 2005 2006 2007 2008 2009 2010 2011 2012  
 2179 VTD: 089PN - PINEY GROVE  
 2180 VTD: 089RA - RAINBOW ELEM  
 2181 VTD: 089RC - REDAN ELEM  
 2182 VTD: 089RE - ROCKBRIDGE ELEM  
 2183 VTD: 089RF - ROCK CHAPEL ELEM  
 2184 VTD: 089RG - ROWLAND ELEM  
 2185 VTD: 089RH - REDAN-TROTTI  
 2186 023313:  
 2187 1000 1001 1002 2000 2001 2002 2003 2004 2005 2006 2007 2008  
 2188 2009 2010 2011  
 2189 VTD: 089RI - ROCKBRIDGE ROAD  
 2190 VTD: 089RJ - ROWLAND ROAD  
 2191 VTD: 089RK - REDAN ROAD  
 2192 VTD: 089RL - ROCK CHAPEL ROAD  
 2193 023303:  
 2194 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1013  
 2195 1014 1015 2000 2001 2002 2003 2004 2011 2013 2014 2015 2016  
 2196 2017 2018 2036  
 2197 023315:  
 2198 2018 2019 2020 2021 2022 2023 2024 2025 2026 2027 2028 2029  
 2199 2030 2031 2032 2033 2034 2035 2037 2038 2039 2040 2041  
 2200 VTD: 089RM - REDAN MIDDLE  
 2201 VTD: 089SC - SCOTTDALE  
 2202 022001:  
 2203 2032 2035  
 2204 022007:  
 2205 1007 1009 1010 2018  
 2206 022100:  
 2207 1000 1001 1002 1003 1004  
 2208 VTD: 089SD - STN MTN ELEMENTARY  
 2209 021906:  
 2210 1002 2007 2008 2012 2013 2014 2015 2019 2020 2021 2022

2211 021907:  
 2212 1000 1012 1013 1014 1015 1016 1017 1018 1019 1021 1022 1023  
 2213 1024 1025 1026 1027 1028 1029 1030 1031 1032 1033 1034 1035  
 2214 1036 1037 1038 1039 1040 1051 1052 1053 1054 1055 1056 1057  
 2215 1058 1059 1060 1061 1062 1063 1064 1065 1066 1068 2015 2016  
 2216 2024 2025 2026 2027 2028 2029 2032 2036 2037 2038 2039 2040  
 2217 2041 2042 2043 2044 2045 2046 2048 2049 2050 2051 2052 2053  
 2218 3001 3002 3003 3004 3011 3012 3013 3025 3027 3062 3063  
 2219 VTD: 089SG - SNAPFINGER ELEM  
 2220 VTD: 089SI - STN MTN MIDDLE  
 2221  
 2222 021907:  
 2223 3026  
 2224 VTD: 089SJ - STONE MILL ELEM  
 2225 021906:  
 2226 3008 3009 3010 3011 3012 3013 3014 3015 3016 3017 3018  
 2227 021907:  
 2228 3028 3029 3031 3034 3060 3061  
 2229 021908:  
 2230 2000 2001 2002 2003  
 2231 021911:  
 2232 1000 1001 1002 1003 1004 1005 2003 2004 2005 2006 2007 2008  
 2233 2009 2010 2011  
 2234 021913:  
 2235 3001 3004 3005 3006 3007 3008  
 2236 VTD: 089SK - SHADOW ROCK ELEM  
 2237 VTD: 089SL - STONEVIEW ELEM  
 2238 023303:  
 2239 2005 2006 2007 2008 2009 2010 2030 3000 3001 3010 3011 3025  
 2240 3026 3030 3031 3032 3033 3034 3035 3036  
 2241 VTD: 089SO - SOUTH DESHON  
 2242 VTD: 089SP - STN MTN CHAMPION  
 2243 021906:  
 2244 1004 1005 1010 3022 3026 3027  
 2245 VTD: 089SR - SNAPFINGER ROAD  
 2246 VTD: 089SS - SNAPFINGER ROAD  
 2247 023414:

2248 1013 1015 1016 1017 1018 1019 1020 1021 1022 1023 1024 1025  
 2249 1026  
 2250 VTD: 089ST - STEPHENSON MIDDLE  
 2251 VTD: 089SU - SOUTH HAIRSTON  
 2252 VTD: 089SV - STEPHENSON HIGH  
 2253 VTD: 089TA - TERRY MILL ELEM  
 2254 VTD: 089TB - TILSON ELEM  
 2255 VTD: 089TC - TONEY ELEM  
 2256 VTD: 089WA - WADSWORTH ELEM  
 2257 VTD: 089WB - WESLEY CHAPEL SOUTH  
 2258 VTD: 089WG - WOODRIDGE ELEM  
 2259 VTD: 089WK - WHITE OAK  
 2260 VTD: 089WN - WYNBROOKE ELEM  
 2261 VTD: 089YA - YOUNG ROAD

2262 As used in this appendix, the term "VTD" (voting tabulation district) shall mean and describe  
 2263 the same geographical boundaries as provided in the report of the Bureau of the Census for  
 2264 the United States decennial census of 2010 for the State of Georgia. The separate numeric  
 2265 designations which are underneath a VTD heading shall mean and describe individual blocks  
 2266 within a VTD as provided in the report of the Bureau of the Census for the United States  
 2267 decennial census of 2010 for the State of Georgia.

2268 APPENDIX B  
 2269 COUNCIL DISTRICTS  
 2270 CITY OF GREENHAVEN, DEKALB COUNTY, GEORGIA

2271 Plan: greenhaven-dist-p1-2015  
 2272 Plan Type: Local  
 2273 Administrator: H090  
 2274 User: Gina

2275 District 001  
 2276 DeKalb County  
 2277 VTD: 089AA - ALLGOOD ELEMENTARY  
 2278 023204:  
 2279 1004 1005 1007 1008 1010 1011 1012 2000 2001 2002 2003 2004  
 2280 2005 2006 2007 2008 2009 2010 2011 2012 2013 2014 2015

2281 VTD: 089AM - AVONDALE MIDDLE  
 2282 023112:  
 2283 1007  
 2284 023113:  
 2285 2010  
 2286 023115:  
 2287 1000 1007  
 2288 VTD: 089CT - COVINGTON HWY L  
 2289 VTD: 089DE - DUNAIRE ELEM  
 2290 VTD: 089HA - HAMBRICK ELEM  
 2291  
 2292 021908:  
 2293 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011  
 2294 1012 1013 1014  
 2295 021909:  
 2296 1000 1001 1007 2000 3000  
 2297 022004:  
 2298 2000 2001 2002 2003 2004 2005 2006 3000 3001 3002 3003 3004  
 2299 3005 3006 3007 3008 3009 3010 3011  
 2300 022005:  
 2301 3000  
 2302 VTD: 089IB - INDIAN CREEK ELEM  
 2303 022005:  
 2304 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1015  
 2305 2002 2003 2004 2005 2006 2007 2008 2009 2010  
 2306 022007:  
 2307 1003 1004 2015 2017 2019 2020 2021  
 2308 022008:  
 2309 2005 2006 2007 2009 2010 4006  
 2310 VTD: 089JB - JOLLY ELEM  
 2311 022010:  
 2312 1000 1004 1005 1006 1019 1020 1021  
 2313 VTD: 089MM - MEMORIAL NORTH  
 2314 022004:  
 2315 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011  
 2316 1012 1013 1014 1015 1016 1017 1018 1019 1020 1021  
 2317 022005:

2318 2000 2001 3001 3005 3006 3007 3008 3009 3010 3011 3012 3013  
 2319 3014  
 2320 022008:  
 2321 1000 1001 1005 1006 1007 1008 1009 1015 1016 3000 3003 3004  
 2322 3005 3006  
 2323 VTD: 089MN - MEMORIAL SOUTH  
 2324 VTD: 089NC - NORTH HAIRSTON  
 2325 021910:  
 2326 1001 1002 1003 1004 1005 1006 1007 1008 2001 2002 2003 2004  
 2327 2005 2006 2007 2008 2009 2010 2011  
 2328 VTD: 089RE - ROCKBRIDGE ELEM  
 2329 VTD: 089RG - ROWLAND ELEM  
 2330 023111:  
 2331 1000 1001 1002 1003 1004 1005 1007 1008 1010 1011 1021  
 2332 023112:  
 2333 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011  
 2334 2012 3000 3001 3002 3003 3004 3005 3006 3007 3008  
 2335 023115:  
 2336 1001 1002 1003 1004 1005 1006 1008  
 2337 VTD: 089SC - SCOTTDALE  
 2338 022001:  
 2339 2032 2035  
 2340 022007:  
 2341 1007 1009 1010 2018  
 2342 022100:  
 2343 1000 1001 1002 1003 1004  
 2344 VTD: 089SJ - STONE MILL ELEM  
 2345 021906:  
 2346 3008 3009 3010 3011 3012 3013 3014 3015 3016 3017 3018  
 2347 021907:  
 2348 3028 3029 3031 3034 3060 3061  
 2349 021908:  
 2350 2000 2001 2002 2003  
 2351 021911:  
 2352 1000 1001 1002 1003 1004 1005 2003 2004 2005 2006 2007 2008  
 2353 2009 2010 2011  
 2354 021913:

2355 3001 3004 3005 3006 3007 3008  
 2356 VTD: 089SP - STN MTN CHAMPION  
 2357 021906:  
 2358 1004 1005 3022 3026 3027  
  
 2359 District 002  
 2360 DeKalb County  
 2361 VTD: 089LH - LITHONIA HIGH SCHOOL  
 2362 023309:  
 2363 3015 3016 3017 3018 3019 3020 3021 3022 3023 3024 3025 3026  
 2364 3027 3028 3029 3030 3031 3032  
 2365 VTD: 089PC - PRINCETON ELEM  
 2366 023306:  
 2367 3000 3001 3002 3003 3004 3009 3010 3011 3017 3018 3019  
 2368 VTD: 089RC - REDAN ELEM  
 2369 VTD: 089RF - ROCK CHAPEL ELEM  
 2370 VTD: 089RH - REDAN-TROTTI  
 2371 023313:  
 2372 1000 1001 1002 2000 2001 2002 2003 2004 2005 2006 2007 2008  
 2373 2009 2010 2011  
 2374 VTD: 089RI - ROCKBRIDGE ROAD  
 2375 VTD: 089RL - ROCK CHAPEL ROAD  
 2376 023303:  
 2377 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1013  
 2378 1014 1015 2000 2001 2002 2003 2004 2011 2013 2014 2015 2016  
 2379 2017 2018 2036  
 2380 023315:  
 2381 2018 2019 2020 2021 2022 2023 2024 2025 2026 2027 2028 2029  
 2382 2030 2031 2032 2033 2034 2035 2037 2038 2039 2040 2041  
 2383 VTD: 089SD - STN MTN ELEMENTARY  
 2384 021906:  
 2385 1002 2007 2008 2012 2013 2014 2015 2019 2020 2021 2022  
 2386 021907:  
 2387 1000 1012 1013 1014 1015 1016 1017 1018 1019 1021 1022 1023  
 2388 1024 1025 1026 1027 1028 1029 1030 1031 1032 1033 1034 1035  
 2389 1036 1037 1038 1039 1040 1051 1052 1053 1054 1055 1056 1057  
 2390 1058 1059 1060 1061 1062 1063 1064 1065 1066 1068 2015 2016

2391 2024 2025 2026 2027 2028 2029 2032 2036 2037 2038 2039 2040  
 2392 2041 2042 2043 2044 2045 2046 2048 2049 2050 2051 2052 2053  
 2393 3001 3002 3003 3004 3011 3012 3013 3025 3027 3062 3063  
 2394 VTD: 089SI - STN MTN MIDDLE  
 2395 021907:  
 2396 3026  
 2397 VTD: 089SK - SHADOW ROCK ELEM  
 2398 VTD: 089SL - STONEVIEW ELEM  
 2399 023303:  
 2400 2005 2006 2007 2008 2009 2010 2030 3000 3001 3010 3011 3025  
 2401 3026 3030 3031 3032 3033 3034 3035 3036  
 2402 VTD: 089SO - SOUTH DESHON  
 2403 VTD: 089SP - STN MTN CHAMPION  
 2404 021906:  
 2405 1010  
 2406 VTD: 089ST - STEPHENSON MIDDLE  
 2407 VTD: 089SV - STEPHENSON HIGH  
 2408 VTD: 089WN - WYNBROOKE ELEM  
  
 2409 District 003  
 2410 DeKalb County  
 2411 VTD: 089AC - ATHERTON ELEMENTARY  
 2412 023206:  
 2413 1009 1014 1015 1016  
 2414 VTD: 089CP - CROSSROADS  
 2415 VTD: 089FM - FREEDOM MIDDLE  
 2416 VTD: 089GB - GLENHAVEN  
 2417 VTD: 089MA - ELDRIDGE L MILL  
 2418 VTD: 089MC - MARBUT ELEM  
 2419 023309:  
 2420 1000 1001 1002 1003 1004 2000 2001 2002 2003 2004 2007 4000  
 2421 4001 4002 4003 4004 4005 4006  
 2422 023314:  
 2423 3015  
 2424 VTD: 089PH - PANOLA  
 2425 VTD: 089PI - PANOLA WAY ELEM  
 2426 023211:

2427 2004 2007 2008 2010 2011 2012 2013 2015 2016  
 2428 023212:  
 2429 2000 2001 2003 2004 2005 2006 2007 2008 2009 2010 2011 2012  
 2430 VTD: 089RG - ROWLAND ELEM  
 2431 023111:  
 2432 1006 1012 1013 1014 1015 1016 1017 1018 1019 1020 1022 1023  
 2433 1024 1025 1026 1027 1028  
 2434 VTD: 089RJ - ROWLAND ROAD  
 2435 VTD: 089RK - REDAN ROAD  
 2436 VTD: 089RM - REDAN MIDDLE  
 2437 VTD: 089SU - SOUTH HAIRSTON  
 2438 VTD: 089WG - WOODRIDGE ELEM  
 2439 VTD: 089WK - WHITE OAK  
 2440 VTD: 089YA - YOUNG ROAD  
  
 2441 District 004  
 2442 DeKalb County  
 2443 VTD: 089AC - ATHERTON ELEMENTARY  
 2444 023108:  
 2445 1003 1004 1005 1006 1014 1015 1016 1017 1018 1019 1020 1021  
 2446 1022 1023 1024 1025 1026 1027 1028 1029 1030 1031  
 2447 VTD: 089AE - AVONDALE (AVO)  
 2448 023102:  
 2449 1013  
 2450 VTD: 089AF - HOOPER ALEXANDER  
 2451 022900:  
 2452 3028  
 2453 023101:  
 2454 2002 2003 2013 2014  
 2455 VTD: 089BM - BETHUNE MIDDLE  
 2456 VTD: 089CA - COLUMBIA DRIVE  
 2457 VTD: 089CB - CANBY LANE ELEMENTARY  
 2458 VTD: 089CM - COLUMBIA MIDDLE  
 2459 VTD: 089FL - FLAT SHOALS LIBRARY  
 2460 VTD: 089GE - GLENHAVEN ELEM  
 2461 VTD: 089KE - KNOLLWOOD ELEM  
 2462 VTD: 089MI - MILLER GROVE MIDDLE SCHOOL

2463 023214:  
 2464 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011  
 2465 1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023  
 2466 1024 2004 2005 2006 2007 2015 2016 2017 2018 2019 2020 2021  
 2467 2025  
 2468 VTD: 089MO - MIDWAY ELEM  
 2469 023102:  
 2470 1020 1021 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009  
 2471 2010 2011 2012 2013 2014 2015 2016 2017  
 2472 023107:  
 2473 1017 1018 1023 1024 1025 1026 3000 3001 3002 3003 3004 3005  
 2474 3006 3007 3008 3009 3010 3011 3012 3013 3014 3015  
 2475 VTD: 089MR - BOB MATHIS ELEM  
 2476 VTD: 089PA - PEACHCREST ELEM  
 2477 VTD: 089RA - RAINBOW ELEM  
 2478 VTD: 089SG - SNAPFINGER ELEM  
 2479 VTD: 089SR - SNAPFINGER ROAD  
  
 2480 District 005  
 2481 DeKalb County  
 2482 VTD: 089BL - BOULDERCREST RD  
 2483 023423:  
 2484 3010 3028 3029 3030  
 2485 VTD: 089CC - COLUMBIA ELEMENTARY  
 2486 VTD: 089CL - CLIFTON ELEMENTARY  
 2487 VTD: 089CQ - CANDLER  
 2488 VTD: 089CR - CEDAR GROVE MIDDLE  
 2489 023423:  
 2490 3000 3001 3002 3003 3011  
 2491 023802:  
 2492 2024  
 2493 VTD: 089EB - EASTLAND  
 2494 VTD: 089FC - FLAT SHOALS ELEM  
 2495 VTD: 089FJ - FLAT SHOALS  
 2496 VTD: 089GC - GRESHAM PARK ELEM  
 2497 VTD: 089KA - KELLEY LAKE ELEM  
 2498 VTD: 089ML - MEADOWVIEW ELEM

2499 VTD: 089MP - MCNAIR MIDDLE  
 2500 VTD: 089PN - PINEY GROVE  
 2501 VTD: 089TA - TERRY MILL ELEM  
 2502 VTD: 089TB - TILSON ELEM  
 2503 VTD: 089TC - TONEY ELEM  
 2504 VTD: 089WA - WADSWORTH ELEM  
  
 2505 District 006  
 2506 DeKalb County  
 2507 VTD: 089BJ - BROWN'S MILL ELEMENTARY  
  
 2508 023426:  
 2509 1001 1002 1003 1005 1006 1007 1008 1009 1010 1011 1012 1013  
 2510 1014 1015 1016 1017 1018 1019 1024 1025 1031 2015 2030 2031  
 2511 2032  
 2512 VTD: 089BL - BOULDERCREST RD  
 2513 023423:  
 2514 1013 1014 1015 3008 3009 3012 3013 3014 3015 3016 3017 3019  
 2515 3020 3021 3022 3023 3024 3025 3026 3027 3037 3049 3050 3051  
 2516 3052 3053 3054 3055 3056 3057 3058 3059 3060 3061 3062 3063  
 2517 3064 3065 3066 3067 3068 3069 3070 3071 3072 3073 3074 3075  
 2518 3076 3077 3078 3079 3080 3081 3082  
 2519 VTD: 089CD - CEDAR GROVE ELEMENTARY  
 2520 VTD: 089CG - CHAPEL HILL ELEMENTARY  
 2521 VTD: 089CR - CEDAR GROVE MIDDLE  
 2522 023421:  
 2523 1007 1008 1009 1010 1011  
 2524 023423:  
 2525 2003 2004 2005 2006 2007 2008 2009 2010 2011 2012 2013 2014  
 2526 2026 2027 2028 2029 3004 3005 3006 3007  
 2527 VTD: 089CS - CEDAR GROVE SOUTH  
 2528 VTD: 089FE - FLAT SHOALS PARKWAY  
 2529 VTD: 089FK - FLAKES MILL FIRE  
 2530 VTD: 089HH - NARVIE J HARRIS  
 2531 VTD: 089KC - KELLEY CHAPEL  
 2532 VTD: 089KD - ML KING JR HIGH  
 2533 VTD: 089OV - OAK VIEW ELEM

2534 VTD: 089SS - SNAPFINGER ROAD

2535 023414:

2536 1013 1015 1016 1017 1018 1019 1020 1021 1022 1023 1024 1025

2537 1026

2538 VTD: 089WB - WESLEY CHAPEL SOUTH

2539 As used in this appendix, the term "VTD" (voting tabulation district) shall mean and describe  
 2540 the same geographical boundaries as provided in the report of the Bureau of the Census for  
 2541 the United States decennial census of 2010 for the State of Georgia. The separate numeric  
 2542 designations in a district description which are underneath a VTD heading shall mean and  
 2543 describe individual blocks within a VTD as provided in the report of the Bureau of the  
 2544 Census for the United States decennial census of 2010 for the State of Georgia. Any part of  
 2545 the city which is not included in District 1, 2, 3, 4, 5, or 6 as described in this appendix shall  
 2546 be included within that district contiguous to such part which contains the least population  
 2547 according to the United States decennial census of 2010 for the State of Georgia. Any part  
 2548 of the city which is described in this appendix as being in District 1, 2, 3, 4, 5, or 6 shall  
 2549 nevertheless not be included within such district if such part is not contiguous to such district.  
 2550 Such noncontiguous part shall instead be included within the post that is contiguous to such  
 2551 part which contains the least population according to the United States decennial census of  
 2552 2010 for the State of Georgia. Except as otherwise provided in the description of any district,  
 2553 whenever the description of such district refers to a named city, it shall mean the  
 2554 geographical boundaries of that city as shown on the census map for the United States  
 2555 decennial census of 2010 for the State of Georgia.

2556 APPENDIX C

2557 CERTIFICATE AS TO MINIMUM STANDARDS

2558 FOR INCORPORATION OF A NEW MUNICIPAL CORPORATION

2559 I, Billy Mitchell, Representative from the 88th District, and the author of this bill introduced  
 2560 at the 2017 session of the General Assembly of Georgia, which grants an original municipal  
 2561 charter to the City of Greenhaven, do hereby certify that this bill is in compliance with the  
 2562 minimum standards required by Chapter 31 of Title 36 of the O.C.G.A. in that the area  
 2563 embraced within the original incorporation in this bill is in all respects in compliance with  
 2564 the minimum standards required by Chapter 31 of Title 36 of the O.C.G.A. This certificate  
 2565 is executed to conform to the requirements of Code Section 36-31-5 of the O.C.G.A.

2566 So certified this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

2567

2568

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Honorable Billy Mitchell

Representative, District 88

Georgia State House of Representatives