

House Bill 718

By: Representative Dollar of the 45th

A BILL TO BE ENTITLED
AN ACT

1 To incorporate the City of East Cobb; to provide a charter for the City of East Cobb; to
2 provide for incorporation, boundaries, and powers of the city; to provide for a governing
3 authority of such city and the powers, duties, authority, election, terms, method of filling
4 vacancies, compensation, qualifications, prohibitions, and removal from office relative to
5 members of such governing authority; to provide for inquiries and investigations; to provide
6 for organization and procedures; to provide for ordinances and codes; to provide for
7 emergencies; to provide for the offices of mayor and city manager and certain duties and
8 powers relative to those offices; to provide for administrative responsibilities; to provide for
9 the appointment of a mayor pro tempore; to provide for boards, commissions, and
10 authorities; to provide for a city attorney and a city clerk; to provide for rules and regulations;
11 to provide for a municipal court and the judge or judges thereof; to provide for practices and
12 procedures; to provide for taxation and fees; to provide for collection of delinquent taxes; to
13 provide for franchises, service charges, and assessments; to provide for bonded and other
14 indebtedness; to provide for accounting and budgeting; to provide for an audit; to provide for
15 purchases; to provide for the sale of property; to provide for bonds for officials; to provide
16 for definitions and construction; to provide for other matters relative to the foregoing; to
17 provide for a referendum; to provide effective dates; to provide for transition of powers and
18 duties; to provide for directory nature of dates; to provide for related matters; to repeal
19 conflicting laws; and for other purposes.

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

51 destruction of animals and fowl when not redeemed as provided by ordinance; and to
52 provide punishment for violation of ordinances enacted hereunder;

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

57 (3) Building regulation. To regulate and to license the erection and construction of
58 buildings and all other structures; to adopt building, housing, plumbing, fire safety,
59 electrical, gas, and heating and air conditioning codes; and to regulate all housing and
60 building trades to the extent permitted by general law;

61 (4) 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 other such applicable laws as are or may hereafter be
64 enacted; to permit and regulate the same; to provide for the manner and method of
65 payment of such regulatory fees and taxes; and to revoke such permits after due process
66 for failure to pay any city taxes or fees;

67 (5) Condemnation. To condemn property, inside or outside the corporate limits of the
68 city, for present or future use and for any corporate purpose deemed necessary by the
69 governing authority for governmental uses, utilizing procedures enumerated in Titles 22
70 and 32 of the O.C.G.A., or such other applicable laws as are or may hereafter be enacted;

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

73 (7) 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 (8) Environmental protection. To protect and preserve the natural resources,
78 environment, and vital areas of the city, the region, and the state through the preservation
79 and improvement of air quality, the restoration and maintenance of water resources, the
80 control of erosion and sedimentation, the control, regulation, and management of storm
81 water and establishment of a storm-water utility, the management of solid and hazardous
82 waste, and other necessary actions for the protection of the environment;

83 (9) 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
85 general law, relating to both fire prevention and detection and to fire fighting; and to
86 prescribe penalties and punishment for violations thereof;

- 87 (10) Garbage fees. To levy, fix, assess, and collect garbage, refuse, trash collection and
88 disposal, and other sanitary service charges, taxes, or fees for such services as may be
89 necessary in the operation of the city from all individuals, firms, and corporations
90 residing in or doing business therein benefiting from such services; to enforce the
91 payment of such charges, taxes, or fees; and to provide for the manner and method of
92 collecting such service charges, taxes, or fees;
- 93 (11) General health, safety, and welfare. To define, regulate, and prohibit any act,
94 practice, conduct, or use of property which is detrimental to health, sanitation,
95 cleanliness, welfare, and safety of the inhabitants of the city, and to provide for the
96 enforcement of such standards;
- 97 (12) Gifts. To accept or refuse gifts, donations, bequests, or grants from any source for
98 any purpose related to powers and duties of the city and the general welfare of its
99 citizens, on such terms and conditions as the donor or grantor may impose;
- 100 (13) Health and sanitation. To prescribe standards of health and sanitation and to
101 provide for the enforcement of such standards;
- 102 (14) Jail sentences. To provide that persons given jail sentences in the city's court may
103 fulfill such sentences by community service in any public works or on the streets, roads,
104 drains, and other public property in the city; to provide for commitment of such persons
105 to any jail; and to provide for the use of pretrial diversion and any alternative sentencing
106 allowed by law, or to provide for commitment of such persons to any county work camp
107 or county jail by agreement with the appropriate county officials;
- 108 (15) Motor vehicles. To regulate the operation of motor vehicles and exercise control
109 over all traffic, including parking on or across the streets, roads, alleys, and walkways of
110 the city;
- 111 (16) Municipal agencies and delegation of power. To create, alter, or abolish
112 departments, boards, offices, commissions, authorities, and agencies of the city, and to
113 confer upon such agencies the necessary and appropriate authority for carrying out all the
114 powers conferred upon or delegated to the same;
- 115 (17) Municipal debts. To appropriate and borrow money for the payment of debts of the
116 city and to issue bonds for the purpose of raising revenue to carry out any project,
117 program, or venture authorized by this charter or the laws of the State of Georgia;
- 118 (18) Municipal property ownership. To acquire, dispose of, lease, and hold in trust or
119 otherwise, any real, personal, or mixed property, in fee simple or lesser interest, inside
120 or outside the property limits of the city;
- 121 (19) Municipal property protection. To provide for the preservation and protection of
122 property and equipment of the city, and the administration and use of same by the public
123 and to prescribe penalties and punishment for violations thereof;

- 124 (20) Municipal utilities. To acquire, lease, construct, operate, maintain, sell, and dispose
125 of public utilities, including, but not limited to, a system of waterworks, sewers and
126 drains, sewage disposal, storm-water management, gas works, electric generating and
127 light plants, cable television and other telecommunications, transportation facilities,
128 public airports, and any other public utility; to fix the taxes, charges, rates, fares, fees,
129 assessments, regulations, and penalties relative to such utilities, and to provide for the
130 withdrawal of service for refusal or failure to pay the same;
- 131 (21) Nuisance. To define a nuisance and provide for its abatement whether on public or
132 private property;
- 133 (22) Penalties. To provide penalties for violation of any ordinances adopted pursuant to
134 the authority of this charter and the laws of the State of Georgia;
- 135 (23) Planning and zoning. To provide comprehensive city planning for land use,
136 signage, outside advertising, and development by zoning and to provide subdivision
137 regulation and the like as the city council deems necessary and reasonable to ensure a
138 safe, healthy, and aesthetically pleasing community;
- 139 (24) Police and fire protection. To exercise the power of arrest through duly appointed
140 police officers and to establish, operate, or contract for a police and a firefighting agency;
- 141 (25) Public hazards: removal. To provide for the destruction and removal of any
142 building or other structure which is or may become dangerous or detrimental to the
143 public;
- 144 (26) Public improvements. To provide for the acquisition, construction, building,
145 operation, maintenance, and abandonment of public ways, parks and playgrounds,
146 recreational facilities, parking facilities, cemeteries, markets and market houses, public
147 buildings, libraries, public housing, airports, hospitals, terminals, docks, and charitable,
148 cultural, educational, recreational, parking, conservation, sport, curative, corrective,
149 detentional, penal, and medical institutions, agencies, and facilities; to provide any other
150 public improvements, inside or outside the corporate limits of the city; to regulate the use
151 of public improvements; and for such purposes, property may be acquired by
152 condemnation under Title 22 or Title 32 of the O.C.G.A., or such other applicable laws
153 as are or may hereafter be enacted;
- 154 (27) Public peace. To provide for the prevention and punishment of loitering, disorderly
155 conduct, drunkenness, riots, and public disturbances;
- 156 (28) Public transportation. To organize and operate such public transportation systems
157 as are deemed beneficial;
- 158 (29) Public utilities and services. To grant franchises or make contracts for or impose
159 taxes on public utilities and public service companies and to prescribe the rates, fares,
160 regulations, and standards and conditions of service applicable to the service to be

161 provided by the franchise grantee or contractor, insofar as not in conflict with valid
162 regulations of the Public Service Commission;

163 (30) Regulation of roadside areas. To prohibit or regulate and control the erection,
164 removal, and maintenance of signs, billboards, trees, shrubs, fences, buildings, and any
165 and all other structures or obstructions upon or adjacent to the rights-of-way of streets and
166 roads or within view thereof, within or abutting the corporate limits of the city, and to
167 prescribe penalties and punishment for violation of such ordinances;

168 (31) Retirement; employment benefits. To provide and maintain a retirement plan and
169 other employee benefit plans and programs for appointed officers and employees of the
170 city;

171 (32) Roadways. To lay out, open, extend, widen, narrow, establish, or change the grade
172 of, abandon or close, construct, pave, curb, gutter, adorn with shade trees, or otherwise
173 improve, maintain, repair, clean, prevent erosion of, and light the roads, alleys, and
174 walkways within the corporate limits of the city; to grant franchises and rights-of-way
175 throughout the streets and roads, and over the bridges and viaducts for the use of public
176 utilities; and to require real estate owners to repair and maintain in a safe condition the
177 sidewalks adjoining their lots or lands, and to impose penalties for failure to do so;

178 (33) Sewer and water fees. To assess fees, charges, or taxes as necessary to assure the
179 acquiring, constructing, equipping, operating, maintaining, and extending of a sewerage
180 system and one or more sewage treatment plants; assessments on those to whom sewer
181 systems are made available; to provide for the manner and method of collecting such
182 service charges and for enforcing payment of the same, including by lien; and to charge,
183 impose, and collect a sewer connection fee or fees to those connecting to the system;

184 (34) Solid waste disposal. To provide for the collection and disposal of garbage, rubbish,
185 and refuse; to regulate the collection and disposal of garbage, rubbish, and refuse by
186 others; and to provide for the separate collection of glass, tin, aluminum, cardboard,
187 paper, and other recyclable materials and to provide for the sale of such items;

188 (35) Special areas of public regulation. To regulate or prohibit junk dealers; to regulate
189 or prohibit the manufacture and sale of intoxicating liquors; to regulate the transportation,
190 storage, and use of combustible, explosive, and inflammable materials, the use of lighting
191 and heating equipment, and any other business or situation which may be dangerous to
192 persons or property; to regulate and control the conduct of peddlers and itinerant traders,
193 theatrical performances, exhibitions, and shows of any kind, by taxation or otherwise; to
194 license and tax professional fortunetelling, palmistry, and massage parlors; and to restrict
195 adult bookstores to certain areas;

196 (36) Special assessments. To levy and provide for the collection of special assessments
197 to cover the costs for any public improvements, subject to a referendum;

- 198 (37) Taxes: ad valorem. To levy and provide for the assessment, valuation, revaluation,
 199 and collection of taxes on all property subject to taxation;
- 200 (38) Taxes: other. To levy and collect such other taxes as may be allowed now or in the
 201 future by law;
- 202 (39) Taxicabs. To regulate and license vehicles operated for hire in the city; to limit the
 203 number of such vehicles; to require the operators thereof to be licensed; to require public
 204 liability insurance on such vehicles in the amounts to be prescribed by ordinance; and to
 205 regulate the parking of such vehicles;
- 206 (40) Urban redevelopment. To organize and operate an urban redevelopment program;
 207 and
- 208 (41) Other powers. To exercise and enjoy all other powers, functions, rights, privileges,
 209 and immunities necessary or desirable to promote or protect the safety, health, peace,
 210 security, good order, comfort, convenience, or general welfare of the city and its
 211 inhabitants; to exercise all implied powers necessary or desirable to carry into execution
 212 all powers granted in this charter as fully and completely as if such powers were fully
 213 stated herein; and to exercise all powers now or in the future authorized to be exercised
 214 by other municipal governments under other laws of the State of Georgia, and no listing
 215 of particular powers in this charter shall be held to be exclusive of others, nor restrictive
 216 of general words and phrases granting powers, but shall be held to be in addition to such
 217 powers unless expressly prohibited to municipalities under the Constitution or applicable
 218 laws of the State of Georgia.

219 **SECTION 1.14.**

220 Exercise of powers.

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

225 **ARTICLE II**

226 **GOVERNMENT STRUCTURE**

227 **SECTION 2.10.**

228 City council creation; number; election.

229 The legislative authority of the government of this city, except as otherwise specifically
 230 provided in this charter, shall be vested in a city council to be composed of a mayor and six

231 councilmembers. The mayor and councilmembers shall be elected in the manner provided
 232 by general law and this charter.

233 **SECTION 2.11.**

234 City council terms and qualifications for office.

235 (a) Except for the initial terms of office under Section 5.11 of this charter, the mayor and
 236 other members of the city council shall serve for terms of four years and until their respective
 237 successors are elected and qualified, except as otherwise provided in this section and in
 238 Section 5.11 of this charter. No person shall be eligible to serve as mayor or councilmember
 239 unless that person is at least 21 years of age or older on the date of qualification, shall have
 240 been a resident of the area encompassed by the corporate boundaries of the city for at least
 241 12 months immediately prior to the date of his or her election, and, in the case of
 242 councilmembers, a resident of the area encompassed by the district from which he or she
 243 seeks election for a period of at least 12 months immediately prior to his or her election. The
 244 mayor and each councilmember shall continue to reside within such corporate boundaries
 245 during their respective periods of service and be registered and qualified to vote in municipal
 246 elections of this city. In addition, the councilmembers elected by district shall continue to
 247 reside in the district from which elected during their respective periods of service.

248 (b) Upon serving two full, consecutive terms as mayor, such individual shall be ineligible
 249 to seek reelection as mayor. Although the mayor may become ineligible to serve another
 250 consecutive term in such office, such individual shall be eligible to seek election as a member
 251 of the city council. Partial terms of office or initial terms of office of less than four years
 252 under Section 5.11 of this charter shall not be counted in determining the number of terms
 253 served.

254 **SECTION 2.12.**

255 Vacancy; filling of vacancies.

256 (a) The office of mayor or councilmember shall become vacant upon the incumbent's death,
 257 resignation, forfeiture of office, failure to maintain the residency requirements of Section
 258 2.11 of this charter, or occurrence of any event specified by the Constitution of the State of
 259 Georgia, Title 45 of the O.C.G.A., or such other applicable laws as are or may hereafter be
 260 enacted.

261 (b) A vacancy in the office of mayor or councilmember shall be filled for the remainder of
 262 the unexpired term, if any, by appointment by the city council or those members remaining
 263 if less than 12 months remain in the unexpired term. If such vacancy occurs 12 months or

264 longer prior to the expiration of the term of that office, it shall be filled for the remainder of
 265 the unexpired term by a special election, as provided for in Section 5.14 of this charter and
 266 in accordance with Titles 21 and 45 of the O.C.G.A., or other such laws as are or may
 267 hereafter be enacted.

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

270 **SECTION 2.13.**

271 Compensation and expenses.

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

274 **SECTION 2.14.**

275 Conflicts of interest; holding other offices.

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

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

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

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

288 (3) Disclose confidential information, including information obtained at meetings which
 289 are closed pursuant to Chapter 14 of Title 50 of the O.C.G.A., concerning the property,
 290 government, or affairs of the governmental body by which the official is engaged without
 291 proper legal authorization; or use such information to advance the financial or other
 292 private interest of the official or others;

293 (4) Accept any valuable gift, whether in the form of service, loan, thing, or promise,
 294 from any person, firm, or corporation which to the official's knowledge is interested,
 295 directly or indirectly, in any manner whatsoever, in business dealings with the
 296 governmental body by which the official is engaged; provided, however, that an elected

297 official who is a candidate for public office may accept campaign contributions and
298 services in connection with any such campaign;

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

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

303 (c) Any elected official, appointed officer, or employee who shall have any financial
304 interest, directly or indirectly, in any contract or matter pending before or within any
305 department of the city shall disclose such interest to the city council. The mayor or any
306 councilmember who has a financial interest in any matter pending before the city council
307 shall disclose such interest and such disclosure shall be entered on the records of the city
308 council, and that official shall disqualify himself or herself from participating in any
309 discussion, decision, or vote relating thereto. Any elected official, appointed officer, or
310 employee of any agency or political entity to which this charter applies who shall have any
311 financial interest, directly or indirectly, in any contract or matter pending before or within
312 such entity shall disclose such interest to the governing body of such agency or entity.

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

317 (e) Any violation of this section which occurs with the knowledge, express or implied, of
318 a party to a contract or sale shall render said contract or sale voidable at the option of the city
319 council.

320 (f) Except where authorized by law, neither the mayor nor any councilmember shall hold
321 any other elective or appointive office in the city or otherwise be employed by such
322 government or any agency thereof during the term for which that official was elected. No
323 former mayor and no former councilmember shall hold any appointive office in the city until
324 one year after the expiration of the term for which that official was elected.

325 (g) No appointive officer of the city shall continue in such employment upon qualifying as
326 a candidate for nomination or election to any public office. No employee of the city shall
327 continue in such employment upon qualifying for or election to any public office in this city
328 or any other public office which is inconsistent, incompatible, or in conflict with the duties
329 of the city employee. Such determination shall be made by the mayor and council either
330 immediately upon election or at any time such conflict may arise.

331 (h)(1) Any city officer or employee who knowingly conceals such financial interest or
332 knowingly violates any of the requirements of this section shall be guilty of malfeasance
333 in office or position and shall be deemed to have forfeited his or her office or position.

334 (2) Any officer or employee of the city who forfeits an office or position as described in
335 paragraph (1) of this subsection shall be ineligible for appointment or election to or
336 employment in a position in the city government for a period of three years thereafter.

337 **SECTION 2.15.**

338 Inquiries and investigations.

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

345 **SECTION 2.16.**

346 General power and authority of the city council.

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

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

356 (c) The city council shall have the power to discipline, suspend, and remove all appointed
357 officials of the city and city employees, except for those appointments reserved for the
358 mayor, and shall further have the power to remove and terminate the contracts of city
359 contractors and city vendors.

360 (d) Unless otherwise provided by law, appeals of decisions of the city council shall be made
361 by certiorari to the Superior Court of Cobb County.

362 **SECTION 2.17.**

363 Eminent domain.

364 The city council is hereby empowered to acquire, construct, operate, and maintain public
 365 ways, parks and playgrounds, public grounds, cemeteries, markets and market houses, public
 366 buildings, libraries, public housing, airports, hospitals, terminals, docks, sewers, drains,
 367 sewage treatment, waterworks, electrical systems, gas systems, and charitable, cultural,
 368 educational, recreational, parking, conservation, sport, curative, corrective, detentional,
 369 penal, and medical institutions, agencies, and facilities, and any other public improvements
 370 inside or outside the city, and to regulate the use thereof and, for such purposes, property
 371 may be condemned under procedures established under general law applicable now or as
 372 provided in the future.

373 **SECTION 2.18.**

374 Organizational meetings.

375 The city council shall hold an organizational meeting on the first Tuesday in January of each
 376 year unless otherwise prescribed by ordinance, provided that if such date falls on a legal
 377 holiday, then the organizational meeting shall be held on the next business day. The meeting
 378 shall be called to order by the city clerk, and the oath of office shall be administered to the
 379 newly elected members by a judicial officer authorized to administer oaths and shall, to the
 380 extent that it comports with federal and state law, be as follows:

381 "I do solemnly (swear)(affirm) that I will faithfully perform the duties of
 382 (mayor)(councilmember) of this city and that I will support and defend the charter thereof
 383 as well as the Constitution and laws of the State of Georgia and of the United States of
 384 America. I am not the holder of any unaccounted for public money due this state or any
 385 political subdivision or authority thereof. I am not the holder of any office of trust under
 386 the government of the United States, any other state, or any foreign state which I, by the
 387 laws of the State of Georgia, am prohibited from holding. I am otherwise qualified to hold
 388 said office according to the Constitution and laws of the State of Georgia. I have been a
 389 resident of my district and the City of East Cobb for the time required by the Constitution
 390 and laws of this state and by the municipal charter. I will perform the duties of my office
 391 in the best interests of the City of East Cobb to the best of my ability without fear, favor,
 392 affection, reward, or expectation thereof."

393

SECTION 2.19.

394

Regular and special meetings.

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

397 (b) Special meetings of the city council may be held on call of the mayor or four members
398 of the city council. Notice of such special meetings shall be served on all other members
399 personally, or by telephone personally, at least 48 hours in advance of the meeting. Such
400 notice to councilmembers shall not be required if the mayor and all councilmembers are
401 present when the special meeting is called. Such notice of any special meeting may be
402 waived in writing by a councilmember before or after such a meeting, and attendance at the
403 meeting shall also constitute a waiver of notice on any business transacted in such
404 councilmember's presence. Only the business stated in the call may be transacted at the
405 special meeting.

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

410

SECTION 2.20.

411

Rules of procedure.

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

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

418

SECTION 2.21.

419

Quorum: voting

420 (a) Four members of the city council, excluding the mayor, shall constitute a quorum and
421 shall be authorized to transact business of the city council. Voting on the adoption of
422 ordinances shall be by voice vote and the vote shall be recorded in the journal, but any
423 member of the city council shall have the right to request a roll call vote and such vote shall
424 be recorded in the journal. Except as otherwise provided in this charter, the affirmative vote

425 of three councilmembers shall be required for the adoption of any ordinance, resolution, or
 426 motion. In the event of a tie, the mayor is entitled to vote and the mayor's vote may serve
 427 as the third affirmative vote required for adoption.

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

435 **SECTION 2.22.**

436 Ordinance form; procedures.

437 (a) Every proposed ordinance shall be introduced in writing and in the form required for
 438 final adoption. No ordinance shall contain a subject which is not expressed in its title. The
 439 enacting clause shall be, "It is hereby ordained by the governing authority of the City of East
 440 Cobb ...," and every ordinance shall so begin.

441 (b) An ordinance may be introduced by any councilmember and may be read at a regular or
 442 special meeting of the city council. Ordinances shall be considered and adopted or rejected
 443 by the city council in accordance with the rules which it shall establish; provided, however,
 444 an ordinance shall not be adopted the same day it is introduced, except for emergency
 445 ordinances as provided in Section 2.24. Upon introduction of any ordinance, the clerk shall
 446 as soon as possible distribute a copy to the mayor and to each councilmember and shall file
 447 a reasonable number of copies in the office of the clerk and at such other public places as the
 448 city council may designate.

449 **SECTION 2.23.**

450 Action requiring an ordinance.

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

452 **SECTION 2.24.**

453 Emergencies.

454 (a) To meet a public emergency affecting life, health, property, or public peace, the city
 455 council may convene on call of the mayor or two councilmembers and promptly adopt an

456 emergency ordinance, but such ordinance may not levy taxes; grant, renew, or extend a
 457 franchise; regulate the rate charged by any public utility for its services; or authorize the
 458 borrowing of money except for loans to be repaid within 30 days. An emergency ordinance
 459 shall be introduced in the form prescribed for ordinances generally, except that it shall be
 460 plainly designated as an emergency ordinance and shall contain, after the enacting clause,
 461 a declaration stating that an emergency exists, and describing the emergency in clear and
 462 specific terms. An emergency ordinance may be adopted, with or without amendment, or
 463 rejected at the meeting at which it is introduced, but the affirmative vote of at least three
 464 councilmembers shall be required for adoption. The mayor's vote may count as an
 465 affirmative vote needed for adoption in the event of a tie. It shall become effective upon
 466 adoption or at such later time as it may specify. Every emergency ordinance shall
 467 automatically stand repealed 30 days following the date upon which it was adopted, but this
 468 shall not prevent reenactment of the ordinance in the manner specified in this section if the
 469 emergency still exists. An emergency ordinance may also be repealed by adoption of a
 470 repealing ordinance in the same manner specified in this section for adoption of emergency
 471 ordinances.

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

476 **SECTION 2.25.**

477 Codes of technical regulations.

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

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

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

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

489

SECTION 2.26.

490

Signing; authenticating; recording; codification; printing.

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

493 (b) The city council shall provide for the preparation of a general codification of all the
494 ordinances of the city having the force and effect of law. The general codification shall be
495 adopted by the city council by ordinance and shall be published promptly, together with all
496 amendments thereto and such codes of technical regulations and other rules and regulations
497 as the city council may specify. This compilation shall be known and cited officially as "The
498 Code of the City of East Cobb, Georgia." Copies of the code shall be furnished to all
499 officers, departments, and agencies of the city, and made available for purchase by the public
500 at a reasonable price as fixed by the city council.

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

510

SECTION 2.27.

511

City manager; appointment; qualifications; compensation.

512 The mayor may appoint a city manager subject to confirmation by the city council, and if so
513 appointed, shall fix the city manager's compensation. The city manager shall be appointed
514 solely on the basis of executive and administrative qualifications.

515

SECTION 2.28.

516

Removal of city manager.

517 The mayor may establish procedures for the suspension or removal of the city manager from
518 office.

519

SECTION 2.29.

520

Acting city manager.

521 When a city manager has been appointed, and in the event of absence or disability, the city
 522 manager may designate, by a letter filed with the city clerk and subject to approval of the
 523 mayor and city council, a qualified city administrative officer to exercise the powers and
 524 perform the duties of city manager during the city manager's temporary absence or physical
 525 or mental disability. During such absence or disability, the mayor may revoke such
 526 designation at any time, and the mayor may appoint another officer of the city to serve until
 527 the city manager shall return or the city manager's absence or disability shall cease.

528

SECTION 2.30.

529

Powers and duties of the city manager.

530 When a city manager has been appointed, the city manager shall be the chief executive and
 531 administrative officer of the city. The city manager shall be responsible to the city council
 532 for the administration of all city affairs placed in his or her charge by the city council or this
 533 charter. As the chief executive and administrative officer, the city manager shall:

534 (1) Other than appointments reserved to the mayor in Sections 2.20, 2.27, and 2.29 of
 535 this charter, hire and, when the city manager deems it necessary for the good of the city,
 536 discipline, suspend, or remove any city employees and administrative officers that the
 537 city manager hires, except as otherwise provided by law or personnel ordinances adopted
 538 pursuant to this charter. The city manager may authorize any administrative officer who
 539 is subject to the city manager's direction and supervision to exercise these powers with
 540 respect to subordinates in that officer's department, office, or agency;

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

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

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

549 (5) Prepare and submit the annual operating budget and capital budget to the city
 550 council;

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

553 (7) Issue such other reports as the city council may require concerning the operations of
 554 city departments, offices, and agencies subject to the city manager's direction and
 555 supervision;

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

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

561 **SECTION 2.31.**

562 Council interference with administration.

563 When a city manager has been appointed, except for the purpose of inquiries and
 564 investigations under Section 2.15 of this charter, the city council or its members shall deal
 565 with city officers and employees who are subject to the direction and supervision of the city
 566 manager solely through the city manager, and neither the city council nor its members shall
 567 give orders to any such officer or employee, either publicly or privately.

568 **SECTION 2.32.**

569 Election of mayor; forfeiture; compensation.

570 The mayor shall be elected and serve for a term of four years and until a successor is elected
 571 and qualified. The mayor shall be a qualified elector of this city and shall have been a
 572 resident of the city for at least 12 months immediately prior to his or her election. The mayor
 573 shall continue to reside in this city during the period of service. The mayor shall forfeit the
 574 office on the same grounds and under the same procedure as for councilmembers. The
 575 compensation of the mayor shall be established in the same manner as for councilmembers.

576 **SECTION 2.33.**

577 Mayor pro tempore.

578 By a majority vote at the first meeting of the city council in January of each year, the city
 579 council shall elect a councilmember to serve as mayor pro tempore until the first regular
 580 meeting of the city council in the following calendar year. The mayor pro tempore shall
 581 assume the duties and powers of the mayor in the case where a physical or mental disability
 582 prevents the mayor from fulfilling the duties of his or her office, or for suspension from
 583 office or absence. Any such disability or absence shall be declared by a majority vote of the

584 city council. The mayor pro tempore shall sign all contracts and ordinances in which the
 585 mayor has a disqualifying financial interest as provided in Section 2.14 of this charter. When
 586 acting as mayor, the mayor pro tempore shall continue to have only one vote as a member
 587 of the council and shall exercise that power notwithstanding paragraph (5) of Section 2.23
 588 of this charter. A vacancy in the position of mayor pro tempore resulting from the mayor pro
 589 tempore ceasing to serve as a councilmember, or from any other cause, shall be filled for the
 590 remainder of the unexpired term in the same manner as the original election.

591 **SECTION 2.34.**

592 Powers and duties of mayor.

593 The mayor shall:

- 594 (1) Preside at all meetings of the city council;
- 595 (2) Be the head of the city for the purpose of service of process and for ceremonial
 596 purposes, and be the official spokesperson for the city and the chief advocate of policy
 597 adopted by the city council;
- 598 (3) Have the power to administer oaths and to take affidavits;
- 599 (4) Sign, as a matter of course on behalf of the city, all written and approved contracts,
 600 ordinances, and other instruments executed by the city which by law are required to be
 601 in writing;
- 602 (5) Vote on matters before the city council in the event of a tie;
- 603 (6) If no city manager has been appointed pursuant to Section 2.27 of this charter,
 604 prepare and submit to the city council a recommended annual operating budget and
 605 recommended capital budget; and
- 606 (7) Fulfill such other executive and administrative duties as the city council shall by
 607 ordinance establish.

608 **ARTICLE III**

609 **ADMINISTRATIVE AFFAIRS**

610 **SECTION 3.10.**

611 Administrative and service departments.

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

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

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

621 (d) There shall be a director of each department or agency who shall be its principal officer.
 622 Each director shall be subject to the direction and supervision of the mayor or, in the case
 623 where the city manager has been appointed, the city manager shall be responsible for the
 624 administration and direction of the affairs and operations of that director's department or
 625 agency.

626 (e) All appointive officers and directors shall be employees at-will. In the case where the
 627 mayor has appointed a city manager, the city manager, unless otherwise provided by law or
 628 ordinance, may remove, suspend, or discipline at any time any appointed officers, directors,
 629 or employees of the city, except for the city clerk, judges of the municipal court, and the city
 630 attorney.

631 **SECTION 3.11.**

632 **Boards, commissions, and authorities.**

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

637 (b) All members of boards, commissions, and authorities of the city shall be appointed by
 638 a majority vote of the city council, except where otherwise prescribed by this charter or by
 639 law. Except as otherwise provided by this charter or by law, each board, commission, or
 640 authority shall consist of seven members with one member being appointed by each member
 641 of the city council and the mayor. Members appointed by the mayor may reside anywhere
 642 within the corporate limits of the city, but a member appointed by a member of the city
 643 council shall reside within the district of the councilmember who appointed such member.

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

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

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

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

655 (g) All board, commission, or authority members serve at-will and may be removed at any
656 time by a vote of three members of the city council unless otherwise provided by law.

657 (h) Except as otherwise provided by this charter or by law, each board, commission, or
658 authority of the city shall elect one of its members as chair and one member as vice-chair,
659 and may elect as its secretary one of its own members or may appoint as secretary an
660 employee of the city. Each board, commission, or authority of the city government may
661 establish such bylaws, rules, and regulations, not inconsistent with this charter, ordinances
662 of the city, or law, as it deems appropriate and necessary for the fulfillment of its duties or
663 the conduct of its affairs. Copies of such bylaws, rules, and regulations shall be filed with
664 the clerk of the city.

665 **SECTION 3.12.**

666 City attorney.

667 The mayor shall appoint a city attorney, together with such assistant city attorneys as may
668 be authorized, and shall provide for the payment of such attorney or attorneys for services
669 rendered to the city. The city attorney shall be responsible for providing for the
670 representation and defense of the city in all litigation in which the city is a party; may be the
671 prosecuting officer in the municipal court; shall attend the meetings of the council as
672 directed; shall advise the city council, mayor, and other officers and employees of the city
673 concerning legal aspects of the city's affairs; and shall perform such other duties as may be
674 required by virtue of the person's position as city attorney. The city attorney shall not be a
675 public official of the city and shall not take an oath of office. The city attorney shall at all
676 times be an independent contractor. A law firm, rather than an individual, may be designated
677 as the city attorney. The city attorney shall serve at the pleasure of the mayor.

678 **SECTION 3.13.**

679 City clerk.

680 The mayor shall appoint a city clerk who shall not be a councilmember. The city clerk shall
681 be custodian of the official city seal and city records; maintain city council records required
682 by this charter; and perform such other duties as may be required by the city council. The
683 city clerk shall serve at the pleasure of the mayor.

684 **SECTION 3.14.**

685 Position classification and pay plans.

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

692 **SECTION 3.15.**

693 Personnel policies.

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

696 **ARTICLE IV**697 **JUDICIAL BRANCH**698 **SECTION 4.10.**

699 Creation; name.

700 There shall be a court to be known as the Municipal Court of the City of East Cobb.

701 **SECTION 4.11.**

702 Chief judge; associate judge.

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

705 (b) No person shall be qualified or eligible to serve as a judge on the municipal court unless
 706 that person shall have attained the age of 21 years and meets the qualifications provided in
 707 general law for municipal court judges. All judges shall be appointed by the city council and
 708 shall serve until a successor is appointed and qualified.

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

710 (d) Judges may be removed from office in accordance with state law.

711 (e) Before assuming office, each judge shall take an oath, given by the mayor, that the judge
 712 will honestly and faithfully discharge the duties of the office to the best of that person's

713 ability and without fear, favor or partiality. The oath shall be entered upon the minutes of
714 the city council journal required in Section 2.20 of this charter.

715 **SECTION 4.12.**

716 Convening.

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

718 **SECTION 4.13.**

719 Jurisdiction; powers.

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

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

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

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

731 (e) The municipal court shall have authority to establish bail and recognizances to ensure
732 the presence of those charged with violations before such court, and shall have discretionary
733 authority to accept cash or personal or real property as surety for the appearance of persons
734 charged with violations. Whenever any person shall give bail for that person's appearance
735 and shall fail to appear at the time fixed for trial, the bond shall be forfeited by the judge
736 presiding at such time, and an execution issued thereon by serving the defendant and the
737 defendant's sureties with a rule nisi, at least two days before a hearing on the rule nisi. In the
738 event that cash or property is accepted in lieu of bond for security for the appearance of a
739 defendant at trial, and if such defendant fails to appear at the time and place fixed for trial,
740 the cash so deposited shall be on order of the judge declared forfeited to the city, or the
741 property so deposited shall have a lien against it for the value forfeited, which lien shall be
742 enforceable in the same manner and to the same extent as a lien for city property taxes.

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

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

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

753 **SECTION 4.14.**

754 Certiorari.

755 The right of certiorari from the decision and judgment of the municipal court shall exist in
 756 all criminal cases and ordinance violation cases, and such certiorari shall be obtained under
 757 the sanction of a judge of the Superior Court of Cobb County under the laws of the State of
 758 Georgia regulating the granting and issuance of writs of certiorari.

759 **SECTION 4.15.**

760 Rules for court.

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

768 **ARTICLE V**

769 **ELECTIONS AND REMOVAL**

770 **SECTION 5.10.**

771 Applicability of general law.

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

774

SECTION 5.11.

775

Election of the city council and mayor.

776 (a) There shall be a municipal general election biennially in the odd years on the Tuesday
777 next following the first Monday in November.

778 (b) There shall be elected the mayor and councilmembers from Council Districts 4, 5, and 6
779 at one election and at every other regular election thereafter. The remaining city council
780 seats from Council Districts 1, 2, and 3 shall be filled at the election alternating with the first
781 election so that a continuing body is created.

782 (c) Each councilmember shall be elected by a majority vote of the qualified electors of his
783 or her respective council district voting at the elections of the city. For the purpose of
784 electing members of the council, the City of East Cobb shall consist of six council districts
785 as described in Appendix B of this charter, which is attached and incorporated into this
786 charter by reference. Each candidate for election to the council other than the mayor shall
787 reside in the council district he or she seeks to represent.

788 (d) If the city is formed as a result of the referendum held in the 2020 general primary, the
789 first election for mayor and councilmembers shall be a special election held in conjunction
790 with the 2020 November general election. At such election, the mayor and councilmembers
791 elected from Council Districts 4, 5 and 6 shall be elected for initial terms of office beginning
792 immediately after their election and expiring upon the election and qualification of their
793 respective successors in 2025. The councilmembers elected from Council Districts 1, 2,
794 and 3 shall be elected for initial terms of office beginning immediately after their election
795 and expiring upon the election and qualification of their respective successors in 2023.
796 Thereafter, successors to the mayor and councilmembers shall be elected at the November
797 general election immediately preceding the end of their respective terms of office, and such
798 successors shall take office in accordance with subsection (g) of this section for terms of four
799 years and until their respective successors are elected and qualified.

800 (e) If the city is formed as a result of a referendum held in a special election after the 2020
801 general primary but on or before the 2020 November general election, then the first election
802 for mayor and councilmembers shall be a special election to be held on the first special
803 election date pursuant to Code Section 21-2-540 of the O.C.G.A. in 2021. At such special
804 election, the mayor and councilmembers elected from Council Districts 4, 5, and 6 shall be
805 elected for initial terms of office beginning immediately after their election and expiring
806 upon the election and qualification of their respective successors in 2025. The
807 councilmembers from Council Districts 1, 2, and 3 shall be elected for initial terms of office
808 beginning immediately after their election and expiring upon the election and qualification
809 of their respective successors in 2023. Thereafter, successors to the mayor and

810 councilmembers shall be elected at the November general election immediately preceding
 811 the end of their respective terms of office, and such successors shall take office in accordance
 812 with subsection (g) of this section for terms of four years and until their respective successors
 813 are elected and qualified.

814 (f) The mayor, for the special election and each subsequent election for mayor, shall be
 815 elected by the qualified electors of the city at large voting in such elections of the city.

816 (g) Except for the initial election of the mayor and council, the terms of office of the mayor
 817 and councilmembers shall begin on the Monday following the election for such offices,
 818 which is at least five days following the certification of the results of the election, unless a
 819 petition to contest the results of any person's election is filed pursuant to Article 13 of
 820 Chapter 2 of Title 21 of the O.C.G.A. If a petition to contest the election results is filed, such
 821 person shall not be sworn in until a judgment has been entered pursuant to Code Section
 822 21-2-527 of the O.C.G.A. or such petition has been withdrawn or dismissed. In such case,
 823 the person's term of office shall begin on the Monday following the entry of such judgment
 824 or the withdrawal or dismissal of such petition. Such elected official shall be sworn in at the
 825 next meeting of the governing authority, which shall be held not later than two weeks
 826 following the beginning of his or her term of office and shall hold office until a successor's
 827 term begins in accordance with this subsection.

828 **SECTION 5.12.**

829 Nonpartisan elections.

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

832 **SECTION 5.13.**

833 Election by majority.

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

835 **SECTION 5.14.**

836 Special elections; vacancies.

837 In the event that the office of mayor or councilmember shall become vacant as provided in
 838 Section 2.12 of this charter, the city council or those remaining shall order a special election
 839 to fill the balance of the unexpired term of such official; provided, however, if such vacancy
 840 occurs within 12 months of the expiration of the term of that office, the city council or those

841 remaining shall appoint a successor for the remainder of the term. In all other respects, the
842 special election shall be held and conducted in accordance with Chapter 2 of Title 21 of the
843 O.C.G.A., the "Georgia Election Code," as now or hereafter amended.

844 **SECTION 5.15.**

845 Other provisions.

846 Except as otherwise provided by this charter, the city council shall by ordinance prescribe
847 such rules and regulations it deems appropriate to fulfill any options and duties under the
848 Georgia Election Code.

849 **SECTION 5.16.**

850 Removal of officers.

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

854 (b) Removal of an officer pursuant to subsection (a) of this section shall be accomplished
855 through one of the following methods:

856 (1) Following a hearing at which an impartial panel shall render a decision. In the event
857 an elected officer is sought to be removed by the action of the city council, such officer
858 shall be entitled to a written notice specifying the ground or grounds for removal and to
859 a public hearing, which shall be held not less than ten days after the service of such
860 written notice. The city council shall provide by ordinance for the manner in which such
861 hearings shall be held. Any elected officer sought to be removed from office as herein
862 provided shall have the right of appeal from the decision of the city council to the
863 Superior Court of Cobb County. Such appeal shall be governed by the same rules as
864 govern appeals to the superior court from the probate court; or

865 (2) By an order of the Superior Court of Cobb County following a hearing on a
866 complaint seeking such removal brought by any resident of the City of East Cobb.

897 the total cost to the city of regulating the activity and, if unpaid, shall be collected as
898 provided in Section 6.18 of this charter.

899 **SECTION 6.14.**

900 Franchises.

901 (a) The city council shall have the power to grant franchises for the use of this city's streets
902 and alleys for the purposes of railroads, street railways, telephone companies, electric
903 companies, electric membership corporations, cable television and other telecommunications
904 companies, gas companies, transportation companies, and other similar organizations. The
905 city council shall determine the duration, terms, whether the same shall be exclusive or
906 nonexclusive, and the consideration for such franchises; provided, however, no franchise
907 shall be granted for a period in excess of 35 years and no franchise shall be granted unless
908 the city receives just and adequate compensation therefor. The city council shall provide for
909 the registration of all franchises with the city clerk in a registration book kept by the clerk.
910 The city council may provide by ordinance for the registration within a reasonable time of
911 all franchises previously granted.

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

917 **SECTION 6.15.**

918 Service charges.

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

923 **SECTION 6.16.**

924 Special assessments.

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

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

929 **SECTION 6.17.**

930 Construction; other taxes and fees.

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

934 **SECTION 6.18.**

935 Collection of delinquent taxes and fees.

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

943 **SECTION 6.19.**

944 General obligation bonds.

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

949 **SECTION 6.20.**

950 Revenue bonds.

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

954 **SECTION 6.21.**

955 Short-term loans.

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

958 **SECTION 6.22.**

959 Lease-purchase contracts.

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

967 **SECTION 6.23.**

968 Fiscal year.

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

973 **SECTION 6.24.**

974 Preparation of budgets.

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

979

SECTION 6.25.

980

Submission of operating budget to city council.

981 On or before a date fixed by the city council but not later than 30 days prior to the beginning
 982 of each fiscal year, the mayor or, in the case where a city manager has been appointed, the
 983 city manager shall submit to the city council a proposed operating budget for the ensuing
 984 fiscal year. The budget shall be accompanied by a message from the mayor or city manager,
 985 as the case may be, containing a statement of the general fiscal policies of the city, the
 986 important features of the budget, explanations of major changes recommended for the next
 987 fiscal year, a general summary of the budget, and other pertinent comments and information.
 988 The operating budget and the capital budget hereinafter provided for, the budget message,
 989 and all supporting documents shall be filed in the office of the city clerk and shall be open
 990 to public inspection.

991

SECTION 6.26.

992

Action by city council on budget.

993 (a) The city council may amend the operating budget proposed by the mayor or the city
 994 manager, as the case may be; except that the budget as finally amended and adopted must
 995 provide for all expenditures required by state law or by other provisions of this charter and
 996 for all debt service requirements for the ensuing fiscal year, and the total appropriations from
 997 any fund shall not exceed the estimated fund balance, reserves, and revenues.

998 (b) The city council by ordinance shall adopt the final operating budget for the ensuing fiscal
 999 year not later than 15 days prior to the beginning of such fiscal year. If the city council fails
 1000 to adopt the budget by this date, the amounts appropriated for operation for the current fiscal
 1001 year shall be deemed adopted for the ensuing fiscal year on a month-to-month basis, with all
 1002 items prorated accordingly until such time as the city council adopts a budget for the ensuing
 1003 fiscal year. Adoption of the budget shall take the form of an appropriations ordinance setting
 1004 out the estimated revenues in detail by sources and making appropriations according to fund
 1005 and by organizational unit, purpose, or activity as set out in the budget preparation ordinance
 1006 adopted pursuant to Section 6.24 of this charter.

1007 (c) The amount set out in the adopted operating budget for each organizational unit shall
 1008 constitute the annual appropriation for such, and no expenditure shall be made or
 1009 encumbrance created in excess of the otherwise unencumbered balance of the appropriations
 1010 or allotment thereof, to which it is chargeable.

1011 **SECTION 6.27.**

1012 Tax levies.

1013 The city council shall levy by ordinance such taxes as are necessary. The taxes and tax rates
 1014 set by such ordinances shall be such that reasonable estimates of revenues from such levy
 1015 shall at least be sufficient, together with other anticipated revenues, fund balances, and
 1016 applicable reserves, to equal the total amount appropriated for each of the several funds set
 1017 forth in the annual operating budget for defraying the expenses of the general government
 1018 of this city.

1019 **SECTION 6.28.**

1020 Changes in appropriations.

1021 The city council by ordinance may make changes in the appropriations contained in the
 1022 current operating budget, at any regular, special, or emergency meeting called for such
 1023 purpose, but any additional appropriations may be made only from an existing unexpended
 1024 surplus.

1025 **SECTION 6.29.**

1026 Capital budget.

1027 (a) On or before the date fixed by the city council but no later than 30 days prior to the
 1028 beginning of each fiscal year, the mayor or, in the case where a city manager has been
 1029 appointed, the city manager shall submit to the city council a proposed capital improvements
 1030 plan with a recommended capital budget containing the means of financing the
 1031 improvements proposed for the ensuing fiscal year. The city council shall have power to
 1032 accept or reject the proposed plan and proposed budget, with or without amendments. The
 1033 city council shall not authorize an expenditure for the construction of any building, structure,
 1034 work, or improvement, unless the appropriations for such project are included in the capital
 1035 budget, except to meet a public emergency as provided in Section 2.24 of this charter.

1036 (b) The city council shall adopt by ordinance the final capital budget for the ensuing fiscal
 1037 year not later than 15 days prior to the beginning of such fiscal year. No appropriation
 1038 provided for in a prior capital budget shall lapse until the purpose for which the appropriation
 1039 was made shall have been accomplished or abandoned; provided, however, that the mayor
 1040 or the city manager, as the case may be, may submit amendments to the capital budget at any
 1041 time during the fiscal year, accompanied by recommendations. Any such amendments to the
 1042 capital budget shall become effective only upon adoption by ordinance.

SECTION 6.30.

Independent audit.

1045 There shall be an annual independent audit of all city accounts, funds, and financial
1046 transactions by a certified public accountant selected by the city council. The audit shall be
1047 conducted according to generally accepted auditing principles. Any audit of any funds by
1048 the state or federal governments may be accepted as satisfying the requirements of this
1049 charter. Copies of annual audit reports shall be available at printing costs to the public.

SECTION 6.31.

Contracting procedures.

1052 No contract with the city shall be binding on the city unless:

1053 (1) It is in writing;

1054 (2) It is drawn by or submitted to and reviewed by the city attorney and, as a matter of
1055 course, is signed by the city attorney to indicate such drafting or review; and

1056 (3) It is made or authorized by the city council.

SECTION 6.32.

Centralized purchasing.

1059 The city council shall by ordinance prescribe procedures for a system of centralized
1060 purchasing for the city.

SECTION 6.33.

Sale and lease of city property.

1063 The city council may sell and convey, or lease, any real or personal property owned or held
1064 by the city for governmental or other purposes as now or hereafter provided by law.

SECTION 7.13.

Referendum.

1096 The election superintendent of Cobb County shall call a special election for the purpose of
 1097 submitting this Act to the qualified voters of the proposed City of East Cobb, as provided in
 1098 Section 7.12 of this charter, for approval or rejection. The superintendent shall set the date
 1099 of such election for the date of the 2020 general primary. The superintendent shall issue the
 1100 call for such election at least 30 days prior to the date thereof. The superintendent shall cause
 1101 the date and purpose of the election to be published once a week for two weeks immediately
 1102 preceding the date thereof in the official organ of Cobb County. The ballot shall have written
 1103 or printed thereon the words:

1104 "() YES Shall the Act incorporating the City of East Cobb in Cobb County, imposing
 1105 () NO term limits and prohibiting conflicts of interest be approved?"

1106 All persons desiring to vote for approval of the Act shall vote "Yes," and those persons
 1107 desiring to vote for rejection of the Act shall vote "No." If more than one-half of the votes
 1108 cast on such question are for approval of the Act, it shall become of full force and effect;
 1109 otherwise, it shall thereafter be void and of no force and effect. The expense of the special
 1110 election set forth in this section shall be borne by Cobb County. It shall be the duty of the
 1111 superintendent to hold and conduct such election. It shall be his or her further duty to certify
 1112 the result thereof to the Secretary of State.

SECTION 7.14.

Effective dates.

1115 (a) Those provisions of this charter necessary for the special election provided for in
 1116 Section 7.13 of this charter shall become effective immediately upon this Act's approval by
 1117 the Governor or upon its becoming law without such approval.

1118 (b) Those provisions of this Act necessary for the special election to be held on the Tuesday
 1119 of the twenty-fourth week prior to the 2020 November general election in conjunction with
 1120 the general primary shall be effective upon the certification of the results of the referendum
 1121 election provided for by Section 7.13 of this charter, if this Act is approved at such
 1122 referendum election.

1123 (c) The remaining provisions of this Act shall become of full force and effect for all
 1124 purposes on January 1, 2021, except that the initial mayor and councilmembers shall take
 1125 office immediately following their election and by action of a quorum may prior to July 1,
 1126 2018, meet and take actions binding on the city.

1127 **SECTION 7.15.**

1128 Transition.

1129 (a) A period of time will be needed for an orderly transition of various government functions
 1130 from Cobb County to the City of East Cobb. Accordingly, there shall be a transition period
 1131 beginning on January 1, 2021, and ending at midnight on the last day of the twenty-fourth
 1132 month following such date. During such transition period, all provisions of this charter shall
 1133 be effective as law, but not all provisions of this charter shall be implemented.

1134 (b) During such transition period, Cobb County shall provide within the territorial limits of
 1135 the City of East Cobb all government services and functions now within the corporate limits
 1136 of the City of East Cobb which Cobb County provided in such area during 2020, and at the
 1137 same actual cost, except to the extent otherwise provided in this section; provided, however,
 1138 that upon at least 30 days' prior written notice to Cobb County by the City of East Cobb,
 1139 responsibility for any such service or function shall be transferred to the City of East Cobb.
 1140 Beginning on January 1, 2021, the City of East Cobb shall collect taxes, fees, assessments,
 1141 fines and forfeitures, and other moneys within the territorial limits of the City of East Cobb;
 1142 provided, however, that upon at least 30 days' prior written notice to Cobb County by the
 1143 City of East Cobb, the authority to collect any tax, fee, assessment, fine or forfeiture, or other
 1144 moneys shall remain with Cobb County after January 1, 2021, until such time as Cobb
 1145 County receives subsequent notice from the City of East Cobb that such authority shall be
 1146 transferred to the City of East Cobb.

1147 (c) During the transition period, the governing authority of the City of East Cobb:

- 1148 (1) Shall hold regular meetings and may hold special meetings as provided in this
 1149 charter;
- 1150 (2) May enact ordinances and resolutions as provided in this charter;
- 1151 (3) May amend this charter by home rule action as provided by general law;
- 1152 (4) May accept gifts and grants;
- 1153 (5) May borrow money and incur indebtedness to the extent authorized by this charter
 1154 and general law;
- 1155 (6) May levy and collect an ad valorem tax for calendar years 2021 and 2022;
- 1156 (7) May establish a fiscal year and budget;
- 1157 (8) May create, alter, or abolish departments, boards, offices, commissions, and agencies
 1158 of the city; appoint and remove officers and employees; and exercise all necessary or
 1159 appropriate personnel and management functions; and
- 1160 (9) May generally exercise any power granted by this charter or general law, except to
 1161 the extent that a power is specifically and integrally related to the provision of a

1162 governmental service, function, or responsibility not yet provided or carried out by the
1163 city.

1164 (d) During the transition period, the Municipal Court of the City of East Cobb shall not
1165 exercise its jurisdiction except as otherwise provided in this section. During the transition
1166 period, all ordinances of Cobb County shall be applicable within the territorial limits of the
1167 City of East Cobb, and the appropriate court or courts of Cobb County shall retain
1168 jurisdiction to enforce such ordinances. However, by appropriate agreement (and concurrent
1169 resolutions and ordinances if needed) Cobb County and the City of East Cobb may, during
1170 the transition period, transfer all or part of such regulatory authority and the appropriate court
1171 jurisdiction to the City of East Cobb. Any transfer of jurisdiction to the City of East Cobb
1172 during or at the end of the transition period shall not in and of itself abate any judicial
1173 proceeding pending in Cobb County or the pending prosecution of any violation of any
1174 ordinance of Cobb County.

1175 (e) During the transition period, the governing authority of the City of East Cobb may at any
1176 time, without the necessity of any agreement by Cobb County, commence to exercise its
1177 planning and zoning powers; provided, however, that the city shall give the county notice of
1178 the date on which the city will assume the exercise of such powers. Upon the governing
1179 authority of the City of East Cobb commencing to exercise its planning and zoning powers,
1180 the Municipal Court of the City of East Cobb shall immediately have jurisdiction to enforce
1181 the planning and zoning ordinances of the city. The provisions of this subsection shall
1182 control over any conflicting provisions of any other subsection of this section.

1183 (f) During the transition period, all business licenses and permits which were previously
1184 issued by Cobb County shall continue to be effective for the term for which such licenses and
1185 permits were originally issued.

1186 (g) Effective upon the termination of the transition period, subsections (b) through (f) of this
1187 section shall cease to apply except for the last sentence of subsection (d) which shall remain
1188 effective. Effective upon the termination of the transition period, the City of East Cobb shall
1189 be a full-functioning municipal corporation and subject to all general laws of this state.

1190 (h) The City of East Cobb shall be a successor in interest to all intergovernmental
1191 agreements which affect the territory contained within the corporate limits of the city which
1192 are in existence at the time the city is the created.

1193 (i) During the transition period, all existing zoning and land use provisions shall remain in
1194 effect and all valid, existing licenses issued previously to businesses operating in the
1195 corporate limits of the City of East Cobb by Cobb County shall continue in force and effect
1196 until their expiration.

1197 **SECTION 7.16.**

1198 Directory nature of dates.

1199 It is the intention of the General Assembly that this Act be construed as directory rather than
 1200 mandatory with respect to any date prescribed in this Act. If it is necessary to delay any
 1201 action called for in this Act for providential cause or any other reason, it is the intention of
 1202 the General Assembly that the action be delayed rather than abandoned. Any delay in
 1203 performing any action under this Act, whether for cause or otherwise, shall not operate to
 1204 frustrate the overall intent of this Act. Without limiting the generality of the foregoing it is
 1205 specifically provided that:

1206 (1) If it is not possible to hold the referendum election provided for in Section 7.13 of
 1207 this Act on the date specified in that section, then such referendum shall be held as soon
 1208 thereafter as is reasonably practicable; and

1209 (2) If it is not possible to hold the first municipal election provided for in this Act on the
 1210 date specified in that section, then there shall be a special election for the initial members
 1211 of the governing authority to be held as soon thereafter as is reasonably practicable, and
 1212 the commencement of the initial terms of office shall be delayed accordingly.

1213 **APPENDIX A**

1214 **Corporate Boundaries of the City of East Cobb**

1215 The City of East Cobb shall include all the territory embraced within the following census
 1216 blocks based upon the 2010 United States decennial census:

1217 Plan: EastCobb-Corp-2019

1218 Plan Type: local

1219 Administrator: HD045

1220 User: bak

1221 District EASTCOBB

1222 Cobb County

1223 VTD: 067BY01 - BRUMBY 01

1224 030405:

1225 3011 3021 3022 3023 3026 3027 3029 3030 3032 3035 3036 3040

1226 3041 3042 3043 3045 3046 3049

1227 030413:

1228 3000 3002 3003 3004 3005 3006 3007 3012 3013 3014 3015 3016
 1229 3017 3018 3019 3020 3021 3022 3023 3024 3025 3026 3027 3028
 1230 3029 3030 3032
 1231 VTD: 067CA01 - CHATTAHOOCHEE 01
 1232 030344:
 1233 1002 1005 1006 1009 1010 1011 1014 1016 1018 1019 1022 1026
 1234 1027 1028 1029 1030
 1235 VTD: 067CR01 - CHESTNUT RIDGE
 1236 VTD: 067DC01 - DICKERSON 01
 1237 VTD: 067DO01 - DODGEN 01
 1238 VTD: 067EA01 - EASTSIDE 01
 1239 VTD: 067EL06 - ELIZABETH 06
 1240 VTD: 067EV01 - EAST VALLEY 01
 1241 VTD: 067FP01 - FULLERS PARK 01
 1242 VTD: 067HT01 - HIGHTOWER 01
 1243 VTD: 067MD01 - MURDOCK 01
 1244 VTD: 067MT01 - MT BETHEL 01
 1245 VTD: 067MT02 - MT BETHEL 02
 1246 VTD: 067MT03 - MT BETHEL 03
 1247 VTD: 067MT04 - MT BETHEL 04
 1248 VTD: 067PF01 - POWERS FERRY 01
 1249 030405:
 1250 1016 1017 1018 1019 1020 1021 1025 1026 1032 1034 1044 1045
 1251 1046 1047 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009
 1252 2011 2022 2023
 1253 030407:
 1254 2000 2002 2004 2005 2006 2007 2008 2009 2011 2012 2019 2020
 1255 2022 2023 2024 2025 2026 2027
 1256 VTD: 067PP01 - POPE 01
 1257 030328:
 1258 1000 1001 1002 1003 1004 1005 1007 1011 1012 1013 1014 1015
 1259 VTD: 067RW01 - ROSWELL 01
 1260 VTD: 067RW02 - ROSWELL 02
 1261 VTD: 067SF01 - SHALLOWFORD FALLS
 1262 VTD: 067SM01 - SEWELL MILL 01
 1263 VTD: 067SM03 - SEWELL MILL 03
 1264 030409:

1265 1007 1008 1009 1010 1014 1015 1016 1017 1018 1019 1020 1025
 1266 1026 1027 1028
 1267 030410:
 1268 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011
 1269 2012 2013 2014 2015 2016 2021 2022
 1270 030504:
 1271 1011
 1272 030505:
 1273 3001
 1274 VTD: 067SM04 - SEWELL MILL 04
 1275 VTD: 067SM05 - SEWELL MILL 05
 1276 VTD: 067SO01 - SOPE CREEK 01
 1277 VTD: 067SO02 - SOPE CREEK 02
 1278 030320:
 1279 1000 1001 1002 1003 1004 1006 1007 1008 1010 1011 1012 1013
 1280 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023 1024 1025
 1281 1026 1027 1028 1029 1030 2000 2001 2002 2003 2004 2005 2006
 1282 2007 2008 2009 2010 2011 2012 2013 3000 3001 3002 3004 3005
 1283 3009 3021 3023
 1284 030408:
 1285 1008 1011 1012 1013 1014 1015 1016
 1286 VTD: 067SO03 - SOPE CREEK 03
 1287 VTD: 067SP01 - SEDALIA PARK 01
 1288 VTD: 067TM01 - TERRELL MILL 01
 1289 VTD: 067TR01 - TIMBER RIDGE 01
 1290 VTD: 067TT01 - TRITT 01
 1291 VTD: 067WL01 - WILLEO 01
 1292 For the purposes of this description, the term "VTD" shall mean and describe the same
 1293 geographical boundaries as provided in the report of the Bureau of the Census for the United
 1294 States decennial census of 2010 for the State of Georgia. The separate numeric designations
 1295 in the description which are underneath a VTD heading shall mean and describe individual
 1296 blocks within a VTD as provided in the report of the Bureau of the Census for the United
 1297 States decennial census of 2010 for the State of Georgia.

1298 APPENDIX B
 1299 City Council Districts

1300 Plan: EastCobb-Dist-2019

1301 Plan Type: local

1302 Administrator: HD045

1303 User: bak

1304 District 001

1305 Cobb County

1306 VTD: 067HT01 - HIGHTOWER 01

1307 VTD: 067PP01 - POPE 01

1308 030328:

1309 1000 1001 1002 1003 1004 1005 1007 1011 1012 1013 1014 1015

1310 VTD: 067SF01 - SHALLOWFORD FALLS

1311 VTD: 067TT01 - TRITT 01

1312 VTD: 067WL01 - WILLEO 01

1313 District 002

1314 Cobb County

1315 VTD: 067CR01 - CHESTNUT RIDGE

1316 VTD: 067EL06 - ELIZABETH 06

1317 030330:

1318 2000 2001 2002 2003 2004 2005 2007

1319 VTD: 067MD01 - MURDOCK 01

1320 VTD: 067RW01 - ROSWELL 01

1321 VTD: 067RW02 - ROSWELL 02

1322 District 003

1323 Cobb County

1324 VTD: 067DC01 - DICKERSON 01

1325 030334:

1326 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011

1327 2012 2013 2014 2015 2016 2017 2018 2019 2021 2022

1328 VTD: 067EA01 - EASTSIDE 01
 1329 030333:
 1330 2000 2001 2002 2003 2004 2017
 1331 030334:
 1332 1000 1001
 1333 VTD: 067MT01 - MT BETHEL 01
 1334 VTD: 067MT02 - MT BETHEL 02
 1335 VTD: 067MT03 - MT BETHEL 03
 1336 030319:
 1337 1006 1008 1009 1010 1011 1012 1013 1014 1015 1016 1017 2000
 1338 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011 2012
 1339 2013 2014 2015 2016 2017 2018 2019 2020 2021
 1340 VTD: 067TR01 - TIMBER RIDGE 01

 1341 District 004
 1342 Cobb County
 1343 VTD: 067DO01 - DODGEN 01
 1344 VTD: 067EA01 - EASTSIDE 01
 1345 030333:
 1346 1008 1009 1013 1014 1015 1016 1017 2009 2010 3000 3004 3005
 1347 3006 3007
 1348 VTD: 067EL06 - ELIZABETH 06
 1349 030330:
 1350 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011
 1351 1012 1013 1014 1015 1016 1017 2008 2009 2010 2011 2012
 1352 VTD: 067FP01 - FULLERS PARK 01
 1353 VTD: 067SM01 - SEWELL MILL 01
 1354 VTD: 067SM03 - SEWELL MILL 03
 1355 030409:
 1356 1007 1008 1009 1010 1014 1015 1016 1017 1018 1019 1020 1025
 1357 1026 1027 1028
 1358 030410:
 1359 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011
 1360 2012 2013 2014 2015 2016 2021 2022
 1361 VTD: 067SM05 - SEWELL MILL 05

1362 District 005
 1363 Cobb County
 1364 VTD: 067BY01 - BRUMBY 01
 1365 030405:
 1366 3011 3021 3022 3023 3026 3027 3029 3030 3032 3040 3045 3046
 1367 VTD: 067EV01 - EAST VALLEY 01
 1368 VTD: 067PF01 - POWERS FERRY 01
 1369 030405:
 1370 1016 1017 1018 1019 1020 1021 1025 1026 1032 1034 1044 1045
 1371 1046 1047 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009
 1372 2011 2022 2023
 1373 030407:
 1374 2000 2002 2004 2005 2006 2007 2008 2009 2011 2012 2019 2020
 1375 2022 2023 2024 2025 2026 2027
 1376 VTD: 067SM04 - SEWELL MILL 04
 1377 VTD: 067SO01 - SOPE CREEK 01
 1378 VTD: 067SP01 - SEDALIA PARK 01
 1379 VTD: 067TM01 - TERRELL MILL 01

1380 District 006
 1381 Cobb County
 1382 VTD: 067BY01 - BRUMBY 01
 1383 030405:
 1384 3035 3036 3041 3042 3043 3049
 1385 030413:
 1386 3000 3002 3003 3004 3005 3006 3007 3012 3013 3014 3015 3016
 1387 3017 3018 3019 3020 3021 3022 3023 3024 3025 3026 3027 3028
 1388 3029 3030 3032
 1389 VTD: 067CA01 - CHATTAHOOCHEE 01
 1390 030344:
 1391 1002 1005 1006 1009 1010 1011 1014 1016 1018 1019 1022 1026
 1392 1027 1028 1029 1030
 1393 VTD: 067DC01 - DICKERSON 01
 1394 030334:
 1395 2020 2023 2024
 1396 VTD: 067EA01 - EASTSIDE 01

1397 030333:
 1398 2005
 1399 030334:
 1400 1002 1003 1004 1005 1006
 1401 VTD: 067MT03 - MT BETHEL 03
 1402 030318:
 1403 2000 2001 2002 2003 2004 2005 2006 2032
 1404 VTD: 067MT04 - MT BETHEL 04
 1405 VTD: 067SO02 - SOPE CREEK 02
 1406 030320:
 1407 1000 1001 1002 1003 1004 1006 1007 1008 1010 1011 1012 1013
 1408 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023 1024 1025
 1409 1026 1027 1028 1029 1030 2000 2001 2002 2003 2004 2005 2006
 1410 2007 2008 2009 2010 2011 2012 2013 3000 3001 3002 3004 3005
 1411 3009 3021 3023
 1412 030408:
 1413 1008 1011 1012 1013 1014 1015 1016
 1414 VTD: 067SO03 - SOPE CREEK 03

1415 For the purposes of this plan (East Cobb-dist-2019):

1416 (1) The term "VTD" shall mean and describe the same geographical boundaries as
 1417 provided in the report of the Bureau of the Census for the United States decennial census
 1418 of 2010 for the State of Georgia. The separate numeric designations in a district
 1419 description which are underneath a VTD heading shall mean and describe individual
 1420 blocks within a VTD as provided in the report of the Bureau of the Census for the United
 1421 States decennial census of 2010 for the State of Georgia;

1422 (2) Except as otherwise provided in the description of any district, whenever the
 1423 description of any district refers to a named city, it shall mean the geographical
 1424 boundaries of that city as shown on the census maps for the United States decennial
 1425 census of 2010 for the State of Georgia;

1426 (3) Any part of the City of East Cobb which is not included in any district described in
 1427 this plan (East Cobb-dist-2019) shall be included within that district contiguous to such
 1428 part which contains the least population according to the United States decennial census
 1429 of 2010 for the State of Georgia; and

1430 (4) Any part of the City of East Cobb which is described in this plan (East
 1431 Cobb-dist-2019) as being included in a particular district shall nevertheless not be

1432 included within such district if such part is not contiguous to such district. Such
 1433 noncontiguous part shall instead be included within that district contiguous to such part
 1434 which contains the least population according to the United States decennial census of
 1435 2010 for the State of Georgia.

1436 APPENDIX C

1437 CERTIFICATE AS TO MINIMUM STANDARDS

1438 FOR INCORPORATION OF A NEW MUNICIPAL CORPORATION

1439 I, Representative Matt Dollar, Georgia State Representative from the 45th District and the
 1440 author of this bill introduced at the 2019 session of the General Assembly of Georgia, which
 1441 grants an original municipal charter to the City of East Cobb, do hereby certify that this bill
 1442 is in compliance with the minimum standards required by Chapter 31 of Title 36 of the
 1443 O.C.G.A. in that the area embraced within the original incorporation in this bill is in all
 1444 respects in compliance with the minimum standards required by Chapter 31 of Title 36 of the
 1445 O.C.G.A. This certificate is executed to conform to the requirements of Code
 1446 Section 36-31-5 of the O.C.G.A.

1447 So certified, this _____ day of _____, 2019.

1448 _____
 1449 Honorable Matt Dollar
 1450 Representative, 45th District
 1451 Georgia State House of Representatives