

The House Committee on Governmental Affairs offers the following substitute to HB 626:

A BILL TO BE ENTITLED  
AN ACT

1 To incorporate the City of Sharon Springs; to provide a charter; to provide for boundaries  
2 and powers of the city; to provide for a governing authority of such city and the powers,  
3 duties, authority, election, terms, vacancies, compensation, expenses, qualifications,  
4 prohibitions, conflicts of interest, and suspension and removal from office relative to  
5 members of such governing authority; to provide for inquiries and investigations; to provide  
6 for oaths, organization, meetings, quorum, voting, rules, and procedures; to provide for  
7 ordinances and codes; to provide for rules and regulations; to provide for a mayor and mayor  
8 pro tempore and certain duties, powers, and other matters relative thereto; to provide for a  
9 city manager; to provide for administrative affairs and responsibilities; to provide for boards,  
10 commissions, and authorities; to provide for a city attorney, a city clerk, and other personnel  
11 and matters relating thereto; to provide for a municipal court and the judge or judges thereof  
12 and other matters relative to those judges; to provide for the court's jurisdiction, powers,  
13 practices, and procedures; to provide for the right of certiorari; to provide for elections; to  
14 provide for taxation, licenses, and fees; to provide for franchises, service charges, and  
15 assessments; to provide for bonded and other indebtedness; to provide for auditing,  
16 accounting, budgeting, and appropriations; to provide for city contracts and purchasing; to  
17 provide for the conveyance of property and interests therein; to provide for bonds for  
18 officials; to provide for a referendum; to provide for prior ordinances and rules, pending  
19 matters, and existing personnel; to provide for penalties; to provide for definitions and  
20 construction; to provide for other matters relative to the foregoing; to provide for effective  
21 dates; to repeal conflicting laws; and for other purposes.

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:



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 regulation. To 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) Contracts. To enter into contracts and agreements with other governmental entities  
61 and with private persons, firms, and corporations;

62 (5) Emergencies. To establish procedures for determining and proclaiming that an  
63 emergency situation exists within or outside the city and to make and carry out all  
64 reasonable provisions deemed necessary to deal with or meet such an emergency for the  
65 protection, safety, health, or well-being of the citizens of the city;

66 (6) Environmental protection. To protect and preserve the natural resources,  
67 environment, and vital areas of the state through the preservation and improvement of air  
68 quality, the restoration and maintenance of water resources, the control of erosion and  
69 sedimentation, the management of solid and hazardous waste, and other necessary actions  
70 for the protection of the environment;

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

75 (8) General health, safety, and welfare. To define, regulate, and prohibit any act,  
76 practice, conduct, or use of property which is detrimental to health, sanitation,  
77 cleanliness, welfare, and safety of the inhabitants of the city and to provide for the  
78 enforcement of such standards;

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

82 (10) Health and sanitation. To prescribe standards of health and sanitation and to  
83 provide for the enforcement of such standards;

84 (11) Jail sentences. To provide that persons given jail sentences in the municipal court  
85 may work out such sentences in any public works or on the streets, roads, drains, and  
86 other public property in the city; to provide for commitment of such persons to any jail;  
87 or to provide for commitment of such persons to any county work camp or county jail by  
88 agreement with the appropriate county officials;

89 (12) Municipal agencies and delegation of power. To create, alter, or abolish  
90 departments, boards, offices, commissions, and agencies of the city and to confer upon

91 such agencies the necessary and appropriate authority for carrying out all the powers  
92 conferred upon or delegated to the same;

93 (13) Municipal debts. To appropriate and borrow money for the payment of debts of the  
94 city and to issue bonds for the purpose of raising revenue to carry out any project,  
95 program, or venture authorized by this charter or the laws of the State of Georgia;

96 (14) Municipal property ownership. To acquire, dispose of, lease, and hold in trust or  
97 otherwise any real, personal, or mixed property, in fee simple or lesser interest, inside or  
98 outside the property limits of the city;

99 (15) Municipal property protection. To provide for the preservation and protection of  
100 property and equipment of the city and the administration and use of same by the public;  
101 and to prescribe penalties and punishment for violations thereof;

102 (16) Nuisance. To define a nuisance and provide for its abatement whether on public or  
103 private property;

104 (17) Penalties. To provide penalties for violation of any ordinances adopted pursuant to  
105 the authority of this charter and the laws of the State of Georgia;

106 (18) Planning and zoning. To provide comprehensive city planning for development by  
107 zoning; and to provide subdivision regulation and the like as the city council deems  
108 necessary and reasonable to ensure a safe, healthy, and aesthetically pleasing community;

109 (19) Public hazards; removal. To provide for the destruction and removal of any  
110 building or other structure which is or may become dangerous or detrimental to the  
111 public;

112 (20) Public improvements. To provide for the acquisition, construction, building,  
113 operation, and maintenance of parks and playgrounds, public grounds, recreational  
114 facilities, public buildings, and charitable, cultural, educational, recreational,  
115 conservation, and sport institutions, agencies, and facilities; and to regulate the use of  
116 public improvements;

117 (21) Public utilities and services. To grant franchises or make contracts for or impose  
118 taxes on public utilities and public service companies and to prescribe the rates, fares,  
119 regulations, and standards and conditions of service applicable to the service to be  
120 provided by the franchise grantee or contractor, insofar as not in conflict with valid  
121 regulations of the Georgia Public Service Commission;

122 (22) Regulation of roadside areas. To prohibit or regulate and control the erection,  
123 removal, and maintenance of signs, billboards, trees, shrubs, fences, buildings, and any  
124 and all other structures or obstructions upon or adjacent to the rights of way of streets and  
125 roads or within view thereof, within or abutting the corporate limits of the city; and to  
126 prescribe penalties and punishment for violation of such ordinances;

- 127 (23) Retirement. To provide and maintain a retirement plan for officers and employees  
128 of the city;
- 129 (24) Roadways. To grant franchises and rights of way throughout the streets and roads  
130 and over the bridges and viaducts for the use of public utilities; and to require real estate  
131 owners to repair and maintain in a safe condition the sidewalks adjoining their lots or  
132 lands and to impose penalties for failure to do so;
- 133 (25) Special areas of public regulation. To regulate or prohibit junk dealers, pawn shops,  
134 and the manufacture, sale, or transportation of any intoxicating liquors or alcoholic  
135 beverages; to regulate the transportation, storage, and use of combustible, explosive, and  
136 inflammable materials, the use of lighting and heating equipment, and any other business  
137 or situation which may be dangerous to persons or property; to regulate and control the  
138 conduct of peddlers and itinerant traders, theatrical performances, exhibitions, and shows  
139 of any kind, by taxation or otherwise; and to license, tax, regulate, or prohibit  
140 professional fortunetelling, palmistry, adult bookstores, and massage parlors;
- 141 (26) Special assessments. To levy and provide for the collection of special assessments  
142 to cover the costs for any public improvements;
- 143 (27) Taxes: ad valorem. To levy and provide for the assessment, valuation, revaluation,  
144 and collection of taxes on all property subject to taxation subject to a maximum of  
145 0.5 mill; provided, however, that for the purposes of compliance with Code Section  
146 48-8-91 of the O.C.G.A., the millage rate may be adjusted upward for the sole purpose  
147 of complying with the millage rate rollback provisions set forth therein. For the purposes  
148 of this paragraph, the term "qualified voters" means those voters of the city who are  
149 qualified to vote in city elections and cast a vote for or against such measure in such  
150 referendum. The question to be presented to the voters in the referendum on increasing  
151 the millage rate shall be "Do you approve increasing taxes on residential and  
152 nonresidential property for City of Sharon Springs property owners by raising from  
153 [current millage rate] to [proposed millage rate] the operating budget millage rate, which  
154 was capped in the original charter for the city?" If such millage rate increase is approved  
155 by the qualified voters of the City of Sharon Springs voting in the referendum, the new  
156 rate shall become the maximum limit until changed again by resolution of the city council  
157 and approval by a majority of the qualified voters of the City of Sharon Springs voting  
158 in a referendum;
- 159 (28) Taxes: other. To levy and collect such other taxes as may be allowed now or in the  
160 future by law; and
- 161 (29) Taxicabs. To regulate and license vehicles operated for hire in the city; to limit the  
162 number of such vehicles; to require the operators thereof to be licensed; to require public

163 liability insurance on such vehicles in the amounts to be prescribed by ordinance; and to  
 164 regulate the parking of such vehicles.

165 **SECTION 1.13.**

166 Exercise of powers.

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

171 **ARTICLE II**

172 **GOVERNMENT STRUCTURE**

173 **SECTION 2.10.**

174 City council creation; number; election.

175 The legislative authority of the government of this city, except as otherwise specifically  
 176 provided in this charter, shall be vested in a city council to be composed of a mayor and six  
 177 councilmembers. The mayor and councilmembers shall be elected in the manner provided  
 178 by this charter.

179 **SECTION 2.11.**

180 City councilmembers;  
 181 terms and qualifications for office.

182 (a) Except as otherwise provided in Article VIII of this charter for the initial terms of office,  
 183 the members of the city council shall serve for terms of four years and until their respective  
 184 successors are elected and qualified. The term of office of each member of the city council  
 185 shall begin on the first day of January immediately following the election of such member  
 186 unless general law authorizes or requires the term to begin at the first organizational meeting  
 187 in January or upon some other date. No person shall be eligible to serve as mayor or  
 188 councilmember unless that person shall have been a resident of the city for 12 months prior  
 189 to the date of the election of mayor or members of the city council; each shall continue to  
 190 reside therein during that person's period of service and to be registered and qualified to vote  
 191 in municipal elections of this city.

192 (b) The city council seats shall be designated District 1, Post 1; District 1, Post 2; District 2,  
 193 Post 1; District 2, Post 2; District 3, Post 1; and District 3, Post 2. Candidates shall designate  
 194 the post for which they are offering for election when qualifying for election.

195 (c) For the purposes of electing members of the city council, the city is divided into three  
 196 districts. One member of the city council shall be elected from Post 1 of each such district  
 197 by the electors of such district by majority vote of the electors of such district voting in such  
 198 election and one member of the city council shall be elected from Post 2 of each such district  
 199 by majority vote of the electors of the city at large voting in such election. District 1,  
 200 District 2, and District 3 shall be and correspond to those three numbered districts as  
 201 described in the plan attached to and made a part of this charter as Appendix B.

202 (d)(1) The mayor shall be limited to serving two full, consecutive four-year terms of  
 203 office as mayor.

204 (2) Councilmembers shall be limited to serving two full, consecutive four-year terms of  
 205 office as a councilmember.

206 (3) Persons who serve terms of less than four years as a result of being elected to an  
 207 initial term of office under the provisions of this charter or who fill an unexpired term  
 208 shall not be considered to have served a full term of office for the purposes of this  
 209 subsection.

## 210 **SECTION 2.12.**

211 Vacancy; filling of vacancies; suspensions.

212 (a) The office of mayor or councilmember shall become vacant upon such person's failing  
 213 or ceasing to reside in the city or upon the occurrence of any event specified by the  
 214 Constitution, Title 45 of the O.C.G.A., or such other applicable laws as are or may hereafter  
 215 be enacted.

216 (b) A vacancy in the office of mayor or councilmember shall be filled for the remainder of  
 217 the unexpired term, if any, by appointment by the city council if less than 12 months remain  
 218 in the unexpired term, otherwise by an election as provided for in Section 5.14 of this charter  
 219 and Titles 21 and 45 of the O.C.G.A. or such other laws as are or may hereafter be enacted.

220 (c) Upon the suspension from office of the mayor or a councilmember in any manner  
 221 authorized by the general laws of the State of Georgia, the city council or those members  
 222 remaining shall appoint a successor for the duration of the suspension. If the suspension  
 223 becomes permanent, then the office shall become vacant and shall be filled for the remainder  
 224 of the unexpired term, if any, as provided for in this charter.

225

**SECTION 2.13.**

226

## Compensation and expenses.

227 (a) The mayor shall receive an initial salary of \$15,000.00 per year, paid in equal monthly  
 228 installments from the funds of the municipality. Each councilmember shall receive an initial  
 229 salary of \$10,000.00 per year, paid in equal monthly installments from the funds of the  
 230 municipality. In addition, the mayor and councilmembers shall be reimbursed for actual  
 231 expenses directly incurred in connection with the fulfillment of their official duties. The  
 232 mayor and council shall develop guidelines for the reimbursement of such expenses.

233 (b) The mayor and councilmembers may alter such compensation for their services as  
 234 provided by law.

235 (c) The mayor and city council shall provide for a review of their compensation every five  
 236 years.

237

**SECTION 2.14.**

238

## Conflicts of interest; holding other offices.

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

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

243 (1) Engage in any business or transaction or have a financial or other personal interest,  
 244 directly or indirectly, which is incompatible with the proper discharge of that person's  
 245 official duties or which would tend to impair the independence of that person's judgment  
 246 or action in the performance of that person's official duties;

247 (2) Engage in or accept private employment or render services for private interests when  
 248 such employment or service is incompatible with the proper discharge of that person's  
 249 official duties or would tend to impair the independence of that person's judgment or  
 250 action in the performance of that person's official duties;

251 (3) Disclose confidential information, including information obtained at meetings which  
 252 are closed pursuant to Chapter 14 of Title 50 of the O.C.G.A., concerning the property,  
 253 government, or affairs of the governmental body by which that person is engaged without  
 254 proper legal authorization or use such information to advance the financial or other  
 255 private interest of that person or others;

256 (4) Accept any valuable gift, whether in the form of service, loan, thing, or promise,  
 257 from any person, firm, or corporation which to that person's knowledge is interested,  
 258 directly or indirectly, in any manner whatsoever, in business dealings with the

259 governmental body by which that person is engaged; provided, however, that an elected  
260 official who is a candidate for public office may accept campaign contributions and  
261 services in connection with any such campaign;

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

264 (6) Vote or otherwise participate in the negotiation or in the making of any contract with  
265 any business or entity in which that person has a financial interest.

266 (c) Any elected official, appointed officer, or employee of the city who shall have any  
267 financial interest, directly or indirectly, in any contract or matter pending before or within  
268 any department of the city shall disclose such interest to the city council. The mayor or any  
269 councilmember who has a financial interest in any matter pending before the city council  
270 shall disclose such interest and such disclosure shall be entered on the records of the city  
271 council, and that person shall disqualify himself or herself from participating in any decision  
272 or vote relating thereto. Any elected official, appointed officer, or employee of any agency  
273 or political entity to which this charter applies who shall have any financial interest, directly  
274 or indirectly, in any contract or matter pending before or within such entity shall disclose  
275 such interest to the governing body of such agency or entity.

276 (d) No elected official, appointed officer, or employee of the city or any agency or entity to  
277 which this charter applies shall use property owned by such governmental entity for personal  
278 benefit, convenience, or profit except in accordance with policies promulgated by the city  
279 council or the governing body of such agency or entity.

280 (e) Any violation of this section which occurs with the knowledge, express or implied, of  
281 a party to a contract or sale shall render such contract or sale voidable at the option of the city  
282 council.

283 (f) Except where authorized by law, neither the mayor nor any councilmember shall hold  
284 any other elective or compensated appointive city, county, or state office or otherwise be  
285 employed by the city or any agency thereof during the term for which that person was  
286 elected. No former councilmember and no former mayor shall hold any compensated  
287 appointive office in the city until one year after the expiration of the term for which that  
288 person was elected.

289 (g) No appointed officer and no employee of the city shall continue in such employment  
290 upon qualifying as a candidate for nomination or election to any public office. No employee  
291 of the city shall continue in such employment upon election to any public office in this city  
292 or any other public office which is inconsistent, incompatible, or in conflict with the duties  
293 of the city employee. Such determination shall be made by the mayor and councilmembers  
294 either immediately upon election or at any time such conflict may arise.

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

298 (2) Any officer or employee of the city who shall forfeit that person's office or position  
 299 as described in paragraph (1) of this subsection shall be ineligible for appointment or  
 300 election to or employment in a position in the city government for a period of three years  
 301 thereafter.

### 302 **SECTION 2.15.**

#### 303 Inquiries and investigations.

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

### 310 **SECTION 2.16.**

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

312 Except as otherwise provided by law or this charter, the city council shall be vested with all  
 313 the powers of government of this city.

### 314 **SECTION 2.17.**

#### 315 Organizational meetings.

316 Unless otherwise provided by ordinance, the city council shall hold an organizational  
 317 meeting on the first Tuesday in January of each even-numbered year. The meeting shall be  
 318 called to order by the city clerk and the oath of office shall be administered to the newly  
 319 elected members as follows:

320 "I do solemnly (swear) (affirm) that I will faithfully perform the duties of (mayor)  
 321 (councilmember) of this city and that I will support and defend the charter thereof as well  
 322 as the Constitution and laws of the State of Georgia and the United States of America."

323 **SECTION 2.18.**

324 Meetings.

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

327 (b) Special meetings of the city council may be held on call of the mayor or three members  
328 of the city council. Notice of such special meeting shall be served on all other members  
329 personally, or by telephone personally, at least 48 hours in advance of the meeting. Such  
330 notice to councilmembers shall not be required if the mayor and all councilmembers are  
331 present when the special meeting is called. Such notice of any special meeting may be  
332 waived by a councilmember in writing before or after such a meeting and attendance at the  
333 meeting shall also constitute a waiver of notice on any business transacted in such  
334 councilmember's presence. Only the business stated in the call may be transacted at the  
335 special meeting.

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

340 (d) The city council shall cause all of its meetings to be streamed live on the Internet.

341 **SECTION 2.19.**

342 Rules of procedure.

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

346 (b) All committees and committee chairpersons and officers of the city council shall be  
347 appointed by the mayor and shall serve at the pleasure of the mayor. The mayor shall have  
348 the power to appoint new members to any committee at any time.

349 **SECTION 2.20.**

350 Quorum; voting.

351 Four councilmembers shall constitute a quorum and shall be authorized to transact business  
352 of the city council. Voting on the adoption of ordinances shall be by roll-call vote or show  
353 of hands vote and the vote of each member shall be recorded in the journal. Except as  
354 otherwise provided in this charter, the affirmative vote of four councilmembers shall be

355 required for the adoption of any ordinance, resolution, or motion. An abstention shall be  
 356 counted as an affirmative vote.

357 **SECTION 2.21.**

358 Ordinance form; procedures.

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

363 (b) An ordinance may be introduced by any councilmember and be read at a regular or  
 364 special meeting of the city council. Ordinances shall be considered and adopted or rejected  
 365 by the city council in accordance with the rules which it shall establish; provided, however,  
 366 an ordinance shall not be adopted the same day it is introduced, except for emergency  
 367 ordinances provided for in Section 2.23 of this charter. Upon introduction of any ordinance,  
 368 the city clerk shall as soon as possible distribute a copy to the mayor and to each  
 369 councilmember and shall file a reasonable number of copies in the office of the city clerk and  
 370 at such other public places as the city council may designate.

371 **SECTION 2.22.**

372 Action requiring an ordinance.

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

374 **SECTION 2.23.**

375 Emergencies.

376 (a) To meet a public emergency affecting life, health, property, or public peace, the city  
 377 council may convene on call of the mayor or three councilmembers and may promptly adopt  
 378 an emergency ordinance, but such ordinance may not levy taxes; grant, renew, or extend a  
 379 franchise; regulate the rate charged by any public utility for its services; or authorize the  
 380 borrowing of money except for loans to be repaid within 30 days. An emergency ordinance  
 381 shall be introduced in the form prescribed for ordinances generally, except that it shall be  
 382 plainly designated as an emergency ordinance and shall contain, after the enacting clause,  
 383 a declaration stating that an emergency exists and describing the emergency in clear and  
 384 specific terms. An emergency ordinance may be adopted, with or without amendment, or  
 385 rejected at the meeting at which it is introduced, but the affirmative vote of at least three

386 councilmembers shall be required for adoption. It shall become effective upon adoption or  
 387 at such later time as it may specify. Every emergency ordinance shall automatically stand  
 388 repealed 30 days following the date upon which it was adopted, but this shall not prevent  
 389 reenactment of the ordinance in the manner specified in this section if the emergency still  
 390 exists. An emergency ordinance may also be repealed by adoption of a repealing ordinance  
 391 in the same manner specified in this section for adoption of emergency ordinances.

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

396 **SECTION 2.24.**

397 Codes of technical regulations.

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

401 (1) The requirements of subsection (b) of Section 2.21 of this charter for distribution and  
 402 filing of copies of the ordinance shall be construed to include copies of any code of  
 403 technical regulations, as well as the adopting ordinance; and

404 (2) A copy of each adopted code of technical regulations, as well as the adopting  
 405 ordinance, shall be authenticated and recorded by the city clerk pursuant to Section 2.25  
 406 of this charter.

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

409 **SECTION 2.25.**

410 Signing; authenticating;  
 411 recording; codification; printing.

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

414 (b) The city council shall provide for the preparation of a general codification of all the  
 415 ordinances of the city having the force and effect of law. The general codification shall be  
 416 adopted by the city council by ordinance and shall be published promptly, together with all  
 417 amendments thereto and such codes of technical regulations and other rules and regulations  
 418 as the city council may specify. This compilation shall be known and cited officially as "The

419 Code of the City of Sharon Springs, Georgia." Copies of the code shall be furnished to all  
 420 officers, departments, and agencies of the city and made available for purchase by the public  
 421 at a reasonable price as fixed by the city council.

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

431 **SECTION 2.26.**

432 Election of mayor; forfeiture; compensation.

433 Except as provided in Article VIII of this charter, the mayor shall be elected and shall serve  
 434 for a term of four years and until the mayor's successor is elected and qualified. The mayor  
 435 shall be elected at large by majority vote. The mayor shall be a qualified elector of this city  
 436 and shall have been a resident of the city for 12 months prior to the election. The mayor shall  
 437 continue to reside in this city during the period of the mayor's service. The mayor shall forfeit  
 438 the office of mayor on the same grounds and under the same procedure as for  
 439 councilmembers. The compensation of the mayor shall be established in the same manner  
 440 as for councilmembers.

441 **SECTION 2.27.**

442 Mayor pro tempore.

443 By a majority vote, the councilmembers shall elect a councilmember to serve as mayor pro  
 444 tempore. The mayor pro tempore shall assume the duties and powers of the mayor during  
 445 the mayor's physical or mental disability or absence. Any such disability or absence shall  
 446 be declared by a majority vote of the councilmembers. The mayor pro tempore shall sign all  
 447 contracts and ordinances in which the mayor has a disqualifying financial interest as  
 448 provided in Section 2.14 of this charter.

449

**SECTION 2.28.**

450

Powers and duties of mayor.

451 The mayor shall:

452

(1) Preside at all meetings of the city council;

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(2) Be the head of the city for the purpose of service of process and for ceremonial purposes and be the official spokesperson for the city and the chief advocate of policy;

454

(3) Have the power to administer oaths and to take affidavits;

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(4) Sign as a matter of course on behalf of the city all written and approved contracts,

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ordinances, and other instruments executed by the city which by law are required to be

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in writing;

458

(5) Vote on matters before the city council and be counted toward a quorum as any other

459

councilmember;

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(6) Require the city manager to meet with him or her at such times and places designated

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by the mayor for consultation and advice upon the affairs of the city;

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(7) Prepare or cause to be prepared an agenda for each meeting of the city council which

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shall include all business items submitted by any councilmember, the city manager, or

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the city attorney and all business items of the mayor; and

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(8) Fulfill such other executive and administrative duties as the city council shall by

466

ordinance establish.

467

**ARTICLE III**

468

**ADMINISTRATIVE AFFAIRS**

469

**SECTION 3.10.**

470

City manager; appointment, qualification, and compensation.

471

The mayor shall appoint for an indefinite term, subject to confirmation by the city council,

472

an officer whose title shall be the city manager. The city manager shall serve at the pleasure

473

of the city council. The city manager shall be appointed without regard to political beliefs

474

and solely on the basis of his or her executive and administrative qualifications with special

475

reference to his or her educational background and actual experience in and knowledge of

476

the duties of office as hereinafter prescribed.

477

478

**SECTION 3.11.**

479

City manager; chief administrative officer.

480 The city manager shall be the chief administrative officer of the government of the City of  
 481 Sharon Springs. The city manager shall devote substantially all of his or her working time  
 482 and attention to the affairs of the city and shall be responsible to the mayor and city council  
 483 for the proper and efficient administration of the affairs of the city over which the city  
 484 manager has jurisdiction.

485

**SECTION 3.12.**

486

City manager; powers and duties enumerated.

487 The city manager shall have the power and it shall be his or her duty to:

488

(1) See that all laws and ordinances are enforced;

489

(2) Appoint and employ all necessary employees of the city, provided that excepted from  
 490 the power of this appointment are those officers and employees who by this charter are  
 491 appointed or elected by the city council or are for departments not under the jurisdiction  
 492 of the city manager;

493

(3) Remove employees employed by the city manager without the consent of the city  
 494 council and without assigning any reason therefor;

495

(4) Exercise supervision and control of all departments and all divisions created in this  
 496 charter or that may hereafter be created by the council except as otherwise provided in  
 497 this charter;

498

(5) Attend all meetings of the city council with a right to take part in the discussions, but  
 499 having no vote. The city manager shall be entitled to notice of all special meetings of the  
 500 city council;

501

(6) Recommend to the city council for adoption, after prior review and comment by the  
 502 mayor, such measures as the city manager may deem necessary or expedient;

503

(7) See that all terms and conditions imposed in favor of the city or its inhabitants in any  
 504 public utility franchise are faithfully kept and performed and upon knowledge of any  
 505 violation thereof to call the same to the attention of the city attorney, whose duty it shall  
 506 be forthwith to take such steps as are necessary to protect and enforce the same;

507

(8) Make and execute all lawful contracts on behalf of the city as to matters within the  
 508 city manager's jurisdiction to the extent that such contracts are funded in the city's budget,  
 509 except such as may be otherwise provided by law; provided, however, that no contract  
 510 purchase or obligation requiring a budget amendment shall be valid and binding until  
 511 after approval of the city council;

512 (9) Act as budget officer to prepare and submit to the city council, after review and  
 513 comment by the mayor, prior to the beginning of each fiscal year a budget of proposed  
 514 expenditures for the ensuing year, showing in as much detail as practicable the amounts  
 515 allotted to each department of the city government and the reasons for such estimated  
 516 expenditures;

517 (10) Keep the city council at all times fully advised as to the financial condition and  
 518 needs of the city;

519 (11) Make a full written report to the city council on the first of each month showing the  
 520 operations and expenditures of each department of the city government for the preceding  
 521 month, and a synopsis of such reports shall be published by the clerk of the city;

522 (12) Fix all salaries and compensation of city employees in accordance with the city  
 523 budget and the city pay and classification plan; and

524 (13) Perform such other duties as may be prescribed by this charter or required by  
 525 ordinance or resolution of the city council.

526 **SECTION 3.13.**

527 Council interference with administration.

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

533 **SECTION 3.14.**

534 City manager; removal.

535 (a) The mayor and city council may remove the manager from office in accordance with the  
 536 following procedures:

537 (1) The city council shall adopt by affirmative vote of four of its members a preliminary  
 538 resolution removing the city manager and may suspend the city manager from duty for  
 539 a period not to exceed 45 days. A copy of the resolution shall be delivered promptly to  
 540 the city manager;

541 (2) Within five days after a copy of the resolution is delivered to the city manager, he or  
 542 she may file with the city council a written request for a public hearing. This hearing  
 543 shall be held at a city council meeting not earlier than 15 days nor later than 30 days after

544 the request is filed. The city manager may file with the city council a written reply not  
545 later than five days before the hearing; and

546 (3) The city council may adopt a final resolution of removal, which may be made  
547 effective immediately, by affirmative vote of four of its members at any time after five  
548 days from the date when a copy of the preliminary resolution was delivered to the city  
549 manager, if he or she has not requested a public hearing, or at any time after the public  
550 hearing if he or she has requested one.

551 (b) The city manager shall continue to receive his or her salary until the effective date of a  
552 final resolution of removal and, unless he or she has been convicted of a felony at that time,  
553 he or she shall be given not less than 60 days' severance pay. The action of the city council  
554 in suspending or removing the city manager shall not be subject to review by any court or  
555 agency.

556 (c) If the city manager becomes disabled and is unable to carry out the duties of the office  
557 or if the city manager dies, the acting city manager shall perform the duties of the city  
558 manager until the city manager's disability is removed or until the city manager is replaced.  
559 Removal of the city manager because of disability shall be carried out in accordance with the  
560 provisions of subsection (a) of this section.

561 **SECTION 3.15.**

562 Acting city manager.

563 (a) The city manager may designate in writing any administrative employee of the city who  
564 shall exercise all powers, duties, and functions of the city manager during the city manager's  
565 temporary absence from the city or during the city manager's disability. If such designation  
566 has not been made and the city manager is absent from the city or unable to perform the  
567 duties of the office or to make such designation, the city council may, by resolution, appoint  
568 any qualified administrative employee of the city to perform the powers, duties, and  
569 functions of the city manager until the city manager shall return to the city, the disability  
570 ceases, or the city council appoints a new city manager.

571 (b) In the event of a vacancy in the office of city manager, the city council may designate  
572 a person as acting city manager who shall exercise all powers, duties, and functions of the  
573 city manager until a city manager is appointed.

574

**SECTION 3.16.**

575

Administrative and service departments.

576 (a) Except as otherwise provided in this charter, the city council by ordinance shall prescribe  
577 the functions or duties of and establish, abolish, alter, consolidate, or leave vacant all  
578 nonelective offices, positions of employment, departments, and agencies of the city as  
579 necessary for the proper administration of the affairs and government of this city. The city  
580 council shall prescribe the functions and duties of existing departments, offices, and agencies  
581 or of any departments, offices, and agencies hereinafter created or established; may provide  
582 that the same person shall fill any number of offices and positions of employment; and may  
583 transfer or change the functions and duties of offices, positions of employment, departments,  
584 and agencies of the city.

585 (b) The operations and responsibilities of each department now or hereafter established in  
586 the city shall be distributed among such divisions or bureaus as may be provided by  
587 ordinance of the city council. Each department shall consist of such officers, employees, and  
588 positions as may be provided by this charter or by ordinance. Except as otherwise provided  
589 by this charter or by law, the directors of departments and other appointed officers of the city  
590 shall be appointed solely on the basis of their respective administrative and professional  
591 qualifications.

592 (c) All appointed officers and directors of departments shall receive such compensation as  
593 prescribed by ordinance.

594 (d) There shall be a director of each department or agency who shall be its principal officer.  
595 Each director shall be responsible for the administration and direction of the affairs and  
596 operations of that director's department or agency.

597

**SECTION 3.17.**

598

Boards, commissions, and authorities.

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

603 (b) All members of boards, commissions, and authorities of the city shall be appointed by  
604 the mayor and councilmembers for such terms of office and in such manner as shall be  
605 provided by ordinance, except where other appointing authority, terms of office, or manner  
606 of appointment is prescribed by this charter or by law.

- 607 (c) The city council by ordinance may provide for the compensation and reimbursement for  
608 actual and necessary expenses of the members of any board, commission, or authority.
- 609 (d) Except as otherwise provided by charter or by law, no member of any board,  
610 commission, or authority shall hold any elective office in the city.
- 611 (e) Any vacancy on a board, commission, or authority of the city shall be filled for the  
612 unexpired term in the manner prescribed in this charter for original appointment, except as  
613 otherwise provided by this charter or by law.
- 614 (f) No member of a board, commission, or authority shall assume office until that person has  
615 executed and filed with the city clerk an oath obligating that person to perform faithfully and  
616 impartially the duties of that person's office; such oath shall be prescribed by ordinance and  
617 administered by the mayor.
- 618 (g) All members of boards, commissions, or authorities of the city serve at will and may be  
619 removed at any time by the mayor and councilmembers unless otherwise provided by law.
- 620 (h) Except as otherwise provided by this charter or by law, each board, commission, or  
621 authority of the city shall elect one of its members as chairperson and one member as vice  
622 chairperson and may elect as its secretary one of its own members or may appoint as  
623 secretary an employee of the city. Each board, commission, or authority of the city  
624 government may establish such bylaws, rules, and regulations, not inconsistent with this  
625 charter, ordinances of the city, or law, as it deems appropriate and necessary for the  
626 fulfillment of its duties or the conduct of its affairs. Copies of such bylaws, rules, and  
627 regulations shall be filed with the city clerk.

628 **SECTION 3.18.**

629 City attorney.

630 The mayor and councilmembers shall appoint a city attorney, together with such assistant  
631 city attorneys as may be authorized, and shall provide for the payment of such attorney or  
632 attorneys for services rendered to the city. The city attorney shall be responsible for  
633 providing for the representation and defense of the city in all litigation in which the city is  
634 a party; may be the prosecuting officer in the municipal court; shall attend the meetings of  
635 the city council as directed; shall advise the mayor and councilmembers and other officers  
636 and employees of the city concerning legal aspects of the city's affairs; and shall perform  
637 such other duties as may be required by virtue of such person's position as city attorney.

638 **SECTION 3.19.**

639 City clerk.

640 The mayor and councilmembers shall appoint a city clerk who shall not be a councilmember.  
 641 The city clerk shall be custodian of the official city seal and city records; maintain city  
 642 council records required by this charter; and perform such other duties as may be required  
 643 by the city council.

644 **SECTION 3.20.**

645 Position classification and pay plans.

646 The city manager shall be responsible for the preparation of a position classification and pay  
 647 plan which shall be submitted to the city council for approval. Such plan may apply to all  
 648 employees of the city and any of its agencies, departments, boards, commissions, or  
 649 authorities. When a pay plan has been adopted, neither the city manager nor the city council  
 650 shall increase or decrease the salary range applicable to any position except by amendment  
 651 of such pay plan. For purposes of this section, all elected and appointed city officials are not  
 652 city employees.

653 **SECTION 3.21.**

654 Personnel policies.

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

657 **ARTICLE IV**

658 **JUDICIAL BRANCH**

659 **SECTION 4.10.**

660 Creation; name.

661 There shall be a court to be known as the Municipal Court of the City of Sharon Springs.

662 **SECTION 4.11.**

663 Chief judge; associate judge.

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

666 (b) No person shall be qualified or eligible to serve as a judge on the municipal court unless  
 667 that person shall have attained the age of 25 years and shall be a member of the State Bar of  
 668 Georgia and shall possess all qualifications required by law. All judges shall be appointed  
 669 by the city council and shall serve until a successor is appointed and qualified.

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

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

673 (e) Before assuming office, each judge shall take an oath, given by the mayor, that such  
 674 judge will honestly and faithfully discharge the duties of the judge's office to the best of the  
 675 judge's ability and without fear, favor, or partiality. The oath shall be entered upon the  
 676 minutes of the city council journal required in Section 2.19 of this charter.

677 **SECTION 4.12.**

678 Convening.

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

680 **SECTION 4.13.**

681 Jurisdiction; powers.

682 (a) The municipal court shall try and punish violations of this charter, all city ordinances,  
 683 and such other violations as provided by law.

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

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

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

693 (e) The municipal court shall have authority to establish bail and recognizances to ensure  
 694 the presence of those charged with violations before such court and shall have discretionary  
 695 authority to accept cash or personal or real property as surety for the appearance of persons  
 696 charged with violations. Whenever any person shall give bail for that person's appearance  
 697 and shall fail to appear at the time fixed for trial, that person's bond shall be forfeited by the  
 698 judge presiding at such time and an execution issued thereon by serving the defendant and

699 the defendant's sureties with a rule nisi at least two days before a hearing on the rule nisi.  
700 In the event that cash or property is accepted in lieu of bond for security for the appearance  
701 of a defendant at trial, and if such defendant fails to appear at the time and place fixed for  
702 trial, the cash so deposited shall be on order of the judge declared forfeited to the city, or the  
703 property so deposited shall have a lien against it for the value forfeited which lien shall be  
704 enforceable in the same manner and to the same extent as a lien for city property taxes.

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

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

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

#### 715 **SECTION 4.14.**

##### 716 Certiorari.

717 The right of certiorari from the decision and judgment of the municipal court shall exist in  
718 all criminal cases and ordinance violation cases, and such certiorari shall be obtained under  
719 the sanction of a judge of the Superior Court of Forsyth County under the laws of the State  
720 of Georgia regulating the granting and issuance of writs of certiorari.

#### 721 **SECTION 4.15.**

##### 722 Rules for court.

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



755 **SECTION 5.14.**

756 Special elections; vacancies.

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

765 **SECTION 5.15.**

766 Other provisions.

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

770 **SECTION 5.16.**

771 Removal of officers.

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

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

777 (1) Following a hearing at which an impartial panel shall render a decision. In the event  
 778 an elected officer is sought to be removed by the action of the city council, such officer  
 779 shall be entitled to a written notice specifying the ground or grounds for removal and to  
 780 a public hearing which shall be held not less than ten days after the service of such  
 781 written notice. The city council shall provide by ordinance for the manner in which such  
 782 hearings shall be held. Any elected officer sought to be removed from office as provided  
 783 in this section shall have the right of appeal from the decision of the city council to the  
 784 Superior Court of Forsyth County. Such appeal shall be governed by the same rules as  
 785 govern appeals to the superior court from the probate court; or

786 (2) By an order of the Superior Court of Forsyth County following a hearing on a  
787 complaint seeking such removal brought by any resident of the City of Sharon Springs.

788 **ARTICLE VI**  
789 **FINANCE**  
790 **SECTION 6.10.**  
791 **Property tax.**

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

798 **SECTION 6.11.**  
799 **Millage rate; due dates; payment methods.**

800 Except as otherwise provided in paragraph (27) of Section 1.12 of this charter, the city  
801 council by ordinance shall establish a millage rate for the city property tax which shall not  
802 exceed 0.5 mill, a due date, and the time period within which these taxes must be paid. The  
803 city council by ordinance may provide for the payment of these taxes by installments or in  
804 one lump sum, as well as authorize the voluntary payment of taxes prior to the time when  
805 due.

806 **SECTION 6.12.**  
807 **Occupation and business taxes.**

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

812 **SECTION 6.13.**

813 Licenses; permits; fees.

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

819 **SECTION 6.14.**

820 Franchises.

821 (a) The city council shall have the power to grant franchises for the use of this city's streets  
822 and alleys for the purposes of railroads, street railways, telephone companies, electric  
823 companies, electric membership corporations, cable television and other telecommunications  
824 companies, gas companies, transportation companies, and other similar organizations. The  
825 city council shall determine the duration, terms, whether the same shall be exclusive or  
826 nonexclusive, and the consideration for such franchises; provided, however, that no franchise  
827 shall be granted for a period in excess of 35 years and no franchise shall be granted unless  
828 the city receives just and adequate compensation therefor. The city council shall provide for  
829 the registration of all franchises with the city clerk in a registration book kept by the city  
830 clerk. The city council may provide by ordinance for the registration within a reasonable  
831 time of all franchises previously granted.

832 (b) If no franchise agreement is in effect, the city council shall have the authority to impose  
833 a tax on gross receipts for the use of this city's streets and alleys for the purposes of railroads,  
834 street railways, telephone companies, electric companies, electric membership corporations,  
835 cable television and other telecommunications companies, gas companies, transportation  
836 companies, and other similar organizations.

837 **SECTION 6.15.**

838 Service charges.

839 The city council by ordinance shall have the power to assess and collect fees, charges, and  
840 tolls for services provided or made available within and outside the corporate limits of the  
841 city for the total cost to the city of providing or making available such services. If unpaid,  
842 such charges shall be collected as provided in Section 6.18 of this charter.

843 **SECTION 6.16.**

844 RESERVED.

845 **SECTION 6.17.**

846 Construction; other taxes.

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

850 **SECTION 6.18.**

851 Collection of delinquent taxes and fees.

852 The city council by ordinance may provide generally for the collection of delinquent taxes,  
853 fees, or other revenue due the city under Sections 6.10 through 6.17 of this charter by  
854 whatever reasonable means as are not precluded by law. This shall include providing for the  
855 dates when the taxes or fees are due; late penalties or interest; issuance and execution of  
856 fi. fas.; creation and priority of liens; making delinquent taxes and fees personal debts of the  
857 persons required to pay the taxes or fees imposed; revoking city permits for failure to pay any  
858 city taxes or fees; and providing for the assignment or transfer of tax executions.

859 **SECTION 6.19.**

860 RESERVED.

861 **SECTION 6.20.**

862 RESERVED.

863 **SECTION 6.21.**

864 Short-term loans.

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

867 **SECTION 6.22.**

868 Lease-purchase contracts.

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

876 **SECTION 6.23.**

877 Fiscal year.

878 The city council shall set the fiscal year by ordinance. This fiscal year shall constitute the  
 879 budget year and the year for financial accounting and reporting of each and every office,  
 880 department, agency, and activity of the city government.

881 **SECTION 6.24.**

882 Budget ordinance.

883 The city council shall provide an ordinance on the procedures and requirements for the  
 884 preparation and execution of an annual operating budget, a capital improvement plan, and  
 885 a capital budget, including requirements as to the scope, content, and form of such budgets  
 886 and plans. The city council shall also comply with the budgeting and auditing provisions of  
 887 Chapter 81 of Title 36 of the O.C.G.A.

888 **SECTION 6.25.**

889 Operating budget.

890 On or before a date fixed by the city council but not later than 60 days prior to the beginning  
 891 of each fiscal year, the city manager, after review and comment by the mayor, shall submit  
 892 to the city council a proposed operating budget for the ensuing fiscal year. The budget shall  
 893 be accompanied by a message from the city manager containing a statement of the general  
 894 fiscal policies of the city, the important features of the budget, explanations of major changes  
 895 recommended for the next fiscal year, a general summary of the budget, and other pertinent  
 896 comments and information. The operating budget and the capital budget provided for in

897 Section 6.29 of this charter, the budget message, and all supporting documents shall be filed  
898 in the office of the city clerk and shall be open to public inspection.

899 **SECTION 6.26.**

900 Action by city council on budget.

901 (a) The councilmembers may amend the proposed operating budget, except that the budget  
902 as finally amended and adopted must provide for all expenditures required by state law or  
903 by other provisions of this charter and for all debt service requirements for the ensuing fiscal  
904 year. The total appropriations from any fund shall not exceed the estimated fund balance,  
905 reserves, and revenues.

906 (b) The city council by ordinance shall adopt the final operating budget for the ensuing fiscal  
907 year not later than 15 days prior to the start of each year. If the city council fails to adopt the  
908 budget by said date, the amounts appropriated for operation for the current fiscal year shall  
909 be deemed adopted for the ensuing fiscal year on a month-to-month basis, with all items  
910 prorated accordingly, until such time as the city council adopts a budget for the ensuing fiscal  
911 year. Adoption of the budget shall take the form of an appropriations ordinance setting out  
912 the estimated revenues in detail by sources and making appropriations according to fund and  
913 by organizational unit, purpose, or activity as set out in the budget preparation ordinance  
914 adopted pursuant to Section 6.24 of this charter.

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

919 **SECTION 6.27.**

920 Levy of taxes.

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

927

**SECTION 6.28.**

928

Changes in appropriations.

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

933

**SECTION 6.29.**

934

Capital improvements.

935 (a) On or before the date fixed by the city council but not later than 60 days prior to the  
936 beginning of each fiscal year, the mayor shall submit to the city council a proposed capital  
937 improvements plan with a recommended capital budget containing the means of financing  
938 the improvements proposed for the ensuing fiscal year. The city council shall have the power  
939 to accept, with or without amendments, or reject the proposed plan and budget. The city  
940 council shall not authorize an expenditure for the construction of any building, structure,  
941 work, or improvement unless the appropriations for such project are included in the capital  
942 budget, except to meet a public emergency as provided in Section 2.23 of this charter.

943 (b) The city council shall adopt by ordinance the final capital budget for the ensuing fiscal  
944 year not later than 15 days prior to the start of each year. No appropriation provided for in  
945 a prior capital budget shall lapse until the purpose for which the appropriation was made  
946 shall have been accomplished or abandoned; provided, however, that the mayor may submit  
947 amendments to the capital budget at any time during the fiscal year, accompanied by  
948 recommendations. Any such amendments to the capital budget shall become effective only  
949 upon adoption by ordinance.

950

**SECTION 6.30.**

951

Audits.

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

957 **SECTION 6.31.**

958 Procurement and property management.

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

960 (1) It is in writing;

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

963 (3) It is made or authorized by the city council and such approval is entered in the city  
964 council journal of proceedings pursuant to Section 2.19 of this charter.

965 **SECTION 6.32.**

966 Purchasing.

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

969 **SECTION 6.33.**

970 Sale and lease of property.

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

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

977 (c) Whenever in opening, extending, or widening any street, avenue, alley, or public place  
978 of the city a small parcel or tract of land is cut off or separated by such work from a larger  
979 tract or boundary of land owned by the city, the city council may authorize the mayor to sell  
980 and convey said cut-off or separated parcel or tract of land to an abutting or adjoining  
981 property owner or owners where such sale and conveyance facilitates the highest and best  
982 use of the abutting owner's property. Included in the sales contract shall be a provision for  
983 the rights of way of said street, avenue, alley, or public place. Each abutting property owner  
984 shall be notified of the availability of the property and given the opportunity to purchase said  
985 property under such terms and conditions as set out by ordinance. All deeds and  
986 conveyances heretofore and hereafter so executed and delivered shall convey all title and  
987 interest the city has in such property, notwithstanding the fact that no public sale after  
988 advertisement was or is hereafter made.

989

**SECTION 6.34.**

990

Apportionment of revenue.

991 Except as otherwise agreed pursuant to Chapter 70 of Title 36 of the O.C.G.A., the city is  
 992 authorized to pay all revenues collected by Forsyth County on behalf of the city to the county  
 993 in exchange for continuation of services during the transition period provided for in Section  
 994 8.11 of this charter and beyond, with the exception of the following revenues, which shall  
 995 stay with the city:

996 (1) New revenues from utility franchise fees;

997 (2) Fines collected in municipal court; and

998 (3) Revenues generated from any additional millage of up to 1 mill above the millage  
 999 rate imposed in the county special service district.

1000

**ARTICLE VII**

1001

**GENERAL PROVISIONS**

1002

**SECTION 7.10.**

1003

Bonds for officials.

1004 The officers and employees of this city, both elected and appointed, shall execute such surety  
 1005 or fidelity bonds in such amounts and upon such terms and conditions as the city council  
 1006 shall from time to time require by ordinance or as may be provided by law.

1007

**SECTION 7.11.**

1008

Construction and definitions.

1009 (a) Section captions in this charter are informative only and are not to be considered as a part  
 1010 thereof.

1011 (b) The word "shall" is mandatory and the word "may" is permissive.

1012 (c) The singular shall include the plural, the masculine shall include the feminine, and vice  
 1013 versa.

## ARTICLE VIII

## REFERENDUM AND INITIAL ELECTIONS

## SECTION 8.10.

Referendum and initial election.

(a) The election superintendent of Forsyth County shall call a special election for the purpose of submitting this Act to the qualified voters of the proposed City of Sharon Springs for approval or rejection. The superintendent shall set the date of such election for the date of the 2018 general primary. The superintendent shall issue the call for such election at least 60 days prior to the date thereof. The superintendent shall cause the date and purpose of the election to be published once a week for two weeks immediately preceding the date thereof in the official organ of Forsyth County. The ballot shall have written or printed thereon the words:

"( ) YES Shall the Act incorporating the City of Sharon Springs in Forsyth County  
( ) NO according to the charter contained in the Act be approved?"

All persons desiring to vote for approval of the Act shall vote "Yes," and those persons desiring to vote for rejection of the Act shall vote "No." If more than 57.5 percent of the votes cast on such question are for approval of the Act, it shall become of full force and effect as provided in Section 8.11 of this charter, otherwise it shall be void and of no force and effect. The initial expense of such election shall be borne by Forsyth County. Within two years after the elections if the incorporation is approved, the City of Sharon Springs shall reimburse Forsyth County for the actual cost of printing and personnel services for such election and for the initial election of the mayor and councilmembers pursuant to this charter. It shall be the duty of the superintendent to hold and conduct such election. It shall be his or her further duty to certify the result thereof to the Secretary of State.

(b) For the purposes of the referendum election provided for in subsection (a) of this section and for the purposes of the special election of the City of Sharon Springs to be held on the date of the November 2018 general election, the qualified electors of the City of Sharon Springs shall be those qualified electors of Forsyth County residing within the corporate limits of the City of Sharon Springs as described by Appendix A of this charter. At subsequent municipal elections, the qualified electors of the City of Sharon Springs shall be determined pursuant to the authority of Chapter 2 of Title 21 of the O.C.G.A., the "Georgia Election Code."

(c) Only for the purposes of holding and conducting the referendum election provided for in subsection (a) of this section and holding and conducting the special election of the City of Sharon Springs to be held on the date of the November 2018 general election, the election superintendent of Forsyth County is vested with the powers and duties of the election

1050 superintendent of the City of Sharon Springs and the powers and duties of the governing  
1051 authority of the City of Sharon Springs.

1052 **SECTION 8.11.**

1053 Effective dates and transition.

1054 (a) The provisions of this Act necessary for the referendum election provided for in  
1055 Section 8.10 of this charter shall become effective immediately upon this Act's approval by  
1056 the Governor or upon its becoming law without such approval.

1057 (b) The provisions of this Act necessary for the special election provided for in Section 8.13  
1058 of this charter shall be effective upon the certification of the results of the referendum  
1059 election provided for by Section 8.10 of this charter if this Act is approved at such  
1060 referendum election.

1061 (c) Except as provided in Section 8.10 of this charter, the remaining provisions of this Act  
1062 shall become of full force and effect for all purposes at 12:00 Midnight on  
1063 December 31, 2018, except that the initial mayor and councilmembers shall take office  
1064 immediately following their election and by action of a quorum may prior to 12:00 Midnight  
1065 on December 31, 2018, meet and take actions binding on the city.

1066 (d) A period of time will be needed for an orderly transition of various government functions  
1067 from Forsyth County to the City of Sharon Springs. Accordingly, there shall be a transition  
1068 period beginning on the date the initial mayor and councilmembers take office under this  
1069 charter and ending at 12:00 Midnight on December 31, 2021. During such transition period,  
1070 all provisions of this charter shall be effective as law, but not all provisions of this charter  
1071 shall be implemented.

1072 (e) During such transition period, Forsyth County shall continue to provide within the  
1073 territorial limits of the city all government services and functions which Forsyth County  
1074 provided in that area during the years 2017 and 2018 and at the same actual cost, except to  
1075 the extent otherwise provided in this section; provided, however, that upon at least 60 days'  
1076 prior written notice to Forsyth County by the City of Sharon Springs, responsibility for any  
1077 such service or function shall be transferred to the City of Sharon Springs. During the  
1078 transition period, the city shall remain within the Forsyth County special services district but  
1079 shall be removed from such district at the conclusion of such period. Beginning  
1080 January 1, 2019, the City of Sharon Springs shall collect taxes, fees, assessments, fines and  
1081 forfeitures, and other moneys within the territorial limits of the city in the same manner as  
1082 authorized immediately prior to the effective date of this section; provided, however, that  
1083 upon at least 60 days' prior written notice to Forsyth County by the City of Sharon Springs,  
1084 the authority to collect any tax, fee, assessment, fine or forfeiture, or other moneys shall

1085 remain with Forsyth County after January 1, 2019, until such time as Forsyth County  
 1086 receives subsequent notice from the City of Sharon Springs that such authority shall be  
 1087 transferred to the City of Sharon Springs.

1088 (f) During the transition period, the governing authority of the City of Sharon Springs:

1089 (1) Shall hold regular meetings and may hold special meetings as provided in this  
 1090 charter;

1091 (2) May enact ordinances and resolutions as provided in this charter;

1092 (3) May amend this charter by home rule action as provided by general law;

1093 (4) May accept gifts and grants;

1094 (5) May borrow money and incur indebtedness to the extent authorized by this charter  
 1095 and general law;

1096 (6) May levy and collect an ad valorem tax for calendar years 2019 and 2020;

1097 (7) May establish a fiscal year and budget;

1098 (8) May create, alter, or abolish departments, boards, offices, commissions, and agencies  
 1099 of the city; appoint and remove officers and employees; and exercise all necessary or  
 1100 appropriate personnel and management functions; and

1101 (9) May generally exercise any power granted by this charter or general law, except to  
 1102 the extent that a power is specifically and integrally related to the provision of a  
 1103 governmental service, function, or responsibility not yet provided or carried out by the  
 1104 city.

1105 (g) Except as otherwise provided in this section, during the transition period, the Municipal  
 1106 Court of the City of Sharon Springs shall not exercise its jurisdiction. During the transition  
 1107 period, all ordinances of Forsyth County shall remain applicable within the territorial limits  
 1108 of the city, and the appropriate court or courts of Forsyth County shall retain jurisdiction to  
 1109 enforce such ordinances. However, by mutual agreement and concurrent resolutions and  
 1110 ordinances if needed, Forsyth County and the City of Sharon Springs may during the  
 1111 transition period transfer all or part of such regulatory authority and the appropriate court  
 1112 jurisdiction to the City of Sharon Springs. Any transfer of jurisdiction to the City of Sharon  
 1113 Springs during or at the end of the transition period shall not in and of itself abate any  
 1114 judicial proceeding pending in Forsyth County or the pending prosecution of any violation  
 1115 of any ordinance of Forsyth County.

1116 (h) During the transition period, the governing authority of the City of Sharon Springs may  
 1117 at any time, without the necessity of any agreement by Forsyth County, commence to  
 1118 exercise its planning and zoning powers; provided, however, that the city shall give the  
 1119 county notice of the date on which the city will assume the exercise of such powers. Upon  
 1120 the governing authority of the City of Sharon Springs commencing to exercise its planning  
 1121 and zoning powers, the Municipal Court of the City of Sharon Springs shall immediately

1122 have jurisdiction to enforce the planning and zoning ordinances of the city. The provisions  
 1123 of this subsection shall control over any conflicting provisions of any other subsection of this  
 1124 section.

1125 (i) Effective upon the termination of the transition period, subsections (b) through (h) of this  
 1126 section shall cease to apply except for the last sentence of subsection (g) which shall remain  
 1127 effective. Effective upon the termination of the transition period, the City of Sharon Springs  
 1128 shall be a full functioning municipal corporation and subject to all general laws of this state.

1129 **SECTION 8.12.**

1130 Directory nature of dates.

1131 It is the intention of the General Assembly that this Act be construed as directory rather than  
 1132 mandatory with respect to any date prescribed in this Act. If it is necessary to delay any  
 1133 action called for in this Act for providential cause or any other reason, it is the intention of  
 1134 the General Assembly that the action be delayed rather than abandoned. Any delay in  
 1135 performing any action under this Act, whether for cause or otherwise, shall not operate to  
 1136 frustrate the overall intent of this Act. Without limiting the generality of the foregoing, it is  
 1137 specifically provided that:

1138 (1) If it is not possible to hold the referendum election provided for in Section 8.10 of  
 1139 this charter on the date specified in that section, then such referendum shall be held as  
 1140 soon thereafter as is reasonably practicable; and

1141 (2) If it is not possible to hold the first election provided for in Section 8.13 of this  
 1142 charter on the date specified in that section, then there shall be a special election for the  
 1143 initial members of the governing authority to be held as soon thereafter as is reasonably  
 1144 practicable, and the commencement of the initial terms of office shall be delayed  
 1145 accordingly.

1146 **SECTION 8.13.**

1147 Special election.

1148 (a) The first election for mayor and councilmembers shall be a special election held on the  
 1149 date of the November 2018 general election. At such election, the first mayor and  
 1150 councilmembers shall be elected to serve for the initial terms of office specified in  
 1151 subsections (b) and (c) of this section. Thereafter, the time for holding regular municipal  
 1152 elections shall be on the Tuesday next following the first Monday in November of each  
 1153 odd-numbered year beginning in 2019. The successors to the first mayor and initial  
 1154 councilmembers and future successors shall take office at the first organizational meeting in

1155 January immediately following their election and shall serve for terms of four years and until  
 1156 their respective successors are elected and qualified.

1157 (b) The members of the city council from District 1, Post 1; District 2, Post 1; and District 3,  
 1158 Post 1 shall be elected by majority vote of the electors of their respective districts voting in  
 1159 such election. The members of the city council from District 1, Post 2; District 2, Post 2; and  
 1160 District 3, Post 2 shall be elected by majority vote of the electors of the city at large voting  
 1161 in such election. The initial members elected from District 1, Post 1; District 2, Post 1; and  
 1162 District 3, Post 1 shall serve until January 1, 2020, and until their respective successors are  
 1163 elected and qualified. The initial members elected from District 1, Post 2; District 2, Post 2;  
 1164 and District 3, Post 2 shall serve until January 1, 2022, and until their respective successors  
 1165 are elected and qualified. Thereafter, successors to such initial members shall serve  
 1166 four-year terms of office and until their respective successors are elected and qualified.

1167 (c) The mayor of the City of Sharon Springs shall be elected by a majority vote of the  
 1168 qualified electors of the city at large. The initial mayor shall serve until January 1, 2022, and  
 1169 until his or her successor is elected and qualified and successors to the mayor shall serve  
 1170 four-year terms of office and until their successors are elected and qualified.

1171 **ARTICLE IX**

1172 **GENERAL REPEALER**

1173 **SECTION 9.10.**

1174 General repealer.

1175 All laws and parts of laws in conflict with this Act are repealed.

1176 **APPENDIX A**

1177 **CORPORATE LIMITS**

1178 The corporate limits of the City of Sharon Springs, Georgia, shall be as follows:

1179 Plan: SharonSprings-city-p2-2018

1180 Plan Type: Local

1181 Administrator: H025

1182 User: Gina

1183 District SHSPRINGS

1184 Forsyth County

1185 VTD: 11701 - 01 Big Creek

1186 VTD: 11702 - 02 Brandywine

1187 130603:  
 1188 1016 1017 1018 1019 1020 1021  
 1189 VTD: 11714 - 14 LAKELAND  
 1190 130510:  
 1191 3005 3007 3008 3009 3014 3016 3018 3021 3022 3023 3027 3028  
 1192 VTD: 11717 - 17 JOHNS CREEK  
 1193 VTD: 11718 - 18 DAVES CREEK  
 1194 VTD: 11719 - 19 OLD ATLANTA  
 1195 VTD: 11721 - 21 SOUTH FORSYTH  
 1196 VTD: 11724 - 24 SHARON FORKS  
 1197 VTD: 11725 - 25 WINDERMERE  
 1198 VTD: 11731 - 31 SAINT MARLO

1199 APPENDIX B  
 1200 LEGAL DESCRIPTION  
 1201 COUNCIL DISTRICTS  
 1202 CITY OF SHARON SPRINGS

1203 Plan: SharonSprings-dist-p2-2018  
 1204 Plan Type: Local  
 1205 Administrator: H025  
 1206 User: Gina

1207 District 001  
 1208 Forsyth County  
 1209 VTD: 11701 - 01 Big Creek  
 1210 130603:  
 1211 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011  
 1212 1012 1013 1014 1015 1022 1023 3000 3001 3002 3003 3004  
 1213 130605:  
 1214 1001 1002 1003 1004 1005 1006 2003 2004 2005 2006 2007 2008  
 1215 2009 2010 2011 2012 2013  
 1216 130612:  
 1217 2000  
 1218 130613:  
 1219 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011  
 1220 1012 1013 1014 2000 2001 2002 2003 2004 2005 2006 2007 2008

1221 2009 2010 2011 2012 2013 2014  
 1222 VTD: 11702 - 02 Brandywine  
 1223 130603:  
 1224 1016 1017 1018 1019 1020 1021  
 1225 VTD: 11714 - 14 LAKELAND  
 1226 130510:  
 1227 3005 3007 3008 3009 3014 3016 3018 3021 3022 3023 3027 3028  
 1228 VTD: 11718 - 18 DAVES CREEK  
 1229 VTD: 11725 - 25 WINDERMERE  
 1230 130510:  
 1231 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 3012  
 1232 3013 3015 3024 3025 3029  
 1233 130607:  
 1234 1000 1006 1008 2000 2001 2002 2003 2004 2005 2006 2007 2008  
 1235 2009 2010 2011  
  
 1236 District 002  
 1237 Forsyth County  
 1238 VTD: 11717 - 17 JOHNS CREEK  
 1239 130604:  
 1240 2000 2001  
 1241 VTD: 11719 - 19 OLD ATLANTA  
 1242 130611:  
 1243 1005  
 1244 VTD: 11721 - 21 SOUTH FORSYTH  
 1245 130612:  
 1246 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011  
 1247 2001 2002 2003 3000 3001 3002 3003 3004 3005 3006 3007 3008  
 1248 3009 3010 3011 3012 3013 3014 3015 3016 3017 3018 3019 3020  
 1249 VTD: 11724 - 24 SHARON FORKS  
 1250 VTD: 11725 - 25 WINDERMERE  
 1251 130510:  
 1252 2000 2001 2002 2003 2004 2005 2006 2007  
 1253 130609:  
 1254 3000 3005  
  
 1255 District 003

1256 Forsyth County  
 1257 VTD: 11701 - 01 Big Creek  
 1258 130604:  
 1259 3000 3001 3002 3003 3004  
 1260 VTD: 11717 - 17 JOHNS CREEK  
 1261 130604:  
 1262 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011  
 1263 130606:  
 1264 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 2000  
 1265 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011 2012  
 1266 2013 2014 2015 2016  
 1267 130608:  
 1268 1003 1011 1013 1016 1017 2008 2009 2010 2011 2012 3004 3007  
 1269 3010 3013 3014 3015  
 1270 VTD: 11719 - 19 OLD ATLANTA  
 1271 130608:  
 1272 1004 1005 1006 1007 1008 1009 1010 1018 1019  
 1273 130610:  
 1274 1000 1001 1004 3000 3001 3002 3003  
 1275 130611:  
 1276 1004  
 1277 VTD: 11721 - 21 SOUTH FORSYTH  
 1278 130608:  
 1279 2000 2002 2003 2006  
 1280 130610:  
 1281 2000 2001 2002 2006  
 1282 VTD: 11731 - 31 SAINT MARLO

1283 For the purposes of this plan, the term "VTD" (voting tabulation district) shall mean and  
 1284 describe the same geographical boundaries as provided in the report of the Bureau of the  
 1285 Census for the United States decennial census of 2010 for the State of Georgia. The separate  
 1286 numeric designations in a district description which are underneath a VTD heading shall  
 1287 mean and describe individual blocks within a VTD as provided in the report of the Bureau  
 1288 of the Census for the United States decennial census of 2010 for the State of Georgia.  
 1289 Districts 1, 2, and 3 in such plan shall correspond with Districts 1, 2, and 3, respectively, of  
 1290 the city council. Any part of the city which is not included in District 1, 2, or 3 as described  
 1291 in this appendix shall be included within that district contiguous to such part which contains

1292 the least population according to the United States decennial census of 2010 for the State of  
 1293 Georgia. Any part of the city which is described in that attachment describing Districts 1,  
 1294 2, and 3 as being in District 1, 2, or 3 shall nevertheless not be included within such district  
 1295 if such part is not contiguous to such district. Such noncontiguous part shall instead be  
 1296 included within the post that is contiguous to such part which contains the least population  
 1297 according to the United States decennial census of 2010 for the State of Georgia. Except as  
 1298 otherwise provided in the description of any district, whenever the description of such district  
 1299 refers to a named city, it shall mean the geographical boundaries of that city as shown on the  
 1300 census map for the United States decennial census of 2010 for the State of Georgia. If any  
 1301 area included within the descriptions of District 1, 2, or 3 is on the effective date of this Act  
 1302 within the municipal boundaries of another municipality or within a county other than  
 1303 Forsyth County, such area shall not be included within the district descriptions of such posts.

1304 APPENDIX C

1305 CERTIFICATE AS TO MINIMUM STANDARDS

1306 FOR INCORPORATION OF A NEW MUNICIPAL CORPORATION

1307 I, Todd Jones, Representative from the 25th District, and the author of this bill introduced  
 1308 at the 2017 session of the General Assembly of Georgia, which grants an original municipal  
 1309 charter to the City of Sharon Springs, do hereby certify that this bill is in compliance with  
 1310 the minimum standards required by Chapter 31 of Title 36 of the O.C.G.A. in that the area  
 1311 embraced within the original incorporation in this bill is in all respects in compliance with  
 1312 the minimum standards required by Chapter 31 of Title 36 of the O.C.G.A. This certificate  
 1313 is executed to conform to the requirements of Code Section 36-31-5 of the O.C.G.A.

1314 So certified this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

1315

\_\_\_\_\_

1316

Honorable Todd Jones

1317

Representative, District 25

1318

Georgia House of Representatives