

House Bill 586 (AS PASSED HOUSE AND SENATE)

By: Representative Bentley of the 139<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

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

15 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

16 ARTICLE I  
17 INCORPORATION AND POWERS

18 SECTION 1.10.

19 Name.

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

23

**SECTION 1.11.**

24

## Corporate boundaries.

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

34 (b) The city council may provide for the redrawing of any such map by ordinance to reflect  
 35 lawful changes in the corporate boundaries. A redrawn map shall supersede, for all purposes,  
 36 the earlier map or maps which it designated to replace but such earlier maps shall be retained  
 37 in the office of the city clerk.

38

**SECTION 1.12.**

39

## Powers and construction.

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

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

47

**SECTION 1.13.**

48

## Examples of Powers.

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

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

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

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

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

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

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

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

83 (i) Fire Regulations. To fix and establish fire limits and from time to time to extend,  
84 enlarge, or restrict the same; to prescribe fire safety regulations not inconsistent with general  
85 law, relating to both fire prevention and detection and to firefighting; and to prescribe  
86 penalties and punishment for violations thereof.

87 (j) Garbage Fees. To levy, fix, assess, and collect a garbage, refuse and trash collection and  
88 disposal, and other sanitary service charge, or fee for such services as may be necessary in  
89 the operation of the city from all individuals, firms, and corporations, residing in or doing

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

- 127 (u) Nuisance. To define a nuisance and provide for its abatement whether on public or  
128 private property.
- 129 (v) Penalties. To provide penalties for violation of any ordinances adopted pursuant to the  
130 authority of this charter and the laws of the State of Georgia.
- 131 (w) Planning and Zoning. To provide comprehensive city planning for development by  
132 zoning; and to provide subdivision regulation and the like as the city council deems  
133 necessary and reasonable to insure a safe, healthy, and aesthetically pleasing community.
- 134 (x) Police and Fire Protection. To exercise the power of arrest through duly appointed  
135 police officers, and to establish, operate, or contract for a police and firefighting agency.
- 136 (y) Public Hazards; Removal. To provide for the destruction and removal of any building  
137 or other structure, which is or may become dangerous or detrimental to the public.
- 138 (z) Public Improvements. To provide for the acquisition, construction, building, operation,  
139 and maintenance of public ways, parks and playgrounds, recreational facilities, cemeteries,  
140 markets and market houses, public buildings, libraries, public housing, airports, hospitals,  
141 terminals, docks, parking facilities, or charitable, cultural, educational, recreational,  
142 conservation, sport, curative, corrective, detentional, penal, and medical institutions,  
143 agencies, and facilities; and to provide any other public improvements inside or outside the  
144 corporate limits of the city; to regulate the use of public improvements; and for such  
145 purposes, property may be acquired by condemnation under Title 22 of the O.C.G.A., or such  
146 other applicable laws as are or may hereafter be enacted.
- 147 (aa) Public Peace. To provide for the prevention and punishment of loitering, disorderly  
148 conduct, drunkenness, riots, and public disturbances.
- 149 (bb) Public Utilities and Services. To grant franchises or to make contracts for, or impose  
150 taxes on public utilities and public service companies; and to prescribe the rates, fares,  
151 regulations, and standards and conditions of service applicable to the service to be provided  
152 by the franchise grantee or contractor, insofar as not in conflict with valid regulations of the  
153 Public Service Commission.
- 154 (cc) Regulation and Roadside Areas. To prohibit or regulate and control the erection,  
155 removal, and maintenance of signs, billboards, trees, shrubs, fences, building and any and  
156 all structures or obstructions upon or adjacent to the rights-of-way of streets and roads or  
157 within view thereof, within or abutting the corporate limits of the city; and to prescribe  
158 penalties and punishment for violation of such ordinances.
- 159 (dd) Retirement. To provide and maintain a retirement plan and other employee benefit  
160 plans and programs for officers and employees of the city.
- 161 (ee) Roadways. To lay out, open, extend, widen, narrow, establish or change the grade of,  
162 abandon or close, construct, pave, curb, gutter, adorn with shade trees, or otherwise improve,  
163 maintain, repair, clean, prevent erosion of, and light the roads, alleys, and walkways within

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

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

175 (gg) Solid Waste Disposal. To provide for the collection and disposal of garbage, rubbish,  
176 and refuse, and to regulate the collection and disposal of garbage, rubbish, and refuse by  
177 others; and to provide for the separate collection of glass, tin, aluminum, cardboard, paper,  
178 and other recyclable materials, and to provide for the sale of such items.

179 (hh) Special Areas of Public Regulation. To regulate or prohibit junk dealers, the  
180 manufacture and sale of intoxicating liquors; to regulate the transportation, storage, and use  
181 of combustible, explosive, and inflammable materials, the use of lighting and heating  
182 equipment, and any other business or situation which may be dangerous to persons or  
183 property; to regulate and control the conduct of peddlers and itinerant traders, theatrical  
184 performances, exhibitions, and shows of any kind, by taxation or otherwise; to license and  
185 tax professional fortunetelling, palmistry, and massage parlors; and to restrict adult  
186 bookstores to certain areas.

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

189 (jj) Ad Valorem Taxation. To levy and provide for the assessment, valuation, revaluation,  
190 and collection of taxes on all property subject to taxation.

191 (kk) Other Taxation. To levy and collect such other taxes as may be allowed now or in the  
192 future by law.

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

197 (mm) Urban Redevelopment. To organize and operate an urban redevelopment program.

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

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

208 **SECTION 1.14.**

209 Exercise of powers.

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

214 **ARTICLE II**

215 **GOVERNMENT STRUCTURE**

216 **SECTION 2.10.**

217 City council creation; number; election.

218 The legislative authority of the government of this city, except as otherwise specifically  
 219 provided in this charter, shall be vested in a city council to be composed of a mayor and six  
 220 councilmembers. The mayor and councilmembers shall all be elected at-large, with each  
 221 councilmember filling a designated post. The city council established shall in all respects  
 222 be a successor to and continuation of the governing authority under prior law. The mayor  
 223 and councilmembers shall be elected in the manner provided by general law and this charter.

224 **SECTION 2.11.**

225 City council terms and qualifications for office.

226 The mayor and members of the city council shall serve for terms of four years and until their  
 227 respective successors are elected and qualified. No mayor or councilmember elected and  
 228 qualified for two full consecutive terms shall be eligible for the succeeding term, regardless  
 229 of post designation. No person shall be eligible to serve as mayor or member of the council  
 230 unless that person shall have been a resident of the city for 12 months prior to the date of  
 231 election of mayor or members of the city council; each shall continue to reside therein during

232 that member's period of service and to be registered and qualified to vote in municipal  
233 elections of this city.

234 **SECTION 2.12.**

235 Vacancy; filling of vacancies.

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

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

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

249 **SECTION 2.13.**

250 Compensation and expenses.

251 The mayor and council shall receive such salary, compensation, and reimbursement of  
252 expenses as provided by ordinance.

253 **SECTION 2.14.**

254 Holding other offices; voting when financially interested.

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

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

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

261 **SECTION 2.15.**

262 Inquiries and investigations.

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

269 **SECTION 2.16.**

270 General power and authority of the city council.

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

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

280 **SECTION 2.17.**

281 Eminent domain.

282 The city council is hereby empowered to acquire, construct, operate, and maintain public  
 283 ways, parks, public grounds, cemeteries, markets, market houses, public buildings, libraries,  
 284 sewers, drains, waterworks, electrical systems, airports, and charitable, educational,  
 285 recreational, sport, curative, corrective, detentional, penal, and medical institutions, agencies,  
 286 and facilities, and any other public improvements inside or outside the city, and to regulate  
 287 the use thereof, and for such purposes, property may be condemned under procedures  
 288 established under general law applicable now or as provided in the future.

289

**SECTION 2.18.**

290

## Organizational meetings.

291 The city council shall hold an organizational meeting on the second Monday in January. The  
 292 meeting shall be called to order by the mayor, or mayor-elect, and the oath of office shall be  
 293 administered to the newly elected members by a judicial officer authorized to administer  
 294 oaths and shall, to the extent that it comports with federal and state law, be as follows:

295 "I do solemnly (swear)(affirm) that I will faithfully perform the duties of  
 296 (mayor)(councilmember) of this city and that I will support and defend the charter thereof  
 297 as well as the Constitution and laws of the State of Georgia and of the United States of  
 298 America. I am not the holder of any unaccounted for public money due this state or any  
 299 political subdivision or authority thereof. I am not the holder of any office of trust under the  
 300 government of the United States, any other state, or any foreign state which I by the laws of  
 301 the State of Georgia am prohibited from holding. I am otherwise qualified to hold said office  
 302 according to the Constitution and laws of Georgia. I have been a resident of the City of  
 303 Reynolds for the time required by the Constitution and laws of this state and by the municipal  
 304 charter. I will perform the duties of my office in the best interest of the City of Reynolds to  
 305 the best of my ability without fear, favor, affection, reward, or expectation thereof."

306

**SECTION 2.19.**

307

## Regular and special meetings.

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

310 (b) Special meetings of the city council may be held on call of the mayor or any four  
 311 members of the council. Notice of such special meetings shall be served on all other  
 312 members personally, or by telephone personally, at 48 hours in advance of the meeting. Such  
 313 notice to councilmembers shall not be required if the mayor and all councilmembers are  
 314 present when the special meeting is called. Such notice of any special meeting may be  
 315 waived by a councilmember in writing before or after such a meeting, and attendance at the  
 316 meeting shall also constitute a waiver of notice on any business transacted in such  
 317 councilmember's presence. Only the business stated in the call may be transacted at the  
 318 special meeting.

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

323 **SECTION 2.20.**

324 Rules of procedure.

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

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

331 **SECTION 2.21.**

332 Quorum; voting.

333 (a) The mayor, or mayor pro tem, and any additional three councilmembers shall constitute  
334 a quorum and shall be authorized to transact business of the city council. Voting on the  
335 adoption of ordinances, resolutions, and motions shall be by voice vote and the vote shall be  
336 recorded in the journal, but any member of the city council shall have the right to request a  
337 roll call vote and such vote shall be recorded in the journal. Except as otherwise provided  
338 in this charter, the affirmative vote of four councilmembers shall be required for the adoption  
339 of any ordinance, resolution, or motion. The mayor shall count as a councilmember for the  
340 purposes of meeting the requirement of a quorum; however, notwithstanding anything to the  
341 contrary contained herein, the mayor shall not have the right to make motions.

342 (b) No member of the city council shall abstain from voting on any matter properly brought  
343 before the city council for official action except when such councilmember has a conflict of  
344 interest that is disclosed in writing prior to or at the meeting and made a part of the minutes.  
345 Any member of the city council present and eligible to vote on a matter and refusing to do  
346 so for any reason other than a properly disclosed and recorded conflict of interest shall be  
347 deemed to have acquiesced or concurred with the members of the majority who did vote on  
348 the question involved.

349 **SECTION 2.22.**

350 Ordinance form; procedures.

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

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

363 **SECTION 2.23.**

364 Action requiring an ordinance.

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

366 **SECTION 2.24.**

367 Emergencies.

368 (a) To meet a public emergency affecting life, health, property, or public peace, the city  
 369 council may convene on call of the mayor or four councilmembers and promptly adopt an  
 370 emergency ordinance, but such ordinance may not levy taxes; grant, renew, or extend a  
 371 franchise; regulate the rate charged by any public utility for its services; or authorize the  
 372 borrowing of money except for loans to be repaid within 30 days. An emergency ordinance  
 373 shall be introduced in the form prescribed for ordinances generally, except that it shall be  
 374 plainly designated as an emergency ordinance and shall contain, after the enacting clause,  
 375 a declaration stating that an emergency exists, and describing the emergency in clear and  
 376 specific terms. An emergency ordinance may be adopted, with or without amendment, or  
 377 rejected at the meeting at which it is introduced, but the affirmative vote of at least four  
 378 councilmembers shall be required for adoption. It shall become effective upon adoption or  
 379 at such later time as it may specify. Every emergency ordinance shall automatically stand  
 380 repealed 30 days following the date upon which it was adopted, but this shall not prevent  
 381 reenactment of the ordinance in the manner specified in this section if the emergency still  
 382 exists. An emergency ordinance may also be repealed by adoption of a repealing ordinance  
 383 in the same manner specified in this section for adoption of emergency ordinances.

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

388

**SECTION 2.25.**

389

Codes of technical regulations.

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

393 (1) The requirements of subsection (b) of Section 2.22 of this charter for distribution and  
 394 filing of copies of the ordinance shall be construed to include copies of any code of  
 395 technical regulations, as well as the adopting ordinance; and

396 (2) A copy of each adopted code of technical regulations, as well as the adopting  
 397 ordinance, shall be authenticated and recorded by the clerk pursuant to Section 2.26 of  
 398 this charter.

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

401

**SECTION 2.26.**

402

Signing; authenticating; recording; codification; printing.

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

405 (b) The city council shall provide for the preparation of a general codification of all the  
 406 ordinances of the city having the force and effect of law. The general codification shall be  
 407 adopted by the city council by ordinance and shall be published promptly, together with all  
 408 amendments thereto and such codes of technical regulations and other rules and regulations  
 409 as the city council may specify. This compilation shall be known and cited officially as "The  
 410 Code of the City of Reynolds, Georgia." Copies of the code shall be furnished to all officers,  
 411 departments, and agencies of the city, and made available for purchase by the public at a  
 412 reasonable price as fixed by the city council.

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

422 **SECTION 2.27.**

423 Election of mayor; forfeiture; compensation.

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

430 **SECTION 2.28.**

431 Mayor pro tem.

432 By a majority vote, the city council shall elect a councilmember to serve as mayor pro tem.  
 433 The mayor pro tem shall assume the duties and powers of the mayor during the mayor's  
 434 physical or mental disability, suspension from office, or absence. Any such disability or  
 435 absence shall be declared by a majority vote of the city council. The mayor pro tem shall  
 436 sign all contracts and ordinances in which the mayor has a disqualifying financial interest as  
 437 provided in Section 2.14 of this charter. When acting as mayor, the mayor pro tem shall  
 438 continue to have only one vote as a member of the council. If a vacancy occurs in the office  
 439 of mayor, the mayor pro tem shall serve as mayor for the remainder of the unexpired term.

440 **SECTION 2.29.**

441 Powers and duties of mayor.

442 As the chief executive of this city, the mayor shall:

- 443 (1) Preside at all meetings of the city council;  
 444 (2) Be the head of the city for the purpose of service of process and for ceremonial  
 445 purposes, and be the official spokesperson for the city and the chief advocate of policy;  
 446 (3) Have the power to administer oaths and to take affidavits;  
 447 (4) Sign as a matter of course on behalf of the city all written and approved contracts,  
 448 ordinances, and other instruments executed by the city which by law are required to be  
 449 in writing;  
 450 (5) Vote on matters before the city council and be counted toward a quorum as any other  
 451 councilmember;  
 452 (6) Fulfill such other executive and administrative duties as the city council shall by  
 453 ordinance establish;

454 (7) Recommend to the city council such measures relative to the affairs of the city,  
 455 improvement of the government, and promotion of the welfare of its inhabitants as the  
 456 mayor may deem expedient; and

457 (8) Call special meetings of the city council as provided for in Section 2.19(b) of this  
 458 charter.

459 **ARTICLE III**

460 **ADMINISTRATIVE AFFAIRS**

461 **SECTION 3.10.**

462 Administrative and service departments.

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

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

470 (c) All appointed officers and directors of departments shall receive such compensation as  
 471 prescribed by ordinance or resolution.

472 (d) There shall be a director of each department or agency who shall be its principal officer.  
 473 Each director shall, subject to the direction and supervision of the mayor and city council,  
 474 be responsible for the administration and direction of the affairs and operations of that  
 475 director's department or agency.

476 (e) All appointed officers and directors under the supervision of the mayor and city council  
 477 shall be nominated and confirmed by the mayor and city council. All appointed officers and  
 478 directors shall be employees at-will and subject to removal or suspension at any time by the  
 479 mayor and city council unless otherwise provided by law or ordinance.

480 **SECTION 3.11.**

481 Boards, commissions and authorities.

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

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

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

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

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

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

501 (g) All board members serve at-will and may be removed at any time by a vote of four  
502 members of the city council, or of three members of the city council and the mayor, unless  
503 otherwise provided by law.

504 (h) Except as otherwise provided by this charter or by law, each board, commission, or  
505 authority of the city shall elect one of its members as chair and one member as vice-chair,  
506 and may elect as its secretary one of its own members or may appoint as secretary an  
507 employee of the city. Each board, commission, or authority of the city government may  
508 establish such bylaws, rules, and regulations, not inconsistent with this charter, ordinances  
509 of the city, or law, as it deems appropriate and necessary for the fulfillment of its duties or  
510 the conduct of its affairs. Copies of such bylaws, rules, and regulations shall be filed with  
511 the clerk of the city.

512

### **SECTION 3.12.**

513

City attorney.

514 The city council and mayor shall appoint a city attorney, together with such assistant city  
515 attorneys as may be authorized, and shall provide for the payment of such attorney or  
516 attorneys for services rendered to the city. The city attorney shall be responsible for  
517 providing for the representation and defense of the city in all litigation in which the city is  
518 a party; may be the prosecuting officer in the municipal court; shall attend the meetings of  
519 the council as directed; shall advise the city council, mayor, and other officers and employees  
520 of the city concerning legal aspects of the city's affairs; and shall perform such other duties

521 as may be required by virtue of the person's position as city attorney. The city attorney is not  
 522 a public official of the city and does not take an oath of office. The city attorney shall at all  
 523 times be an independent contractor. A law firm, rather than an individual, may be designated  
 524 as the city attorney.

525 **SECTION 3.13.**

526 City clerk.

527 The city council and mayor shall appoint a city clerk who shall not be a councilmember. The  
 528 city clerk shall be custodian of the official city seal and city records; maintain city council  
 529 records required by this charter; and perform such other duties as may be required by the city  
 530 council.

531 **SECTION 3.14.**

532 Position classification and pay plans.

533 The mayor and city council shall be responsible for the preparation of a position  
 534 classification and pay plan which shall be submitted to the city council for approval. Such  
 535 plan may apply to all employees of the city and any of its agencies, departments, boards,  
 536 commissions, or authorities. When a pay plan has been adopted, the city council shall not  
 537 increase or decrease the salary range applicable to any position except by amendment of such  
 538 pay plan. For purposes of this section, all elected and appointed city officials are not city  
 539 employees. Notwithstanding the foregoing, the city clerk shall hold the dual status of  
 540 appointee and city employee.

541 **SECTION 3.15.**

542 Personnel policies.

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

545 **ARTICLE IV**

546 **JUDICIAL BRANCH; MUNICIPAL COURT**

547 **SECTION 4.10.**

548 Creation; name.

549 There shall be a court to be known as the municipal court of the City of Reynolds.

550 **SECTION 4.11.**

551 Chief judge; associate judge.

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

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

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

558 (d) Judges may be removed in accordance with Code Section 36-32-2.1 of the O.C.G.A.

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

563 **SECTION 4.12.**

564 Convening.

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

566 **SECTION 4.13.**

567 Jurisdiction; powers.

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

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

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

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

579 (e) The municipal court shall have authority to establish bail and recognizances to ensure  
580 the presence of those charged with violations before said court, and shall have discretionary  
581 authority to accept cash or personal or real property as surety for the appearance of persons

582 charged with violations. Whenever any person shall give bail for that person's appearance  
 583 and shall fail to appear at the time fixed for trial, the bond shall be forfeited by the judge  
 584 presiding at such time, and an execution issued thereon by serving the defendant and the  
 585 defendant's sureties with a rule nisi, at least two days before a hearing on the rule nisi. In the  
 586 event that cash or property is accepted in lieu of bond for security for the appearance of a  
 587 defendant at trial, and if such defendant fails to appear at the time and place fixed for trial,  
 588 the cash so deposited shall be on order of the judge declared forfeited to the city, or the  
 589 property so deposited shall have a lien against it for the value forfeited which lien shall be  
 590 enforceable in the same manner and to the same extent as a lien for city property taxes.

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

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

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

#### 601 **SECTION 4.14.**

##### 602 Certiorari.

603 The right of certiorari from the decision and judgment of the municipal court shall exist in  
 604 all criminal cases and ordinance violation cases, and such certiorari shall be obtained under  
 605 the sanction of a judge of the Superior Court of Taylor County under the laws of the State  
 606 of Georgia regulating the granting and issuance of writs of certiorari.

#### 607 **SECTION 4.15.**

##### 608 Rules for court.

609 With the approval of the city council, the judge shall have full power and authority to make  
 610 reasonable rules and regulations necessary and proper to secure the efficient and successful  
 611 administration of the municipal court; provided, however, that the city council may adopt in  
 612 part or in toto the rules and regulations applicable to municipal courts. The rules and  
 613 regulations made or adopted shall be filed with the city clerk, shall be available for public

614 inspection, and, upon request, a copy shall be furnished to all defendants in municipal court  
615 proceedings at least 48 hours prior to said proceedings.

616 **ARTICLE V**  
617 **ELECTIONS AND REMOVAL**

618 **SECTION 5.10.**  
619 **Applicability of general law.**

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

622 **SECTION 5.11.**  
623 **Election of the city council and mayor.**

624 (a) There shall be a municipal general election biennially in the odd-numbered years on the  
625 Tuesday next following the first Monday in November.

626 (b) Each council position shall be designated as a post for the purposes of conducting  
627 elections. There shall be elected the mayor and two council posts (Post III and Post IV) at  
628 one election and at every other regular election thereafter. The current terms for the mayor  
629 and council Posts III and IV will expire on December 31, 2019. Council Posts I, II, V, and  
630 VI shall be filled at the election alternating with the first election so that a continuing body  
631 is created. The current terms for council Posts I, II, V, and VI will expire on December 31,  
632 2017. Terms shall be for four years.

633 **SECTION 5.12.**  
634 **Nonpartisan elections.**

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

637 **SECTION 5.13.**  
638 **Election by plurality.**

639 The person receiving a plurality of the votes cast for any city office shall be elected.

640 **SECTION 5.14.**

641 Other provisions.

642 Except as otherwise provided by this charter, the city council shall, by ordinance, prescribe  
 643 such rules and regulations it deems appropriate to fulfill any options and duties under the  
 644 Georgia Election Code, Title 21, Chapter 2 of the O.C.G.A. as now or hereafter amended.

645 **SECTION 5.15.**

646 Removal of officers.

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

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

652 (1) Following a hearing at which an impartial panel shall render a decision. In the event  
 653 an elected officer is sought to be removed by the action of the city council, such officer  
 654 shall be entitled to a written notice specifying the ground or grounds for removal and to  
 655 a public hearing which shall be held not less than ten days after the service of such  
 656 written notice. The city council shall provide by ordinance for the manner in which such  
 657 hearings shall be held. Any elected officer sought to be removed from office as herein  
 658 provided shall have the right of appeal from the decision of the city council to the  
 659 Superior Court of Taylor County. Such appeal shall be governed by the same rules as  
 660 govern appeals to the superior court from the probate court; or

661 (2) By an order of the Superior Court of Taylor County following a hearing on a  
 662 complaint seeking such removal brought by any resident of the City of Reynolds.

663 **ARTICLE VI**664 **FINANCE**665 **SECTION 6.10.**

666 Property tax.

667 The city council may assess, levy, and collect an ad valorem tax on all real and personal  
 668 property within the corporate limits of the city that is subject to such taxation by the state and  
 669 county. This tax is for the purpose of raising revenues to defray the costs of operating the  
 670 city government, of providing governmental services, for the repayment of principal and

671 interest on general obligations, and for any other public purpose as determined by the city  
672 council in its discretion.

673 **SECTION 6.11.**

674 Millage rate; due dates; payment methods.

675 The city council, by resolution, shall establish a millage rate for the city property tax, a due  
676 date, and the time period within which these taxes must be paid. The city council, by said  
677 resolution, may also provide for the payment of these taxes by two installments or in one  
678 lump sum, as well as authorize the voluntary payment of taxes prior to the time when due.

679 **SECTION 6.12.**

680 Occupation and business taxes.

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

685 **SECTION 6.13.**

686 Regulatory fees; permits.

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

692 **SECTION 6.14.**

693 Franchises.

694 The city council shall have the power to grant franchises for the use of this city's streets and  
695 alleys for the purposes of railroads, street railways, telephone companies, electric companies,  
696 electric membership corporations, cable television and other telecommunications companies,  
697 gas companies, transportation companies, and other similar organizations. The city council  
698 shall determine the duration, terms, whether the same shall be exclusive or nonexclusive, and  
699 the consideration for such franchises; provided, however, that no franchise shall be granted

700 for a period in excess of 35 years and no franchise shall be granted unless the city receives  
701 just and adequate compensation therefor. The city council shall provide for the registration  
702 of all franchises with the city clerk in a registration book kept by the clerk. The city council  
703 may provide by ordinance for the registration within a reasonable time of all franchises  
704 previously granted.

705 **SECTION 6.15.**

706 Service charges.

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

711 **SECTION 6.16.**

712 Special assessments.

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

717 **SECTION 6.17.**

718 Construction; other taxes and fees.

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

722 **SECTION 6.18.**

723 Collection of delinquent taxes and fees.

724 The city council, by ordinance, may provide generally for the collection of delinquent taxes,  
725 fees, or other revenue due the city under Sections 6.10 through 6.17 of this charter by  
726 whatever reasonable means as are not precluded by law.

727 **SECTION 6.19.**

728 General obligation bonds.

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

733 **SECTION 6.20.**

734 Revenue bonds.

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

738 **SECTION 6.21.**

739 Short-term loans.

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

742 **SECTION 6.22.**

743 Lease-purchase contracts.

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

751 **SECTION 6.23.**

752 Fiscal year.

753 The city council shall set the fiscal year by ordinance. This fiscal year shall constitute the  
754 budget year and the year for financial accounting and reporting of each and every office,

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

757 **SECTION 6.24.**

758 Preparation of budgets.

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

763 **SECTION 6.25.**

764 Submission of operating budget to city council.

765 On or before a date fixed by the city council but not later than 30 days prior to the beginning  
766 of each fiscal year, the clerk in direct coordination with the mayor and city council shall  
767 submit to the city council a proposed operating budget for the ensuing fiscal year. The  
768 budget shall be accompanied by a message from the city clerk containing a statement of the  
769 general fiscal policies of the city, the important features of the budget, explanations of major  
770 changes recommended for the next fiscal year, a general summary of the budget, and such  
771 other pertinent comments and information. The operating budget and the capital budget  
772 hereinafter provided for, the budget message, and all supporting documents shall be filed in  
773 the office of the city clerk and shall be open to public inspection.

774 **SECTION 6.26.**

775 Action by city council on budget.

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

781 (b) The city council by ordinance shall adopt the final operating budget for the ensuing fiscal  
782 year not later than July 1 of each year. If the city council fails to adopt the budget by this  
783 date, the amounts appropriated for operation for the current fiscal year shall be deemed  
784 adopted by the ensuing fiscal year on a month-to-month basis, with all items prorated  
785 accordingly until such time as the city council adopts a budget for the ensuing fiscal year.

786 Adoption of the budget shall take the form of an appropriations ordinance setting out the  
 787 estimated revenues in detail by sources and making appropriations according to fund and by  
 788 organizational unit, purpose, or activity as set out in the budget preparation ordinance  
 789 adopted pursuant to Section 6.24 of this charter.

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

794 **SECTION 6.27.**

795 Tax levies.

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

802 **SECTION 6.28.**

803 Changes in appropriations.

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

808 **SECTION 6.29.**

809 Capital budget.

810 (a) On or before the date fixed by the city council but no later than ten days prior to the  
 811 beginning of each fiscal year, the city clerk in coordination with the mayor and city council  
 812 shall submit to the city council a proposed capital improvements plan with a recommended  
 813 capital budget containing the means of financing the improvements proposed for the ensuing  
 814 fiscal year. The city council shall have power to accept, with or without amendments, or  
 815 reject the proposed plan and proposed budget. The city council shall not authorize an  
 816 expenditure for the construction of any building, structure, work, or improvement, unless the

817 appropriations for such project are included in the capital budget, except to meet a public  
818 emergency as provided in Section 2.24 of this charter.

819 (b) The city council shall adopt by resolution the final capital budget for the ensuing fiscal  
820 year not later than July 1 of each year. No appropriations provided for in a prior capital  
821 budget shall lapse until the purpose for which the appropriation was made shall have been  
822 accomplished or abandoned; provided, however, that the mayor and city council may submit  
823 amendments to the capital budget at any time during the fiscal year, accompanied by  
824 recommendations. Any such amendments to the capital budget shall become effective only  
825 upon adoption by ordinance.

826 **SECTION 6.30.**

827 Independent audit.

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

833 **SECTION 6.31.**

834 Contracting procedures.

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

836 (1) It is in writing;

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

839 (3) It is made or authorized by the city council and such approval is entered in the city  
840 council journal of proceedings pursuant to Section 2.20 of this charter.

841 **SECTION 6.32.**

842 Centralized purchasing.

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

845 **SECTION 6.33.**

846 Sale and lease of city property.

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

849 **ARTICLE VII**

850 **GENERAL PROVISIONS**

851 **SECTION 7.10.**

852 Bonds for officials.

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

856 **SECTION 7.11.**

857 Prior ordinances.

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

861 **SECTION 7.12.**

862 Existing personnel and officers.

863 Except as specifically provided otherwise by this charter, all personnel and officers of the  
864 city and their rights, privileges, and powers shall continue beyond the time this charter takes  
865 effect.

866 **SECTION 7.13.**

867 Pending matters.

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

872 **SECTION 7.14.**

873 Construction.

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

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

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

879 **SECTION 7.15.**

880 Specific repealer.

881 An Act to provide a new charter for the City of Reynolds, approved August 16, 1915 (Ga.  
882 L. 1915, p. 786), as amended, is hereby repealed.

883 **SECTION 7.16.**

884 General repealer.

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