

House Bill 380

By: Representative Tanner of the 9<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend an Act granting a new charter to the City of Dawsonville, approved April 6, 1967  
2 (Ga. L. 1967, p. 2748), as amended, particularly by an Act approved April 4, 1996  
3 (Ga. L. 1996, p. 4135), so as to provide for the election of members of the city council by  
4 district; to provide for the description of the election districts; to provide for definitions and  
5 inclusions; to provide for manner of election; to provide for the continuation in office of  
6 current members; to provide for the application of general law; to provide for related matters;  
7 to provide for effective dates; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 An Act granting a new charter to the City of Dawsonville, approved April 6, 1967  
11 (Ga. L. 1967, p. 2748), as amended, particularly by an Act approved April 4, 1996  
12 (Ga. L. 1996, p. 4135), is amended by revising Section 2.11 as follows:

13 "SECTION 2.11.

14 Terms and qualifications of office.

15 (a) The members of the council shall serve for terms of four years and until their respective  
16 successors are elected and qualified. The mayor shall serve for a term of four years and  
17 until his or her successor is elected and qualified.

18 (b) No person shall be eligible to serve as mayor unless he or she:

19 (1) Has been a resident of the city for a period of one year immediately prior to the date  
20 of his or her election;

21 (2) Continues to reside within the city during his or her period of service;

22 (3) Is registered and qualified to vote in municipal elections of the City of Dawsonville;

23 and

- 24 (4) Meets any requirements imposed under Chapter 2 of Title 21 of the O.C.G.A., the  
 25 'Georgia Election Code' or other general laws of this state.
- 26 (c) No person shall be eligible to serve as a councilmember unless he or she:
- 27 (1) Has been a resident of the city for a period of one year immediately prior to the date  
 28 of his or her election;
- 29 (2) Continues to reside within the city during his or her period of service;
- 30 (3) Except as otherwise provided in subsection (f) of Section 5.10 of this charter, is a  
 31 resident of the district from which he or she is elected and continues to reside in such  
 32 district during his or her period of service;
- 33 (4) Is registered and qualified to vote in municipal elections of the City of Dawsonville;  
 34 and
- 35 (5) Meets any requirements imposed under Chapter 2 of Title 21 of the O.C.G.A., the  
 36 'Georgia Election Code' or other general laws of this state."

37 **SECTION 2.**

38 Said Act is further amended by revising Section 5.10 as follows:

39 "SECTION 5.10.

40 Application of general law; manner of election.

- 41 (a) All elections shall be held and conducted in accordance with Chapter 2 of Title 21 of  
 42 the O.C.G.A., the 'Georgia Election Code.'
- 43 (b) The mayor shall be elected by the electors voting in the entire city at large. The four  
 44 councilmembers shall be elected by the electors of their respective districts voting in the  
 45 election. For the purpose of electing councilmembers, the City of Dawsonville shall be  
 46 divided into four districts. Those districts shall be and correspond to those four numbered  
 47 districts described in and attached to and made a part of this Act and further identified as  
 48 'Plan: dawsonvillecc-2019 Plan Type: Local Administrator: Dawsonville User: Gina'.
- 49 (c) For the purposes of such plan:
- 50 (1) The term 'VTD' shall mean and describe the same geographical boundaries as  
 51 provided in the report of the Bureau of the Census for the United States decennial census  
 52 of 2010 for the State of Georgia. The separate numeric designations in a district  
 53 description which are underneath a VTD heading shall mean and describe individual  
 54 Blocks within a VTD as provided in the report of the Bureau of the Census for the United  
 55 States decennial census of 2010 for the State of Georgia; and
- 56 (2) Except as otherwise provided in the description of any district, whenever the  
 57 description of any district refers to a named city, it shall mean the geographical

58 boundaries of that city as shown on the census maps for the United States decennial  
59 census of 2010 for the State of Georgia.

60 (d) Any part of the City of Dawsonville which is not included in any district described in  
61 subsection (b) of this section shall be included within that district contiguous to such part  
62 which contains the least population according to the United States decennial census of 2010  
63 for the State of Georgia.

64 (e) Any part of the City of Dawsonville which is described in subsection (b) of this section  
65 as being included in a particular district shall nevertheless not be included within such  
66 district if such part is not contiguous to such district. Such noncontiguous part shall instead  
67 be included within that district contiguous to such part which contains the least population  
68 according to the United States decennial census of 2010 for the State of Georgia.

69 (f) The councilmembers in office on the effective date of this section shall serve out the  
70 terms to which they were elected and until their respective successors are elected and  
71 qualified. On the effective date of this section and until district elections are held,  
72 Councilmember Caleb Phillips shall be deemed to represent Council District 1,  
73 Councilmember Stephen Tolson shall be deemed to represent Council District 2,  
74 Councilmember Jason Power shall be deemed to represent Council District 3, and  
75 Councilmember Mark French shall be deemed to represent Council District 4,  
76 notwithstanding the fact that such individuals may not reside in such districts."

77 **SECTION 3.**

78 Said Act is further amended by revising Section 5.11 as follows:

79 "SECTION 5.11.

80 Regular elections.

81 (a) The general municipal election for the city shall be conducted on the Tuesday next  
82 following the first Monday in November in odd-numbered years.

83 (b) At the 2019 November general election, successors to the mayor and councilmembers  
84 from Districts 1 and 3 shall be elected. At the 2021 general election, successors to the  
85 councilmembers from Districts 2 and 4 shall be elected. The candidate for each office  
86 receiving the highest number of votes shall be the person elected to such office. Thereafter,  
87 successors shall be elected at the November general election immediately preceding the  
88 end of their respective terms of office.

89 (c) The persons elected to office at each general election shall take the oath of office on  
90 the first Tuesday in December immediately following such election as provided in  
91 Section 2.19 of this charter. Such persons shall then take office on the first day of January

92 immediately following such election for terms of four years and until their respective  
93 successors are elected and qualified.

94 (d) Political parties shall not conduct primaries for city offices and all names of candidates  
95 for city offices shall be listed without party labels."

96 **SECTION 4.**

97 Said Act is further amended by revising Section 5.12 as follows:

98 "SECTION 5.12.

99 Applicability of general laws.

100 The procedures and requirements for election of all elected officials of the City of  
101 Dawsonville as to special and general elections shall be in conformity with the provisions  
102 of Chapter 2 of Title 21 of the O.C.G.A., the 'Georgia Election Code.'"

103 **SECTION 5.**

104 Said Act is further amended by revising Section 5.13 as follows:

105 "SECTION 5.13.

106 Special elections; vacancies.

107 In the event of a vacancy in office of the mayor or councilmember, the council shall  
108 appoint a qualified person to fill such vacancy for the remainder of the unexpired term. If  
109 a tie vote by the council to fill a vacancy is unbroken for 15 days, the mayor, or mayor pro  
110 tempore in case of a vacancy in the office of mayor, shall appoint a qualified person to fill  
111 the vacancy. At no time shall there be more than two members, including the mayor, so  
112 appointed holding office; and if a vacancy occurs with two members so appointed on the  
113 council, a special election shall be held in accordance with the applicable provisions of this  
114 charter and Chapter 2 of Title 21 of the O.C.G.A., the 'Georgia Election Code.'"

115 **SECTION 6.**

116 Said Act is further amended by revising Section 5.14 as follows:

117 "SECTION 5.14.

118 Rules and regulations for elections.

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

122 **SECTION 7.**

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

Plan: dawsonvillecc-2019  
Plan Type: Local  
Administrator: Dawsonville  
User: Gina

District 001

Dawson County

VTD: 08503 - DAWSONVILLE

970100:

2089 2095 2097 2133 2134 2135 2136 2137 2138 2139 2140 2141  
2142 2143 2144 2145 2146 2152 2154 2165 2166

VTD: 08508 - SAVANNAH

970100:

2183

970202:

3008

District 002

Dawson County

VTD: 08503 - DAWSONVILLE

970100:

2119 2122 2123 2124 2126 2147 2155 2156 2157 2158 2162 2164

VTD: 08507 - ETOWAH

970202:

2021

VTD: 08508 - SAVANNAH

970202:

3002 3003 3007

District 003

Dawson County

VTD: 08503 - DAWSONVILLE

970100:

2098 2099 2100 2102 2103 2104 2105 2106 2107 2108 2109 2111  
2113 2114 2115 2116 2117 2118 2127 2128 2129 2130 2131 2132  
2148 2149 2150 2151 2181 2182

District 004

Dawson County

VTD: 08501 - AMICALOLA

970100:

1120 1160 2073

VTD: 08503 - DAWSONVILLE

970100:

2013 2016 2019 2021 2023 2024 2027 2028 2031 2032 2035 2036  
2038 2046 2048 2054 2056 2058 2076 2078 2082 2084 2086 2090  
2092 2101 2187 2188 2189 2193

VTD: 08505 - PURDYS

970100:

1159 1164 1165 1166

VTD: 08507 - ETOWAH

970202:

2005 2014