

Senate Bill 392

By: Senator Burke of the 11th

AS PASSED SENATE

**A BILL TO BE ENTITLED
AN ACT**

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

14 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

15 **ARTICLE I**
16 **CREATION, INCORPORATION, POWERS**

17 **SECTION 1.10.**

18 **Name.**

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

SECTION 1.11.

Corporate boundaries.

(a) The boundaries of the City of Doerun shall be those existing on the effective date of the adoption of this charter with such alterations as may be made from time to time in the manner provided by law. The boundaries of this city at all times shall be shown on a map to be retained permanently in the office of the city clerk and to be identified by the city clerk as the "Official Map of the Corporate Limits of the City of Doerun, Georgia." Photographic, typed, or other copy of such map or description certified by the city clerk shall be admitted as evidence in all courts and shall have the same force and effect as with the original map or description.

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

SECTION 1.12.

Powers and construction.

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

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

SECTION 1.13.

Specific powers.

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

(b) Appropriations and expenditures. To make appropriations for the support of the government of the city; to authorize the expenditure of money for any purposes authorized

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

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

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

64 (e) Condemnation. To condemn property, inside or outside the corporate limits of the city,
65 for present or future use and for any corporate purpose deemed necessary by the governing
66 authority, utilizing procedures provided by the Official Code of Georgia Annotated as the
67 same shall exist from time to time.

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

70 (g) Emergencies. To establish procedures for determining and proclaiming that an
71 emergency situation exists inside or outside the corporate limits of the city, and to make and
72 carry out all reasonable provisions deemed necessary to deal with or meet such an emergency
73 for the protection, safety, health, or well-being of the citizens of the city.

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

79 (i) Fire regulations. To fix and establish the area of service provided by the Doerun fire
80 department and from time to time to extend, enlarge, or restrict the same; to prescribe fire
81 safety regulations not inconsistent with general law relating to fire prevention and detection
82 and to fire fighting; and to prescribe penalties and punishment for violations thereof.

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

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

- 126 (v) Penalties. To provide penalties for violation of any ordinances adopted pursuant to the
127 authority of this charter and the laws of the State of Georgia.
- 128 (w) Planning and zoning. To provide comprehensive city planning for development by
129 zoning; and to provide subdivision regulations and the like as the city council deems
130 necessary and reasonable to ensure a safe, healthy, and aesthetically pleasing community.
- 131 (x) Police and fire protection. To exercise the power of arrest through duly appointed
132 policemen; and to establish, operate, or contract for police and fire fighting agencies.
- 133 (y) Public hazards: Removal. To provide for the destruction and removal of any building
134 or other structure which is or may become dangerous or detrimental to the public.
- 135 (z) Public improvements. To provide for the acquisition, construction, building, operation,
136 and maintenance of public ways, parks and playgrounds, recreational facilities, cemeteries,
137 markets and market houses, public buildings, libraries, public housing, airports, hospitals,
138 terminals, docks, parking facilities, or charitable, cultural, educational, recreational,
139 conservation, sport, curative, corrective, detentional, penal and medical institutions, agencies,
140 and facilities; to provide any other public improvements, inside or outside the corporate
141 limits of the city; to regulate the use of public improvements; and for such purposes, property
142 may be acquired by condemnation under procedures provided by the Official Code of
143 Georgia Annotated as the same shall exist from time to time.
- 144 (aa) Public peace. To provide for the prevention and punishment of drunkenness, riots, and
145 public disturbances.
- 146 (bb) Public transportation. To organize and operate such public transportation systems as
147 are deemed beneficial.
- 148 (cc) Public utilities and services. To grant franchises or make contracts for, or impose taxes
149 if authorized by general law on public utilities and public service companies; and to prescribe
150 the rates, fares, regulations and standards, and conditions of service applicable to the service
151 to be provided by the franchise grantee or contractor, insofar as not in conflict with valid
152 regulations of the Public Service Commission.
- 153 (dd) Regulation of roadside areas. To prohibit or regulate and control the erection, removal,
154 and maintenance of signs, billboards, trees, shrubs, fences, buildings, and any and all other
155 structures or obstructions upon or adjacent to the rights-of-way of streets and roads or within
156 view thereof, within or abutting the corporate limits of the city; and to prescribe penalties and
157 punishment for violation of such ordinances.
- 158 (ee) Retirement. To provide and maintain a retirement plan for officers and employees of
159 the city.
- 160 (ff) Roadways. To lay out, open, extend, widen, narrow, establish, or change the grade of,
161 abandon or close, construct, pave, curb, gutter, provide drainage for, adorn with shade trees,
162 or otherwise improve, maintain, repair, clean, prevent erosion of, and light the roads, alleys,

163 and walkways within the corporate limits of the city; and to grant franchises and
164 rights-of-way throughout the streets and roads and over the bridges and viaducts for the use
165 of public utilities; and to require real estate owners to repair and maintain in a safe condition
166 the sidewalks adjoining their lots or lands; and to impose penalties for failure to do so.

167 (gg) Sewer fees. To levy a fee, charge, or sewer tax if authorized by general law as
168 necessary to assure the acquiring, constructing, equipping, operating, maintaining, and
169 extending of a sanitary sewage disposal plant and sewerage system; and to levy on those to
170 whom sewers and sewerage systems are made available a sewer service fee, charge, or sewer
171 tax for the availability or use of the sewers; to provide for the manner and method of
172 collecting such service charges and for enforcing payment of the same; and to charge,
173 impose, and collect a sewer connection fee or fees to those connected with the system.

174 (hh) Solid waste disposal. To provide for the collection and disposal of garbage, rubbish,
175 and refuse, and to regulate the collection and disposal of garbage, rubbish, and refuse by
176 others; and to provide for the separate collection of glass, tin, aluminum, cardboard, paper,
177 and other recyclable materials.

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

186 (jj) Special assessments. To levy and provide for the collection of special assessments to
187 cover the costs for any public improvements.

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

190 (ll) Taxes: other. To levy and collect such other taxes as may be allowed now or in the
191 future by law.

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

196 (nn) Urban redevelopment. To organize and operate an urban redevelopment program.

197 (oo) Other powers. To exercise and enjoy all other powers, functions, rights, privileges, and
198 immunities necessary or desirable to promote or protect the safety, health, peace, security,
199 good order, comfort, convenience, or general welfare of the city and its inhabitants; and to

200 exercise all implied powers necessary or desirable to carry into execution all powers granted
 201 in this charter as fully and completely as if such powers were fully stated herein; and to
 202 exercise all powers now or in the future authorized to be exercised by municipal governments
 203 under other laws of the State of Georgia; and no listing of particular powers in this charter
 204 shall be held to be exclusive of others, nor restrictive of general words and phrases granting
 205 powers, but shall be held to be in addition to such powers unless expressly prohibited to
 206 municipalities under the Constitution or applicable laws of the State of Georgia.

207 **SECTION 1.14.**

208 Exercise of powers.

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

213 **ARTICLE II**

214 **GOVERNMENT STRUCTURE**

215 **SECTION 2.10.**

216 City council creation; number; election.

217 The legislative authority of the government of the City of Doerun, except as otherwise
 218 specifically provided in this charter, shall be vested in a city council to be composed of a
 219 mayor and five councilmembers. The city council established shall in all respects be a
 220 successor to and continuation of the governing authority under prior law. The mayor and
 221 councilmembers shall be elected in the manner provided by general law and this charter.

222 **SECTION 2.11.**

223 City council members; terms and qualifications for office.

224 The members of the city council shall serve for terms of four years and until their respective
 225 successors are elected and qualified. No person shall be eligible to serve as mayor or
 226 councilmember unless that person shall have been a resident of the city for 12 months prior
 227 to the date of election of mayor or members of the council; each shall continue to reside
 228 therein during that member's period of service and to be registered and qualified to vote in
 229 municipal elections of this city.

230

SECTION 2.12.

231

Vacancy; filling of vacancies.

232 (a) Vacancies. The office of mayor or councilmember shall become vacant upon the
 233 occurrence of any event specified by the Constitution of the State of Georgia, Title 45 of the
 234 Official Code of Georgia Annotated, or such other applicable laws as are or may hereafter
 235 be enacted.

236 (b) Filling of vacancies. A vacancy in the office of mayor shall be filled for the remainder
 237 of the unexpired term, if any, by the mayor pro tempore if less than 12 months remain in the
 238 unexpired term, otherwise by an election as provided for in Section 5.14 of this charter and
 239 in accordance with Titles 21 and 45 of the Official Code of Georgia Annotated or other such
 240 laws as are or may hereafter be enacted. A vacancy in the office of councilmember shall be
 241 filled for the remainder of the unexpired term, if any, by appointment if less than 12 months
 242 remain in the unexpired term, otherwise by an election as provided for in Section 5.14 of this
 243 charter and Titles 21 and 45 of the Official Code of Georgia Annotated or such other laws
 244 as are or may hereafter be enacted.

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

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SECTION 2.13.

251

Compensation and expenses.

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

254

SECTION 2.14.

255

Holding other office; voting when financially interested.

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

258 (b) Except as authorized by law, no councilmember nor the mayor shall hold any other city
 259 office or city employment during the term for which that person was elected.

260 (c) No councilmember nor the mayor shall vote upon, sign, or veto any ordinance,
 261 resolution, contract, or other matter in which that person is financially interested.

262

SECTION 2.15.

263

Inquiries and investigations.

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

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SECTION 2.16.

271

General power and authority of the city council.

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

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SECTION 2.17.

275

Organizational meetings.

276 The city council shall hold an organizational meeting at the first regularly scheduled meeting
 277 in January following the regular election, as provided in Section 5.11 of this charter. The
 278 meeting shall be called to order by the city clerk, and the oath of office shall be administered
 279 to the newly-elected members as follows:

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"I _____ do solemnly swear or affirm that I will properly perform the duties of
 the office of _____ in and for the City of Doerun, to the best of my
 knowledge, skill, and ability; that I am not the holder of any unaccounted for public
 money due to the State of Georgia or any political subdivision or authority thereto;
 that I am not the holder of any office of trust under the government of the United
 States, any other state, or any foreign state, which I am by the laws of the State of
 Georgia prohibited from holding; that I am qualified to hold the office which I am
 about to enter according to the Constitution and laws of Georgia; that I will support
 the Constitution of the United States and the State of Georgia; that I have been a
 resident of the post from which elected and the City of Doerun for the time required
 by the Constitution and laws of the State of Georgia and the charter of the City of
 Doerun, so help me God."

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SECTION 2.18.

293

Regular and special meetings.

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

296 (b) Special meetings of the city council may be held on call of the mayor or three members
297 of the city council. Notice of such special meetings shall be served on all other members
298 personally, or by telephone personally, at least 24 hours in advance of the meeting. Such
299 notice to councilmembers shall not be required if the mayor and all councilmembers are
300 present when the special meeting is called. Such notice of any special meeting may be
301 waived by a councilmember in writing before or after such a meeting, and attendance at the
302 meeting shall also constitute a waiver of notice on any business transacted in such
303 councilmember's presence. Only the business stated in the call may be transacted at the
304 special meeting.

305 (c) All meetings of the city council shall be public to the extent required by law, and notice
306 to the public of special meetings shall be made fully as is reasonably possible as provided by
307 Chapter 14 of Title 50 of the Official Code of Georgia Annotated or other such applicable
308 laws as are or may hereafter be enacted.

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SECTION 2.19.

310

Rules of procedure.

311 (a) The city council shall adopt its rules of procedure and order of business consistent with
312 the provisions of this charter and shall provide for keeping minutes of its proceedings, which
313 shall be a public record.

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

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SECTION 2.20.

318

Quorum; voting.

319 (a) Three councilmembers other than the mayor shall constitute a quorum and shall be
320 authorized to transact business of the city council. Voting on the adoption of ordinances
321 shall be by voice vote, and the vote shall be recorded in the minutes; but any member of the
322 city council shall have the right to request a roll call vote, and such vote shall be recorded in
323 the minutes. Except as otherwise provided in this charter, the affirmative vote of three

324 councilmembers shall be required for the adoption of any ordinance, resolution, or motion.

325 The mayor shall vote only in the event of a tie.

326 (b) Every ordinance, resolution, or motion passed by the city council may be subject to veto
 327 by the mayor in the following manner: The mayor, within three days, may write out his or
 328 her objection to such ordinance, resolution, or motion; and the objection shall be presented
 329 to the city council at the next regularly scheduled meeting. Said objection shall be entered
 330 into the minutes, and the city council shall vote on the question as to whether said ordinance,
 331 resolution, or motion shall become adopted over said veto. Should as many as four members
 332 of the city council at the next regularly scheduled meeting following the mayor's veto vote
 333 in the affirmation, said ordinance, resolution, or motion shall stand affirmed and become
 334 effective without the approval of the mayor; otherwise the veto will stand.

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SECTION 2.21.

336

Ordinance form; procedures.

337 (a) Every proposed ordinance should be introduced in writing and in the form required for
 338 final adoption. The enacting clause shall be "It is hereby ordained by the governing authority
 339 of the City of Doerun," and every ordinance shall so begin.

340 (b) An ordinance may be introduced by any councilmember and be read at a regular or
 341 special meeting of the city council. Ordinances shall be considered and adopted or rejected
 342 by the city council in accordance with the rules which it shall establish. Except for
 343 emergency ordinances, all ordinances shall have two separate readings; provided, however,
 344 the council may dispense with the second reading with the unanimous consent of the
 345 members present. Upon introduction of any ordinance, the city clerk shall, as soon as
 346 possible, distribute a copy to the mayor and each councilmember and shall file a reasonable
 347 number of copies in the office of the city clerk and at such other public places as the city
 348 council may designate.

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SECTION 2.22.

350

Action requiring an ordinance.

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

352 **SECTION 2.23.**

353 Emergencies.

354 (a) To meet a public emergency affecting life, health, property, or public peace, the city
 355 council may convene on call of the mayor or two councilmembers and promptly adopt an
 356 emergency ordinance, but such ordinance may not levy taxes; grant, renew, or extend a
 357 franchise; regulate the rate charged by any public utility for its services; or authorize the
 358 borrowing of money except for loans to be repaid within 30 days. An emergency ordinance
 359 shall be introduced in the form prescribed for ordinances generally, except that it shall be
 360 plainly designated as an emergency ordinance and shall contain, after the enacting clause,
 361 a declaration stating that an emergency exists, and describing the emergency in clear and
 362 specific terms. An emergency ordinance may be adopted, with or without amendment, or
 363 rejected at the meeting at which it is introduced, but the affirmative vote of at least three
 364 councilmembers shall be required for adoption. It shall become effective upon adoption or
 365 at such later time as it may specify. Every emergency ordinance shall automatically stand
 366 repealed 30 days following the date upon which it was adopted, but this shall not prevent
 367 re-enactment of the ordinance in the manner specified in this section if the emergency still
 368 exists. An emergency ordinance may also be repealed by adoption of a repealing ordinance
 369 in the same manner specified in this section for adoption of emergency ordinances.

370 (b) Such meetings shall be open to the public to the extent required by law, and notice to the
 371 public of emergency meetings shall be made as fully as is reasonably possible in accordance
 372 with Chapter 14 of Title 50 of the Official Code of Georgia Annotated, or such other
 373 applicable laws as are or may hereafter be enacted.

374 **SECTION 2.24.**

375 Codes of technical regulations.

376 (a) The city council may adopt any standard code of technical regulations by reference
 377 thereto in an adopting ordinance. The procedures and requirements governing such adopting
 378 ordinance shall be as prescribed for ordinances generally except that: (1) the requirements
 379 of Section 2.21(b) of this charter for distribution and filing of copies of the ordinance shall
 380 be construed to include copies of any code of technical regulations, as well as the adopting
 381 ordinance; and (2) a copy of each adopted code of technical regulations, as well as the
 382 adopting ordinance, shall be authenticated and recorded by the clerk pursuant to Section 2.25
 383 of this charter.

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

386

SECTION 2.25.

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Signing; authenticating; recording; codification; printing.

388 (a) The city clerk shall authenticate by his or her signature and record in full, in a properly
389 indexed book kept for that purpose, all ordinances adopted by the city council.

390 (b) The city council shall provide for the preparation of a general codification of all the
391 ordinances of the city having the force and effect of law. The general codification shall be
392 adopted by the city council by ordinance and shall be published promptly, together with all
393 amendments thereto and such codes of technical regulations and other rules and regulations
394 as the city council may specify. This compilation shall be known and cited officially as "The
395 Code of the City of Doerun, Georgia." Copies of the code shall be furnished to all officers,
396 departments, and agencies of the city and made available for purchase by the public at a
397 reasonable price as fixed by the city council.

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

407

SECTION 2.26.

408

Election of mayor; forfeiture; compensation.

409 The mayor shall be elected and serve for a term of four years and until a successor is elected
410 and qualified. The mayor shall be a qualified elector of this city and shall have been a
411 resident of the city for 12 months preceding the election. The mayor shall continue to reside
412 in this city during the period of service. The mayor shall forfeit the office on the same
413 grounds and under the same procedure as for councilmembers. The compensation of the
414 mayor shall be established in the same manner as for councilmembers.

415

SECTION 2.27.

416

Powers and duties of mayor.

417 The mayor shall:

- 418 (1) Preside at all meetings of the city council;
- 419 (2) Be the head of the city for the purpose of service of process and for ceremonial
420 purposes, and be the official spokesperson for the city and the chief advocate of policy;
- 421 (3) Have power to administer oaths and to take affidavits;
- 422 (4) Sign as a matter of course on behalf of the city all written and approved contracts,
423 ordinances, and other instruments executed by the city which by law are required to be
424 in writing;
- 425 (5) Vote in the event of a tie;
- 426 (6) Fulfill such other executive and administrative duties as the city council shall by
427 ordinance establish not in conflict with the provisions of this charter; and
- 428 (7) Veto any ordinance, resolution, or motion as provided in Section 2.20(b) of this
429 charter.

430 **SECTION 2.28.**

431 Mayor pro tem; selection; duties.

432 By a majority vote, the city council shall elect a councilmember to serve as mayor pro tem.
433 In the mayor's absence, the mayor pro tem shall preside at meetings of the city council and
434 shall assume the duties and powers of the mayor upon the mayor's physical or mental
435 disability; provided that the mayor pro tem shall vote as a member of the council at all times
436 when serving as herein provided.

437 **SECTION 2.29.**

438 City manager; appointment; qualifications; compensation.

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

442 **SECTION 2.30.**

443 Duties of the city manager.

444 The city manager shall be the chief executive and administrative officer of the city. The
445 manager shall be responsible to the city council for the administration of all city affairs
446 placed in the manager's charge by or under this charter. As the chief executive and
447 administrative officer, the manager shall:

- 448 (1) Appoint and, when the manager deems it necessary for the good of the city, suspend
 449 or remove all city employees and administrative officers the manager appoints, except
 450 as otherwise provided by law or personnel ordinances adopted pursuant to this charter.
 451 The manager may authorize any administrative officer who is subject to the manager's
 452 direction and supervision to exercise these powers with respect to subordinates in that
 453 officer's department, office or agency;
- 454 (2) Direct and supervise the administration of all departments, offices, and agencies of
 455 the city, except as otherwise provided by this charter or by law;
- 456 (3) Attend all city council meetings except for closed meetings held for the purposes of
 457 deliberating on the appointment, discipline, or removal of the city manager, and have the
 458 right to take part in discussion but not vote;
- 459 (4) See that all laws, provisions of this charter, and acts of the city council, subject to
 460 enforcement by the manager or by officers subject to the manager's direction and
 461 supervision, are faithfully executed;
- 462 (5) Consult with the mayor in the preparation of the annual operating budget and capital
 463 budget to the city council;
- 464 (6) Submit to the city council and make available to the public a complete report on the
 465 finances and administrative activities of the city as of the end of each fiscal year;
- 466 (7) Make such other reports as the city council may require concerning the operations
 467 of city departments, offices, and agencies subject to the manager's direction and
 468 supervision;
- 469 (8) Keep the city council fully advised as to the financial condition and future needs of
 470 the city, and make such recommendations to the city council concerning the affairs of the
 471 city as the manager deems desirable; and
- 472 (9) Perform other such duties as are specified in this charter or as may be required by the
 473 city council.

474 **SECTION 2.31.**

475 Removal of city manager.

- 476 (a) The city manager is employed at-will and may be summarily removed from office at any
 477 time by the city council. The city council may remove the manager from office in
 478 accordance with the following procedures:
- 479 (1) The city council shall adopt by affirmative vote of a majority of all its members a
 480 preliminary resolution which must state the reasons for removal and may suspend the city
 481 manager from duty for a period not to exceed 45 days. A copy of the resolution shall be
 482 delivered promptly to the city manager.

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

487 (3) If the city manager has not requested a public hearing within the time specified in
 488 paragraph (2) above, the city council may adopt a final resolution for removal, which may
 489 be made effective immediately, by an affirmative vote of a majority of all its members.
 490 If the city manager has requested a public hearing, the city council may adopt a final
 491 resolution for removal, which may be made effective immediately, by an affirmative vote
 492 of a majority of all its members at any time after the public hearing.

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

495 **SECTION 2.32.**

496 Council interference with administration.

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

502 **ARTICLE III**

503 **ADMINISTRATIVE AFFAIRS**

504 **SECTION 3.10.**

505 Administrative and service departments.

506 (a) Except as otherwise provided in this charter, the city council, by ordinance, shall
 507 prescribe the functions of duties, and establish, abolish, alter, consolidate, or leave vacant all
 508 non-elective offices, positions of employment, departments, and agencies of the city as
 509 necessary for the proper administration of the affairs and government of this city.

510 (b) Except as otherwise provided by this charter or by law, the directors of city departments
 511 and other appointed officers of the city under the supervision of the city manager shall be
 512 appointed by the city manager solely on the basis of their respective administrative and
 513 professional qualifications. Except those appointed by the city council, all appointed
 514 officers, directors, and department heads shall be employees at will and subject to removal
 515 or suspension at any time by the city manager.

516 (c) All appointive officers and directors of departments shall receive such compensation as
517 prescribed by ordinance.

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

522 **SECTION 3.11.**

523 **Boards, commissions, and authorities.**

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

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

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

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

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

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

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

545 (h) Except as otherwise provided by this charter or by law, each board, commission, or
546 authority of the city shall elect one of its members as chair and one member as vice-chair and
547 may elect as its secretary one of its own members or may appoint as secretary an employee
548 of the city. Each board, commission, or authority of the city government may establish such
549 bylaws, rules, and regulations not inconsistent with this charter or ordinances of the city or

550 law as it deems appropriate and necessary for the fulfillment of its duties or the conduct of
551 its affairs. Copies of such bylaws, rules, and regulations shall be filed with the city clerk.

552 **SECTION 3.12.**

553 City attorney.

554 The city council shall appoint a city attorney, together with such assistant city attorneys as
555 may be authorized, and shall provide for the payment of such attorney or attorneys for
556 services rendered to the city. The city attorney shall be responsible for providing for the
557 representation and defense of the city in all litigation in which the city is a party; may be the
558 prosecuting officer in the municipal court; shall attend the meetings of the council as
559 directed; shall advise the city council, mayor, and other officers and employees of the city
560 concerning legal aspects of the city's affairs; and shall perform such other duties as may be
561 required by virtue of the person's position as city attorney.

562 **SECTION 3.13.**

563 City clerk.

564 The city council shall appoint a city clerk who shall not be a councilmember. The city clerk
565 shall be custodian of the official city seal and city records; maintain city council records
566 required by this charter; and perform such other duties as may be required by the city
567 council. The city clerk shall be under the supervision of the city manager.

568 **SECTION 3.14.**

569 Personnel policies.

570 All employees of the city serve at-will and may be removed from office at any time unless
571 otherwise provided by ordinance.

572 **ARTICLE IV**

573 **JUDICIAL BRANCH**

574 **SECTION 4.10.**

575 Municipal court creation.

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

577

SECTION 4.11.

578

Chief judge; associate judge.

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

581 (b) Compensation of the judges shall be fixed by ordinance.

582 (c) Judges may be removed from office pursuant to Code Section 36-32-2 of the Official
583 Code of Georgia Annotated.

584 (d) Before assuming office, each judge shall take an oath, given by the mayor, that the judge
585 will honestly and faithfully discharge the duties of the office to the best of that person's
586 ability and without fear, favor, or partiality. The oath shall be entered upon the minutes
587 required in Section 2.19 of this charter.

588

SECTION 4.12.

589

Convening.

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

591

SECTION 4.13.

592

Jurisdiction; powers.

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

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

597 (c) The municipal court may fix punishment for offenses within its jurisdiction not
598 exceeding a fine of \$1,000 or imprisonment for 180 days, or other such fine and
599 imprisonment, or may fix punishment by fine, imprisonment, or alternative sentencing as
600 now or hereafter provided by law.

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

604 (e) The municipal court shall have authority to establish bail and recognizance to ensure the
605 presence of those charged with violations before said court, and shall have discretionary
606 authority to accept cash or personal or real property as surety for the appearance of persons
607 charged with violations.

608 (f) The City of Doerun shall have full power and authority to provide, by ordinance, for the
609 forfeiture of bonds given by offenders for their appearance before municipal courts and to
610 provide for the collection of the same from the principal and sureties on such bonds by
611 judgment, execution, and sale.

612 (g) The municipal court shall have the same authority as magistrate courts to compel the
613 production of evidence in the possession of any party; to enforce obedience to its orders,
614 judgments, and sentences; and to administer such oaths as are necessary.

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

618 (i) Each judge of the municipal court shall be authorized to issue warrants for the arrest of
619 persons charged with offenses against any ordinance of the city, and each judge of the
620 municipal court shall have the same authority as a magistrate of the state to issue warrants
621 for offenses against state laws committed within the city.

622 **SECTION 4.14.**

623 Certiorari.

624 The right of certiorari from the decision and judgment of the municipal court shall exist in
625 all criminal cases and ordinance violation cases, and such certiorari shall be obtained under
626 the sanction of a judge of the Superior Court of Colquitt County under the laws of the State
627 of Georgia regulating the granting and issuance of writs of certiorari.

628 **SECTION 4.15.**

629 Rules for court.

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

637 **SECTION 4.16.**

638 Indigent defense and prosecutor.

639 The mayor and council shall have the power to provide for a system of defense for indigent
 640 persons charged in the municipal court of the City of Doerun with violations of ordinances
 641 or state laws, and for the prosecution of such cases by a prosecutor, and to provide for and
 642 require the expense of same to be prorated over all criminal cases disposed of by the court,
 643 and all bond forfeitures in said cases, to be imposed by the municipal court judge and
 644 collected in all criminal cases and in bond forfeitures in such cases as costs in addition to
 645 fines, penalties, and all other costs.

646 **ARTICLE V**647 **ELECTIONS AND REMOVAL**648 **SECTION 5.10.**

649 Applicability of general law.

650 All primaries and elections shall be held and conducted in accordance with the Georgia
 651 Election Code (Chapter 2 of Title 21 of the Official Code of Georgia Annotated) as now or
 652 hereafter amended.

653 **SECTION 5.11.**

654 Regular elections; time for holding.

655 (a) The mayor and councilmembers who are in office on the effective date of this Act shall
 656 serve until the expiration of the term of office to which they were elected and until their
 657 successors are elected and qualified.

658 (b) For the purpose of electing members of the council, the City of Doerun shall consist of
 659 one election district with five numbered posts. Each person seeking election shall designate
 660 the post for which he or she seeks election.

661 (c) On Tuesday next following the first Monday in November 2018, successors to city
 662 council Post 3, Post 4, and Post 5 whose terms shall expire on December 31, 2018, shall be
 663 elected for a term of office expiring on December 31, 2022, or until their respective
 664 successors are elected and qualified.

665 (d) On Tuesday next following the first Monday in November 2020, successors to the
 666 position of mayor and city council Post 1 and Post 2 whose terms expire on December 31,
 667 2020, shall be elected for a term of office expiring on December 31, 2024, or until their
 668 respective successors are elected and qualified.

669 (e) The general municipal election for the election of the mayor and council members shall
670 be conducted on the Tuesday next following the first Monday in November in each
671 even-numbered year. Successors shall be elected to those offices the terms of which will
672 expire on December 31 of such year. All persons elected to such offices shall take office on
673 January 1 immediately following the date of the municipal election and shall have terms of
674 office of four years and until their respective successors are elected and qualified.

675 **SECTION 5.12.**

676 Nonpartisan elections.

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

679 **SECTION 5.13.**

680 Election by majority.

681 The mayor and councilmembers shall be elected by a majority vote of the votes cast for each
682 position.

683 **SECTION 5.14.**

684 Special elections; vacancies.

685 In the event that the office of mayor or councilmember shall become vacant as provided in
686 Section 2.12 of this charter, the city council or those remaining shall order a special election
687 to fill the balance of the unexpired term of such official; provided, however, if such vacancy
688 occurs less than 12 months prior to the expiration of the term of that office, the city council
689 or those members remaining shall appoint a successor for the remainder of the term. In all
690 other respects, the special election shall be held and conducted in accordance with the
691 Georgia Election Code, Chapter 2 of Title 21 of the Official Code of Georgia Annotated, as
692 now or hereafter amended.

693 **SECTION 5.15.**

694 Other provisions.

695 Except as otherwise provided by this charter, the city council shall, by ordinance, prescribe
696 such rules and regulations it deems appropriate to fulfill any options and duties under the

697 Georgia Election Code, Chapter 2 of Title 21 of the Official Code of Georgia Annotated, as
698 now or hereafter amended.

699 **SECTION 5.16.**

700 Removal of officers.

701 (a) The mayor, councilmembers, or other appointed officers provided for in this charter shall
702 be removed from office for any one or more of the causes provided in Chapter 5 of Title 45
703 of the Official Code of Georgia Annotated, or such other applicable laws as are or may
704 hereafter be enacted.

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

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

716 (2) By an order of the Superior Court of Colquitt County following a hearing on a
717 complaint seeking such removal brought by any resident of the City of Doerun.

718 **ARTICLE VI**

719 **FINANCE**

720 **SECTION 6.10.**

721 Property tax.

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

728 **SECTION 6.11.**

729 Millage rate; due dates; payment methods.

730 The city council, by ordinance, shall establish a millage rate for the city property tax, a due
731 date, and the time period within which these taxes must be paid. The city council, by
732 ordinance, may provide for the payment of these taxes by installments or in one lump sum,
733 as well as authorize the voluntary payment of taxes prior to the time when due.

734 **SECTION 6.12.**

735 Occupation and business taxes.

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

740 **SECTION 6.13.**

741 Regulatory fees; permits.

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

747 **SECTION 6.14.**

748 Franchises.

749 (a) The city council shall have the power to grant franchises for the use of this city's streets
750 and alleys for the purposes of railroads, street railways, telephone companies, electric
751 companies, electric membership corporations, cable television, and other telecommunications
752 companies, gas companies, transportation companies, and other similar organizations. The
753 city council shall determine the duration, terms, whether the same shall be exclusive or
754 nonexclusive, and the consideration for such franchises; provided, however, no franchise
755 shall be granted for a period in excess of 35 years, and no franchise shall be granted unless
756 the city receives just and adequate compensation therefor. The city council shall provide for
757 the registration of all franchises with the city clerk in a registration book kept by the clerk.

758 The city council may provide by ordinance for the registration within a reasonable time of
759 all franchises previously granted.

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

765 **SECTION 6.15.**

766 Service charges.

767 The city council, by ordinance, shall have the power to assess and collect fees, charges, and
768 tolls for sewers, sanitary and health services, or any other services provided or made
769 available within and without the corporate limits of the city for the total cost to the city of
770 providing or making available such services. If unpaid, such charges shall be collected as
771 provided in Section 6.18 of this charter.

772 **SECTION 6.16.**

773 Special assessments.

774 The city council, by ordinance, shall have the power to assess and collect the cost of
775 constructing, reconstructing, widening, or improving any public way, street, sidewalk,
776 curbing, gutters, sewers, or other utility mains and appurtenances from the abutting property
777 owners under such terms and conditions as are reasonable. If unpaid, such charges shall be
778 collected as provided in Section 6.18 of this charter.

779 **SECTION 6.17.**

780 Construction; other taxes and fees.

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

784 **SECTION 6.18.**

785 Collection of delinquent taxes and fees.

786 The city council, by ordinance, may provide generally for the collection of delinquent taxes,
 787 fees, or other revenue due the city under Sections 6.10 through 6.17 of this charter by
 788 whatever reasonable means as are not precluded by law. This shall include providing for the
 789 dates when the taxes or fees are due, late penalties or interest, issuance and execution of fieri
 790 facia's, creation and priority of liens, making delinquent taxes and fees the personal debts of
 791 the persons required to pay the taxes or fees imposed, revoking city permits for failure to pay
 792 city taxes or fees, and providing for the assignment or transfer of tax executions.

793 **SECTION 6.19.**

794 General obligation bonds.

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

799 **SECTION 6.20.**

800 Revenue bonds.

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

804 **SECTION 6.21.**

805 Short-term loans.

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

808 **SECTION 6.22.**

809 Lease-purchase contracts.

810 The city may enter into multi-year lease, purchase, or lease-purchase contracts for the
 811 acquisition of goods, materials, real and personal property, services, and supplies, provided

812 the contract terminates without further obligation on the part of the municipality at the close
813 of the calendar year in which it was executed and at the close of each succeeding calendar
814 year for which it may be renewed. Contracts must be executed in accordance with the
815 requirements of Code Section 36-60-13 of the Official Code of Georgia Annotated or other
816 such applicable laws as are or may hereafter be enacted.

817 **SECTION 6.23.**

818 Fiscal year.

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

822 **SECTION 6.24.**

823 Preparation of budgets.

824 The city council shall provide an ordinance on the procedures and requirements for the
825 preparation and execution of an annual operating budget, a capital improvement plan, and
826 a capital budget, including requirements as to the scope, content, and form of such budgets
827 and plans.

828 **SECTION 6.25.**

829 Submission of operating budget to city council.

830 On or before a date fixed by the city council, but not later than 60 days prior to the beginning
831 of each fiscal year, the mayor upon consultation with the city manager shall submit to the
832 city council a proposed operating budget for the ensuing fiscal year. The budget shall be
833 accompanied by a message from the mayor containing a statement of the general fiscal
834 policies of the city, the important features of the budget, explanations of major changes
835 recommended for the next fiscal year, a general summary of the budget, and such other
836 pertinent comments and information. The operating budget and the capital budget
837 hereinafter provided for, the budget message, and all supporting documents shall be filed in
838 the office of the city clerk and shall be open to public inspection.

839

SECTION 6.26.

840

Action by city council on budget.

841 (a) The city council may amend the operating budget proposed by the mayor, except that the
 842 budget as finally amended and adopted must provide for all expenditures required by state
 843 law or by other provisions of this charter and for all debt service requirements for the ensuing
 844 fiscal year, and the total appropriations from any fund shall not exceed the estimated fund
 845 balance, reserves, and revenues.

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

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

859

SECTION 6.27.

860

Tax levies.

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

867

SECTION 6.28.

868

Changes in appropriations.

869 The city council, by ordinance, may make changes in the appropriations contained in the
 870 current operating budget at any regular meeting, special or emergency meeting called for

871 such purpose, but any additional appropriations may be made only from an existing
872 unexpended surplus.

873 **SECTION 6.29.**

874 Independent audit.

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

880 **SECTION 6.30.**

881 Contracting procedures.

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

883 (1) It is in writing;

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

886 (3) It is made or authorized by the city council, and such approval is entered in the
887 minutes pursuant to Section 2.21 of this charter.

888 **SECTION 6.31.**

889 Centralized purchasing.

890 The city council, by ordinance, shall prescribe procedures for a system of centralized
891 purchasing for the city.

892 **SECTION 6.32.**

893 Sale and lease of city property.

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

896 ARTICLE VII
897 GENERAL PROVISIONS
898 **SECTION 7.10.**
899 Bonds for officials.

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

903 **SECTION 7.11.**
904 Prior ordinances.

905 All ordinances, resolutions, rules, and regulations now in force in the city and not
906 inconsistent with this charter are hereby declared valid and of full effect and force until
907 amended or repealed by the city council.

908 **SECTION 7.12.**
909 Existing personnel and officers.

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

916 **SECTION 7.13.**
917 Pending matters.

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

922 **SECTION 7.14.**

923 Construction.

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

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

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

929 **SECTION 7.15.**

930 Specific repealer.

931 An Act incorporating the City of Doerun in the County of Colquitt, State of Georgia,
932 approved April 19, 2000 (Ga. L. 2000, p. 4138), is hereby repealed in its entirety, and all
933 amendatory acts thereto are likewise repealed in their entirety.

934 **SECTION 7.16.**

935 Effective date.

936 This charter shall become effective July 1, 2018.

937 **SECTION 7.17.**

938 General repealer.

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