

House Bill 772

By: Representative Powell of the 171st

A BILL TO BE ENTITLED
AN ACT

1 To provide a new charter for the City of Camilla; to provide for incorporation, boundaries,
2 powers, and construction; to provide for a governing authority, its qualifications, terms, and
3 related matters; to provide for vacancies; to provide for inquiries and investigations; to
4 provide for meetings, procedures, and voting of the governing authority; to provide for
5 powers of the mayor; to provide for departments; to provide for boards, commissions, and
6 authorities; to provide for ordinances; to provide for a city manager; to provide for a city
7 clerk and city attorney; to provide for personnel matters; to provide for a municipal court, its
8 judges, jurisdiction, and powers; to provide for certiorari and rules of the court; to provide
9 for election and removal of members of the governing authority; to provide for budgets; to
10 provide for disposition of municipal property; to provide for taxes, fees, franchises, and other
11 charges and assessments; to provide for bonds and short-term loans; to provide contract
12 procedures; to provide for bonds for officials, prior ordinances, existing personnel and
13 officers, pending matters, and construction; to provide for other matters relative to the
14 foregoing; to provide a specific repealer; to repeal conflicting laws; and for other purposes.

15 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

16 ARTICLE I
17 CREATION, INCORPORATION, POWERS

18 SECTION 1.10.

19 Name.

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

23 **SECTION 1.11.**

24 Corporate boundaries.

25 (a) The boundaries of this city shall be those existing on the effective date of this charter
 26 with such alterations as may be made from time to time in the manner provided by law. The
 27 boundaries of this city at all times shall be shown on a map, a written description of any
 28 combination thereof, to be retained permanently in the office of the city clerk and to be
 29 designated, as the case may be: "Official map of the corporate limits of the City of Camilla,
 30 Georgia." Photographic, typed, or other copies of such map or description certified by the
 31 city clerk shall be admitted as evidence in all courts and shall have the same force and effect
 32 as with the original map or description.

33 (b) The mayor and city council may provide for the redrawing of any such map by ordinance
 34 to reflect lawful changes in the corporate boundaries. A redrawn map shall supersede for all
 35 purposes the entire map or maps which it is designated to replace.

36 **SECTION 1.12.**

37 Powers and construction.

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

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

45 **SECTION 1.13.**

46 Examples of powers.

47 The powers of the city shall include, but not be limited to the power to:

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

53 (2) Appropriations and expenditures. Make appropriations for the support of the
 54 government of the city; to authorize the expenditure of money for any purposes

55 authorized by this charter and for any purpose for which a municipality is authorized by
56 the laws of the State of Georgia; and to provide for the payment of expenses of the city;

57 (3) Building regulations. Regulate and to license the erection and construction of
58 buildings and all other structures; to adopt building, housing, plumbing, electrical, gas
59 and heating and air conditioning codes; and to regulate all housing and building trades;

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

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

70 (6) Contracts. Enter into contracts and agreements with other governmental entities and
71 with private persons, firms, and corporations;

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

76 (8) Environmental protection. Protect and preserve the natural resources, environment,
77 and vital areas of the state through the preservation and improvement of air quality, the
78 restoration and maintenance of water resources, the control of erosion and sedimentation,
79 the management of solid and hazardous waste, and other necessary actions for the
80 protection of the environment;

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

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

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

- 127 (21) Nuisance. Define a nuisance and provide for its abatement, whether on public or
128 private property;
- 129 (22) Penalties. Provide penalties for violation of any ordinances adopted pursuant to the
130 authority of this charter and the laws of the State of Georgia;
- 131 (23) Planning and zoning. Provide comprehensive planning for development by zoning
132 and to provide subdivision regulation and the like as the city council deems necessary and
133 reasonable to ensure a safe, healthy, and aesthetically pleasing community;
- 134 (24) Police and fire protection. Exercise the power of arrest through duly appointed
135 police officers and to establish, operate, or contract for a police and fire-fighting agency;
- 136 (25) Public hazards removal. Provide for the destruction and removal of any building
137 or other structure which is or may become dangerous or detrimental to the public;
- 138 (26) Public improvements. Provide for the acquisition, construction, building, operation,
139 and maintenance of public ways, parks and playgrounds, cemeteries, markets and market
140 houses, public buildings, libraries, public housing, airports, hospitals, terminals, docks,
141 parking facilities, and cultural, educational, recreational, conservation, sporting, curative,
142 corrective, detention, penal, and medical institutions, agencies, and facilities; to provide
143 any other public improvements, inside or outside the corporate limits of the city; to
144 regulate the use of public improvements; and for such purposes, to acquire property by
145 condemnation under Title 22 of the O.C.G.A., or such other applicable laws as are or may
146 hereafter be enacted;
- 147 (27) Public peace. Provide for the prevention and punishment of drunkenness, riots, and
148 public disturbances;
- 149 (28) Public transportation. Organize and operate such public transportation systems as
150 are deemed beneficial;
- 151 (29) Public utilities and services. Grant franchises or make contracts for public utilities
152 and public service companies and to prescribe the rates, fares, regulations, standards, and
153 conditions of service applicable to the service to be provided by the franchise grantee or
154 contractor, insofar as not in conflict with valid regulations of the Public Service
155 Commission;
- 156 (30) Regulation of roadside areas. Prohibit or regulate and control the erection, removal,
157 and maintenance of signs, billboards, trees, shrubs, fences, buildings, and any and all
158 other structures or obstructions upon or adjacent to the rights-of-way of streets and roads
159 or within view thereof, within or abutting the corporate limits of the city, and to prescribe
160 penalties and punishment for violation of such regulations;
- 161 (31) Retirement. Provide and maintain a retirement plan for officers and employees of
162 the city;

- 163 (32) Roadways. Lay out, open, extend, widen, narrow, establish or change the grade of,
164 abandon or close, construct, pave, curb, gutter, adorn with shade trees, or otherwise
165 improve, maintain, repair, clean, prevent erosion of, and light the roads, alleys, and
166 walkways within the corporate limits of the city; to grant franchises and rights-of-way
167 throughout the streets and roads and over the bridges and viaducts for the use of public
168 utilities; and to require real estate owners to repair and maintain in safe condition the
169 sidewalks adjoining their lots or lands and to impose penalties for failure to do so;
- 170 (33) Sewer fees. Levy a fee or charge tax as necessary to ensure the acquiring,
171 constructing, equipping, operating, maintaining, and extending of a sewage disposal plant
172 and sewerage system and to levy on those to whom sewers and sewerage systems are
173 made available a sewer service fee or charge for the availability or use of the sewers; to
174 provide for the manner and method of collecting such service charges and for enforcing
175 payment of the same; and to charge, impose, and collect a sewer connection fee or fees
176 to those connected with the system;
- 177 (34) Solid waste disposal. Provide for the collection and disposal of garbage, rubbish,
178 and refuse and to regulate the collection and disposal of garbage, rubbish, and refuse by
179 other; and to provide for the separate collection of glass, tin, aluminum, cardboard, paper,
180 and other recyclable materials and the sale of such items;
- 181 (35) Special areas of public regulation. Regulate junk dealers, pawn shops, and the
182 manufacture, sale, or transportation of intoxicating liquors; to regulate the transportation,
183 storage, and use of combustible, explosive, and inflammable materials, the use of lighting
184 and heating equipment, and any other business or situation which may be dangerous to
185 persons or property; to regulate and control the conduct of peddlers and itinerant traders,
186 theatrical performances, exhibitions, and shows of any kind, by taxation or otherwise; and
187 to license, tax, regulate, or prohibit professional fortune telling, palmistry, adult
188 bookstores, and massage parlors;
- 189 (36) Special assessments. Levy and provide for the assessments to cover the costs for
190 any public improvements;
- 191 (37) Taxes: ad valorem. Levy and provide for the assessment, valuation, revaluation,
192 and collection of taxes on all property subject to taxation;
- 193 (38) Taxes: other. Levy and collect such other taxes as may be allowed now or in the
194 future by law;
- 195 (39) Taxicabs. Regulate and license vehicles operated for hire in the city; to limit the
196 number of such vehicles; to require the operators thereof to be licensed; to require public
197 liability insurance on such vehicles in the amounts to be prescribed by ordinance; and to
198 regulate the parking of such vehicles;
- 199 (40) Urban redevelopment. Organize and operate an urban redevelopment program; and

200 (41) Other powers. Exercise and enjoy all other powers, functions, rights, privileges, and
 201 immunities necessary or desirable to promote or protect the safety, health, peace, security,
 202 good order, comfort, convenience, or general welfare of the city and its inhabitants; and
 203 to exercise all implied powers necessary or desirable to carry into execution all powers
 204 granted in this charter as fully and completely as if such powers were fully stated herein;
 205 and to exercise all powers now or in the future authorized to be exercised by other
 206 municipal governments under the laws of the State of Georgia. No listing of particular
 207 powers in this charter shall be held to be exclusive of others nor restrictive of general
 208 words and phrases granting powers, but shall be held to be in addition to such powers
 209 unless expressly prohibited to municipalities under the Constitution or applicable laws
 210 of the State of Georgia.

211 **SECTION 1.14.**

212 Exercise of powers.

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

217 **ARTICLE II**

218 **GOVERNMENT STRUCTURE**

219 **SECTION 2.10.**

220 City council creation; number; election.

221 The legislative authority of the government of this city, except as otherwise specifically
 222 provided in this charter, shall be vested in a city council to be composed of a mayor and six
 223 councilmembers. The city council established shall in all respects be a successor to and in
 224 continuation of the governing authority under prior law. The mayor and councilmembers
 225 shall be elected in the manner provided by general law and this charter.

226 **SECTION 2.11.**

227 City council terms and qualifications for office.

228 (a) The mayor and members of the city council shall be registered and qualified to vote in
 229 municipal elections in the city and serve for terms of four years and until their respective
 230 successors are elected and qualified. No person shall be eligible to serve as mayor or

231 councilmember unless that person shall have been a resident of the city for at least 12 months
 232 prior to the date of election of mayor or members of the council; each shall continue to reside
 233 therein during that person's period of service and to be registered and qualified to vote in
 234 municipal elections of this city.

235 (b) No person shall be eligible to serve as councilmember representing a council district
 236 unless that person shall have been a resident of such district for a continuous period of at
 237 least 12 months immediately prior to the date of the election for councilmember. Any
 238 elected councilmember shall continue to reside in his or her respective district during that
 239 person's period of service.

240 **SECTION 2.12.**

241 Vacancy; filling of vacancies.

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

245 (b) Filling of Vacancies. A vacancy in the office of mayor or councilmember shall be filled
 246 for the remainder of the unexpired term, if any, by appointment if less than 12 months
 247 remains in the unexpired term, otherwise by an election, as provided for in Section 5.14 of
 248 this charter and in accordance with Titles 21 and 45 of the O.C.G.A., or other such laws as
 249 are or may hereafter be enacted.

250 **SECTION 2.13.**

251 Compensation and expenses.

252 The mayor and councilmembers shall receive compensation and expenses for their services
 253 as provided by ordinance.

254 **SECTION 2.14.**

255 Holding other office; voting when financially interested.

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

258 (b) Except as authorized by law, neither the mayor nor any councilmember shall hold any
 259 other city office or city employment during the term for which that person was elected.

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

262

SECTION 2.15.

263

Conflicts of interest; holding other offices.

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

266 (b) Conflict of interest. No elected official, appointed officer, or employee of the city or any
 267 agency or political entity to which this charter applies shall knowingly:

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

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

276 (3) Disclose confidential information, including information obtained at meetings which
 277 are closed pursuant to Title 50, Chapter 14 of the Official Code of Georgia Annotated,
 278 concerning the property, government, or affairs of the governmental body by which the
 279 official is engaged without proper legal authorization; or use such information to advance
 280 the financial or other private interests of the official or others;

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

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

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

291 (c) Disclosure. Any elected official, appointed officer, or employee who shall have any
 292 financial interest, directly or indirectly, in any contract or matter pending before or within
 293 any department of the city shall disclose such interest to the city council. The mayor or any
 294 councilmember who has a financial interest in any matter pending before the city council
 295 shall disclose such interest and such disclosure shall be entered on the records of the city
 296 council, and that official shall disqualify himself or herself from participating in any decision
 297 or vote relating thereto. Any elected official, appointed officer, or employee of any agency

298 or political entity to which this charter applies who shall have any financial interest, directly
 299 or indirectly, in any contract or matter pending before or within such entity shall disclose
 300 such interest to the governing body of such agency or entity.

301 (d) Use of public property. No elected official, appointed officer, or employee of the city
 302 or any agency or entity to which this charter applies shall use property owned by such
 303 governmental entity for personal benefit or profit but shall use such property only in his or
 304 her capacity as an officer or employee of the city.

305 (e) Contacts voidable and rescindable. Any violation of this section which occurs with the
 306 knowledge, express or implied, of a party to a contract or sale shall render said contract or
 307 sale voidable at the option of the city council.

308 (f) Ineligibility of elected official. Except where authorized by law, neither the mayor nor
 309 any councilmember shall hold any other elective or appointive office in the city or otherwise
 310 be employed by said government or any agency thereof during the term for which that
 311 official was elected. No former mayor or former councilmember shall hold any appointive
 312 office in the city until one year after the expiration of the term for which that official was
 313 elected.

314 (g) Political activities of certain officers and employees. No appointive officer of the city
 315 shall continue in such employment upon qualifying as a candidate for nomination or election
 316 to any public office. No employee of the city shall continue in such employment upon
 317 qualifying for or election to any public office in this city or any other public office which is
 318 inconsistent, incompatible or in conflict with the duties of the city employee. Such
 319 determination shall be made by the mayor and council either immediately upon election or
 320 at any time such conflict may arise.

321 (h) Penalties for violation:

322 (1) Any city officer or employee who knowingly conceals such financial interest or
 323 knowingly violates any of the requirements of this section shall be guilty of malfeasance
 324 in office or position and shall be deemed to have forfeited that person's office or position;
 325 and

326 (2) Any officer or employee of the city who shall forfeit an office or positions as
 327 described in paragraph (1) above, shall be ineligible for appointment or election to or
 328 employment in a position in the city government for a period of three years thereafter.

329 **SECTION 2.16.**

330 Inquiries and investigations.

331 Following the adoption of an authorizing resolution, the city council may make inquiries and
 332 investigations into the affairs of the city and the conduct of any department, office, or agency

333 thereof and for this purpose may subpoena witnesses, administer oaths, take testimony, and
334 require the production of evidence. Any person who fails or refuses to obey a lawful order
335 issued in the exercise of these powers by the city council shall be punished as provided by
336 ordinance.

337 **SECTION 2.17.**

338 General power and authority of the city council.

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

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

348 **SECTION 2.18.**

349 Eminent domain.

350 The city council is hereby empowered to acquire, construct, operate, and maintain public
351 ways, parks, public grounds, cemeteries, markets, market houses, public buildings, libraries,
352 sewers, drains, sewage treatment, waterworks, electrical system, gas systems, airports,
353 hospitals, and charitable, educational, recreational, sport, curative, corrective, detention,
354 penal, and medical institutions, agencies, and facilities, and any other public improvements
355 inside or outside the city, and to regulate the use thereof; and for such purposes, property
356 may be condemned under procedures established under general law applicable now or as
357 provided in the future.

358 **SECTION 2.19.**

359 Organizational meetings.

360 The city council shall hold an organizational meeting on the second Monday in January of
361 each year following each municipal election. The meeting shall be called to order by the city
362 clerk, and the oath of office shall be administered to the newly elected members by a judicial

363 officer authorized to administer oaths, to the extent it is in accordance with state and federal
364 law as follows:

365 "I do solemnly (swear)(affirm) that I will faithfully perform the duties of (mayor)
366 (councilmember) of this city and that I will support and defend the charter thereof as well
367 as the Constitution and laws of the State of Georgia and of the United States of America.
368 I am not the holder of any unaccounted for public money due this state or any political
369 subdivision or authority thereof. I am not the holder of any office of trust under the
370 government of the United States, any other state, or any foreign state which I am by the
371 laws of the State of Georgia prohibited from holding. I am otherwise qualified to hold said
372 office according to the Constitution and laws of Georgia. I have been a resident [of my
373 district and] the City of Camilla for the time required by the Constitution and laws of this
374 state and by the municipal charter. I will perform the duties of my office in the best interest
375 of the City of Camilla to the best of my ability without fear, favor, affection, reward, or
376 expectation thereof."

377 **SECTION 2.20.**

378 Regular and special meetings.

379 (a) The city council shall hold regular meetings at such times and places as shall be
380 prescribed by ordinance.

381 (b) Special meetings of the city council may be held on call of the mayor or three members
382 of the city council. Notice of such special meetings shall be served on all other members
383 personally, or by telephone personally, at least 24 hours in advance of the meeting. Such
384 notice to councilmembers shall not be required if the mayor and all councilmembers are
385 present when the special meeting is called. Such notice of any special meeting may be
386 waived by a councilmember in writing before or after such a meeting, and attendance at the
387 meeting shall constitute a waiver of notice on any business transacted in such
388 councilmember's presence. Only the business stated in the call may be transacted at the
389 special meeting.

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

394 **SECTION 2.21.**

395 Rules of procedure.

396 The city council shall adopt its rules of procedure and order of business consistent with the
397 provisions of this charter and shall provide for keeping a journal of its proceedings, which
398 shall be a public record.

399 **SECTION 2.22.**

400 Quorum: voting.

401 Four councilmembers shall constitute a quorum and shall be authorized to transact business
402 of the city council. Voting on the adoption of ordinances shall be by voice vote, and the vote
403 shall be recorded in the journal. Any member of the city council shall have the right to
404 request a roll call vote, and such vote shall be recorded in the journal. Except as otherwise
405 provided in this charter, the affirmative vote of four councilmembers shall be required for
406 the adoption of any ordinance, resolution, or motion. An abstention shall be counted as a
407 negative vote.

408 **SECTION 2.23.**

409 Ordinance form; procedures.

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

414 (b) An ordinance may be introduced by any councilmember and read at a regular or special
415 meeting of the city council. Upon introduction of any ordinance, the clerk shall as soon as
416 possible distribute a copy to the mayor and to each councilmember and shall file a reasonable
417 number of copies in the office of the clerk and at such other public places as the city council
418 may designate. An ordinance must be read at two different meetings (either regularly
419 scheduled or called meetings at least 48 hours apart) of the mayor and city council unless all
420 members of the city council vote to waive the rules and read the proposed ordinance twice
421 at one meeting.

422 **SECTION 2.24.**

423 Action requiring an ordinance.

424 Actions of the city council which have the force and effect of law shall be enacted by
425 ordinance.

426 **SECTION 2.25.**

427 Emergencies.

428 (a) To meet a public emergency affecting life, health, property, or public peace, the city
429 council may convene on call of the mayor or three councilmembers and promptly adopt an
430 emergency ordinance, but such ordinance may not levy taxes; grant, renew, or extend a
431 franchise; regulate the rate charged by any public utility for its services; or authorize the
432 borrowing of money except for loans to be repaid within 30 days. An emergency ordinance
433 shall be introduced in the form prescribed for ordinances generally, except that it shall be
434 plainly designated as an emergency ordinance and shall contain, after the enacting clause,
435 a declaration stating that an emergency exists, and describing the emergency in clear and
436 specific terms. An emergency ordinance may be adopted, with or without amendment, or
437 rejected at the meeting at which it is introduced, but the affirmative vote of at least four
438 councilmembers shall be required for adoption. It shall become effective upon adoption or
439 at such later time as it may specify. Every emergency ordinance shall automatically stand
440 repealed 30 days following the date upon which it was adopted, but this shall not prevent
441 reenactment of the ordinance in the manner specified in this section if the emergency still
442 exists. An emergency ordinance may also be repealed by adoption of a repealing ordinance
443 in the same manner specified in this section for adoption of emergency ordinances.

444 (b) Such meetings shall be open to the public to the extent required by law, and notice to the
445 public of emergency meetings shall be made as fully as is reasonably possible in accordance
446 with Code Section 50-14-1 of the Official Code of Georgia Annotated, or such other
447 applicable laws as are or may hereafter be enacted.

448 **SECTION 2.26.**

449 Codes of technical regulations.

450 (a) The city council may adopt any standard code of technical regulations by reference
451 thereto in an adopting ordinance. The procedures and requirements governing such adopting
452 ordinance shall be as prescribed for ordinances generally except that:

453 (1) The requirements of Section 2.23(b) for distribution and filing of copies of the
 454 ordinance shall be construed to include copies of any code of technical regulations, as
 455 well as the adopting ordinance; and

456 (2) A copy of each adopted code of technical regulations, as well as the adopting
 457 ordinance, shall be authenticated and recorded by the clerk pursuant to Section 2.27.

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

460 **SECTION 2.27.**

461 Signing, authenticating; recording; codification; printing.

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

464 (b) The city council shall provide for the preparation of general codification of all
 465 ordinances of the city having the force and effect of law. The general codification shall be
 466 adopted by the city council by ordinance and shall be published promptly, together with all
 467 amendments thereto and such codes of technical regulations and other rules and regulations
 468 as the city council may specify. The compilation shall be known and cited officially as "The
 469 Code of the City of Camilla, Georgia." Copies of the code shall be furnished to all officers,
 470 departments, and agencies of the city and made available for purchase by the public at a
 471 reasonable price as fixed by the city council.

472 (c) The city council shall cause each ordinance and each amendment to this charter to be
 473 printed promptly following its adoption, and the printed ordinances and charter amendments
 474 shall be made available for purchase by the public at reasonable prices to be fixed by the city
 475 council. Following publication of this first code under this charter and at all times thereafter,
 476 the ordinances and charter amendments shall be printed in substantially the same style as the
 477 code currently in effect and shall be suitable in form for incorporation therein. The city
 478 council shall make such further arrangements as deemed desirable, with reproduction and
 479 distribution of any current change in the code or additions to codes of technical regulations
 480 and other rules and regulations included in the code.

481 **SECTION 2.28.**

482 City manager; appointment; qualifications; compensation.

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

486

SECTION 2.29.

487

Removal of city manager.

488 (a) The city council may remove the manager from office in accordance with the following
489 procedures:

490 (1) The city council shall adopt by affirmative vote of a majority of all its members a
491 preliminary resolution which must state the reasons for removal and may suspend the
492 manager from duty for a period not to exceed 45 days. A copy of the resolution shall be
493 delivered promptly to the manager;

494 (2) Within five days after a copy of the resolution is delivered to the manager, the
495 manager may file with the city council a written request for a public hearing. This
496 hearing shall be held within 30 days after the request is filed. The manager may file with
497 the council a written reply not later than five days before the hearing; and

498 (3) If the manager has not requested a public hearing within the time specified in
499 paragraph (2) above, the city council may adopt a final resolution for removal, which may
500 be made effective immediately, by an affirmative vote of a majority of all its members.
501 If the manager has requested a public hearing, the city council may adopt a final
502 resolution for removal, which may be made effective immediately, by an affirmative vote
503 of a majority of all its members at any time after the public hearing.

504 (b) The manager may continue to receive a salary until the effective date of the final
505 resolution of removal.

506

SECTION 2.30.

507

Acting city manager.

508 By letter filed with the city clerk, the manager shall designate, subject to approval of the city
509 council, a qualified city administrative officer to exercise the powers and perform the duties
510 of manager during the manager's temporary absence or physical or mental disability. During
511 such absence or disability, the city council may revoke such designation at any time and
512 appoint another officer of the city to serve until the manager shall return or the manager's
513 disability shall cease.

514

SECTION 2.31.

515

Powers and duties of the city manager.

516 The city manager shall be the chief executive and administrative officer of the city. The
517 manager shall be responsible to the city council for the administration of all city affairs

518 placed in the manager's charge by or under this charter. As the chief executive and
519 administrative officer, the manager shall:

520 (1) Appoint and, when the manager deems it necessary for the good of the city, suspend
521 or remove all city employees and administrative officers the manager appoints, except
522 as otherwise provided by law or personnel ordinances adopted pursuant to this charter.

523 The manager may authorize any administrative officer who is subject to the manager's
524 direction and supervision to exercise these powers with respect to subordinates in that
525 officer's department, office or agency;

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

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

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

534 (5) Prepare and submit the annual operating budget and capital budget to the city
535 council;

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

538 (7) Make such other reports as the city council may require concerning the operations
539 of city departments, offices, and agencies subject to the manager's direction and
540 supervision;

541 (8) Keep the city council fully advised as to the financial condition and future needs of
542 the city, and make such recommendations to the city council concerning the affairs of the
543 city as the manager deems desirable; and

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

546 **SECTION 2.32.**

547 Council interference with administration.

548 Except for the purpose of inquiries and investigations under Section 2.15, the city council or
549 its members shall deal with city officers and employees who are subject to the direction and
550 supervision of the manager solely through the manager, and neither the city council nor its
551 members shall give orders to any such officer or employee, either publicly or privately.

552 **SECTION 2.33.**

553 Selection of mayor pro tem.

554 The council shall elect from among its members a mayor pro tem who shall act as mayor
 555 during the absence or disability of the mayor, but shall vote only once on matters before the
 556 council and, if a vacancy occurs, shall become mayor for the remainder of the expired term.

557 **SECTION 2.34.**

558 Powers and duties of mayor.

559 The mayor shall:

- 560 (1) Preside at all meetings of the city council;
 561 (2) Be the head of the city for the purpose of service of process and for ceremonial
 562 purposes, and be the official spokesperson for the city and the chief advocate of policy;
 563 (3) Have the power to administer oaths and to take affidavits;
 564 (4) Sign as a matter of course on behalf of the city all written and approved contracts,
 565 ordinances, and other instruments executed by the city which by law are required to be
 566 in writing;
 567 (5) Vote on matters before the city council only in the case of a tie or when the vote is
 568 necessary for a majority for or against any matter; and
 569 (6) Fulfill such other executive and administrative duties as the city council shall by
 570 ordinance establish.

571 **ARTICLE III**572 **ADMINISTRATIVE AFFAIRS**573 **SECTION 3.10.**

574 Administrative and service departments.

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

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

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

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

588 **SECTION 3.11.**

589 **Boards, commissions, and authorities.**

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

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

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

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

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

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

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

611 (h) Except as otherwise provided by this charter or by law, each board, commission, or
612 authority of the city shall elect one of its members as chairperson and one member as
613 vice-chairperson and may elect as its secretary one of its own members or may appoint as
614 secretary an employee of the city. Each board, commission, or authority of the city
615 government may establish such bylaws, rules, and regulations not inconsistent with this
616 charter, ordinances of the city, or laws as it deems appropriate and necessary for the
617 fulfillment of its duties or the conduct of its affairs. Copies of such bylaws, rules, and
618 regulations shall be filed with the city clerk.

619 **SECTION 3.12.**

620 City attorney.

621 The city council shall appoint a city attorney, together with such assistant city attorneys as
622 may be authorized, and shall provide for the payment of such attorney or attorneys for
623 services rendered to the city. The city attorney shall be responsible for providing for the
624 representation and defense of the city in all litigation in which the city is a part; may be the
625 prosecuting officer in the municipal court; shall attend the meetings of the city council as
626 directed; shall advise the city council, mayor, and other officers and employees of the city
627 concerning the legal aspects of the city's affairs; and shall perform other such duties as may
628 be required by virtue of the person's position as city attorney.

629 **SECTION 3.13.**

630 City clerk.

631 The city manager shall appoint a city clerk who shall not be a councilmember. The city clerk
632 shall be custodian of the official city seal and city records, maintain city council records
633 required by this charter, and perform such other duties as may be required by the city council.

634 **SECTION 3.14.**

635 Position classification and pay plans.

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

642 **SECTION 3.15.**

643 Personnel policies.

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

646 ARTICLE IV
 647 JUDICIAL BRANCH
 648 **SECTION 4.10.**
 649 Creation; name.

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

651 **SECTION 4.11.**
 652 Chief judge; associate judge.

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

655 (b) No person shall be qualified or eligible to serve as a judge on the municipal court unless
 656 that person shall possess all qualifications required by law. All judges shall be appointed by
 657 the city council and shall serve until a successor is appointed and qualified.

658 (c) Compensation of the judge shall be fixed by ordinance.

659 (d) Judges may be removed from office in compliance with Code Section 36-32-2.1 of the
 660 O.C.G.A.

661 (e) Before assuming office, each judge shall take an oath, given by the mayor, that he or she
 662 will honestly and faithfully discharge the duties of the office to the best of his or her ability
 663 and without fear, favor, or partiality. The oath shall be entered upon the minutes of the city
 664 council journal required in Section 2.21 of this charter.

665 **SECTION 4.12.**
 666 Convening.

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

668 **SECTION 4.13.**
 669 Jurisdiction; powers.

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

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

674 (c) The municipal court may fix punishment for offenses within its jurisdiction not
 675 exceeding a fine of \$1,000.00 or imprisonment for 180 days, or both.

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

679 (e) The municipal court shall have the authority to establish bail and recognizances to ensure
 680 the presence of those charged with violations before said court and shall have discretionary
 681 authority to accept cash or personal or real property as surety for the appearance of persons
 682 charged with violations. Whenever any person shall give bail for such person's appearance
 683 and shall fail to appear at the time fixed for trial, the bond shall be forfeited by the judge
 684 presiding at such time and an execution issued thereon by serving the defendant and the
 685 defendant's sureties with a rule nisi, at least two days before a hearing on the rule nisi. In the
 686 event that cash or property is accepted in lieu of bond for security for the appearance of a
 687 defendant at trial, and if such defendant fails to appear at the time and placed fixed for trial,
 688 the cash so deposited shall be on order of the judge and declared forfeited to the city, or the
 689 property so deposited shall have a lien against it for the value forfeited, which lien shall be
 690 enforceable in the same manner and to the same extent as a lien for city property taxes.

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

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

697 (h) Each judge of the municipal court shall be authorized to issue warrants for the arrest of
 698 persons charged with offenses against any ordinance of the city.

699 **SECTION 4.14.**

700 Certiorari.

701 The right of certiorari from the decision and judgment of the municipal court shall exist in
 702 all criminal cases and ordinance violation cases, and such certiorari shall be obtained under
 703 the sanction of a judge of the Superior Court of Mitchell County under the laws of the State
 704 of Georgia regulating the granting and issuance of writs of certiorari.

705 **SECTION 4.15.**

706 Rules for court.

707 With the approval of the city council, the judge shall have full power and authority to make
 708 reasonable rules and regulations necessary and proper to secure the efficient and successful

709 administration of the municipal court; provided, however, that the city council may adopt in
 710 part or in total the rules and regulations applicable to municipal courts. The rules and
 711 regulations made or adopted shall be filed with the city clerk and shall be available for public
 712 inspection and, upon request, a copy shall be furnished to all defendants in municipal court
 713 proceedings at least 48 hours prior to said proceedings.

714 **ARTICLE V**

715 **ELECTIONS AND REMOVAL**

716 **SECTION 5.10.**

717 Applicability of general law.

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

720 **SECTION 5.11.**

721 Election of the city council and mayor.

722 (a) There shall be a municipal general election held on the Tuesday next following the first
 723 Monday in November in each odd-numbered year.

724 (b) The members of the governing authority elected in the November 2015 and November
 725 2017 general elections shall continue in office for the terms to which they were elected and
 726 until their successors are elected and qualified as provided in this charter.

727 (c) At the 2019 municipal general election and at every other election thereafter, there shall
 728 be elected the mayor at-large, one councilmember from District 1, Post 1, and one
 729 councilmember from District 2, Post 1. The remaining city council seats, which shall include
 730 District 1, Post 2; District 1, Post 3; District 2, Post 2; and District 2, Post 3, shall be filled
 731 at the 2021 municipal general election and at every other election thereafter.

732 (d) The mayor and councilmembers shall take office on January 1 following their election
 733 for terms of four years and until their successors are elected and qualified.

734 **SECTION 5.12.**

735 Nonpartisan elections.

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

738 **SECTION 5.13.**

739 Election by majority.

740 The person or persons who shall receive the highest number of votes at an election for any
741 city office shall be declared duly elected.

742 **SECTION 5.14.**

743 Special elections; vacancies.

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

751 **SECTION 5.15.**

752 Other provisions.

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

756 **SECTION 5.16.**

757 Removal of officers.

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

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

763 (1) Following a hearing at which an impartial panel shall render a decision. In the event
764 an elected officer is sought to be removed by action of the city council, such officer shall
765 be entitled to a written notice specifying the ground or grounds for removal and to a
766 public hearing that shall be held not less than ten days after the service of such written
767 notice. The city council shall provide by ordinance for the manner in which such

768 hearings shall be held. Any elected officer sought to be removed from office as herein
 769 provided shall have the right of appeal from the decision of the city council to the
 770 Superior Court of Mitchell County. Such appeal shall be governed by the same rules as
 771 govern appeals to the superior court from the probate court; or

772 (2) By an order of the Superior Court of Mitchell County following a hearing on a
 773 complaint seeking such removal brought by any resident of the City of Camilla.

774 **ARTICLE VI**
 775 **FINANCE**
 776 **SECTION 6.10.**
 777 **Property tax.**

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

784 **SECTION 6.11.**
 785 **Millage rate; due dates; payment methods.**

786 The city council by ordinance shall establish a millage rate for the city property tax, a due
 787 date, and the time period within which these taxes shall be paid. The city council by
 788 ordinance may provide for the payment of these taxes by installments or in one lump sum
 789 and authorize the voluntary payment of taxes prior to the due date.

790 **SECTION 6.12.**
 791 **Occupation and business taxes.**

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

796

SECTION 6.13.

797

Regulatory fees; permits.

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

803

SECTION 6.14.

804

Franchises.

805 The city council shall have the power to grant franchises for the use of this city's streets and
806 alleys for the purpose of railroads, street railways, telephone companies, electric companies,
807 electric membership corporations, cable television and other telecommunications companies,
808 gas companies, transportation companies, and other similar organizations. The city council
809 shall determine the duration, terms, whether the same shall be exclusive or nonexclusive, and
810 the consideration for such franchises; provided, however, that no franchise shall be granted
811 for a period in excess of 35 years and no franchise shall be granted unless the city receives
812 just and adequate compensation therefor. The city council shall provide for the registration
813 of all franchises with the city clerk in registration within a reasonable time of all franchises
814 previously granted.

815

SECTION 6.15.

816

Service charges.

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

821

SECTION 6.16.

822

Special assessments.

823 The city council by ordinance shall have the power to assess and collect the cost of
824 constructing, reconstructing, widening, or improving any public way, street, sidewalk,

825 curbing, gutters, sewers, or other utility mains and appurtenances from the abutting property
826 owners. If unpaid, such cost shall be collected as provided in Section 6.18 of this charter.

827 **SECTION 6.17.**

828 Construction; other taxes and fees.

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

832 **SECTION 6.18.**

833 Collection of delinquent taxes and fees.

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

841 **SECTION 6.19.**

842 General obligation bonds.

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

847 **SECTION 6.20.**

848 Revenue bonds.

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

852 **SECTION 6.21.**

853 Short-term loans.

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

856 **SECTION 6.22.**

857 Lease-purchase contracts.

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

865 **SECTION 6.23.**

866 Fiscal year.

867 The city council shall set the fiscal year by ordinance. This fiscal year shall constitute the
868 budget year and the year for financial accounting and reporting of each and every office,
869 department, agency, and activity of the city government unless otherwise provided by state
870 or federal law.

871 **SECTION 6.24.**

872 Preparation of budgets.

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

877

SECTION 6.25.

878

Submission of operating budget to city council.

879 On or before a date fixed by the city council but not later than 60 days prior to the beginning
880 of each fiscal year, the city manager shall submit to the city council a proposed operating
881 budget for the ensuing fiscal year. The budget shall be accompanied by a message from the
882 city manager containing a statement of the general fiscal policies of the city, the important
883 features of the budget, explanations of major changes recommended for the next fiscal year,
884 a general summary of the budget, and other such pertinent comments and information. The
885 operating budget and the capital budget hereinafter provided for, the budget message, and
886 all supporting documents shall be filed in the office of the city clerk and shall be open to
887 public inspection.

888

SECTION 6.26.

889

Action by city council on budget.

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

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

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

908 **SECTION 6.27.**

909 Tax levies.

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

916 **SECTION 6.28.**

917 Changes in appropriations.

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

922 **SECTION 6.29.**

923 Capital budget.

924 (a) On or before the date fixed by the city council but no later than 60 days prior to the
 925 beginning of each fiscal year, the city manager shall submit to the city council a proposed
 926 capital improvements plan with a recommended capital budget containing the means of
 927 financing the improvements proposed for the ensuing fiscal year. The city council shall have
 928 power to accept, with or without amendments, or reject the proposed plan and proposed
 929 budget. The city council shall not authorize an expenditure for the construction of any
 930 building, structure, work, or improvement unless the appropriations for such project are
 931 included in the capital budget, except to meet a public emergency as provided in Section 2.25
 932 of this charter.

933 (b) The city council shall adopt by ordinance the final capital budget for the ensuing fiscal
 934 year not later than the first day of each fiscal year. No appropriation provided for in a prior
 935 capital budget shall lapse until the purpose for which the appropriation was made shall have
 936 been accomplished or abandoned; provided, however, that the city manager may submit
 937 amendments to the capital budget at any time during the fiscal year accompanied by
 938 recommendations. Any such amendments to the capital budget shall become effective only
 939 upon adoption by ordinance.

940 **SECTION 6.30.**

941 Independent audit.

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

947 **SECTION 6.31.**

948 Contracting procedures.

949 No contract with the city shall be binding on the city unless it is:

950 (1) In writing;

951 (2) Drawn by or submitted to and reviewed by the city attorney, and as a matter of
952 course, signed by the city attorney to indicate such drafting or review; and

953 (3) Made or authorized by the city council and such approval is entered in the city
954 council journal of proceedings pursuant to Section 2.21 of this charter.

955 **SECTION 6.32.**

956 Centralized purchasing.

957 The city council may by ordinance prescribe procedures for a system of centralized
958 purchasing for the city.

959 **SECTION 6.33.**

960 Sale and lease of city property.

961 The city council may sell and convey or lease any real or personal property owned or held
962 by the city for governmental or other purposes as now or hereafter provided by law.

963 ARTICLE VII
964 GENERAL PROVISIONS
965 SECTION 7.10.
966 Bonds for officials.

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

970 SECTION 7.11.
971 Existing ordinances, resolutions, rules, and regulations.

972 Existing ordinances, resolutions, rules, and regulations of this city not in conflict with this
973 charter shall continue in force, unless repealed or amended by the city council.

974 SECTION 7.12.
975 Existing personnel and officers.

976 Except as specifically provided otherwise by this charter, all personnel and officers of the
977 city and their rights, privileges, and powers shall continue beyond the time this charter takes
978 effect for a period of 180 days before or during which the existing city council shall pass a
979 transition ordinance detailing the changes in personnel and appointive officers required or
980 desired and arranging such titles, rights, privileges and powers as may be required or desired
981 to allow a reasonable transition.

982 SECTION 7.13.
983 Pending matters.

984 Except as specifically provided otherwise by this charter, all rights, claims, actions, orders,
985 contracts, and legal administrative proceedings shall continue, and any such ongoing work
986 or cases shall be completed by such city agencies, personnel, or offices as may be provided
987 by the city council.

988 **SECTION 7.14.**

989 Construction.

990 (a) Section captions in this charter are informative only and are to be considered as a part
991 thereof.

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

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

995 **SECTION 7.15.**

996 Specific repealer.

997 An Act to provide a new charter for the City of Camilla, approved March 27, 1972 (Ga. L.
998 1972, p. 2919), as amended, is hereby repealed.

999 **SECTION 7.16.**

1000 General repealer.

1001 All laws and parts of laws in conflict with this Act are repealed.