

Senate Bill 507

By: Senators Parent of the 42nd and Harrell of the 40th

A BILL TO BE ENTITLED  
AN ACT

1 To incorporate the City of Vista Grove in DeKalb County; to provide for a charter for the  
2 City of Vista Grove; to provide for incorporation, boundaries, and powers of the city; to  
3 provide for general powers and limitations on powers; to provide for a governing authority  
4 of such city and the powers, duties, authority, election, terms, method of filling vacancies,  
5 compensation, expenses, qualifications, prohibitions, and districts relative to members of  
6 such governing authority; to provide for inquiries and investigations; to provide for  
7 organization and procedures; to provide for ordinances; to provide for codes; to provide for  
8 a charter commission; to provide for the office of mayor and certain duties and powers  
9 relative to the office of mayor; to provide for administrative responsibilities; to provide for  
10 boards, commissions, and authorities; to provide for a city manager, a city attorney, a city  
11 clerk, a city accountant, and other personnel; to provide for a municipal court and the judge  
12 or judges thereof; to provide for practices and procedures; to provide for ethics and  
13 disclosures; to provide for taxation, licenses, and fees; to provide for franchises, service  
14 charges, and assessments; to provide for bonded and other indebtedness; to provide for  
15 accounting and budgeting; to provide for internal and external audits of accounts and  
16 transactions; to provide for purchases; to provide for bonds for officials; to provide for  
17 homestead exemptions; to provide for other matters relative to the foregoing; to provide for  
18 a referendum; to provide for definitions; to provide effective dates and transitional provisions  
19 governing the transfer of various functions and responsibilities from DeKalb County to the  
20 City of Vista Grove; to provide for severability; to provide for a referendum; to provide an  
21 effective date; to repeal conflicting laws; and for other purposes.

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

23

## ARTICLE I

24

## CREATION, INCORPORATION, POWERS

25

**SECTION 1.01.**

26

Incorporation.

27 This Act shall constitute the charter of the City of Vista Grove, Georgia. The City of Vista  
 28 Grove, Georgia, in the County of DeKalb, and the inhabitants thereof, are constituted and  
 29 declared a body politic and corporate under the same name and style of the "City of Vista  
 30 Grove" and by that name shall have perpetual succession, may sue and be sued, plead and  
 31 be impleaded, in all courts of law and equity, and in all actions whatsoever, and may have  
 32 and use a common seal for all other purposes as authorized by the laws of the State of  
 33 Georgia and the Constitution of the State of Georgia.

34

**SECTION 1.02.**

35

Corporate boundaries.

36 The boundaries of the City of Vista Grove shall be those set forth and described in  
 37 Appendix A of this charter, and said Appendix A is incorporated into and made a part of this  
 38 charter. The city clerk shall maintain a current map and written legal description of the  
 39 corporate boundaries of the city, and such map and description shall incorporate any changes  
 40 which may hereafter be made in such corporate boundaries.

41

**SECTION 1.03.**

42

Powers and construction.

43 Subject to subsection (b) of this section, the city shall have the following powers:

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

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

- 53 (3) Building regulation. To regulate and to license the erection and construction of  
54 buildings and all other structures; to adopt building, housing, plumbing, electrical, gas,  
55 and heating and air conditioning codes; and to regulate all housing and building trades  
56 to the extent permitted by general law;
- 57 (4) Business regulation and taxation. To levy and to provide for the collection of  
58 regulatory fees and taxes on privileges, occupations, trades, and professions as authorized  
59 by Title 48 of the O.C.G.A. or other such applicable laws as are or may hereafter be  
60 enacted; to permit and regulate the same; to provide for the manner and method of  
61 payment of such regulatory fees and taxes; and to revoke such permits after due process  
62 for failure to pay any city taxes or fees;
- 63 (5) Condemnation:
- 64 (A) To condemn property inside the corporate limits of the city for present or future  
65 use and for any public purpose deemed necessary by the city council utilizing  
66 procedures enumerated in Title 22 of the O.C.G.A. or such other applicable laws as are  
67 or may hereafter be enacted; and
- 68 (B) To condemn and cause to be remediated or removed any building, structure, or  
69 existing condition within its corporate limits that is dangerous to life, limb, or property,  
70 by reasons of decay, dilapidation, or unsanitary condition. Nothing in this  
71 subparagraph shall be construed to relieve the municipality of any duty to give owners  
72 or interested persons reasonable notice and opportunity to remedy the situation.  
73 Nothing in this subparagraph shall be construed as relieving the municipality of liability  
74 to any interested person for damages to person or property taken or destroyed in  
75 furtherance of this subparagraph. This subparagraph shall not be construed as  
76 authorizing the doing of any act or thing contrary to the Constitution of this state and  
77 the policy of the general laws of this state. The municipality shall have authority to  
78 adopt reasonable ordinances and resolutions for the purpose of carrying out this  
79 subparagraph;
- 80 (6) Contracts. To enter into contracts and agreements with other governmental entities  
81 and with private persons, firms, and corporations;
- 82 (7) Emergencies. To establish procedures for determining and proclaiming that an  
83 emergency situation exists within or without the city, and to make and carry out all  
84 reasonable provisions deemed necessary to deal with or meet such an emergency for the  
85 protection, safety, health, or well-being of the citizens of the city;
- 86 (8) Environmental protection. To protect and preserve the natural resources,  
87 environment, and vital areas of the city, the region, and the state through the enactment  
88 of ordinances that preserve and improve air quality, restore and maintain water resources,  
89 control erosion and sedimentation, manage storm water and establish a storm-water

90 utility, manage solid and hazardous waste, and provide other necessary or beneficial  
91 actions for the protection of the environment. These ordinances shall include, without  
92 limitation, ordinances that protect, maintain, and enhance public health, safety, the  
93 environment, and general welfare and minimize public and private losses due to flood  
94 conditions in flood hazard areas, as well as protect the beneficial uses of flood plain areas  
95 for water quality protection, stream bank and stream corridor protection, wetlands  
96 preservation, and ecological and environmental protection. Such ordinances may require  
97 that users vulnerable to floods, including facilities which serve such uses, be protected  
98 against flood damage at the time of initial construction; restrict or prohibit uses which are  
99 dangerous to health, safety, and property due to flooding or erosion hazards, or which  
100 increase flood heights, velocities, or erosion; control filling, grading, dredging, and other  
101 development which may increase flood damage or erosion; prevent or regulate the  
102 construction of flood barriers which will unnaturally divert flood waters or which may  
103 increase flood hazards to other lands; limit the alteration of natural flood plains, stream  
104 channels, and natural protective barriers which are involved in the accommodation of  
105 flood waters; and protect the storm-water management, water quality, stream bank  
106 protection, stream corridor protection, wetland preservation, and ecological functions of  
107 natural flood plain areas;

108 (9) Ethics. To adopt ethics ordinances and regulations governing such things as, but not  
109 limited to, the conduct of municipal elected officials, appointed officials, contractors,  
110 vendors, and employees, establishing procedures for ethics complaints, and setting forth  
111 penalties for violations of such rules and procedures;

112 (10) Fire regulations. To fix and establish fire limits and from time to time to extend,  
113 enlarge, or restrict the same; to prescribe fire safety regulations not inconsistent with  
114 general law, relating to both fire prevention and detection and to firefighting; and to  
115 prescribe penalties and punishment for violations thereof;

116 (11) Garbage fees. To levy, fix, assess, and collect a garbage, refuse, and trash collection  
117 and disposal and other sanitary service charge, tax, or fee for such services as may be  
118 necessary in the operation of the city from all individuals, firms, and corporations  
119 residing in or doing business therein and benefiting from such services; to enforce the  
120 payment of such charges, taxes, or fees; and to provide for the manner and method of  
121 collecting such service charges, taxes, or fees;

122 (12) General health, safety, and welfare. To define, regulate, and prohibit any act,  
123 practice, conduct, or use of property which is detrimental to health, sanitation,  
124 cleanliness, welfare, and safety of the inhabitants of the city, and to provide for the  
125 enforcement of such standards;

- 126 (13) Gifts. To accept or refuse gifts, donations, bequests, or grants from any source for  
127 any purpose related to powers and duties of the city and the general welfare of its  
128 citizens, on such terms and conditions as the donor or grantor may impose;
- 129 (14) Health and sanitation. To prescribe standards of health and sanitation and to  
130 provide for the enforcement of such standards;
- 131 (15) Homestead exemption. To establish and maintain procedures for offering  
132 homestead exemptions to residents of the city and maintaining current homestead  
133 exemptions of residents of the city as authorized by Act of the General Assembly;
- 134 (16) Jail sentences. To provide that persons given jail sentences in the city's court may  
135 work out such sentences in any public works or on the streets, roads, drains, and other  
136 public property in the city; to provide for commitment of such persons to any jail; to  
137 provide for the use of pretrial diversion and any alternative sentencing allowed by law;  
138 or to provide for commitment of such persons to any county work camp or county jail by  
139 agreement with the appropriate county officials;
- 140 (17) Motor vehicles. To regulate the operation of motor vehicles and exercise control  
141 over all traffic, including parking upon or across the streets, roads, alleys, and walkways  
142 of the city;
- 143 (18) Municipal agencies and delegation of power. To create, alter, or abolish  
144 departments, boards, offices not specified in this charter, commissions, authorities, and  
145 agencies of the city; and to confer upon such agencies the necessary and appropriate  
146 authority for carrying out all the powers conferred upon or delegated to the same;
- 147 (19) Municipal courts. To create a municipal court with a judge or judge and associate  
148 judges as may be necessary and to authorize the creation of a municipal court clerk's  
149 office or make said clerk's duties a part of the duties of the city clerk as designated by the  
150 city council;
- 151 (20) Municipal debts. To appropriate and borrow money for the payment of debts of the  
152 city and to issue bonds for the purpose of raising revenue to carry out any project,  
153 program, or venture authorized by this charter or the laws of the State of Georgia;
- 154 (21) Municipal property ownership. To acquire, dispose of, lease, and hold in trust or  
155 otherwise any real, personal, or mixed property, in fee simple or lesser interest, inside or  
156 outside the property limits of the city;
- 157 (22) Municipal property protection. To provide for the preservation and protection of  
158 property and equipment of the city and the administration and use of same by the public  
159 and to prescribe penalties and punishment for violations thereof;
- 160 (23) Municipal utilities. To acquire, lease, construct, operate, maintain, sell, and dispose  
161 of public utilities, including, but not limited to, a system of waterworks, sewers and  
162 drains, sewage disposal, storm-water management, gasworks, electricity generating

163 plants, cable television and other telecommunications, transportation facilities, public  
164 airports, and any other public utility; to fix the taxes, charges, rates, fares, fees,  
165 assessments, regulations, and penalties; and to provide for the withdrawal of service for  
166 refusal or failure to pay the same;

167 (24) Nuisance. To define a nuisance and provide for its abatement whether on public or  
168 private property;

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

171 (26) Planning and zoning. To provide comprehensive city planning for city land use,  
172 signage and outside advertising, and development by zoning; and to provide subdivision  
173 regulation and the like as the city council deems necessary and reasonable to ensure a  
174 safe, healthy, and aesthetically pleasing community;

175 (27) Police and fire protection. To exercise the power of arrest through duly appointed  
176 police officers, and to establish, operate, or contract for a police and a fire-fighting  
177 agency. It is the intent of the General Assembly that the city shall utilize the DeKalb  
178 County Police Department for police services, so long as such are available, through an  
179 intergovernmental agreement, for a period of at least ten years after the creation of the  
180 city;

181 (28) Public hazards; removal. To provide for the destruction and removal of any  
182 building or other structure that is or may become dangerous or detrimental to the public;

183 (29) Public improvements. To provide for the acquisition, construction, building,  
184 operation, maintenance, or abolition of public ways, parks and playgrounds, recreational  
185 facilities, cemeteries, public buildings, libraries, public housing, parking facilities, and  
186 charitable, cultural, educational, recreational, conservation, sport, detentional, penal, and  
187 medical institutions, agencies, and facilities; to provide any other public improvements  
188 inside the corporate limits of the city and to regulate the use of public improvements; and  
189 for such purposes, property may be acquired by condemnation under Title 22 of the  
190 O.C.G.A. or such other applicable laws as are or may hereafter be enacted;

191 (30) Public peace. To provide for the prevention and punishment of loitering, disorderly  
192 conduct, drunkenness, riots, and public disturbances;

193 (31) Public transportation. To organize and operate such public transportation systems  
194 as are deemed beneficial;

195 (32) Public utilities and services. To grant franchises or make contracts for, or impose  
196 taxes on, public utilities and public service companies; and to prescribe the rates, fares,  
197 regulations, and standards and conditions of service applicable to the service to be  
198 provided by the franchise grantee or contractor, insofar as not in conflict with valid  
199 regulations of the Public Service Commission;

- 200 (33) Regulation of roadside areas. To prohibit or regulate and control the erection,  
201 removal, and maintenance of signs, billboards, trees, shrubs, fences, buildings, and any  
202 and all other structures or obstructions upon or adjacent to the rights of way of streets and  
203 roads or within view thereof, within or abutting the corporate limits of the city; and to  
204 prescribe penalties and punishment for violation of such ordinances;
- 205 (34) Retirement and employee benefits. To provide and maintain a retirement plan,  
206 insurance, and such other employee benefits for appointed officers and employees of the  
207 city as are determined by the city council;
- 208 (35) Roadways. To lay out, open, extend, widen, narrow, establish or change the grade  
209 of, abandon or close, construct, pave, curb, gutter, adorn with shade trees, or otherwise  
210 improve, maintain, repair, clean, prevent erosion of, and light the roads, alleys, and  
211 walkways within the corporate limits of the city; to grant franchises and rights of way  
212 throughout the streets and roads and over the bridges and viaducts for the use of public  
213 utilities; and to require real estate owners to repair and maintain in a safe condition the  
214 sidewalks adjoining their lots or lands and to impose penalties for failure to do so;
- 215 (36) Solid waste disposal. To provide for the collection and disposal of garbage, rubbish,  
216 and refuse and to regulate the collection and disposal of garbage, rubbish, and refuse by  
217 others; and to provide for the separate collection of glass, tin, aluminum, cardboard,  
218 paper, and other recyclable materials and to provide for the sale of such items;
- 219 (37) Special assessments. To levy and provide for the collection of special assessments  
220 to cover the costs for any public improvements, subject to referendum;
- 221 (38) Taxes; ad valorem. To levy and provide for the assessment, valuation, revaluation,  
222 and collection of taxes on all property subject to taxation. For all years, the fair market  
223 value of all property subject to taxation shall be determined according to the tax digest  
224 of DeKalb County, as provided in Code Section 48-5-352 of the O.C.G.A.;
- 225 (39) Taxes: other. To levy and collect such other taxes and fees as may be allowed now  
226 or in the future by law;
- 227 (40) Taxicabs. To regulate and license vehicles operated for hire in the city; to limit the  
228 number of such vehicles; to require the operators thereof to be licensed; to require public  
229 liability insurance on such vehicles in the amounts to be prescribed by ordinance; to  
230 inspect said vehicles and mandate standards of safety and cleanliness; and to regulate the  
231 parking of such vehicles;
- 232 (41) Tourism, conventions, and trade shows. To provide for the structure, operation, and  
233 management of the Vista Grove Convention and Visitors Bureau created pursuant to  
234 Section 1.05 of this charter and to authorize the City of Vista Grove to contract with  
235 private sector nonprofit organizations or other governmental agencies to promote tourism,  
236 conventions, and trade shows;

237 (42) Urban redevelopment. To organize and operate an urban redevelopment program;  
238 and  
239 (43) Other powers. To exercise and enjoy all other powers, functions, rights, privileges,  
240 and immunities necessary or desirable to promote or protect the safety, health, peace,  
241 security, good order, comfort, convenience, or general welfare of the city and its  
242 inhabitants; to exercise all implied powers necessary or desirable to carry into execution  
243 all powers granted in this charter as fully and completely as if such powers were fully  
244 stated herein; and to exercise all powers now or in the future authorized to be exercised  
245 by other municipal governments under other laws of the State of Georgia; and any listing  
246 of particular powers in this charter shall not be held to be exclusive of others or restrictive  
247 of general words and phrases granting powers, but shall be held to be in addition to such  
248 powers unless expressly prohibited to municipalities under the Constitution or applicable  
249 laws of the State of Georgia.

250 **SECTION 1.04.**

251 Exercise of powers.

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

256 **SECTION 1.05.**

257 Tourism, conventions, and trade shows.

258 The Vista Grove Convention and Visitors Bureau is hereby authorized to be created by an  
259 ordinance of the city council. When created, the bureau shall consist of a board of seven  
260 members appointed by the city council. The bureau shall report to the city manager on a  
261 regular basis and shall send an annual report to the city council in January of each year.



262                                   ARTICLE II  
 263                                   GOVERNMENT STRUCTURE, ELECTIONS,  
 264                                   AND LEGISLATIVE BRANCH

265   **SECTION 2.01.**

266                                   City council creation; number; election.

267 (a) The legislative authority of the government of the City of Vista Grove, except as  
 268 otherwise specifically provided in this charter, shall be vested in a city council of which the  
 269 mayor shall be a voting member to the extent provided in subsection (a) of Section 2.10 of  
 270 this charter.

271 (b)(1) The city council of Vista Grove, Georgia, shall consist of six members, plus the  
 272 mayor.

273 (2)(A) For the purposes of electing members of the city council, the City of Vista Grove  
 274 shall be divided into three council districts, designated Council Districts 1 through 3.  
 275 Such three districts shall be and correspond to those three numbered districts described  
 276 in Appendix B of this charter, which is attached to and made a part of this charter of the  
 277 City of Vista Grove and further identified as "Plan: VistaGrove-dist-2020 Plan Type:  
 278 Local Administrator: S042 User: Gina."

279 (B)(i) For the purposes of such plan:

280 (I) The term 'VTD' shall mean and describe the same geographical boundaries as  
 281 provided in the report of the Bureau of the Census for the United States decennial  
 282 census of 2010 for the State of Georgia. The separate numeric designations in a  
 283 district description which are underneath a VTD heading shall mean and describe  
 284 individual blocks within a VTD, as provided in the report of the Bureau of the Census  
 285 for the United States decennial census of 2010 for the State of Georgia; and

286 (II) Except as otherwise provided in the description of any district, whenever the  
 287 description of any district refers to a named city, it shall mean the geographical  
 288 boundaries of that city as shown on the census maps for the United States decennial  
 289 census of 2010 for the State of Georgia.

290 (ii) Any part of the City of Vista Grove which is not included in any district described  
 291 in subparagraph (A) of this paragraph shall be included within that district contiguous  
 292 to such part which contains the least population according to the United States  
 293 decennial census of 2010 for the State of Georgia.

294 (iii) Any part of the City of Vista Grove which is described in subparagraph (A) of this  
 295 paragraph as being included in a particular district shall nevertheless not be included  
 296 within such district if such part is not contiguous to such district. Such noncontiguous

297 part shall instead be included within that district contiguous to such part which contains  
298 the least population according to the United States decennial census of 2010 for the  
299 State of Georgia.

300 (iv) Any part of the City of Vista Grove which is described in subparagraph (A) of this  
301 paragraph as being included in a particular district which, on the effective date of this  
302 Act is within the corporate boundaries of another municipality, shall not be included  
303 within such district.

304 (v) Any part of the City of Vista Grove which is described in subparagraph (A) of this  
305 paragraph as being included in a particular district which is not within the corporate  
306 boundaries of the City of Vista Grove shall not be included within such district.

307 (C) Following each decennial census, the city council shall revise such districts pursuant  
308 to Code Section 36-35-4.1 of the O.C.G.A. to maintain a proper population balance  
309 among such districts.

310 (3) One councilmember shall be elected from each of the three council districts and shall  
311 hold Council District 1, Post 1; Council District 1, Post 2; Council District 2, Post 1;  
312 Council District 2, Post 2; Council District 3, Post 1; and Council District 3, Post 2,  
313 respectively. Each candidate for election to the city council shall reside in the district he  
314 or she seeks to represent and shall designate the council district for which he or she is  
315 offering. Councilmembers shall be elected by a majority vote of the qualified electors  
316 of the respective council districts voting at the elections of the city. In the event that no  
317 candidate for a council district obtains a majority vote of the qualified electors of the  
318 council district voting in the election, then a run-off election shall be held. The  
319 candidates receiving the two highest numbers of votes in the election for such council  
320 district shall be included in the run-off election. The person receiving the highest number  
321 of votes of the qualified electors of the council district voting at such run-off election  
322 shall be elected.

323 (c) With the exception of the initial terms set forth in subsection (d) of this section,  
324 councilmembers shall be elected to terms of four years and until their successors are elected  
325 and qualified on a staggered basis in alternate election cycles such that every two years three  
326 councilmembers are up for election.

327 (d) In order to assure staggered elections of the councilmembers, in the first election of the  
328 city council, the terms for the candidates elected for Council District 1, Post 1; Council  
329 District 2, Post 1; and Council District 3, Post 1, shall expire upon the administration of the  
330 oath of office to their successors elected in the regular elections held in November, 2023, as  
331 provided in subsection (b) of Section 2.02 of this charter. The terms for the candidates  
332 elected for Council District 1, Post 2; Council District 2, Post 2; and Council District 3, Post  
333 2, shall expire upon the administration of the oath of office to their successors elected in the

334 regular elections held in November, 2025, as provided in subsection (b) of Section 2.02 of  
 335 this charter. Thereafter, a successor to each councilmember shall be elected at the November  
 336 election immediately preceding the end of such councilmember's term of office, and the term  
 337 of each councilmember shall expire upon the administration of the oath of office to his or her  
 338 successor.

339 (e) With the exception of the initial term of office, the mayor of the City of Vista Grove,  
 340 with the powers and duties specified herein, shall be elected to a term of four years and until  
 341 his or her successor is elected and qualified. The mayor shall be elected by a majority vote  
 342 of the qualified electors of the city at large voting at the elections of the city. In the event  
 343 that no candidate for mayor obtains a majority vote of the qualified electors of the city at  
 344 large voting at the elections of the city, then a run-off election shall be held. The candidates  
 345 receiving the two highest numbers of votes in the election shall be included in the run-off  
 346 election, and the candidate receiving the highest number of votes of the qualified electors of  
 347 the city at large who are voting at such runoff shall be elected. The term of the first elected  
 348 mayor shall expire upon the administration of the oath of office to his or her successor  
 349 elected in the regular election held in November, 2023, as provided in subsection (b) of  
 350 Section 2.02 of this charter. Thereafter, a successor to each mayor shall be elected at the  
 351 November election immediately preceding the end of such mayor's term of office, and the  
 352 term of each mayor shall expire upon the administration of the oath of office to his or her  
 353 successor.

354

## **SECTION 2.02.**

355

Mayor and councilmembers; terms and qualifications for office.

356 (a) For all elections subsequent to the first election, the mayor and councilmembers shall  
 357 serve for terms of four years and until their terms shall expire upon the administration of the  
 358 oath of office to their successors. No person shall be eligible to serve as mayor or  
 359 councilmember unless that person shall have been a resident of the area encompassing the  
 360 City of Vista Grove for a continuous period of at least 12 months immediately prior to the  
 361 date of the election for mayor or councilmember, shall continue to reside therein during that  
 362 person's period of service, and shall continue to be registered and qualified to vote in  
 363 municipal elections of the City of Vista Grove. In addition to the above requirements, no  
 364 person shall be eligible to serve as a councilmember representing a council district unless that  
 365 person continues to reside in such district during his or her period of service.

366 (b) An election shall be held on the third Tuesday in March, 2021, to elect the first mayor  
 367 and city council. At such election, the first mayor and council shall be elected to serve for  
 368 the initial terms of office specified in subsections (d) and (e) of Section 2.01 of this charter.

369 Thereafter, the time for holding regular municipal elections shall be on the Tuesday next  
 370 following the first Monday in November of each odd-numbered year beginning in 2023.

371 (c) The number of consecutive terms an individual may hold a position as a councilmember  
 372 shall be three terms.

373 (d) The number of consecutive terms an individual may hold the position of mayor shall be  
 374 limited to three terms.

375 (e) No person who has been convicted of a felony or a crime of moral turpitude shall be  
 376 eligible for election or to serve as mayor or councilmember of the City of Vista Grove.

377 **SECTION 2.03.**

378 Vacancy; filling of vacancies; suspensions.

379 (a) Elected officials of the city cannot hold other elective or public offices. The elective  
 380 offices of the city's government shall become vacant upon the member's death, resignation,  
 381 forfeiture of office, or removal from office. The following shall result in an elected city  
 382 official forfeiting his or her office:

383 (1) Violating the provisions of this charter;

384 (2) Being convicted of, or pleading guilty or "no contest" to, a felony or a crime of moral  
 385 turpitude; or

386 (3) Failing to attend one-half of the regular meetings of the council in a six-month period  
 387 without being excused by the council.

388 (b) The office of mayor shall become vacant upon the incumbent's death, resignation,  
 389 forfeiture of office, or removal from office in any manner authorized by this charter or the  
 390 general laws of the State of Georgia. A vacancy in the office of mayor shall be filled for the  
 391 remainder of the unexpired term by a special election if such vacancy occurs 12 months or  
 392 more prior to the expiration of the term of that office. If such vacancy occurs within 12  
 393 months of the expiration of the term of that office, the city council or those members  
 394 remaining shall appoint a successor for the remainder of the term. This provision shall also  
 395 apply to a temporary vacancy created by the suspension from office of the mayor.

396 (c) The office of a councilmember shall become vacant upon the incumbent's death,  
 397 resignation, forfeiture of office, or removal from office in any manner authorized by this  
 398 charter or the general laws of the State of Georgia. A vacancy in the office of a  
 399 councilmember shall be filled for the remainder of the unexpired term by a special election  
 400 if such vacancy occurs 12 months or more prior to the expiration of the term of that office.  
 401 If such vacancy occurs within 12 months of the expiration of the term of that office, the  
 402 mayor shall appoint a successor for the remainder of the term, subject to the approval of the

403 city council or those members remaining. This provision shall also apply to a temporary  
404 vacancy created by the suspension from office of a councilmember.

405 **SECTION 2.04.**

406 Nonpartisan elections.

407 Political parties shall not conduct primaries for city offices, and all names of candidates for  
408 city offices shall be listed without party designation.

409 **SECTION 2.05.**

410 Election votes.

411 The candidate for mayor who receives a majority vote of the qualified electors of the city at  
412 large voting at the elections of the city and the candidates for the city council who receive  
413 the majority vote of the qualified electors of their respective districts shall be elected to a  
414 term of office.

415 **SECTION 2.06.**

416 Applicability of general laws; qualifying; other provisions.

417 All elections shall be held and conducted in accordance with Chapter 2 of Title 21 of the  
418 O.C.G.A., the "Georgia Election Code," as now or hereafter amended or otherwise provided  
419 by law. Except as otherwise provided by this charter, the city council shall, by ordinance or  
420 resolution, prescribe such rules and regulations as it deems appropriate, including, but not  
421 limited to, the establishment of qualifying fees, to fulfill any options and duties under  
422 Chapter 2 of Title 21 of the O.C.G.A., the "Georgia Election Code," as now or hereafter  
423 amended or otherwise provided by law.

424 **SECTION 2.07.**

425 Compensation and expenses.

426 The annual salary of the mayor shall be \$20,000.00, and the annual salary for each  
427 councilmember shall be \$14,000.00. Such salaries shall be paid from municipal funds in  
428 monthly installments. The mayor shall be provided an annual expense allowance  
429 of \$5,000.00, and each council member shall be provided an annual expense allowance  
430 of \$3,000.00, for the reimbursement of expenses actually and necessarily incurred by the

431 mayor and council members, respectively, in carrying out their duties as elected officials of  
432 the city.

433 **SECTION 2.08.**

434 Inquiries and investigations.

435 The city council may make inquiries and investigations into the affairs of the city and  
436 conduct of any department, office, or agency thereof and for this purpose may subpoena  
437 witnesses, administer oaths, take testimony, and require the production of evidence. Any  
438 person who fails or refuses to obey a lawful order issued in the exercise of these powers by  
439 the city council shall be punished as may be provided by ordinance.

440 **SECTION 2.09.**

441 Meetings, oath of office, and mayor pro tempore.

442 (a) The city council shall meet on the first working day in January immediately following  
443 each regular municipal election. The meeting shall be called to order by the mayor-elect, and  
444 the oath of office shall be administered to the newly elected mayor and councilmembers  
445 collectively by a judicial officer authorized to administer oaths. The oath shall, to the extent  
446 that it comports with federal and state law, be as follows:

447 "I do solemnly swear (or affirm) that I will faithfully execute the office of  
448 [councilmember or mayor, as the case may be] of the City of Vista Grove and will,  
449 to the best of my ability, support and defend the Constitution of the United States, the  
450 Constitution of Georgia, and the charter, ordinances, and regulations of the City of  
451 Vista Grove. I am not the holder of any unaccounted for public money due this state  
452 or any political subdivision or authority thereof. I am not the holder of any office of  
453 trust under the government of the United States, any other state, or any foreign state  
454 which I by the laws of the State of Georgia am prohibited from holding. I am  
455 otherwise qualified to hold said office according to the Constitution and laws of  
456 Georgia. I have been a resident of my district and the City of Vista Grove for the time  
457 required by the Constitution and laws of this state and by the municipal charter. I will  
458 perform the duties of my office in the best interests of the City of Vista Grove to the  
459 best of my ability without fear, favor, affection, reward, or expectation thereof."

460 (b) Following the induction of the mayor and councilmembers, the city council, by a  
461 majority vote of the councilmembers, shall elect a councilmember to be mayor pro tempore,  
462 who shall serve for a term of two years and until a successor is elected and qualified. The

463 number of successive terms an individual may hold a position as mayor pro tempore shall  
464 be unlimited.

465 (c) The mayor pro tempore shall assume the duties and powers of the mayor during the  
466 mayor's temporary disability, suspension, or absence. If the mayor pro tempore is absent  
467 because of sickness or disqualification, any one of the remaining councilmembers, chosen  
468 by the councilmembers present, shall be clothed with all the rights and privileges of the  
469 mayor as described herein and shall perform the mayor's duties in the same manner as the  
470 mayor pro tempore.

471 (d) The city council shall, at least once a month, hold regular meetings at such times and  
472 places as prescribed by ordinance. The city council may recess any regular meeting and  
473 continue such meeting on any day or hour it may fix and may transact any business at such  
474 continued meeting as may be transacted at any regular meeting.

475 (e) Special meetings of the city council may be held on the call of either the mayor and one  
476 councilmember or on the call of three councilmembers. Notice of such special meetings  
477 shall be delivered to all councilmembers, the mayor, and the city manager personally, by  
478 registered mail, or by electronic means at least 24 hours in advance of the meeting. Such  
479 notice shall not be required if the mayor, all councilmembers, and the city manager are  
480 present when the special meeting is called. Such notice of any special meeting may be  
481 waived by the mayor, a councilmember, or the city manager in writing before or after such  
482 a meeting, and attendance at the meeting shall also constitute a waiver of notice. The notice  
483 of such special meeting shall state what business is to be transacted at the special meeting.  
484 Only the business stated in the call may be transacted at the special meeting.

485 **SECTION 2.10.**

486 Quorum; voting.

487 (a) Four councilmembers shall constitute a quorum and shall be authorized to transact  
488 business for the city council. The mayor shall be counted toward the making of a quorum.  
489 Voting on the adoption of ordinances shall be taken by voice vote and the yeas and nays shall  
490 be recorded in the minutes but, on the request of any member, there shall be a roll-call vote.  
491 In order for any ordinance, resolution, motion, or other action of the city council to be  
492 adopted, the measure must receive at least three affirmative votes and shall receive the  
493 affirmative votes of a majority of those voting. No member of the city council shall abstain  
494 from voting on any matter properly brought before the city council for official action except  
495 when such councilmember has a conflict of interest which is disclosed in writing prior to or  
496 at the meeting and made a part of the minutes or when a voting member abstains by reason  
497 of protest under the councilmember's First Amendment rights and such reason is disclosed

498 in writing prior to or at the meeting and made a part of the minutes. Other than in instances  
 499 of a properly disclosed and recorded conflict of interest or abstention under this section, any  
 500 member of the city council present and eligible to vote on a matter and refusing to do so for  
 501 any reason shall be deemed to have acquiesced or concurred with the members of the  
 502 majority who did vote on the question involved, provided that in the case of a tie vote of the  
 503 voting councilmembers, each councilmember shall be required to vote unless he or she  
 504 discloses a reason for not voting. The mayor shall have one vote on all matters brought  
 505 before the council.

506 (b) The following types of actions require an ordinance in order to have the force of law:

- 507 (1) Adopting or amending an administrative code or establishing, altering, or abolishing
- 508 a department, office not specified in this charter, or agency;
- 509 (2) Providing a fine or other penalty;
- 510 (3) Levying taxes;
- 511 (4) Granting, renewing, or extending a franchise;
- 512 (5) Regulating a rate for a public utility;
- 513 (6) Authorizing the borrowing of money;
- 514 (7) Conveying, leasing, or encumbering city land;
- 515 (8) Regulating land use and development;
- 516 (9) Amending or repealing an ordinance already adopted; and
- 517 (10) Proposing and voting on a budget for the fiscal year and to authorize a budget plan
- 518 for a term beyond the current fiscal year.

519 (c) The city council shall establish by ordinance procedures for convening emergency  
 520 meetings. In an emergency, an ordinance may be passed without notice or hearings if the  
 521 city council passes the ordinance by three-fourths' vote; provided, however, that in an  
 522 emergency meeting the city council cannot:

- 523 (1) Levy taxes;
- 524 (2) Grant, renew, or extend a franchise;
- 525 (3) Regulate a rate for a public utility; or
- 526 (4) Borrow money.

## 527 **SECTION 2.11.**

528 **General power and authority of the city council.**

529 (a) Except as otherwise provided by law or by this charter, the city council shall be vested  
 530 with all the powers of government of the City of Vista Grove as provided by Article I of this  
 531 charter.



532 (b) In addition to all other powers conferred upon it by law, the city council shall have the  
 533 authority to adopt and provide for the execution of such ordinances, resolutions, rules, and  
 534 regulations, not inconsistent with this charter and the Constitution and the laws of the State  
 535 of Georgia, which it shall deem necessary, expedient, or helpful for the peace, good order,  
 536 protection of life and property, health, welfare, sanitation, comfort, convenience, prosperity,  
 537 or well-being of the inhabitants of the City of Vista Grove and may enforce such ordinances  
 538 by imposing penalties for violation thereof.

539 **SECTION 2.12.**

540 Administrative and service departments.

541 (a) Except for the office of city manager, the internal auditor, and the elected positions  
 542 provided for in this charter, the city council may, by ordinance, establish, abolish, merge, or  
 543 consolidate offices not specified in this charter, positions of employment, departments, and  
 544 agencies of the city as it shall deem necessary for the proper administration of the affairs and  
 545 government of the city. The city council shall prescribe the functions and duties of existing  
 546 departments, offices, and agencies or of any departments, offices, and agencies hereinafter  
 547 created or established; may provide that the same person shall fill any number of offices and  
 548 positions of employment; and may transfer or change the functions and duties of offices,  
 549 positions of employment, departments, and agencies of the city.

550 (b) The operations and responsibilities of each department now or hereafter established in  
 551 the city shall be distributed among such divisions or bureaus as may be provided by  
 552 ordinance of the city council. Each department shall consist of such officers, employees, and  
 553 positions as may be provided by this charter or by ordinance and shall be subject to the  
 554 general supervision and guidance of the mayor and city council.

555 **SECTION 2.13.**

556 Ethics.

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

- 559 (1) Engage in any business or transaction or have a financial or other personal interest,  
 560 direct or indirect, which is incompatible with the proper discharge of official duties or  
 561 which would tend to impair the independence of his or her judgment or action in the  
 562 performance of official duties;
- 563 (2) Engage in or accept private employment or render services for private interests when  
 564 such employment or service is incompatible with the proper discharge of official duties

565 or would tend to impair the independence of his or her judgment or action in the  
566 performance of official duties;

567 (3) Disclose confidential information concerning the property, government, or affairs of  
568 the governmental body by which engaged without proper legal authorization or use such  
569 information to advance the financial or other private interest of himself or herself or  
570 others, except as required by law;

571 (4) Accept any valuable gift, whether in the form of service, loan, object, or promise,  
572 from any person, firm, or corporation which to his or her knowledge is interested, directly  
573 or indirectly, in any manner whatsoever in business dealings with the governmental body  
574 by which he or she is engaged. "Valuable" shall be an amount determined by the city  
575 council; provided, however, that the amount shall not exceed \$150.00;

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

578 (6) Vote or otherwise participate in the negotiation or in the making of any contract with  
579 any business or entity in which he or she, or members of his or her immediate family,  
580 have a financial interest.

581 No elected official, appointed officer, or employee of the city or any agency, board authority,  
582 bureau, or any other political entity to which this charter applies nor any member of such  
583 person's family, nor any person who has an employment or other personal relationship with  
584 such person, may contract with the city, either directly or indirectly or through any entity in  
585 which such person has a financial or employment interest, for the provision of goods,  
586 professional services, construction or rehabilitation of improvements, or any other  
587 procurement request by the city. "Family" shall, for the purposes of this section, include,  
588 parents, aunts, uncles, nieces, nephews, siblings, spouse, and children of such person and  
589 shall also include the parents, siblings, spouses, and children of any of the foregoing family  
590 members.

591 (b) Any elected official, appointed officer, or employee who has any private financial  
592 interest, directly or indirectly, in any contract or matter pending before or within any  
593 department of the city shall disclose such private interest to the city council. "Private  
594 financial interest" shall include interests of immediate family. The mayor or any  
595 councilmember who has a private interest in any matter pending before the city council shall  
596 disclose in writing such private interest; such disclosure shall be entered on the records of  
597 the city council, and he or she shall disqualify himself or herself from participating in any  
598 decision or vote relating thereto. Any elected official, appointed officer, or employee of any  
599 agency or political entity to which this charter applies who shall have any private financial  
600 interest, directly or indirectly, in any contract or matter pending before or within such entity  
601 shall disclose such private interest to the governing body of such agency or entity.

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

606 (d) Any violation of this section which occurs with the knowledge, express or implied, of  
607 a party to a contract or sale shall render said contract or sale voidable at the option of the city  
608 council.

609 (e) Except as authorized by law, no member of the city council shall hold any other elective  
610 city, state, or federal office or be employed by any DeKalb County city or DeKalb County  
611 government during the term for which elected.

612 (f) Consistent with this subsection of the charter, the City of Vista Grove will maintain an  
613 independent administrative law judge to adjudicate all ethics complaints for the City of Vista  
614 Grove. Within 30 days following the initial election of the mayor, the chief judge of the  
615 Superior Court of DeKalb County shall appoint to a two-year term an administrative law  
616 judge who shall adjudicate all ethics complaints for the City of Vista Grove. The  
617 administrative law judge shall have the power to dismiss any claim that fails to state an ethics  
618 violation in accordance with this section. The administrative law judge, at his or her  
619 discretion, may hold a hearing to determine the facts and validity of any such claim. The  
620 administrative law judge shall have the power to levy fines, issue public reprimands or  
621 warnings, and to refer ethics violations to the county solicitor or DeKalb County District  
622 Attorney for further criminal investigation. The administrative law judge may also  
623 recommend that an officer be removed from office for violations of this section, including,  
624 without limitation, for action taken in contravention of conflict of interest rules. The  
625 administrative law judge shall be compensated either on an hourly rate or at fixed fee per  
626 complaint, provided that such compensation shall be set by the city council in its reasonable  
627 discretion at an amount comparable to that of similar part-time judicial and administrative  
628 hearing positions, and the administrative law judge shall be reimbursed for all reasonable  
629 itemized expenses.

630

#### **SECTION 2.14.**

631

#### **Boards, commissions, and authorities.**

632 (a) All members of boards, commissions, and authorities of the city shall be appointed by  
633 the mayor, subject to confirmation by the city council, for such terms of office and such  
634 manner of appointment as provided by ordinance, except where other appointing authority,  
635 terms of office, or manner of appointment is prescribed by this charter or by applicable state  
636 law. If the city council does not approve of two consecutive nominations by the mayor for

637 the same position, any councilmember may nominate another person to fill the position,  
638 subject to confirmation by the city council.

639 (b) No member of any board, commission, or authority of the city shall hold any elective  
640 office in the city. Councilmembers and the mayor, however, may serve as ex officio  
641 members of such boards, commissions, or authorities, without a vote.

642 (c) Any vacancy in office of any member of a board, commission, or authority of the city  
643 shall be filled for the unexpired term in the manner prescribed for original appointment,  
644 except as otherwise provided by this charter or any applicable law of the State of Georgia.

645 (d) No member of any board, commission, or authority shall assume office until he or she  
646 shall have executed and filed with the designated officer of the city an oath obligating  
647 himself or herself to faithfully and impartially perform the duties of his or her office, such  
648 oath to be prescribed by ordinance of the city council and administered by the mayor or a  
649 judicial officer authorized to administer oaths.

650 (e) Any member of a board, commission, or authority may be removed from office by a vote  
651 of a majority of the councilmembers in accordance with state laws.

652 (f) Members of boards, commissions, and authorities may receive such compensation and  
653 expenses in the performance of their official duties as prescribed by ordinance.

654 (g) Except as otherwise provided by this charter or by applicable state law, each board,  
655 commission, or authority of the city government shall elect one of its members as  
656 chairperson and one member as vice chairperson for terms of one year and may elect as its  
657 secretary one of its own members or may appoint as secretary an employee of the city. Each  
658 board, commission, or authority of the city government may establish such bylaws, rules, and  
659 regulations not inconsistent with this charter, ordinances of the city, or applicable state law  
660 as it deems appropriate and necessary for the conduct of its affairs, copies of which shall be  
661 filed with the designated officer of the city.

662

## **SECTION 2.15.**

663

Ordinance form; procedures.

664 (a) Every proposed ordinance and resolution shall be introduced in writing, and the city  
665 council shall have the authority to approve, disapprove, or amend the same. A resolution  
666 may be passed at the time it is offered, but an ordinance shall not be adopted until the title  
667 of such ordinance shall have been read at two city council meetings, provided that the  
668 beginnings such meetings are not less than 24 hours nor more than 60 days apart. This  
669 requirement of two readings shall not apply to emergency ordinances, to ordinances passed  
670 during the first 90 days from the date on which the city begins operation, to ordinances  
671 adopted at the first business meeting of the city council in a calendar year, or to ordinances

672 adopted at the first meeting of the initial city council elected under subsection (b) of  
673 Section 2.02 of this charter.

674 (b) The catchlines of sections of this charter or any ordinance printed in boldface type,  
675 italics, or otherwise, are intended as mere catchwords to indicate the contents of the section,  
676 and:

677 (1) Shall not be deemed or taken to be titles of such sections or as any part of the section;  
678 and

679 (2) Shall not be so deemed when any of such sections, including the catchlines, are  
680 amended or reenacted unless expressly provided to the contrary.

681 Furthermore, the article and section headings contained in this charter shall not be deemed  
682 to govern, limit, or modify, or in any manner affect the scope, meaning, or intent of the  
683 provisions of any article or section hereof.

684 (c) The city council may, by ordinance or resolution, adopt rules and bylaws to govern the  
685 conduct of its business, including procedures and penalties, for compelling the attendance  
686 of absent councilmembers. Such rules may include punishment for contemptuous behavior  
687 conducted in the presence of the city council.

688 **SECTION 2.16.**

689 Submission of ordinances to the city clerk.

690 (a) Every ordinance, resolution, and other action adopted by the city council shall be  
691 presented to the city clerk within 15 days of its adoption or approval. The city clerk shall  
692 record upon the ordinance the date of its delivery from the city council.

693 (b) An ordinance or resolution that has been passed by the city council shall become  
694 effective on the date the ordinance is passed or on such other date as may be specified in the  
695 ordinance.

696 **ARTICLE III**

697 **EXECUTIVE BRANCH**

698 **SECTION 3.01.**

699 Powers and duties of the mayor.

700 (a) The mayor shall:

701 (1) Preside over all meetings of the city council;

702 (2) Set the agenda for meetings of the city council after receiving input from members  
703 of the city council, the city manager, and the public; provided, however, that additional

704 items shall be added to the agenda upon the written request of any member of the city  
 705 council, and name of the mayor or councilmember placing an item on the agenda shall  
 706 be noted on the agenda;

707 (3) Serve as the ceremonial head of the city and as its official representative to federal,  
 708 state, and local governmental bodies and officials;

709 (4) Sign all orders, checks, and warrants for payment of money within a level of  
 710 authorization as established by the city council;

711 (5) Execute all contracts, deeds, and other obligations of the city within a level of  
 712 authorization as established by the city council;

713 (6) Vote in matters before the city council to the extent provided in subsection (a) of  
 714 Section 2.10 of this charter;

715 (7) Make all appointments of city officers as provided by this charter, subject to  
 716 confirmation by the city council;

717 (8) Serve in a part-time capacity and be compensated accordingly; and

718 (9) Perform any other duties and exercise any other powers required by state or federal  
 719 law or authorized by a duly adopted ordinance that is not in conflict with this charter.

720 (b) The mayor shall have the authority to certify that a supplemental appropriation is  
 721 possible due to unexpected revenue increases, but only with approval of the city council.

722 (c) The mayor shall have all of the powers specifically granted to the mayor elsewhere in  
 723 this charter, regardless of whether such powers are enumerated in this section.

724 **SECTION 3.02.**

725 City manager; appointment and qualification.

726 The mayor shall nominate a person for the office of city manager, with approval by city  
 727 council required to make the appointment official. If the first proposed city manager is  
 728 rejected by the city council, the mayor shall select a second appointee. If the city council  
 729 rejects the second selection, the city council shall offer a candidate for city manager and, by  
 730 a majority vote, shall send the candidate's name to the mayor for approval. If the mayor  
 731 vetoes or does not approve, a second vote of a two-thirds' majority of the council shall be  
 732 required to approve the appointee for the position. The city council may offer as many  
 733 candidates as needed until the required approval is achieved. The city manager shall be  
 734 appointed without regard to political beliefs and solely on the basis of his or her education  
 735 and experience in the accepted competencies and practices of local government management.

736

**SECTION 3.03.**

737

City manager; chief administrative officer.

738 The city manager shall be the chief administrative officer of the government of the city. The  
 739 city manager shall devote all of his or her working time and attention to the affairs of the city  
 740 and shall be responsible to the mayor and city council for the proper and efficient  
 741 administration of the affairs of the city over which said officer has jurisdiction.

742

**SECTION 3.04.**

743

City manager; powers and duties enumerated.

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

- 745 (1) See that all laws and ordinances are enforced;
- 746 (2) Propose a budget for city operations from a zero base, with input from the actual  
 747 expenditure of the city from the prior year;
- 748 (3) Appoint and employ all necessary employees of the city, provided that the power of  
 749 this appointment shall not include officers and employees who by this charter are  
 750 appointed or elected by the mayor and the city council or departments not under the  
 751 jurisdiction of the city manager;
- 752 (4) Remove employees appointed and employed under paragraph (3) of this section  
 753 without the consent of the city council and without assigning any reason therefor;
- 754 (5) Exercise supervision and control of all departments and all divisions created in this  
 755 charter or that may hereafter be created by the city council, except as otherwise provided  
 756 in this charter or specified by the city council;
- 757 (6) Attend all meetings of the city council, without a right to vote, but with a right to take  
 758 part in the discussions as seen fit by the chair; provided, however, that regardless of the  
 759 decision of the meeting chair, the city manager may take part in any discussion and report  
 760 on any matter requested and approved by the city council at such meeting. The city  
 761 manager shall be entitled to receive notice of all special meetings;
- 762 (7) Recommend to the city council, after prior review and comment by the mayor, the  
 763 adoption of such measures as the city manager may deem necessary or expedient;
- 764 (8) See that all terms and conditions imposed in favor of the city or its inhabitants in any  
 765 public utility franchise are faithfully kept and performed and, upon knowledge of any  
 766 violation thereof, to call the same to the attention of the city attorney, whose duty it shall  
 767 be forthwith to take such steps as are necessary to protect and enforce the same;
- 768 (9) Make and execute all lawful contracts on behalf of the city as to matters within the  
 769 city manager's level of authorization as established by the city council to the extent that

770 such contracts are funded in the city's budget, except such as may be otherwise provided  
 771 by law; provided, however, that no contract purchase or obligation requiring a budget  
 772 amendment shall be valid and binding until after approval of the city council;

773 (10) Sign all orders, checks, and warrants for payment of money within the city  
 774 manager's level of authorization as established by the city council to the extent that such  
 775 contracts are funded in the city's budget, except such as may be otherwise provided by  
 776 law; provided, however, that no such order, check, or warrant requiring a budget  
 777 amendment shall be valid and binding until after approval of the city council;

778 (11) Act as a budget officer to prepare and submit to the city council, after review and  
 779 comment by the mayor and prior to the beginning of each fiscal year, a budget of  
 780 proposed expenditures for the ensuing year, showing in as much detail as practicable the  
 781 amounts allotted to each department of the city government and the reasons for such  
 782 estimated expenditures;

783 (12) Keep the city council at all times fully advised as to the financial condition and  
 784 needs of the city;

785 (13) Make a full written report to the city council on the fifteenth of each month showing  
 786 the operations and expenditures of each department of the city government for the  
 787 preceding month; a synopsis of such reports shall be published by the city clerk;

788 (14) Fix all salaries and compensation of city employees in accordance with the city  
 789 budget and the city pay and classification plan;

790 (15) By his or her authority, transfer appropriations within a department, fund, service,  
 791 strategy, or organizational unit, but only with the approval of the city council; and

792 (16) Perform such other duties as may be prescribed by this charter or required by  
 793 ordinance or resolution of the city council.

794 **SECTION 3.05.**

795 City council interference with administration.

796 Except for the purpose of inquiries and investigations under Section 2.08 of this charter, the  
 797 mayor or city council or its members shall deal with city officers and employees who are  
 798 subject to the direction or supervision of the city manager solely through the city manager,  
 799 and neither the mayor, the city council, nor its members shall give orders to any such officer  
 800 or employee, either publicly or privately.



**SECTION 3.06.**

City manager; removal.

(a) The mayor and city council may suspend the city manager from office for any reason, in accordance with the following procedures:

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

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

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

(b) The city manager shall continue to receive his or her salary until the effective date of a final resolution of his or her removal. The action of the city council in suspending or removing the city manager shall not be subject to review by any court or agency.

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

**SECTION 3.07.**

Acting city manager.

(a) The mayor with the approval of the city council may appoint any person to exercise all powers, duties, and functions of the city manager during the city manager's suspension under subsection (a) of Section 3.06 of this charter, temporary absence from the city, or during the city manager's disability.

834 (b) In the event of a vacancy in the office of city manager, the mayor may designate, with  
835 the approval of the city council, a person to be acting city manager, who shall exercise all  
836 powers, duties, and functions of the city manager until a city manager is appointed.

837

**SECTION 3.08.**

838

City attorney.

839 The mayor shall appoint the city attorney, together with such assistant city attorneys as may  
840 be deemed appropriate, subject to confirmation by the city council, and shall provide for the  
841 payment of such attorney for services rendered to the city. The rates or salary paid to any  
842 city attorney or assistant city attorney shall be approved in advance by the city council. The  
843 city attorney shall be responsible for representing and defending the city in all litigation in  
844 which the city is a party; may be the prosecuting officer in the municipal court; shall attend  
845 the meetings of the city council as directed; shall advise the city council, mayor, other  
846 officers, and employees of the city concerning legal aspects of the city's affairs; and shall  
847 perform such other duties as may be required by virtue of his or her position as city attorney.  
848 Except as provided in this charter, the city attorney shall review and sign all contracts of the  
849 city but shall not have the power to bind the city. In a conflict between the mayor and the  
850 city council, the city attorney shall engage separate outside legal counsel to represent the  
851 interests of the city council and mayor, respectively. Notwithstanding any law or ordinance  
852 to the contrary, the city attorney shall not represent the interests of the city council or the  
853 mayor against the other. As permissible, where such representation best serves the interests  
854 of the city, and depending on the individual circumstance, such outside legal counsel may  
855 jointly represent the city, mayor, and councilmembers in their official capacities.

856

**SECTION 3.09.**

857

City clerk.

858 The mayor may appoint a city clerk, subject to confirmation by the city council to keep a  
859 journal of the proceedings of the city council; to maintain in a safe place all records and  
860 documents pertaining to the affairs of the city; and to perform such duties as may be required  
861 by law or ordinance or as the mayor or city manager may direct.

862 **SECTION 3.10.**

863 Tax collector.

864 The mayor may appoint a tax collector, subject to confirmation by the city council, to collect  
865 all taxes, licenses, fees, and other moneys belonging to the city, subject to the provisions of  
866 this charter and the ordinances of the city; and the tax collector shall diligently comply with  
867 and enforce all general laws of Georgia relating to the collection, sale, or foreclosure of taxes  
868 by municipalities.

869 **SECTION 3.11.**

870 City accountant.

871 The city council shall appoint a city accountant, subject to confirmation by the city council  
872 to perform the duties of an accountant.

873 **SECTION 3.12.**

874 City internal auditor.

875 The city council shall appoint an internal auditor to audit the financial records and  
876 expenditures of city funds and to report the results of such audits in writing to the city  
877 council at times and intervals set by the city council but no less than quarterly. Such audit  
878 reports shall, at a minimum, identify all city expenditures and other financial matters that the  
879 internal auditor either determines are not in compliance with or cannot conclusively be  
880 determined to be in compliance with the provisions of this charter, the applicable city budget,  
881 and applicable ordinances, resolutions, or other actions duly adopted or approved under the  
882 provisions of this charter.

883 **SECTION 3.13.**

884 Consolidation of functions.

885 The city manager, with the approval of the city council, may consolidate the positions of city  
886 clerk, city tax collector, and city accountant, or any other positions, or may assign the  
887 functions of any one or more of such positions to the holder or holders of any other positions.  
888 The city manager may also, with the approval of the city council, perform all or any part of  
889 the functions of any of the positions or offices in lieu of the appointment of other persons to  
890 perform the same.

891 **SECTION 3.14.**

892 Position classification and pay plans; employment at will.

893 The city manager shall be responsible for the preparation of a position classification and a  
 894 pay plan, which shall be submitted to the city council for adoption. Said plan may apply to  
 895 all employees of the City of Vista Grove and any of its agencies and offices. When a pay  
 896 plan has been adopted by the city council, neither the city council nor the city manager shall  
 897 increase or decrease the salaries of individual employees except in conformity with such pay  
 898 plan or pursuant to an amendment of said pay plan duly adopted by the city council. Except  
 899 as otherwise provided in this charter, all employees of the city shall be subject to removal or  
 900 discharge, with or without cause, at any time.

901 **SECTION 3.15.**

902 Contract for private services.

903 Notwithstanding any of the previous provisions provided for in this charter, and without  
 904 limiting its powers under this charter or otherwise under the laws of the State of Georgia and  
 905 the Constitution of the State of Georgia, the city council may by resolution contract for the  
 906 performance of city functions and staffing by qualified independent private entities.

907 **ARTICLE IV**

908 **MUNICIPAL COURT**

909 **SECTION 4.01.**

910 Creation.

911 The city council may, by ordinance, establish a court to be known as the Municipal Court of  
 912 the City of Vista Grove which shall have jurisdiction and authority to try offenses against the  
 913 laws and ordinances of said city and to punish for a violation of such laws and ordinances.  
 914 Such court shall have the power to enforce its judgments by the imposition of such penalties  
 915 as may be provided by law, including ordinances of the city; to punish witnesses for  
 916 nonattendance and also to punish any person who may counsel or advise, aid, encourage, or  
 917 persuade another whose testimony is desired or material in any proceeding before said court  
 918 to go or move beyond the reach of the process of the court; to try all offenses within the  
 919 territorial limits of the city constituting traffic cases which, under the laws of Georgia, are  
 920 placed within the jurisdiction of municipal courts to the extent of, and in accordance with,  
 921 the provisions of such laws and all laws subsequently enacted amendatory thereof. Said

922 court shall be presided over by the judge of such court pursuant to Chapters 32 through 45  
923 and 60 through 76 of Title 36 of the O.C.G.A.

924 **SECTION 4.02.**

925 Judge.

926 (a) There shall be at least one judge of the municipal court, and that judge shall be  
927 designated as the chief judge with the authority to direct the court calendar, recommend  
928 associate judges to the city council, sit in presiding matters, discipline the city solicitors, and  
929 enforce all the powers of a judicial officer pursuant to Chapter 1 of Title 15 of the O.C.G.A.

930 (b) The judge shall meet the qualifications of Code Section 36-32-1.1 of the O.C.G.A. and  
931 shall be nominated by the mayor, subject to approval by the city council. The compensation  
932 and number of the judges shall be fixed by the city council.

933 (c) Before entering on duties of his or her office, the judge and judge pro tempore shall take  
934 an oath before an officer duly authorized to administer oaths in this state, declaring that he  
935 or she will truly, honestly, and faithfully discharge the duties of his or her office to the best  
936 of his or her ability without fear, favor, or partiality. The oath shall be entered upon the  
937 minutes of the city council.

938 (d) A judge shall serve in accordance with the provisions of Code Section 36-32-2 of the  
939 O.C.G.A. and shall be subject to removal in accordance with the provisions of Code  
940 Section 36-32-2.1.

941 **SECTION 4.03.**

942 Convening.

943 The municipal court shall be convened at such times as designated by ordinance or at such  
944 times as deemed necessary by the judge to keep current the dockets thereof.

945 **SECTION 4.04.**

946 Jurisdiction; powers.

947 (a) The municipal court shall try cases and punish for crimes against the City of Vista Grove  
948 and for violation of its ordinances. The municipal court may fix punishment for offenses  
949 within its jurisdiction to the fullest extent allowed by state law.

950 (b) The municipal court shall have authority to recommend to the city council for approval  
951 a schedule of fees to defray the costs of operation.

952 (c) The municipal court shall have authority to establish bail and recognizances to ensure  
 953 the presence of those charged with violations before said court and shall have discretionary  
 954 authority to accept cash or personal or real property as security for appearances of persons  
 955 charged with violations. Whenever any person shall give bail for his or her appearance and  
 956 shall fail to appear at the time fixed for trial, the bond shall be forfeited to the judge presiding  
 957 at such time and an execution issued thereon by serving the defendant and his or her sureties  
 958 with a rule nisi at least two days before a hearing on the rule nisi. In the event that cash or  
 959 property is accepted in lieu of bond for security for the appearance of a defendant at trial, and  
 960 if such defendant fails to appear at the time and place fixed for trial, the cash so deposited  
 961 shall be on order of the judge declared forfeited to the City of Vista Grove, or the property  
 962 so deposited shall have a lien against it for the value forfeited.

963 (d) The municipal court shall have the authority to bind prisoners over to the appropriate  
 964 court when it appears, by probable cause, that a state law has been violated.

965 (e) The municipal court shall have the authority to administer oaths and to perform all other  
 966 acts necessary or proper to the conduct of said court.

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

970 (g) The municipal court is specifically vested with all of the judicial jurisdiction and judicial  
 971 powers throughout the entire area of the City of Vista Grove, granted by state laws generally  
 972 to municipal courts and particularly by such laws as authorize the abatement of nuisances.

973 **SECTION 4.05.**

974 Certiorari.

975 The right of certiorari from the decision and judgment of the municipal court shall exist in  
 976 all criminal cases and ordinance violation cases, and such certiorari shall be obtained under  
 977 the sanction of a judge of the Superior Court of DeKalb County under the laws of the State  
 978 of Georgia regulating the granting and issuance of writs of certiorari.

979 **SECTION 4.06.**

980 Rules for court.

981 With the approval of the city council, the judge shall have full power and authority to make  
 982 reasonable rules and regulations necessary and proper to secure the efficient and successful  
 983 administration of the municipal court.

984                                   ARTICLE V  
985                                   FINANCE AND FISCAL

986                                   **SECTION 5.01.**

987                                   Fiscal year.

988 The city council shall set the fiscal year by ordinance. Said fiscal year shall constitute the  
989 budget year and the year for financial accounting and reporting of each and every office,  
990 department, or institution, agency, and activity of the city government, unless otherwise  
991 provided by state or federal law.

992                                   **SECTION 5.02.**

993                                   Preparation of budgets.

994 The city council shall provide, by ordinance, the procedures and requirements for the  
995 preparation and execution of an annual operating budget and a capital budget, including  
996 requirements as to the scope, content, and form of such budgets and programs.

997                                   **SECTION 5.03.**

998                                   Submission of operating budget to city council.

999 (a) On or before a date fixed by the city council, but no later than the first day of the ninth  
1000 month of the fiscal year currently ending, the city manager shall, after input, review, and  
1001 comment by the mayor, submit to the city council a proposed operating budget and capital  
1002 budget for the ensuing fiscal year. The budget shall be accompanied by a message from the  
1003 mayor and city manager containing a statement of the general fiscal policies of the city, the  
1004 important features of the budget, explanations of major changes recommended for the next  
1005 fiscal year, a general summary of the budget, and such other comments and information as  
1006 they may deem pertinent. The operating budget, capital budget, budget message, and all  
1007 supporting documents shall be filed in the office of the city manager and shall be open to  
1008 public inspection.

1009 (b) Prior to passage of the budget, the city council shall hold a special public hearing at  
1010 which the budget will be presented and public comment on the budget will be solicited. The  
1011 date, time, and place of the special public hearing shall be announced no less than 30 days  
1012 prior to the scheduled date for such hearing.

1013 (c) All unencumbered balances of appropriations in the current operating budget at the end  
1014 of the fiscal year shall lapse into the unappropriated surplus or reserves of the fund or funds

1015 from which such appropriations were made. When a supplemental appropriation is certified  
 1016 by the city manager to exist, the appropriation may be spent during the current fiscal year  
 1017 following passage of a supplemental appropriation ordinance.

1018 **SECTION 5.04.**

1019 Action by city council on budget.

1020 (a) The city council may amend the operating budget or capital budget proposed by the city  
 1021 manager in accordance with subsection (a) of Section 5.03 of this charter except that the  
 1022 budget, as finally amended and adopted, shall provide for all expenditures required by law  
 1023 or by other provisions of this charter and for all debt service requirements for the ensuing  
 1024 fiscal year; and the total appropriations from any fund shall not exceed the estimated fund  
 1025 balance, reserves, and revenues constituting the fund availability of such fund.

1026 (b) The city council shall adopt a budget on or before the first day of the eleventh month of  
 1027 the fiscal year currently ending. If the city council fails to adopt the budget by the prescribed  
 1028 deadline, the operating budget and capital budget proposed by the mayor and city manager  
 1029 shall be adopted without further action by the city council.

1030 **SECTION 5.05.**

1031 Procurement and property management.

1032 No contract with the city shall be binding on the city unless it is in writing. The city council  
 1033 may adopt procedures for the authorization of certain contracts without city attorney review  
 1034 or city council approval. Absent the foregoing, no contract with the city shall be binding on  
 1035 the city unless:

1036 (1) It is drawn or submitted and reviewed by the city attorney and, as a matter of course,  
 1037 is signed by the city attorney to indicate such drafting or review; and

1038 (2) It is made or authorized by the city council and such approval is entered in the city  
 1039 council journal of proceedings.

1040 **SECTION 5.06.**

1041 Purchasing.

1042 The city council shall, by ordinance, prescribe procedures for a system of centralized  
 1043 purchasing for the city.



1044 **SECTION 5.07.**

1045 Audits.

1046 (a) In addition to regular audits performed by the internal auditor, as described in  
 1047 Section 3.12, there shall be an annual independent audit of all city accounts, funds, and  
 1048 financial transactions by a certified public accountant appointed by resolution of the city  
 1049 council. The audit shall be conducted according to generally accepted accounting principles.  
 1050 Copies of all audit reports shall be available at printing cost to the public.

1051 (b) As a minimum, all audits and budgets of the city shall satisfy the requirements of  
 1052 Chapter 81 of Title 36 of the O.C.G.A., relating to local government audits and budgets.

1053 **SECTION 5.08.**

1054 Reserved.

1055 **SECTION 5.09.**

1056 Homestead exemption; freeze.

1057 (a) As used in this section, the term:

1058 (1) "Ad valorem taxes for municipal purposes" means all municipal ad valorem taxes for  
 1059 municipal purposes levied by, for, or on behalf of the City of Vista Grove, including, but  
 1060 not limited to, ad valorem taxes to pay interest on and to retire municipal bonded  
 1061 indebtedness.

1062 (2) "Base year" means the taxable year immediately preceding the taxable year in which  
 1063 the exemption under this section is first granted to the most recent owner of such  
 1064 homestead.

1065 (3) "Homestead" means homestead as defined and qualified in Code Section 48-5-40 of  
 1066 the O.C.G.A., as amended, with the additional qualification that it shall include not more  
 1067 than five contiguous acres of homestead property.

1068 (b) Each resident of the City of Vista Grove is granted an exemption on that person's  
 1069 homestead from City of Vista Grove ad valorem taxes for municipal purposes in an amount  
 1070 equal to the amount by which the current year assessed value of that homestead exceeds the  
 1071 base year assessed value of that homestead. This exemption shall not apply to taxes assessed  
 1072 on improvements to the homestead or additional land that is added to the homestead after  
 1073 January 1 of the base year. If any real property is added to or removed from the homestead,  
 1074 the base year assessed value shall be adjusted to reflect such addition or removal, and the  
 1075 exemption shall be recalculated accordingly. The value of that property in excess of such  
 1076 exempted amount shall remain subject to taxation.

1077 (c) A person shall not receive the homestead exemption granted by subsection (b) of this  
 1078 section unless the person or person's agent files an application with the governing authority  
 1079 of the City of Vista Grove, or the designee thereof, giving such information relative to  
 1080 receiving such exemption as will enable the governing authority of the City of Vista Grove,  
 1081 or the designee thereof, to make a determination regarding the initial and continuing  
 1082 eligibility of such owner for such exemption. The governing authority of the City of Vista  
 1083 Grove, or the designee thereof, shall provide application forms for this purpose.

1084 (d) The exemption shall be claimed and returned as provided in Code Section 48-5-50.1 of  
 1085 the O.C.G.A., as amended. The exemption shall be automatically renewed from year to year  
 1086 so long as the owner occupies the residence as a homestead. After a person has filed the  
 1087 proper application as provided in subsection (c) of this section, it shall not be necessary to  
 1088 make application thereafter for any year, and the exemption shall continue to be allowed to  
 1089 such person. It shall be the duty of any person granted the homestead exemption under  
 1090 subsection (b) of this section to notify the governing authority of the City of Vista Grove, or  
 1091 the designee thereof, in the event that person for any reason becomes ineligible for that  
 1092 exemption.

1093 (e) The exemption granted by subsection (b) of this section shall not apply to or affect state  
 1094 ad valorem taxes, county ad valorem taxes for county purposes, or county or independent  
 1095 school district ad valorem taxes for educational purposes. The homestead exemption granted  
 1096 by subsection (b) of this section shall be in addition to and not in lieu of any other homestead  
 1097 exemption applicable to municipal ad valorem taxes for municipal purposes.

1098 (f) The exemption granted by subsection (b) of this section shall apply to all taxable years  
 1099 beginning on or after January 1, 2021.

1100 **SECTION 5.10.**

1101 Homestead exemption; senior citizens; disabled.

1102 (a) As used in this section, the term:

1103 (1) "Ad valorem taxes for municipal purposes" means all ad valorem taxes for municipal  
 1104 purposes levied by, for, or on behalf of the City of Vista Grove, including, but not limited  
 1105 to, any ad valorem taxes to pay interest on and to retire municipal bonded indebtedness.

1106 (2) "Homestead" means homestead as defined and qualified in Code Section 48-5-40 of  
 1107 the O.C.G.A., as amended.

1108 (3) "Income" means Georgia taxable net income determined pursuant to Chapter 7 of  
 1109 Title 48 of the O.C.G.A., as amended, for state income tax purposes, except income shall  
 1110 not include income received as retirement, survivor, or disability benefits under the  
 1111 federal Social Security Act or under any other public or private retirement, disability, or

1112 pension system, except such income which is in excess of the maximum amount  
1113 authorized to be paid to an individual and such individual's spouse under the federal  
1114 Social Security Act. Income from such sources in excess of such maximum amount shall  
1115 be included as income for the purposes of this charter.

1116 (4) "Senior citizen" means a person who is 65 years of age or over on or before January 1  
1117 of the year in which application for the exemption under subsection (b) of this section is  
1118 made.

1119 (b) Each resident of the City of Vista Grove who is disabled or is a senior citizen is granted  
1120 an exemption on that person's homestead from City of Vista Grove ad valorem taxes for  
1121 municipal purposes in the amount of \$14,000.00 of the assessed value of that homestead.  
1122 The exemption granted by this subsection shall be granted only if that person's income,  
1123 together with the income of the spouse who also occupies and resides at such homestead,  
1124 does not exceed \$15,000.00 for the immediately preceding year. The value of that property  
1125 in excess of such exempted amount shall remain subject to taxation.

1126 (c)(1) In order to qualify for the exemption provided for in subsection (b) of this section  
1127 due to being disabled, the person claiming such exemption shall be required to obtain a  
1128 certificate from not more than three physicians licensed to practice medicine under  
1129 Chapter 34 of Title 43 of the O.C.G.A., as amended, certifying that, in the opinion of  
1130 such physician or physicians, such person is mentally or physically incapacitated to the  
1131 extent that he or she is unable to be gainfully employed and that such incapacity is likely  
1132 to be permanent. Such certificate or certificates shall constitute part of and be submitted  
1133 with the application provided for in paragraph (2) of this subsection.

1134 (2) A person shall not receive the homestead exemption granted by subsection (b) of this  
1135 section unless the person or person's agent files an application with the governing  
1136 authority of the City of Vista Grove, or the designee thereof, giving the person's age,  
1137 income, and such additional information relative to receiving such exemption as will  
1138 enable the governing authority of the City of Vista Grove, or the designee thereof, to  
1139 make a determination regarding the initial and continuing eligibility of such owner for  
1140 such exemption. The governing authority of the City of Vista Grove, or the designee  
1141 thereof, shall provide application forms for this purpose.

1142 (d) The exemption shall be claimed and returned as provided in Code Section 48-5-50.1 of  
1143 the O.C.G.A., as amended. The exemption shall be automatically renewed from year to year  
1144 so long as the owner occupies the residence as a homestead. After a person has filed the  
1145 proper application, as provided in subsection (c) of this section, it shall not be necessary to  
1146 make application thereafter for any year and the exemption shall continue to be allowed to  
1147 such person. It shall be the duty of any person granted the homestead exemption under  
1148 subsection (b) of this section to notify the governing authority of the City of Vista Grove, or

1149 the designee thereof, in the event that person for any reason becomes ineligible for that  
1150 exemption.

1151 (e) The exemption granted by subsection (b) of this section shall not apply to or affect state  
1152 ad valorem taxes, county ad valorem taxes for county purposes, or county or independent  
1153 school district ad valorem taxes for educational purposes. The homestead exemption granted  
1154 by subsection (b) of this section shall be in addition to and not in lieu of any other homestead  
1155 exemption applicable to municipal ad valorem taxes for municipal purposes.

1156 (f) The exemption granted by subsection (b) of this section shall apply to all taxable years  
1157 beginning on or after January 1, 2021.

1158

### SECTION 5.11.

1159

#### Homestead exemption; general.

1160 (a) As used in this section, the term:

1161 (1) "Ad valorem taxes for municipal purposes" means all ad valorem taxes for municipal  
1162 purposes levied by, for, or on behalf of the City of Vista Grove, including, but not limited  
1163 to, any ad valorem taxes to pay interest on and to retire municipal bonded indebtedness.

1164 (2) "Homestead" means homestead as defined and qualified in Code Section 48-5-40 of  
1165 the O.C.G.A., as amended.

1166 (b) Each resident of the City of Vista Grove is granted an exemption on that person's  
1167 homestead from City of Vista Grove ad valorem taxes for municipal purposes in the amount  
1168 of \$10,000.00 of the assessed value of that homestead. The value of that property in excess  
1169 of such exempted amount shall remain subject to taxation.

1170 (c) A person shall not receive the homestead exemption granted by subsection (b) of this  
1171 section unless the person or person's agent files an application with the governing authority  
1172 of the City of Vista Grove, or the designee thereof, giving such information relative to  
1173 receiving such exemption as will enable the governing authority of the City of Vista Grove,  
1174 or the designee thereof, to make a determination regarding the initial and continuing  
1175 eligibility of such owner for such exemption. The governing authority of the City of Vista  
1176 Grove, or the designee thereof, shall provide application forms for this purpose.

1177 (d) The exemption shall be claimed and returned as provided in Code Section 48-5-50.1 of  
1178 the O.C.G.A., as amended. The exemption shall be automatically renewed from year to year  
1179 so long as the owner occupies the residence as a homestead. After a person has filed the  
1180 proper application, as provided in subsection (c) of this section, it shall not be necessary to  
1181 make application thereafter for any year and the exemption shall continue to be allowed to  
1182 such person. It shall be the duty of any person granted the homestead exemption under  
1183 subsection (b) of this section to notify the governing authority of the City of Vista Grove, or

1184 the designee thereof, in the event that person for any reason becomes ineligible for that  
1185 exemption.

1186 (e) The exemption granted by subsection (b) of this section shall not apply to or affect state  
1187 ad valorem taxes, county ad valorem taxes for county purposes, or county or independent  
1188 school district ad valorem taxes for educational purposes. The homestead exemption granted  
1189 by subsection (b) of this section shall be in addition to and not in lieu of any other  
1190 homestead exemption applicable to municipal ad valorem taxes for municipal purposes.

1191 (f) The exemption granted by subsection (b) of this section shall apply to all taxable years  
1192 beginning on or after January 1, 2021.

1193

## SECTION 5.12.

1194

### Homestead exemption; surviving spouses.

1195 (a) As used in this section, the term:

1196 (1) "Ad valorem taxes for municipal purposes" means all ad valorem taxes for municipal  
1197 purposes levied by, for, or on behalf of the City of Vista Grove, including, but not limited  
1198 to, ad valorem taxes to pay interest on and to retire municipal bonded indebtedness.

1199 (2) "Homestead" means homestead as defined and qualified in Code Section 48-5-40 of  
1200 the O.C.G.A., as amended.

1201 (3) "Unremarried surviving spouse" of a member of the armed forces includes the  
1202 unmarried widow or widower of a member of the armed forces who is receiving spousal  
1203 benefits from the United States Department of Veterans Affairs.

1204 (b) Any person who is a resident of the City of Vista Grove and who is an unremarried  
1205 surviving spouse of a member of the armed forces of the United States, which member has  
1206 been killed in or has died as a result of any war or armed conflict in which the armed forces  
1207 of the United States engaged, whether under United States command or otherwise, shall be  
1208 granted a homestead exemption from all City of Vista Grove ad valorem taxation for  
1209 municipal purposes in the amount of the greater of \$32,500.00 or the maximum amount,  
1210 which may be granted to a disabled veteran under Section 2102 of Title 38 of the United  
1211 States Code, as amended. As of January 1, 2013, the maximum amount which may be  
1212 granted to a disabled veteran under Section 2102 of Title 38 of the United States Code, as  
1213 amended, is \$50,000.00. The exemption shall be on the homestead which the unremarried  
1214 surviving spouse owns and actually occupies as a residence and homestead. In the event  
1215 such surviving spouse remarries, such person shall cease to be qualified to continue the  
1216 exemption under this Act effective December 31 of the taxable year in which such person  
1217 remarries. The value of all property in excess of such exemption granted to such unremarried  
1218 surviving spouse shall remain subject to taxation.

1219 (c) In order to qualify for the exemption provided for in this Act, the unremarried surviving  
1220 spouse shall furnish to the governing authority of the City of Vista Grove, or the designee  
1221 thereof, documents from the Secretary of Defense evidencing that such unremarried  
1222 surviving spouse receives spousal benefits as a result of the death of such person's spouse  
1223 who, as a member of the armed forces of the United States, was killed or died as a result of  
1224 a war or armed conflict while on active duty or while performing authorized travel to or from  
1225 active duty during such war or armed conflict in which the armed forces of the United States  
1226 engaged, whether under United States command or otherwise, pursuant to the Survivor  
1227 Benefit Plan under Subchapter II of Chapter 73 of Title 10 of the United States Code or  
1228 pursuant to any preceding or subsequent federal law which provides survivor benefits for  
1229 spouses of members of the armed forces who were killed or who died as a result of any war  
1230 or armed conflict.

1231 (d) An unremarried surviving spouse filing for the exemption under this section shall be  
1232 required to file with the governing authority of the City of Vista Grove, or the designee  
1233 thereof, information relative to marital status and such other information which the governing  
1234 authority of the City of Vista Grove, or the designee thereof, deems necessary to determine  
1235 eligibility for the exemption. Each unremarried surviving spouse shall file for the exemption  
1236 only once with the governing authority of the City of Vista Grove or the designee thereof.  
1237 Once filed, the exemption shall automatically be renewed from year to year, except that the  
1238 governing authority of the City of Vista Grove, or the designee thereof, may require annually  
1239 that the holder of an exemption substantiate his or her continuing eligibility for the  
1240 exemption. It shall be the duty of any person granted the homestead exemption under this  
1241 section to notify the governing authority of the City of Vista Grove, or the designee thereof,  
1242 in the event that person for any reason becomes ineligible for such exemption.

1243 (e) The exemption granted by this section shall be in lieu of and not in addition to any other  
1244 exemption from ad valorem taxation for municipal purposes which is equal to or lower in  
1245 amount than such exemption granted by this section. If the amount of any other exemption  
1246 from ad valorem taxation for municipal purposes applicable to any resident qualifying under  
1247 this section is greater than or is increased to an amount greater than the amount of the  
1248 applicable exemption granted by this section, such other exemption shall apply and shall be  
1249 in lieu of and not in addition to the exemption granted by this section.

1250 (f) The exemptions granted by this section shall apply to all tax years beginning on or after  
1251 January 1, 2021.

1252 ARTICLE VI  
 1253 GENERAL PROVISIONS.

1254 SECTION 6.01.  
 1255 DeKalb County Special Services Tax District.

1256 For the taxable years beginning on or after January 1, 2021, the adjusted ad valorem tax  
 1257 millage rate and amount for service charges or fees for district services for the Vista Grove  
 1258 special services tax district shall be zero percent. This section is enacted pursuant to the  
 1259 authority granted to the General Assembly under Section 1 of that local constitutional  
 1260 amendment providing that certain municipalities in DeKalb County shall constitute special  
 1261 services tax districts, Resolution Act. No. 168; House Resolution No. 715-1916; Ga. L. 1978,  
 1262 p. 2468, to control the subject matter of such local constitutional amendment. Municipal  
 1263 services provided by DeKalb County for the City of Vista Grove will be established through  
 1264 intergovernmental agreements or established as otherwise authorized by statute.

1265 SECTION 6.02.  
 1266 Referendum and initial election.

1267 (a) The election superintendent of DeKalb County shall call a special election for the  
 1268 purpose of submitting this Act to the qualified voters of the proposed City of Vista Grove for  
 1269 approval or rejection. The superintendent shall set the date of such election for the Tuesday  
 1270 after the first Monday in November, 2020. The superintendent shall issue the call for such  
 1271 election at least 90 days prior to the date thereof. The superintendent shall cause the date and  
 1272 purpose of the election to be published once a week for two weeks immediately preceding  
 1273 the date thereof in the official organ of DeKalb County. The ballot shall have written or  
 1274 printed thereon the words:

1275 "( ) YES Shall the Act incorporating the City of Vista Grove in DeKalb County,  
 1276 ( ) NO according to the charter contained in the Act, be approved?"

1277 All persons desiring to vote for approval of the Act shall vote "Yes," and those persons  
 1278 desiring to vote for rejection of the Act shall vote "No." If more than 53 percent of the votes  
 1279 cast on such question are for approval of the Act, it shall become of full force and effect as  
 1280 provided in this charter; otherwise it shall be void and of no force and effect. The initial  
 1281 expense of such election shall be borne by DeKalb County. Within two years after the  
 1282 elections if the incorporation is approved, the City of Vista Grove shall reimburse DeKalb  
 1283 County for the actual cost of printing and personnel services for such election and for the  
 1284 initial election of the mayor and councilmembers pursuant to Section 2.02 of this charter.

1285 It shall be the duty of the superintendent to hold and conduct such election. It shall be his  
1286 or her further duty to certify the result thereof to the Secretary of State.

1287 (b) For the purposes of the referendum election provided for in subsection (a) of this section  
1288 and for the purposes of the special election of the City of Vista Grove to be held on the third  
1289 Tuesday in March, 2021, the qualified electors of the City of Vista Grove shall be those  
1290 qualified electors of DeKalb County residing within the corporate limits of the City of Vista  
1291 Grove as described by Appendix A of this charter. At subsequent municipal elections, the  
1292 qualified electors of the City of Vista Grove shall be determined pursuant to the authority of  
1293 Chapter 2 of Title 21 of the O.C.G.A., the "Georgia Election Code."

1294 (c) Only for the purposes of holding and conducting the referendum election provided for  
1295 by subsection (a) of this section and holding and conducting the special election of the City  
1296 of Vista Grove to be held on the third Tuesday in March, 2021, the election superintendent  
1297 of DeKalb County is vested with the powers and duties of the election superintendent of the  
1298 City of Vista Grove and the powers and duties of the governing authority of the City of Vista  
1299 Grove.

1300

### **SECTION 6.03.**

1301

#### Effective dates and transition.

1302 (a) The initial mayor and councilmembers shall take the oath of office the next business day  
1303 after certification of the election of such officers and, by action of any four members of the  
1304 governing authority may, prior to the first day of the second month immediately following  
1305 their election, meet and take actions binding on the city.

1306 (b) A period of time will be needed for an orderly transition of various governmental  
1307 functions from DeKalb County to the City of Vista Grove. Accordingly, there shall be a  
1308 two-year transition period as allowed by law, beginning at 12:01 A.M. on the first day of the  
1309 second month immediately following the election of the initial mayor and councilmembers.

1310 (c) During such transition period, DeKalb County shall continue to provide, within the  
1311 territorial limits of the city, all governmental services and functions which DeKalb County  
1312 provided prior to such date in 2020, at the same actual direct cost and level of service, except  
1313 to the extent otherwise provided in this section; provided, however, that upon at least 30  
1314 days' prior written notice to the governing authority of DeKalb County by the governing  
1315 authority of City of Vista Grove, responsibility for any such service or function shall be  
1316 transferred to the City of Vista Grove. The governing authority of the City of Vista Grove  
1317 shall determine the date of commencement of collection of taxes, fees, assessments, fines,  
1318 and forfeitures, and other moneys within the territorial limits of the city and the date upon  
1319 which the City of Vista Grove is considered removed from the special tax district.



1320 (d) During the transition period, the governing authority of the City of Vista Grove may  
 1321 generally exercise any power granted by this charter or general law, except to the extent that  
 1322 a power is specifically and integrally related to the provision of a governmental service,  
 1323 function, or responsibility not yet provided or carried out by the city.

1324 (e) During the transition period, all ordinances of DeKalb County shall remain applicable  
 1325 within the territorial limits of the city unless otherwise amended, repealed, or replaced by the  
 1326 City of Vista Grove. Any transfer of jurisdiction to the City of Vista Grove during or at the  
 1327 end of the transition period shall not in and of itself abate any judicial proceeding pending  
 1328 in DeKalb County or the pending prosecution of any violation of any ordinance of DeKalb  
 1329 County.

1330 (f) During the transition period, the governing authority of the City of Vista Grove may at  
 1331 any time, without the necessity of any agreement by DeKalb County, commence to exercise  
 1332 its planning and zoning powers; provided, however, that the city shall give the county notice  
 1333 of the date on which the city will assume the exercise of such powers. Upon the governing  
 1334 authority of the City of Vista Grove commencing to exercise its planning and zoning powers,  
 1335 the Municipal Court of the City of Vista Grove shall immediately have jurisdiction to enforce  
 1336 the planning and zoning ordinances of the city. The provisions of this subsection shall  
 1337 control over any conflicting provisions of any other subsection of this section.

1338 (g) Effective upon the termination of the transition period, subsections (b) through (f) of this  
 1339 section shall cease to apply except for the last sentence of subsection (e) which shall remain  
 1340 effective. Effective upon the termination of the transition period, the City of Vista Grove  
 1341 shall be a full functioning municipal corporation and subject to all general laws of this state.

1342 (h) It is the intention of the General Assembly that the City of Vista Grove remain liable for  
 1343 that portion of the unfunded pension liability of DeKalb County that the area encompassed  
 1344 by the city incurred prior to its assumption of providing any services formerly provided by  
 1345 employees of DeKalb County who were under DeKalb County pension plans.

1346

#### **SECTION 6.04.**

1347

Directory nature of dates.

1348 It is the intention of the General Assembly that this Act be construed as directory rather than  
 1349 mandatory with respect to any date prescribed in this Act. If it is necessary to delay any  
 1350 action called for in this Act for providential cause or any other reason, it is the intention of  
 1351 the General Assembly that the action be delayed rather than abandoned. Any delay in  
 1352 performing any action under this Act, whether for cause or otherwise, shall not operate to  
 1353 frustrate the overall intent of this Act. Without limiting the generality of the foregoing, it is  
 1354 specifically provided that if it is not possible to hold the referendum election provided for in

1355 Section 6.02 of this Act on the date specified in that section, then such referendum shall be  
1356 held as soon thereafter as is reasonably practicable. If the referendum election provided for  
1357 in Section 6.02 of this Act is conducted on the Tuesday following the first Monday in  
1358 November, 2020, the special election for the initial members of the governing authority shall  
1359 be conducted on the date specified in Section 2.02 of this Act. If the referendum election  
1360 provided for under Section 6.02 of this Act is conducted after the Tuesday following the first  
1361 Monday in November, 2020, then the special election for the initial members of the  
1362 governing authority shall be held as soon thereafter as is reasonably practicable, and the  
1363 commencement of the initial terms of office shall be delayed accordingly. If the first election  
1364 provided for in Section 2.02 of this Act occurs after the third Tuesday in March, 2021, the  
1365 city council shall be authorized to delay the dates otherwise specified in Section 6.03 of this  
1366 Act.

1367

**SECTION 6.05.**

1368

Charter commission.

1369 Not later than three years after the inception of the City of Vista Grove, the mayor and the  
1370 city council shall call for a charter commission to review the city's experience and  
1371 recommend to the city council any changes to propose to the General Assembly. Members  
1372 of the charter commission shall be appointed as follows: one member by the mayor, one  
1373 member by each city council member, and one member by each member of the Georgia  
1374 House of Representatives and Georgia Senate whose district lies wholly or partially within  
1375 the corporate boundaries of the City of Vista Grove. All members of the charter commission  
1376 shall reside in the City of Vista Grove. The commission shall complete the recommendations  
1377 within the time frame required by the city council.

1378

**SECTION 6.06.**

1379

Severability.

1380 In the event any section, subsection, sentence, clause, or phrase of this Act shall be declared  
1381 or adjudged invalid or unconstitutional, such adjudication shall in no manner affect the other  
1382 sections, subsections, sentences, clauses, or phrases of this Act, which shall remain of full  
1383 force and effect, as if the section, subsection, sentence, clause, or phrase so declared or  
1384 adjudged invalid or unconstitutional were not originally a part hereof.

1385 **SECTION 6.07.**

1386 Effective date.

1387 This Act shall become effective upon its approval by the Governor or upon its becoming law  
1388 without such approval.

1389 **SECTION 6.08.**

1390 Repealer.

1391 All laws and parts of laws in conflict with this Act are repealed.

1392 APPENDIX A  
 1393 LEGAL DESCRIPTION  
 1394 CORPORATE LIMITS  
 1395 CITY OF VISTA GROVE, DEKALB COUNTY, GEORGIA

1396 Plan: VistaGrove-city-2020

1397 Plan Type: Local

1398 Administrator: S042

1399 User: Gina

1400 District VISTAGROVE

1401 DeKalb County

1402 VTD: 089BD - BRIARLAKE ELEMENTARY

1403 VTD: 089CJ - CLAIRMONT HILLS

1404 021602:

1405 2026 2028

1406 VTD: 089CW - CORALWOOD

1407 021602:

1408 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011

1409 2012 2013 2014 2015 2016 2017 2018 2019 2020 2022 2023 2024

1410 2025 2027 2029

1411 021704:

1412 3010 3011 3017 3018 3019 3020

1413 VTD: 089EF - EVANSDALE ELEM

1414 021808:

1415 1013

1416 VTD: 089HB - HAWTHORNE ELEM

1417 021705:

1418 3006 3010

1419 021706:

1420 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 2000

1421 2001 2002 2003 2008 2009 2010 2011 2012 2013 2014 2015 2016

1422 4008 4009

1423 VTD: 089HC - HENDERSON MILL

1424 VTD: 089HD - HERITAGE ED

1425 021605:

1426 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011

1427 1012 1013 1014 1017 1018 3003 3004 3005  
1428 VTD: 089LA - LAKESIDE HIGH  
1429 VTD: 089LB - LAVISTA ROAD  
1430 021602:  
1431 2021  
1432 021603:  
1433 1008 1010 1011 1012 1014  
1434 021604:  
1435 2021 2023 2024  
1436 VTD: 089MW - MIDVALE ROAD  
1437 021808:  
1438 1014  
1439 021809:  
1440 5021  
1441 021810:  
1442 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010  
1443 VTD: 089ND - NORTHLAKE  
1444 VTD: 089OA - OAK GROVE ELEM  
1445 021604:  
1446 1000 1001 1002 1003 1004 1005 1012  
1447 021605:  
1448 1015 1016 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009  
1449 2010 2011 2012 2013 2014 2015 2016 2017 3007 3012 3013 3015  
1450 021703:  
1451 2024  
1452 VTD: 089RD - REHOBOTH  
1453 021704:  
1454 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023  
1455 VTD: 089SA - SAGAMORE HILLS  
1456 VTD: 089WI - WARREN TECH  
1457 021705:  
1458 1004 1005 1006 1007 1008 1009 1010 1011 1012 1013 1014 1015  
1459 2015 2018 2019 2030 2031 2032 2033 2034  
1460 021808:  
1461 2024

1462 Also to include the following parcels as recorded by the DeKalb County Tax Assessor

1463 as of March, 2020:

1464 18 111 03 001

1465 18 111 03 003

1466 18 111 03 005

1467 18 111 03 017

1468 18 111 03 018

1469 18 111 03 019

1470 18 111 03 023

1471 18 111 03 026

1472 18 111 03 028

1473 18 111 03 029

1474 18 111 03 030

1475 18 111 03 032

1476 18 111 03 033

1477 18 111 03 034

1478 18 111 03 035

1479 18 111 03 036

1480 18 111 03 037

1481 18 111 03 041

1482 For the purposes of this description, the term "VTD" shall mean and describe the same  
1483 geographical boundaries as provided in the report of the Bureau of the Census for the United  
1484 States decennial census of 2010 for the State of Georgia. The separate numeric designations  
1485 in the description which are underneath a VTD heading shall mean and describe individual  
1486 blocks within a VTD as provided in the report of the Bureau of the Census for the United  
1487 States decennial census of 2010 for the State of Georgia. All right-of-way and boundary  
1488 descriptions shall be as of the date of the passage of this legislation. Any part of the City of  
1489 Vista Grove as described in this Appendix as being included in the City of Vista Grove  
1490 which, on the effective date of this Act is within the corporate boundaries of another  
1491 municipality, shall not be included within such city.

1492 APPENDIX B  
 1493 LEGAL DESCRIPTION  
 1494 CITY COUNCIL DISTRICTS  
 1495 CITY OF VISTA GROVE, DEKALB COUNTY, GEORGIA

1496 Plan: VistaGrove-dist-2020  
 1497 Plan Type: Local  
 1498 Administrator: S042  
 1499 User: Gina

1500 District 001  
 1501 DeKalb County  
 1502 VTD: 089EF - EVANSDALE ELEM  
 1503 021808:  
 1504 1013  
 1505 VTD: 089HB - HAWTHORNE ELEM  
 1506 021705:  
 1507 3006 3010  
 1508 021706:  
 1509 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 2000  
 1510 2001 2002 2003 2008 2009 2010 2011 2012 2013 2014 2015 2016  
 1511 4008 4009  
 1512 VTD: 089HC - HENDERSON MILL  
 1513 VTD: 089MW - MIDVALE ROAD  
 1514 021808:  
 1515 1014  
 1516 021809:  
 1517 5021  
 1518 021810:  
 1519 1000 1001 1002  
 1520 VTD: 089WI - WARREN TECH  
 1521 021705:  
 1522 1004 1005 1006 1007 1008 1009 1010 1011 1012 1013 1014 1015  
 1523 2015 2018 2019 2030 2031 2032 2033 2034  
 1524 021808:  
 1525 2024

1526 District 002  
 1527 DeKalb County  
 1528 VTD: 089BD - BRIARLAKE ELEMENTARY  
 1529 VTD: 089HD - HERITAGE ED  
 1530 021605:  
 1531 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011  
 1532 1012 1013 1014 1017 1018 3003 3004 3005  
 1533 VTD: 089LA - LAKESIDE HIGH  
 1534 VTD: 089MW - MIDVALE ROAD  
 1535 021810:  
 1536 1003 1004 1005 1006 1007 1008 1009 1010  
 1537 VTD: 089ND - NORTHLAKE  
 1538 021704:  
 1539 2015 2016 2017 2018 2019 2020 2021 2022 2023  
 1540 VTD: 089OA - OAK GROVE ELEM  
 1541 021604:  
 1542 1000 1001 1002  
 1543 021605:  
 1544 1015 1016 2000 2001 2002 2003 2014 2015 2016 2017  
  
 1545 District 003  
 1546 DeKalb County  
 1547 VTD: 089CJ - CLAIRMONT HILLS  
 1548 021602:  
 1549 2026 2028  
 1550 VTD: 089CW - CORALWOOD  
 1551 021602:  
 1552 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011  
 1553 2012 2013 2014 2015 2016 2017 2018 2019 2020 2022 2023 2024  
 1554 2025 2027 2029  
 1555 021704:  
 1556 3010 3011 3017 3018 3019 3020  
 1557 VTD: 089LB - LAVISTA ROAD  
 1558 021602:  
 1559 2021  
 1560 021603:  
 1561 1008 1010 1011 1012 1014



1562 021604:  
 1563 2021 2023 2024  
 1564 VTD: 089ND - NORTHLAKE  
 1565 021704:  
 1566 3000 3012 3013 3014 3015 3016 3021 3022 3023 3024 3025 3026  
 1567 3027 3028 3029 3030  
 1568 VTD: 089OA - OAK GROVE ELEM  
 1569 021604:  
 1570 1003 1004 1005 1012  
 1571 021605:  
 1572 2004 2005 2006 2007 2008 2009 2010 2011 2012 2013 3007 3012  
 1573 3013 3015  
 1574 021703:  
 1575 2024  
 1576 VTD: 089RD - REHOBOTH  
 1577 021704:  
 1578 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023  
 1579 VTD: 089SA - SAGAMORE HILLS  
 1580 Also to include the following parcels as recorded by the DeKalb County Tax Assessor  
 1581 as of March, 2020:  
 1582 18 111 03 001  
 1583 18 111 03 003  
 1584 18 111 03 005  
 1585 18 111 03 017  
 1586 18 111 03 018  
 1587 18 111 03 019  
 1588 18 111 03 023  
 1589 18 111 03 026  
 1590 18 111 03 028  
 1591 18 111 03 029  
 1592 18 111 03 030  
 1593 18 111 03 032  
 1594 18 111 03 033  
 1595 18 111 03 034  
 1596 18 111 03 035  
 1597 18 111 03 036

1598 18 111 03 037

1599 18 111 03 041

1600

APPENDIX C

1601

CERTIFICATE AS TO MINIMUM STANDARDS

1602

FOR INCORPORATION OF A NEW MUNICIPAL CORPORATION

1603 I, Elena Parent, Senator from the 42nd District, and the author of this bill introduced at the  
 1604 2020 session of the General Assembly of Georgia, which grants an original municipal charter  
 1605 to the City of Vista Grove, do hereby certify that this bill is in compliance with the minimum  
 1606 standards required by Chapter 31 of Title 36 of the O.C.G.A. in that the area embraced within  
 1607 the original incorporation in this bill is in all respects in compliance with the minimum  
 1608 standards required by Chapter 31 of Title 36 of the O.C.G.A. This certificate is executed to  
 1609 conform to the requirements of Code Section 36-31-5 of the O.C.G.A.

1610 So certified this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

1611

\_\_\_\_\_

1612

Honorable Elena Parent

1613

Senator, District 42

1614

Georgia Senate