

The Senate State and Local Governmental Operations Committee offered the following substitute to HB 704:

A BILL TO BE ENTITLED
AN ACT

1 To incorporate the City of South Fulton in Fulton County; to provide for a charter for the
2 City of South Fulton; 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 the office of mayor
8 and certain duties and powers relative to the office of mayor; to provide for administrative
9 responsibilities; to provide for boards, commissions, and authorities; to provide for a chief
10 administrative officer, a city attorney, a city clerk, a treasurer, a chief city auditor, and other
11 personnel; to provide for a municipal court and the judge or judges thereof; to provide for
12 practices and procedures; to provide for ethics and disclosures; to provide for taxation,
13 licenses, and fees; to provide for franchises, service charges, and assessments; to provide for
14 bonded and other indebtedness; to provide for accounting and budgeting; to provide for
15 purchases; to provide for homestead exemptions; to provide for bonds for officials; to
16 provide for other matters relative to the foregoing; to provide for referenda; to provide for
17 an automatic repeal; to provide effective dates and transitional provisions governing the
18 transfer of various functions and responsibilities from Fulton County to the City of South
19 Fulton; to provide for severability; to repeal conflicting laws; and for other purposes.

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

- 53 (2) Appropriations and expenditures. To make appropriations for the support of the
54 government of the city; to authorize the expenditure of money for any purposes
55 authorized by this Act and for any purpose for which a municipality is authorized by the
56 laws of the State of Georgia; and to provide for the payment of expenses of the city;
- 57 (3) Building regulation. To regulate and to license the erection and construction of
58 buildings and all other structures; to adopt building, housing, plumbing, electrical, gas,
59 and heating and air conditioning codes; and to regulate all housing and building trades
60 to the extent permitted by general law;
- 61 (4) Business regulation and taxation. To levy and to provide for the collection of
62 regulatory fees and taxes on privileges, occupations, trades, and professions as authorized
63 by Title 48 of the O.C.G.A. or such other applicable laws as are or may hereafter be
64 enacted; to permit and regulate such fees and taxes; to provide for the manner and method
65 of payment of such regulatory fees and taxes; and to revoke such permits after due
66 process for failure to pay any city taxes or fees;
- 67 (5) Condemnation. To condemn property, inside or outside the corporate limits of the
68 city, for present or future use and for any corporate purpose deemed necessary by the city
69 council, utilizing procedures enumerated in Title 22 of the O.C.G.A., or such other
70 applicable laws as are or may hereafter be enacted;
- 71 (6) Contracts. To enter into contracts and agreements with other governmental entities
72 and with private persons, firms, and corporations;
- 73 (7) Emergencies. To establish procedures for determining and proclaiming that an
74 emergency situation exists within or outside the city, and to make and carry out all
75 reasonable provisions deemed necessary to deal with or meet such an emergency for the
76 protection, safety, health, or well-being of the citizens of the city;
- 77 (8) Environmental protection. To protect and preserve the natural resources,
78 environment, and vital areas of the city, this region, and this state through the
79 preservation and improvement of air quality, the restoration and maintenance of water
80 resources, the control of erosion and sedimentation, the management of storm water and
81 establishment of a storm-water utility, the management of solid and hazardous waste, and
82 other necessary actions for the protection of the environment;
- 83 (9) Ethics. To adopt ethics ordinances and regulations governing the conduct of
84 municipal elected officials, appointed officials, and employees, establishing procedures
85 for ethics complaints and setting forth penalties for violations of such rules and
86 procedures;
- 87 (10) Fire regulations. To fix and establish fire limits and from time to time to extend,
88 enlarge, or restrict such limits, to prescribe fire safety regulations not inconsistent with

89 general law, relating to both fire prevention and detection and to fire fighting; and to
90 prescribe penalties and punishment for violations thereof;

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

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

101 (13) Gifts. To accept or refuse gifts, donations, bequests, or grants from any source for
102 any purpose related to powers and duties of the city and the general welfare of its
103 citizens, on such terms and conditions as the donor or grantor may impose;

104 (14) Health and sanitation. To prescribe standards of health and sanitation and to
105 provide for the enforcement of such standards;

106 (15) Jail sentences. To provide that persons given jail sentences in the city's court may
107 work out such sentences in any public works or on the streets, roads, drains, and other
108 public property of the city; to provide for commitment of such persons to any jail; to
109 provide for the use of pretrial diversion and any alternative sentencing allowed by law;
110 or to provide for commitment of such persons to any county work camp or county jail by
111 agreement with the appropriate county officials;

112 (16) Motor vehicles. To regulate the operation of motor vehicles and exercise control
113 over all traffic, including parking upon or across the streets, roads, alleys, and walkways
114 of the city;

115 (17) Municipal agencies and delegation of power. To create, alter, or abolish
116 departments, boards, offices, commissions, and agencies of the city, and to confer upon
117 such agencies the necessary and appropriate authority for carrying out all the powers
118 conferred upon or delegated to them;

119 (18) Municipal debts. To appropriate and borrow money for the payment of debts of the
120 city and to issue bonds for the purpose of raising revenue to carry out any project,
121 program, or venture authorized by this Act or the laws of the State of Georgia;

122 (19) Municipal property ownership. To acquire, dispose of, lease, and hold in trust or
123 otherwise any real, personal, or mixed property, in fee simple or lesser interest, inside or
124 outside the property limits of the city;

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

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

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

169 (32) Retirement. To provide and maintain a retirement plan for officers and employees
170 of the city;

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

178 (34) Sewer fees. To levy a fee, charge, or sewer tax as necessary to assure the acquiring,
179 constructing, equipping, operating, maintaining, and extending of a sewage disposal plant
180 and sewerage system, and to levy on those to whom sewers and sewerage systems are
181 made available a sewer service fee, charge, or sewer tax for the availability or use of the
182 sewers; to provide for the manner and method of collecting and for enforcing payment
183 of such service charges; and to charge, impose, and collect a sewer connection fee or fees
184 to those connected with the system;

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

189 (36) Special assessments. To levy and provide for the collection of special assessments
190 to cover the costs for any public improvements;

191 (37) Taxes: ad valorem. To levy and provide for the assessment, valuation, revaluation,
192 and collection of taxes on all property subject to taxation;

193 (38) Taxes: other. To levy and collect such other taxes as may be allowed now or in the
194 future by law;

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

199 (40) Urban redevelopment. To organize and operate an urban redevelopment program;
 200 and
 201 (41) Other powers. To exercise and enjoy all other powers, functions, rights, privileges,
 202 and immunities necessary or desirable to promote or protect the safety, health, peace,
 203 security, good order, comfort, convenience, or general welfare of the city and its
 204 inhabitants; to exercise all implied powers necessary or desirable to carry into execution
 205 all powers granted in this Act as fully and completely as if such powers were fully stated
 206 herein; and to exercise all powers now or in the future authorized to be exercised by other
 207 municipal governments under other laws of the State of Georgia; and any listing of
 208 particular powers in this Act shall not be held to be exclusive of others or restrictive of
 209 general words and phrases granting powers, but shall be held to be in addition to such
 210 powers unless expressly prohibited to municipalities under the Constitution or applicable
 211 laws of the State of Georgia.

212 **SECTION 1.04.**

213 Exercise of powers.

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

218 **ARTICLE II**

219 **GOVERNMENT STRUCTURE, ELECTIONS,**
 220 **AND LEGISLATIVE BRANCH**

221 **SECTION 2.01.**

222 City council creation; number; election.

223 (a) The legislative authority of the government of the City of South Fulton, except as
 224 otherwise specifically provided in this Act, shall be vested in a city council to be composed
 225 of a president of city council and seven district councilmembers.
 226 (b) The mayor and president of city council shall be elected by a majority vote of the
 227 qualified electors of the city at large voting at the elections of the city.
 228 (c) Each councilmember shall be elected by a majority vote of the qualified electors of his
 229 or her respective council district voting at the elections of the city. For the purpose of
 230 electing the seven councilmembers, there shall be seven council districts, designated Council
 231 Districts 1 through 7, as described in Appendix B of this Act and the accompanying

232 Redistricting Plan Components Report, which are attached to and made a part of the charter
233 of the City of South Fulton. Each person desiring to offer as a candidate for councilmember
234 shall designate the council district for which he or she is offering.

235 **SECTION 2.02.**

236 Mayor, president of city council, and city
237 councilmembers; election, terms, and qualifications for office.

238 (a) Except as otherwise provided in subsection (c) of this section, the mayor, president of
239 city council, and seven members of the city council shall serve for terms of four years and
240 until their respective successors are elected and qualified. No person shall be eligible to
241 serve as mayor, president of city council, or councilmember unless that person shall have
242 been a resident of the area comprising the corporate limits of the City of South Fulton for a
243 continuous period of at least 12 months immediately prior to the date of the election for
244 mayor, president of city council, or councilmember; shall continue to reside therein during
245 that person's period of service; and shall continue to be registered and qualified to vote in
246 municipal elections of the City of South Fulton. In addition to the above requirements, no
247 person shall be eligible to serve as a councilmember representing a council district unless that
248 person has been a resident of the district such person seeks to represent for a continuous
249 period of at least 12 months immediately prior to the date of the election for councilmember
250 and continues to reside in such district during that person's period of service.

251 (b) The first general municipal elections shall be held on the third Tuesday in March, 2015.
252 Thereafter, general municipal elections shall be held on the Tuesday next following the first
253 Monday in November in each odd-numbered year following the year in which such first
254 municipal election is held.

255 (c) The first mayor, president of city council, and the initial councilmembers shall take
256 office on the first day of May, 2015, following the first municipal election provided for in
257 subsection (b) of this section. The initial mayor, president of city council, and
258 councilmembers serving Council Districts 1, 3, 5, and 7 shall serve until December 31, 2017.
259 The initial councilmembers serving Council Districts 2, 4, and 6 shall serve until
260 December 31, 2015. Their successors shall be elected at the municipal election immediately
261 preceding the expiration of their terms and shall take office on January 1 for terms of four
262 years. No person shall serve as mayor for more than two consecutive terms, but a former
263 mayor may again serve as mayor after the expiration of four years after leaving office.

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SECTION 2.03.

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President of the city council; appointment; duties.

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(a) The president of the city council shall be elected by a majority of qualified electors of the city.

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(b) The president of the city council shall:

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(1) Preside at all meetings of the city council;

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(2) Vote on any motion, resolution, ordinance, or other question before the council only as provided in Section 2.11 of this Act and vote on any matter before a committee on which he or she serves;

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(3) Appoint councilmembers to oversee and report on the functions of the various departments of the city;

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(4) Prepare or have prepared an agenda for each meeting of the city council which shall include all business submitted by the mayor, any councilmember, and the city attorney; and

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(5) Appoint the city clerk, subject to council approval.

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SECTION 2.04.

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Vacancy; filling of vacancies; suspensions.

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The office of mayor, president of city council, or councilmember shall become vacant upon the incumbent's death, resignation, forfeiture of office, or removal from office in any manner authorized by this Act or the general laws of the State of Georgia. A vacancy in the office of mayor, president of city council, or councilmember shall be filled for the remainder of the unexpired term by a special election if such vacancy occurs 12 months or more prior to the expiration of the term of that office. If such vacancy occurs within 12 months of the expiration of the term of that office, the city council or those members remaining shall appoint a successor for the remainder of the term. If a vacancy occurs within 12 months of the expiration of the term for mayor, the president of city council shall fill the vacancy for the remainder of the term. If a vacancy occurs within 12 months of the expiration of the term for president of city council, those remaining on the city council shall appoint a successor for the remainder of the term. This provision shall also apply to a temporary vacancy created by the suspension from office of the mayor, president of city council, or any councilmember.

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SECTION 2.05.

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Nonpartisan elections.

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Political parties shall not conduct primaries for city offices and all names of candidates for

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city offices shall be listed without party designation.

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SECTION 2.06.

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Election by majority vote.

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The candidates for mayor, president of city council, and councilmember who receive a

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majority of the votes cast in the applicable election shall be elected to a term of office. In the

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event no candidate receives a majority of the votes cast in such election, a run-off election

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shall be held between the candidates receiving the two highest number of votes. Such runoff

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shall be held at the time specified by state election law, unless such run-off date is postponed

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by court order.

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SECTION 2.07.

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Applicability of general laws; qualifying; other provisions.

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All primaries and elections shall be held and conducted in accordance with Chapter 2 of

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Title 21 of the O.C.G.A., the "Georgia Election Code," as now or hereafter amended. Except

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as otherwise provided by this Act, the city council shall, by ordinance or resolution, prescribe

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such rules and regulations as it deems appropriate, including, but not limited to, the

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establishment of qualifying fees, to fulfill any options and duties under Chapter 2 of Title 21

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of the O.C.G.A., the "Georgia Election Code," as now or hereafter amended.

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SECTION 2.08.

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Compensation and expenses.

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The annual salary of the mayor shall be \$65,000.00. The annual salary for each

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councilmember shall be \$17,500.00. The annual salary for the president of the city council

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shall be \$28,500.00. Such salaries shall be paid from municipal funds in equal monthly

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installments. The city council may provide by ordinance for the provision of insurance,

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retirement, workers' compensation, and other employee benefits to the mayor, president of

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city council, and members of the city council and may provide by ordinance for the

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reimbursement of expenses actually and necessarily incurred by the mayor, president of city

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council, and members of the city council in carrying out their official duties.

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SECTION 2.09.

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Inquiries and investigations.

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

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SECTION 2.10.

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Meetings and oath of office.

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

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"I do solemnly swear or affirm that I will faithfully execute the office of [councilmember, mayor, or president of city council, as the case may be] of the City of South Fulton, and will to the best of my ability support and defend the Constitution of the United States, the Constitution of Georgia, and the Act, ordinances, and regulations of the City of South Fulton. I am not the holder of any unaccounted for public money due this state or any political subdivision or authority thereof. I am not the holder of any office of trust under the government of the United States, any other state, or any foreign state which I by the laws of the State of Georgia am prohibited from holding. I am otherwise qualified to hold this office according to the Constitution and laws of Georgia. I have been a resident of my district and the City of South Fulton for the time required by the Constitution and laws of this state and by the municipal charter. I will perform the duties of my office in the best interest of the City of South Fulton to the best of my ability without fear, favor, affection, reward, or expectation thereof."

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

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(c) Special meetings of the council may be held on the call of the mayor, president of city council, or four members of the council. Notice of such special meetings shall be delivered to all members of the city council, president of city council, and mayor personally, by

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358 registered mail, or by electronic means, at least 24 hours in advance of the meeting. Such
359 notice to councilmembers shall not be required if the mayor, president of city council, and
360 all councilmembers are present when the special meeting is called. Such notice of any
361 special meeting may be waived by the mayor, president of city council, or a councilmember
362 in writing before or after such a meeting and attendance at the meeting shall also constitute
363 a waiver of notice. The notice of such special meeting shall state what business is to be
364 transacted at the special meeting. Only the business stated in the call may be transacted at
365 the special meeting.

366 **SECTION 2.11.**

367 Quorum; voting.

368 Five councilmembers shall constitute a quorum and shall be authorized to transact business
369 for the city council. Voting on the adoption of ordinances shall be taken by voice vote and
370 the yeas and nays shall be recorded in the minutes, but, on the request of any councilmember
371 there, shall be a roll-call vote. In order for any ordinance, resolution, motion, or other action
372 of the city council to be adopted, the measure shall receive at least four affirmative votes and
373 shall receive the affirmative votes of a majority of those voting. No member of the city
374 council shall abstain from voting on any matter properly brought before the council for
375 official action except when such member of council has a conflict of interest which is
376 disclosed in writing prior to or at the meeting and made a part of the minutes. Any member
377 of the city council present and eligible to vote on a matter and refusing to do so for any
378 reason other than a properly disclosed and recorded conflict of interest shall be deemed to
379 have acquiesced or concurred with the members of the majority who did vote on the question
380 involved. The president of city council shall vote only in the case of a tie or in the case
381 where his or her vote will provide the affirmative vote required for approval of a matter.

382 **SECTION 2.12.**

383 General power and authority of the city council.

384 (a) Except as otherwise provided by law or by this Act, the city council shall be vested with
385 all the powers of government of the City of South Fulton as provided by Article I of this Act.
386 (b) In addition to all other powers conferred upon it by law, the city council shall have the
387 authority to adopt and provide for the execution of such ordinances, resolutions, rules, and
388 regulations, not inconsistent with this Act and the Constitution and the laws of the State of
389 Georgia, which it shall deem necessary, expedient, or helpful for the peace, good order,
390 protection of life and property, health, welfare, sanitation, comfort, convenience, prosperity,

391 or well-being of the inhabitants of the City of South Fulton and may enforce such ordinances
 392 by imposing penalties for violation thereof.

393 (c) The city council may, by ordinance or resolution, adopt rules and bylaws to govern the
 394 conduct of its business, including procedures and penalties for compelling the attendance of
 395 absent members. Such rules may include punishment for contemptuous behavior conducted
 396 in the presence of the city council.

397 **SECTION 2.13.**

398 Administrative and service departments.

399 (a) The city council, by ordinance, may establish, abolish, merge, or consolidate offices,
 400 positions of employment, departments, and agencies of the city as it shall deem necessary for
 401 the proper administration of the affairs and government of the city. The city council shall
 402 prescribe the functions and duties of existing departments, offices, and agencies or of any
 403 departments, offices, and agencies hereinafter created or established; may provide that the
 404 same person shall fill any number of offices and positions of employment; and may transfer
 405 or change the functions and duties of offices, positions of employment, departments, and
 406 agencies of the city.

407 (b) The operations and responsibilities of each department now or hereafter established in
 408 the city shall be distributed among such divisions or bureaus as may be provided by
 409 ordinance of the city council. Each department shall consist of such officers, employees, and
 410 positions as may be provided by this Act or by ordinance and shall be subject to the general
 411 supervision and guidance of the mayor and council.

412 **SECTION 2.14.**

413 Boards, commissions, and authorities.

414 (a) All members of boards, commissions, and authorities of the city shall be nominated by
 415 the mayor and be confirmed by the city council for such terms of office and such manner of
 416 appointment as provided by ordinance, except where other appointing authority, term of
 417 office, or manner of appointment is prescribed by this Act or by applicable state law.

418 (b) No member of any board, commission, or authority of the city shall hold any elective
 419 office in the city. The president of city council, councilmembers, and mayor, however, may
 420 serve as voting ex officio members of such boards, commissions, or authorities.

421 (c) Any vacancy in office of any member of a board, commission, or authority of the city
 422 shall be filled for the unexpired term in the manner prescribed for original appointment,
 423 except as otherwise provided by this Act or any applicable state law.

424 (d) No member of any board, commission, or authority shall assume office until he or she
 425 shall have executed and filed with the designated officer of the city an oath obligating
 426 himself or herself to faithfully and impartially perform the duties of his or her office, such
 427 oath to be prescribed by ordinance of the council and administered by the mayor.

428 (e) Any member of a board, commission, or authority may be removed from office for cause
 429 by a vote of a majority of the members of the council.

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

432 (g) Except as otherwise provided by this Act or by applicable state law, each board,
 433 commission, or authority of the city government shall elect one of its members as
 434 chairperson and one member as vice chairperson for terms of one year and may elect as its
 435 secretary one of its own members or may appoint as secretary an employee of the city. Each
 436 board, commission, or authority of the city government may establish such bylaws, rules, and
 437 regulations not inconsistent with this Act, ordinances of the city, or applicable state law as
 438 it deems appropriate and necessary for the conduct of its affairs, copies of which shall be
 439 filed with the designated officer of the city.

440 **SECTION 2.15.**

441 Ordinance form; procedures.

442 Every proposed ordinance and resolution shall be introduced in writing and the city council
 443 shall have the authority to approve, disapprove, or amend them. A resolution may be passed
 444 at the time it is offered, but an ordinance shall not be adopted until the title of such ordinance
 445 shall have been read at two city council meetings, provided that the beginnings of such
 446 meetings shall be not less than 24 hours nor more than 60 days apart. This requirement of
 447 two readings shall not apply to emergency ordinances or to ordinances adopted at the first
 448 business meeting of the city council in a calendar year.

449 **SECTION 2.16.**

450 Submission of ordinances to the mayor.

451 (a) Every ordinance, resolution, and other action adopted by the council shall be presented
 452 promptly to the mayor. Except for council approval of appointments to committees, boards,
 453 and commissions, the employment of any appointed officer, internal affairs, or matters which
 454 must be approved by the voters, the mayor may veto any action adopted by the city council.

455 (b) The veto must be exercised no later than the next regular city council meeting following
 456 the meeting at which the action was taken. If an action is disapproved, the president of the

457 city council shall submit to the council a written statement of the reasons for the mayor's
458 veto.

459 (c) An action vetoed by the mayor shall automatically be placed on the agenda at the next
460 regular meeting of the city council for reconsideration. If the minimum number of
461 councilmembers necessary to vote on overriding the veto is not present, the action may be
462 continued until the next meeting at which the minimum number of councilmembers is
463 present. Such action shall not become effective unless it is readopted by the affirmative
464 votes of at least five members of council within 60 days of the veto.

465 (d) The mayor may disapprove or reduce any item or items of appropriation in any ordinance
466 or resolution. The approved part or parts of any ordinance or resolution making
467 appropriations shall become law, and the part or parts disapproved or reduced shall not
468 become law unless subsequently passed by the city council over the mayor's veto as provided
469 in this Act.

470 (e) If an ordinance or resolution has been signed by the mayor, it shall become effective. If
471 an ordinance or resolution is neither approved nor disapproved by the next regular meeting
472 of the city council, it shall become effective.

473 **ARTICLE III**
474 **EXECUTIVE BRANCH**
475 **SECTION 3.01.**

476 Executive powers and duties of the mayor.

477 (a) The mayor shall be the chief executive officer of the city government and responsible for
478 the efficient and orderly administration of the city's affairs. The mayor shall be responsible
479 for the enforcement of laws, rules, regulations, ordinances, and franchises in the city. The
480 mayor may conduct inquiries and investigations into the conduct of the city's affairs and shall
481 have such powers and duties as specified in this Act or as may be provided by ordinance
482 consistent with this Act.

483 (b) The mayor shall:

484 (1) Be the head of the city for the purpose of service of process and for ceremonial
485 purposes and be the official spokesperson for the city and the advocate of policy;

486 (2) Sign as a matter of course on behalf of the city all written and approved contracts,
487 ordinances, resolutions, and other instruments executed by the city which by law are
488 required to be in writing;

489 (3) See that all laws and ordinances of the city are faithfully executed;

490 (4) Obtain long and short-term loans in the name of the city when authorized by the city
491 council to do so;

- 492 (5) Name qualified residents of the city to boards and commissions with approval of the
493 city council;
- 494 (6) Appoint and employ all necessary employees of the city, provided that excepted from
495 this power of appointment are those officers and employees who by this Act are
496 appointed or elected by the city council;
- 497 (7) Remove employees employed by such officer without the consent of the city council
498 and without assigning any reason therefor;
- 499 (8) Exercise supervision and control of all departments and all divisions created in this
500 Act or that may hereafter be created by the city council except as otherwise provided in
501 this Act;
- 502 (9) Recommend to the city council the adoption of such measures as the mayor may
503 deem necessary or expedient;
- 504 (10) See that all terms and conditions imposed in favor of the city or its inhabitants in
505 any public utility franchise are faithfully kept and performed and upon knowledge of any
506 violation thereof to call such violations to the attention of the city attorney, whose duty
507 it shall be forthwith to take such steps as are necessary to protect and enforce the same;
- 508 (11) Make and execute all lawful contracts on behalf of the city as to matters within such
509 officer's jurisdiction to the extent that such contracts are funded in the city's budget,
510 except such as may be otherwise provided by law; provided, however, that no contract
511 purchase or obligation requiring a budget amendment shall be valid and binding until
512 after approval of the city council;
- 513 (12) Prepare and submit to the city council, prior to the beginning of each fiscal year, a
514 budget of proposed expenditures for the ensuing year, showing in as much detail as
515 practicable the amounts allotted to each department of the city government and the
516 reasons for such estimated expenditures;
- 517 (13) Keep the city council at all times fully advised as to the financial condition and
518 needs of the city;
- 519 (14) Make a full written report to the city council on the first of each month, unless
520 otherwise directed by the city council, showing the operations and expenditures of each
521 department of the city government for the preceding month, and a synopsis of such
522 reports shall be published by the clerk of the city;
- 523 (15) Fix all salaries and compensation of city employees in accordance with the city
524 budget and the city pay and classification plan; and
- 525 (16) Fulfill and perform such other duties as are imposed by this Act and by duly
526 adopted ordinances.

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SECTION 3.02.

528

Chief administrative officer; appointment, qualification,

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and compensation.

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The mayor may appoint, subject to confirmation by the city council, for an indefinite term

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an officer whose title shall be chief administrative officer and the chief administrative officer

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shall serve at the pleasure of the mayor and the city council. The chief administrative officer,

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if appointed, shall be appointed without regard to political beliefs and solely on the basis of

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his or her executive and administrative qualifications with special reference to his or her

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educational background and actual experience in, and knowledge of, the duties of office as

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hereinafter prescribed.

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SECTION 3.03.

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Chief administrative officer.

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The chief administrative officer shall devote all of his or her working time and attention to

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the affairs of the city and shall be responsible to the mayor and city council for the proper

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and efficient administration of the affairs of the city over which such officer has jurisdiction;

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provided, however, that the city council may by resolution permit the office of chief

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administrative officer to be a part-time position.

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SECTION 3.04.

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Chief administrative officer; removal.

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(a) The mayor and city council may remove the chief administrative officer from office in

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accordance with the following procedures:

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(1) The city council shall adopt by affirmative vote of a majority of all its members a

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preliminary resolution removing the chief administrative officer and may suspend the

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chief administrative officer from duty for a period not to exceed 45 days. A copy of the

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resolution shall be delivered promptly to the chief administrative officer.

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(2) Within five days after a copy of the resolution is delivered to the chief administrative

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officer, he or she may file with the council a written request for a public hearing. This

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hearing shall be held at a council meeting not earlier than 15 days nor later than 30 days

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after the request.

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(3) The city council may adopt a final resolution of removal, which may be made

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effective immediately, by affirmative vote of four of its members at any time after five

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days from the date when a copy of the preliminary resolution was delivered to the chief

560 administrative officer, if he or she has not requested a public hearing, or at any time after
561 the public hearing if he or she has requested one.

562 (b) The chief administrative officer shall continue to receive his or her salary until the
563 effective date of a final resolution of removal and, unless he or she has been convicted of a
564 felony at that time, he or she shall be given not less than 60 days' severance pay. The action
565 of the city council in suspending or removing the chief administrative officer shall not be
566 subject to review by any court or agency.

567 (c) If the chief administrative officer becomes disabled and is unable to carry out the duties
568 of the office or if the chief administrative officer dies, then an acting chief administrative
569 officer shall be appointed to perform the duties of the chief administrative officer until the
570 chief administrative officer's disability is removed or until the chief administrative officer
571 is replaced. Removal of the chief administrative officer because of disability shall be carried
572 out in accordance with the provisions of subsection (a) of this section.

573 **SECTION 3.05.**

574 Council interference with administration.

575 Except for the purpose of inquiries and investigations under Section 2.09 of this Act, the city
576 council or its members shall deal with city officers and employees who are subject to the
577 direction or supervision of the mayor or chief administrative officer solely through the
578 department heads, and neither the city council nor its members shall give orders to any such
579 officer or employee, either publicly or privately.

580 **SECTION 3.06.**

581 City attorney.

582 The mayor shall nominate and the city council shall confirm by majority vote of the city
583 council a city attorney, together with such assistant city attorneys as may be deemed
584 appropriate, and shall provide for the payment of such attorney or attorneys for services
585 rendered to the city. The city attorney shall be responsible for representing and defending
586 the city in all litigation in which the city is a party; may be the prosecuting officer in the
587 municipal court; shall attend the meetings of the city council as directed; shall advise the city
588 council, mayor, other officers, and employees of the city concerning legal aspects of the
589 city's affairs; and shall perform such other duties as may be required by virtue of his or her
590 position as city attorney. The city attorney shall review all contracts of the city but shall not
591 have the power to bind the city.

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SECTION 3.07.

593

City clerk.

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The president of the city council shall appoint a city clerk, subject to confirmation by majority vote of the city council, to keep a journal of the proceedings of the city council; to maintain in a safe place all records and documents pertaining to the affairs of the city; to perform such duties as may be required by law or ordinance or as the president of the city council may direct; and to issue licenses as permitted by laws of the State of Georgia and municipal law.

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SECTION 3.08.

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City treasurer.

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(a) The mayor may appoint a city treasurer subject to the approval of the city council. The city treasurer shall collect all taxes, licenses, fees, and other moneys belonging to the city subject to the provisions of this Act and the ordinances of the city; and the tax collector shall diligently comply with and enforce all general laws of the State of Georgia relating to the collection, sale, or foreclosure of taxes by municipalities.

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(b) The city treasurer shall be responsible for the collection, receipt, care, and custody of all taxes and other moneys due the city, except as otherwise provided by law. The city treasurer shall be responsible to deposit all moneys received in the manner set forth in state law. The city treasurer shall be responsible, upon authorization by warrant of the chief city auditor, as the case may be, for payment of all vouchers, claims, payroll, and other authorized disbursements. The city treasurer shall perform such other services as authorized by state law, and as otherwise conferred by a resolution, ordinance, or local law duly enacted by the city council, not inconsistent with state law.

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(c) The city treasurer shall be responsible for making all temporary investments of city funds as authorized by law.

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(d) The city treasurer shall be the city's chief fiscal officer, and shall have such investment and debt management authority as is authorized by state law and as is otherwise conferred by resolution, ordinance, or local law duly enacted by the city council, not inconsistent with state law.

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SECTION 3.09.

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Office of Audit and Control.

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(a) There shall be an Office of Audit and Control to be headed by a chief city auditor, who shall be appointed by the mayor subject to the approval of the city council. The principal duties of this office shall be to conduct internal performance audits of all city departments and offices; to audit all investments made by the city treasurer on behalf of the city; and to warrant as valid all accounts payable and claims prior to their payment by the city treasurer.

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(b) The chief city auditor shall prepare and present such reports as are consistent with the duties enumerated herein as required by resolution, ordinance, or local law duly enacted by the city council.

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SECTION 3.10.

632

Consolidation of functions.

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The mayor, with the approval of the city council, may consolidate any two or more of the appointed positions of city departments other than the Office of Audit and Control and the city treasurer or may assign the functions of any one or more of such positions to the holder or holders of any other positions. The mayor may also, with the approval of the city council, perform all or any part of the functions of any of the positions or offices in lieu of the appointment of other persons to perform them.

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SECTION 3.11.

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Position classification and pay plans; employment at will.

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The mayor shall be responsible for the preparation of a position classification and a pay plan which shall be submitted to the city council for approval. Such plan shall apply to all employees of the City of South Fulton and any of its agencies and offices. When a pay plan has been adopted by the city council, neither the city council nor the mayor shall increase or decrease the salaries of individual employees except in conformity with such pay plan or pursuant to an amendment of such pay plan duly adopted by the city council.

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ARTICLE IV
MUNICIPAL COURT
SECTION 4.01.
Creation.

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There is established a court to be known as the Municipal Court of the City of South Fulton which shall have jurisdiction and authority to try offenses against the laws and ordinances of such city and to punish for violations of such laws and ordinances. Such court shall have the power to enforce its judgments by the imposition of such penalties as may be provided by law, including ordinances of the city; to punish witnesses for nonattendance and to punish also any person who may counsel or advise, aid, encourage, or persuade another whose testimony is desired or material in any proceeding before such court to go or move beyond the reach of the process of the court; to try all offenses within the territorial limits of the city constituting traffic cases which, under the laws of the State of Georgia, are placed within the jurisdiction of municipal courts to the extent of, and in accordance with, the provisions of such laws and all laws subsequently enacted amendatory thereof. The municipal court shall be presided over by the judge of such court. In the absence or disqualification of the judge, the judge pro tempore shall preside and shall exercise the same powers and duties as the judge when so acting.

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SECTION 4.02.
Judge.

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- (a) No person shall be qualified or eligible to serve as judge unless he or she shall have attained the age of 21 years and shall have been a member of the State Bar of Georgia for a minimum of three years. The judge shall be appointed by resolution of the city council. The compensation of the judge shall be fixed by the council.
- (b) The judge pro tempore shall serve as requested by the judge, shall have the same qualifications as the judge, shall be appointed by resolution of the city council, and shall take the same oath as the judge.
- (c) Before entering on the duties of his or her office, the judge and judge pro tempore shall take an oath before an officer duly authorized to administer oaths in this state declaring that he or she will truly, honestly, and faithfully discharge the duties of his or her office to the best of his or her ability without fear, favor, or partiality. The oath shall be entered upon the minutes of the city council.

679 (d) The judge or judge pro tempore shall serve for a term of four years but may be removed
 680 from the position by a two-thirds' vote of the entire membership of the city council or upon
 681 action taken by the State Judicial Qualifications Commission for:

- 682 (1) Willful misconduct in office;
 683 (2) Willful and persistent failure to perform duties;
 684 (3) Habitual intemperance;
 685 (4) Conduct prejudicial to the administration of justice which brings the judicial office
 686 into disrepute; or
 687 (5) Disability seriously interfering with the performance of duties, which is, or is likely
 688 to become, of a permanent character.

689 **SECTION 4.03.**

690 Convening.

691 Such court shall be convened at such times as designated by ordinance or at such times as
 692 deemed necessary by the judge to keep current the dockets thereof.

693 **SECTION 4.04.**

694 Jurisdiction; powers.

695 (a) The municipal court shall try and punish for crimes against the City of South Fulton and
 696 for violation of its ordinances. The municipal court shall have authority to punish those in
 697 its presence for contempt, provided that such punishment shall not exceed \$200.00 or
 698 imprisonment for 15 days. The municipal court may fix punishment for offenses within its
 699 jurisdiction to the full extent allowed by state law.

700 (b) The municipal court shall have authority to establish a schedule of fees to defray the cost
 701 of operation.

702 (c) The municipal court shall have authority to establish bail and recognizances to ensure
 703 the presence of those charged with violations before such court and shall have discretionary
 704 authority to accept cash or personal or real property as security for appearances of persons
 705 charged with violations. Whenever any person shall give bail for his or her appearance and
 706 shall fail to appear at the time fixed for trial, the bond shall be forfeited by the judge
 707 presiding at such time and an execution issued thereon by serving the defendant and his or
 708 her sureties with a rule nisi at least two days before a hearing on the rule nisi. In the event
 709 that cash or property is accepted in lieu of bond for security for the appearance of a defendant
 710 at trial, and if such defendant fails to appear at the time and place fixed for trial, the cash so

711 deposited shall be on order of the judge declared forfeited to the City of South Fulton, or the
712 property so deposited shall have a lien against it for the value forfeited.

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

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

717 (f) The municipal court may compel the presence of all parties necessary to a proper disposal
718 of each case by the issuance of summons, subpoena, and warrants which may be served as
719 executed by any officer as authorized by this Act or by state law.

720 (g) The municipal court is specifically vested with all of the judicial jurisdiction and judicial
721 powers throughout the entire area of the City of South Fulton granted by state laws generally
722 to municipal courts, and particularly by such laws as authorize the abatement of nuisances.

723 **SECTION 4.05.**

724 Certiorari.

725 The right of certiorari from the decision and judgment of the municipal court shall exist in
726 all criminal cases and ordinance violation cases, and such certiorari shall be obtained under
727 the sanction of a judge of the Superior Court of Fulton County under the laws of the State of
728 Georgia regulating the granting and issuance of writs of certiorari.

729 **SECTION 4.06.**

730 Rules for court.

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

734 **ARTICLE V**

735 **FINANCE AND FISCAL**

736 **SECTION 5.01.**

737 Fiscal year.

738 The council shall set the fiscal year by ordinance. The fiscal year shall constitute the budget
739 year and the year for financial accounting and reporting of each and every office, department
740 or institution, agency, and activity of the city government, unless otherwise provided by state
741 or federal law.

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SECTION 5.02.

743

Preparation of budgets.

744

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

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SECTION 5.03.

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Submission of operating budget to city council.

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On or before a date fixed by the city council, but not later than 30 days prior to the beginning of each fiscal year, the mayor shall submit to the city council a proposed operating budget for the ensuing fiscal year. The budget shall be accompanied by a message from the mayor containing a statement of the general fiscal policies of the city, the important features of the budget, explanations of major changes recommended for the next fiscal year, a general summary of the budget, and such other comments and information as he or she may deem pertinent. The operating budget and the capital improvements budget hereinafter provided for, the budget message, and all supporting documents shall be filed in the office of the city clerk and shall be open to public inspection.

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SECTION 5.04.

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Action by city council on budget.

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The city council may amend the operating budget proposed by the mayor, except that the budget, as finally amended and adopted, shall provide for all expenditures required by law, or by other provisions of this Act, and for all debt service requirements for the ensuing fiscal year and the total appropriations from any fund shall not exceed the estimated fund balance, reserves, and revenues, constituting the fund availability of such fund.

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SECTION 5.05.

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Audits.

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(a) There shall be an annual independent audit of all city accounts, funds, and financial transactions by a certified public accountant selected by the city council and supervised by the chief city auditor. The audit shall be conducted according to generally accepted accounting principles. Any audit of any funds by the state or federal government may be

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772 accepted as satisfying the requirements of this Act. Copies of all audit reports shall be
773 available at printing cost to the public.

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

776 **SECTION 5.06.**

777 General homestead exemption.

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

779 (1) "Ad valorem taxes for municipal purposes" means all ad valorem taxes for municipal
780 purposes levied by, for, or on behalf of the City of South Fulton, except for any ad
781 valorem taxes to pay interest on and to retire municipal bonded indebtedness.

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

784 (b) Each resident of the City of South Fulton is granted an exemption on that person's
785 homestead from City of South Fulton ad valorem taxes for municipal purposes in the amount
786 of \$30,000.00 of the assessed value of that homestead. The value of that property in excess
787 of such exempted amount shall remain subject to taxation.

788 (c) A person shall not receive the homestead exemption granted by subsection (b) of this
789 section unless the person or person's agent files an application with the governing authority
790 of the City of South Fulton, or the designee thereof, giving such information relative to
791 receiving such exemption as will enable the governing authority of the City of South Fulton,
792 or the designee thereof, to make a determination regarding the initial and continuing
793 eligibility of such owner for such exemption. The governing authority of the City of South
794 Fulton, or the designee thereof, shall provide application forms for this purpose.

795 (d) The exemption shall be claimed and returned as provided in Code Section 48-5-50.1 of
796 the O.C.G.A., as amended. The exemption shall be automatically renewed from year to year
797 so long as the owner occupies the residence as a homestead. After a person has filed the
798 proper application as provided in subsection (c) of this section, it shall not be necessary to
799 make application thereafter for any year and the exemption shall continue to be allowed to
800 such person. It shall be the duty of any person granted the homestead exemption under
801 subsection (b) of this section to notify the governing authority of the City of South Fulton,
802 or the designee thereof, in the event that person for any reason becomes ineligible for such
803 exemption.

804 (e) The exemption granted by subsection (b) of this section shall not apply to or affect state
805 ad valorem taxes, county ad valorem taxes for county purposes, or county or independent
806 school district ad valorem taxes for educational purposes. The homestead exemption granted

807 by subsection (b) of this section shall be in addition to and not in lieu of any other homestead
 808 exemption applicable to municipal ad valorem taxes for municipal purposes.

809 (f) The exemption granted by subsection (b) of this section shall apply to all taxable years
 810 beginning on or after January 1, 2016.

811 **SECTION 5.07.**

812 General homestead exemption for citizens age 65 or over.

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

814 (1) "Ad valorem taxes for municipal purposes" means all ad valorem taxes for municipal
 815 purposes levied by, for, or on behalf of the City of South Fulton except for any ad
 816 valorem taxes to pay interest on and to retire municipal bonded indebtedness.

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

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

822 (b) Each resident of the City of South Fulton who is a senior citizen is granted an exemption
 823 on that person's homestead from City of South Fulton ad valorem taxes for municipal
 824 purposes in the amount of \$15,000.00 of the assessed value of that homestead. The value of
 825 that property in excess of such exempted amount shall remain subject to taxation.

826 (c) A person shall not receive the homestead exemption granted by subsection (b) of this
 827 section unless the person or person's agent files an application with the governing authority
 828 of the City of South Fulton, or the designee thereof, giving the person's age and such
 829 additional information relative to receiving such exemption as will enable the governing
 830 authority of the City of South Fulton, or the designee thereof, to make a determination
 831 regarding the initial and continuing eligibility of such owner for such exemption. The
 832 governing authority of the City of South Fulton, or the designee thereof, shall provide
 833 application forms for this purpose.

834 (d) The exemption shall be claimed and returned as provided in Code Section 48-5-50.1 of
 835 the O.C.G.A., as amended. The exemption shall be automatically renewed from year to year
 836 so long as the owner occupies the residence as a homestead. After a person has filed the
 837 proper application, as provided in subsection (c) of this section, it shall not be necessary to
 838 make application thereafter for any year and the exemption shall continue to be allowed to
 839 such person. It shall be the duty of any person granted the homestead exemption under
 840 subsection (b) of this section to notify the governing authority of the City of South Fulton,

841 or the designee thereof, in the event that person for any reason becomes ineligible for that
842 exemption.

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

848 (f) The exemption granted by subsection (b) of this section shall apply to all taxable years
849 beginning on or after January 1, 2016.

850 **SECTION 5.08.**

851 Homestead exemption for citizens age 65 or over
852 meeting certain income requirements.

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

854 (1) "Ad valorem taxes for municipal purposes" means all ad valorem taxes for municipal
855 purposes levied by, for, or on behalf of the City of South Fulton, including, but not
856 limited to, any ad valorem taxes to pay interest on and to retire municipal bonded
857 indebtedness.

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

860 (3) "Income" means adjusted gross income as such term is defined in the Internal
861 Revenue Code of 1986, as such code is defined in Code Section 48-1-2 of the O.C.G.A.,
862 except that for purposes of this section the term shall include only that portion of income
863 or benefits received as retirement, survivor, or disability benefits under the federal Social
864 Security Act or under any other public or private retirement, disability, or pension system
865 which exceeds the maximum amount which may be received by an individual and an
866 individual's spouse under the federal Social Security Act.

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

870 (b) Each resident of the City of South Fulton who is a senior citizen is granted an exemption
871 on that person's homestead from City of South Fulton ad valorem taxes for municipal
872 purposes in the amount of \$10,000.00 of the assessed value of that homestead. The
873 exemption granted by this subsection shall only be granted if that person's income, together
874 with the income of the spouse who also occupies and resides at such homestead, does not
875 exceed the maximum amount which may be received by an individual and an individual's

876 spouse under the federal Social Security Act for the immediately preceding year. The value
877 of that property in excess of such exempted amount shall remain subject to taxation.

878 (c) A person shall not receive the homestead exemption granted by subsection (b) of this
879 section unless the person or person's agent files an application with the governing authority
880 of the City of South Fulton, or the designee thereof, giving the person's age, income, and
881 such additional information relative to receiving such exemption as will enable the governing
882 authority of the City of South Fulton, or the designee thereof, to make a determination
883 regarding the initial and continuing eligibility of such owner for such exemption. The
884 governing authority of the City of South Fulton, or the designee thereof, shall provide
885 application forms for this purpose.

886 (d) The exemption shall be claimed and returned as provided in Code Section 48-5-50.1 of
887 the O.C.G.A., as amended. The exemption shall be automatically renewed from year to year
888 so long as the owner occupies the residence as a homestead. After a person has filed the
889 proper application, as provided in subsection (c) of this section, it shall not be necessary to
890 make application thereafter for any year and the exemption shall continue to be allowed to
891 such person. It shall be the duty of any person granted the homestead exemption under
892 subsection (b) of this section to notify the governing authority of the City of South Fulton,
893 or the designee thereof, in the event that person for any reason becomes ineligible for that
894 exemption.

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

900 (f) The exemption granted by subsection (b) of this section shall apply to all taxable years
901 beginning on or after January 1, 2016.

902 **SECTION 5.09.**

903 Homestead exemption for citizens age 70 or over
904 and disabled persons meeting certain income requirements.

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

906 (1) "Ad valorem taxes for municipal purposes" means all ad valorem taxes for municipal
907 purposes levied by, for, or on behalf of the City of South Fulton, including, but not
908 limited to, any ad valorem taxes to pay interest on and to retire municipal bonded
909 indebtedness.

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

912 (3) "Income" means adjusted gross income determined pursuant to the Internal Revenue
 913 Code of 1986, as amended, for federal income tax purposes, except that for the purposes
 914 of this section the term shall include only that portion of income or benefits received as
 915 retirement, survivor, or disability benefits under the federal Social Security Act or under
 916 any other public or private retirement, disability, or pension system which exceeds the
 917 maximum amount which may be received by an individual and an individual's spouse
 918 under the federal Social Security Act.

919 (4) "Senior citizen" means a person who is 70 years of age or over on or before January 1
 920 of the year in which application for the exemption under subsection (b) of this section is
 921 made.

922 (b) Each resident of the City of South Fulton who is a senior citizen or who is disabled is
 923 granted an exemption on that person's homestead from City of South Fulton ad valorem taxes
 924 for municipal purposes for the full value of that homestead. The exemption granted by this
 925 subsection shall only be granted if that person's income, together with the income of the
 926 spouse who also occupies and resides at such homestead, does not exceed the maximum
 927 amount which may be received by an individual and an individual's spouse under the federal
 928 Social Security Act for the immediately preceding year.

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

937 (2) A person shall not receive the homestead exemption granted by subsection (b) of this
 938 section unless the person or person's agent files an application with the governing
 939 authority of the City of South Fulton, or the designee thereof, giving the person's age,
 940 income, and such additional information relative to receiving such exemption as will
 941 enable the governing authority of the City of South Fulton, or the designee thereof, to
 942 make a determination regarding the initial and continuing eligibility of such owner for
 943 such exemption. The governing authority of the City of South Fulton, or the designee
 944 thereof, shall provide application forms for this purpose.

945 (d) The exemption shall be claimed and returned as provided in Code Section 48-5-50.1 of
 946 the O.C.G.A., as amended. The exemption shall be automatically renewed from year to year

947 so long as the owner occupies the residence as a homestead. After a person has filed the
 948 proper application, as provided in subsection (c) of this section, it shall not be necessary to
 949 make application thereafter for any year and the exemption shall continue to be allowed to
 950 such person. It shall be the duty of any person granted the homestead exemption under
 951 subsection (b) of this section to notify the governing authority of the City of South Fulton,
 952 or the designee thereof, in the event that person for any reason becomes ineligible for that
 953 exemption.

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

959 (f) The exemption granted by subsection (b) of this section shall apply to all taxable years
 960 beginning on or after January 1, 2016.

961 **ARTICLE VI**
 962 **GENERAL PROVISIONS**

963 **SECTION 6.01.**

964 **Referendum and initial election.**

965 (a) The election superintendent of Fulton County shall call a special election for the purpose
 966 of submitting this Act to the qualified voters of the proposed City of South Fulton for
 967 approval or rejection. The superintendent shall set the date of such election for the date of
 968 the 2014 November General Election. The superintendent shall issue the call for such
 969 election at least 30 days prior to the date thereof. The superintendent shall cause the date and
 970 purpose of the election to be published once a week for two weeks immediately preceding
 971 the date thereof in the official organ of Fulton County. The ballot shall have written or
 972 printed thereon the words:

973 "() YES Shall the Act incorporating the City of South Fulton in Fulton County and
 974 () NO granting the homestead exemptions described therein be approved?"

975 All persons desiring to vote for approval of the Act shall vote "Yes," and those persons
 976 desiring to vote for rejection of the Act shall vote "No." If more than one-half of the votes
 977 cast on such question are for approval of the Act, it shall become of full force and effect as
 978 provided in Section 6.02 of this Act; otherwise this Act shall not take effect and shall be void
 979 and of no force and effect. The initial expense of such election shall be borne by Fulton
 980 County. Within two years after the election if the incorporation is approved, the City of
 981 South Fulton shall reimburse Fulton County for the actual cost of printing and personnel

982 services for such election and for the initial election of the mayor, president of city council,
 983 and members of the city council pursuant to subsection (b) of Section 2.02 of this Act. It
 984 shall be the duty of the superintendent to hold and conduct such election. It shall be his or
 985 her further duty to certify the result thereof to the Secretary of State.

986 (b) For the purposes of the referendum election provided for in this section and for the
 987 purposes of the election to be held on the third Tuesday in March, 2015, the qualified electors
 988 of the City of South Fulton shall be those qualified electors of Fulton County residing within
 989 the corporate limits of the City of South Fulton as described by Appendix A of this Act. At
 990 subsequent municipal elections, the qualified electors of the City of South Fulton shall be
 991 determined pursuant to the authority of Chapter 2 of Title 21 of the O.C.G.A., the "Georgia
 992 Election Code."

993 (c) Only for the purposes of holding and conducting the referendum election provided for
 994 by this section and holding and conducting the election of the mayor, president of city
 995 council, and city councilmembers of the City of South Fulton to be held on the third Tuesday
 996 in March, 2015, the election superintendent of Fulton County is vested with the powers and
 997 duties of the election superintendent of the City of South Fulton and the powers and duties
 998 of the governing authority of the City of South Fulton.

999 **SECTION 6.02.**

1000 Effective dates.

1001 (a) This Act shall become effective upon its approval by the Governor or upon its becoming
 1002 law without such approval; provided, however, that the provisions of this Act necessary for
 1003 the election to be held on the next special election date permissible pursuant to the provisions
 1004 of Code Section 21-2-540 of the O.C.G.A. following the date of the approval of this Act as
 1005 provided for by Section 6.01 of this Act shall be effective upon the certification of the results
 1006 of such referendum election.

1007 (b) A period of time will be needed for an orderly transition of various government functions
 1008 from Fulton County to the City of South Fulton. Accordingly, there shall be a transition
 1009 period beginning on April 1, 2015, and ending at midnight of the last day of the
 1010 twenty-fourth month following such date. During such transition period, all provisions of
 1011 this Act shall be effective as law, but not all provisions of this Act shall be implemented.

1012 (c) During such transition period, Fulton County shall continue to provide within the
 1013 territorial limits of the City of South Fulton all government services and functions which
 1014 Fulton County provided in that area as of the date of enactment of this Act, except to the
 1015 extent otherwise provided in this section; provided, however, that by agreement of Fulton
 1016 County and the City of South Fulton responsibility for any such service or function may be

1017 transferred to the City of South Fulton at such time as may be agreed upon by the parties.
 1018 Beginning on May 1, 2015, the City of South Fulton shall collect taxes, fees, assessments,
 1019 fines and forfeitures, and other moneys within the territorial limits of the City of South
 1020 Fulton; provided, however, that upon at least 30 days' prior written notice to Fulton County
 1021 by the City of South Fulton, the authority to collect any tax, fee, assessment, fine, forfeiture,
 1022 or other moneys shall remain with Fulton County after May 1, 2015, until such time as
 1023 Fulton County receives subsequent notice from the City of South Fulton that such authority
 1024 shall be transferred to the City of South Fulton. Where a particular tax, fee, assessment, fine,
 1025 forfeiture, or other amount collected is specifically related to the provision of a particular
 1026 government service or function by Fulton County, the service or function shall continue to
 1027 be provided by the county contingent upon payment by the city of the actual cost of
 1028 providing such service or function unless otherwise provided in a written agreement between
 1029 the city and the county. Any existing contract for the performance of a governmental service
 1030 with a private person residing or doing business within the city limits shall not be altered or
 1031 adversely affected by the establishment of this Act of the City of South Fulton.

1032 (d) During the transition period, the governing authority of the City of South Fulton:

- 1033 (1) Shall hold regular meetings and may hold special meetings as provided in this Act;
- 1034 (2) May enact ordinances and resolutions as provided in this Act;
- 1035 (3) May amend this Act by home rule action as provided by general law;
- 1036 (4) May accept gifts and grants;
- 1037 (5) May borrow money and incur indebtedness to the extent authorized by this Act and
 1038 general law;
- 1039 (6) May levy and collect an ad valorem tax for the calendar year next following the first
 1040 municipal election;
- 1041 (7) May establish a fiscal year and budget;
- 1042 (8) May create, alter, or abolish departments, boards, offices, commissions, and agencies
 1043 of the city; appoint and remove officers and employees; and exercise all necessary or
 1044 appropriate personnel and management functions; and
- 1045 (9) May generally exercise any power granted by this Act or general law, except to the
 1046 extent that a power is specifically and integrally related to the provision of a
 1047 governmental service, function, or responsibility not yet provided or carried out by the
 1048 city.

1049 (e) During the transition period, the Municipal Court of the City of South Fulton shall
 1050 exercise its jurisdiction to the extent appropriate with respect to the government services and
 1051 functions performed by the City of South Fulton and the appropriate court or courts of Fulton
 1052 County shall retain jurisdiction over the area incorporated as the City of South Fulton with
 1053 respect to government services and functions performed by Fulton County. Any transfer of

1054 jurisdiction to the City of South Fulton at the beginning of, during, at the end of, or after the
 1055 transition period shall not in and of itself abate any judicial proceeding pending in Fulton
 1056 County or the pending prosecution of any violation of any ordinance of Fulton County.

1057 (f) During the transition period, the governing authority of South Fulton may at any time,
 1058 without the necessity of any agreement by Fulton County, commence to exercise its planning
 1059 and zoning powers; provided, however, that the city shall give the county at least 30 days'
 1060 written notice of the date on which the city will assume the exercise of such powers. Upon
 1061 the governing authority of South Fulton commencing to exercise its planning and zoning
 1062 powers, the Municipal Court of the City of South Fulton shall immediately have jurisdiction
 1063 to enforce the planning and zoning ordinances of the city. The provisions of this subsection
 1064 shall control over any conflicting provisions of any other subsection of this section.

1065 (g) Effective upon the termination of the transition period, subsections (c) through (f) of this
 1066 section shall cease to apply except for the last sentence of subsection (e) which shall remain
 1067 effective. Effective upon the termination of the transition period, the City of South Fulton
 1068 shall be a fully functioning municipal corporation and subject to all general laws of this state.

1069 **SECTION 6.03.**

1070 Catchlines.

1071 The catchlines of sections of this Act or any ordinance printed in boldface type, italics, or
 1072 otherwise, are intended as mere catchwords to indicate the contents of the section and:

1073 (1) Shall not be deemed or taken to be titles of such sections or as any part of the section;
 1074 and

1075 (2) Shall not be so deemed when any of such sections, including the catchlines, are
 1076 amended or reenacted unless expressly provided to the contrary.

1077 Furthermore, the article and section headings contained in this Act shall not be deemed to
 1078 govern, limit, or modify or in any manner affect the scope, meaning, or intent of the
 1079 provisions of any article or section hereof.

1080 **SECTION 6.04.**

1081 Directory nature of dates.

1082 If it is necessary to delay any action called for in this Act for providential cause or any other
 1083 reason, it is the intention of the General Assembly that the action be delayed rather than
 1084 abandoned. Any delay in performing any action under this Act, whether for cause or
 1085 otherwise, shall not operate to frustrate the overall intent of this Act. Without limiting the
 1086 generality of the foregoing, it is specifically provided that:

1087 (1) If it is not possible to hold the referendum election provided for in Section 6.01 of
 1088 this Act on the date specified in that section, then such referendum shall be held as soon
 1089 after such date as is reasonably practicable; and

1090 (2) If it is not possible to hold the first regular municipal election provided for in
 1091 Section 2.02 of this Act on the date specified in that section, then there shall be a special
 1092 election for the initial members of the governing authority to be held as soon thereafter
 1093 as is reasonably practicable, and the commencement of the initial terms of office shall be
 1094 delayed accordingly.

1095 **SECTION 6.05.**

1096 Severability.

1097 In the event any section, subsection, sentence, clause, or phrase of this Act shall be
 1098 declared or adjudged invalid or unconstitutional, such adjudication shall in no manner affect
 1099 the other sections, subsections, sentences, clauses, or phrases of this Act, which shall remain
 1100 of full force and effect, as if the section, subsection, sentence, clause, or phrase so declared
 1101 or adjudged invalid or unconstitutional were not originally a part hereof. The General
 1102 Assembly hereby declares that it would have passed the remaining parts of this Act if it had
 1103 known that such part or parts hereof would be declared or adjudged invalid or
 1104 unconstitutional.

1105 **SECTION 6.06.**

1106 Repealer.

1107 All laws and parts of laws in conflict with this Act are repealed.

1108 **APPENDIX A**

1109 The City of South Fulton shall include all the territory embraced within the following census
 1110 blocks based upon the 2010 United States decennial census:

1111 Fulton County

1112 VTD: 12111E4 - 11E4

1113 007706:

1114 2028

1115 VTD: 121CP08B - CP08B

1116 010511:

1117 2004
 1118 VTD: 121EP08A - EP08A
 1119 011305:
 1120 3015 3017
 1121 011306:
 1122 1031 2008 2018 2021
 1123 VTD: 121FA01A - FA01A
 1124 010400:
 1125 3064 3066 3078 3079 3087 3099
 1126 010514:
 1127 2051 2078 2086 2100 2101 2102
 1128 VTD: 121FA01B - FA01B
 1129 010510:
 1130 3126
 1131 VTD: 121SC01 - SC01
 1132 007802:
 1133 2017
 1134 010303:
 1135 1000 1001 1002 1003 1004 1014 1015 1016 1017 1018 1019 1020
 1136 1040 1041 1043 1048 1049 1050 1051 2057
 1137 010304:
 1138 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011
 1139 1012 1013 1014 1022 1028 1029
 1140 VTD: 121SC02 - SC02
 1141 VTD: 121SC04 - SC04
 1142 VTD: 121SC05 - SC05
 1143 VTD: 121SC07 - SC07
 1144 010304:
 1145 2087 2103 2105 2106 2107 2108 2109 2112
 1146 010400:
 1147 3000 3003 3005 3006 3008 3009 3011 3012 3013 3014 3017 3019
 1148 3021 3028 3029 3042 3043 3053 3054 3065 3080
 1149 010513:
 1150 1021 1022 1043 1044 1045 1048 1049 1050 1051 1052 1055 1060
 1151 1061 1062 1078 1098 1119 2022 2024 2029 2030 2056 3045
 1152 010514:
 1153 1002 1003 1004 1005 1006 1012 1013 1014 1017 1019 1021 1022

1154 1023 1024 1025 1026 1027 1028 1029 1030 1031 1032 1033 1034
 1155 1036 1037 1043 1044 1046 1051 1054 1055 1056 1057 1059 1061
 1156 1062 1063 1065 1066 1067 1073 1087 1088 1089 2000 2002 2003
 1157 2004 2005 2006 2007 2008 2009 2010 2011 2012 2013 2014 2015
 1158 2016 2017 2018 2019 2020 2021 2022 2023 2024 2025 2026 2028
 1159 2029 2030 2031 2032 2033 2034 2035 2038 2040 2043 2044 2045
 1160 2046 2054 2055 2057 2059 2060 2061 2068 2071 2072 2073 2074
 1161 2075 2076 2077 2080 2085 2087 2091 2094 2098 2108 2109 2110
 1162 2111 3055 3056 3079 3080
 1163 VTD: 121SC08 - SC08
 1164 010507:
 1165 3066
 1166 010510:
 1167 2003 4000 4001 4009
 1168 010511:
 1169 1033 1034 1035 1036 1037 1038 1039 1040 1041 1043 1045 1046
 1170 1047 1048 1049 1061 1062 2005 2006 2008 2009 2010 2011 2012
 1171 2013 2014 2015 2017 2018 2019 2020 2021 2024 2027 2028 2029
 1172 2030 2031 2032 2033 2034 2036 2037 2038 2039 2040 2041 2042
 1173 2043 2044 2045 2046 2047 2051 2052 2053 2054 2055 2056 2058
 1174 2062 2064 3000 3001 3002 3003 3004 3005 3008 3011 3012 3013
 1175 3014 3015
 1176 010512:
 1177 1002 1003 1004 1005 1006 1007 1008 1016 1017 1024 1025 2001
 1178 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011 2012 2015
 1179 2019 2020 2035 2036
 1180 010513:
 1181 1007 1008 1063 1064 1069 1070 1071 1073 1074 1075 1077 1087
 1182 1088 1089 1094 1096 1097 1102 1105 1109 1110
 1183 VTD: 121SC09 - SC09
 1184 VTD: 121SC10 - SC10
 1185 010507:
 1186 1006 1008 2001 2002 2003 2004 2005 2006 2007 3037 3055 3056
 1187 3057 3059 3060 3067 3068
 1188 010511:
 1189 2066
 1190 VTD: 121SC11 - SC11

1191 VTD: 121SC13A - SC13A
 1192 VTD: 121SC13B - SC13B
 1193 010301:
 1194 1016 1017 1018 1026 1027 1028 1029 1030 1031 1032 1049 1050
 1195 1051 1052 1053 1056 1057 1058 1062 1063 1064 1065 1066 1067
 1196 1068 1083 1084 1085 1086 1087 1088 1089 1090 1091 1092 1093
 1197 1097 1098 1099 1100 1101 1102 1103 1104 1105 1106 1110 1115
 1198 1116 1119 1123 1137
 1199 VTD: 121SC14 - SC14
 1200 007805:
 1201 2017 2018 2019 2029 2032
 1202 007806:
 1203 2010 2011 2019
 1204 VTD: 121SC16A - SC16A
 1205 010303:
 1206 2019 2020 2022 2023 2024 2026 2036 2037 2038 2039 2040 2041
 1207 2042 2043 2052 2066 2067 2068 2069 2071 2072 2073 2074 2075
 1208 2076 2077 2078 2079 2080 2082 2083 2084 2086
 1209 VTD: 121SC16B - SC16B
 1210 VTD: 121SC17 - SC17
 1211 010511:
 1212 1019 1020 1021 1022 1023 1027 1028 1029 1032 1050 1051 1052
 1213 1053 1054 1055 1056 1057 1058 1059 1063 1064 1065 1066
 1214 010513:
 1215 1001 1005 1016 1030 1031 1032 1037 1038 1039 1041 1042 1103
 1216 1104 1106 1107 1117
 1217 VTD: 121SC18 - SC18
 1218 007706:
 1219 2007 2014 2017 2018 2019 2020 2021 2023 2029
 1220 010304:
 1221 1015 1016 1017 1018 1019 1020 1021 1023 1024 1025 1026 1027
 1222 1030 1031 1032 1033 1034 1035 1036 2000 2001 2004 2011 2012
 1223 2013 2014 2015 2016 2017 2018 2019 2020 2021 2022 2023 2024
 1224 2025 2026 2041 2042 2043 2044 2045 2072 2073 2075 2078 2081
 1225 2092 2093 2115
 1226 VTD: 121SC19 - SC19
 1227 010507:

1228 3002 3004 3005 3006 3007 3008 3009 3010 3011 3017 3020 3021
 1229 3022
 1230 010511:
 1231 1012 1013 1015 1016 1018 1024 1025 1026 1030 1031 1067
 1232 010604:
 1233 3011 3012 3013 3015 3016
 1234 011305:
 1235 3018 3019 3020 3021
 1236 011306:
 1237 1011 1012 1032 1033 1034 1036 1038 1039 1040 2019 2020 2025
 1238 2028 2029 2030 2031 2032 2033 2035 2036 2037 2038 2039
 1239 VTD: 121SC21 - SC21
 1240 010510:
 1241 2019 2020 2021 3002 3010 3011 3012 3013 3015 3016 3017 3026
 1242 3027 3028 3029 3031 3034 3036 3037 3038 3039 3042 3043 3044
 1243 3045 3046 3047 3048 3049 3050 3051 3052 3053 3054 3055 3064
 1244 3066 3067 3068 3069 3070 3071 3072 3073 3074 3075 3076 3077
 1245 3078 3079 3080 3082 3083 3085 3086 3087 3088 3089 3091 3096
 1246 3102 3103 3104 3105 3106 3107 3108 3109 3110 3112 3114 3115
 1247 3116 3127 3174 3186 3187 3188 3189 3190 3192 3214 3215 3216
 1248 3217 3220 3221 3222
 1249 010513:
 1250 2036
 1251 010515:
 1252 1022 1023 1024 1025 1036 1037 1038 1039 1040 1041 1042 1046
 1253 1048
 1254 VTD: 121SC23 - SC23
 1255 VTD: 121SC27 - SC27
 1256 VTD: 121SC29 - SC29
 1257 VTD: 121SC30 - SC30
 1258 007703:
 1259 3000 3001 3002 3003 3016
 1260 007704:
 1261 3005 3006
 1262 007802:
 1263 1000 1001 1002 1003 1004 1006 1016 1018 1025 1027 1028 4012
 1264 007806:

1265 2002 2020 2021 2022 2023 2024
 1266 007900:
 1267 3017 3018 3019 3038 3042 3051 3052 3058
 1268 VTD: 121UC02 - UC02
 1269 010510:
 1270 3014
 1271 010513:
 1272 2037 2057
 1273 VTD: 121UC03A - UC03A
 1274 010510:
 1275 3008

1276 For the purposes of this description, the term "VTD" shall mean and describe the same
 1277 geographical boundaries as provided in the report of the Bureau of the Census for the United
 1278 States decennial census of 2010 for the State of Georgia. The separate numeric designations
 1279 in the description which are underneath a VTD heading shall mean and describe individual
 1280 Blocks within a VTD as provided in the report of the Bureau of the Census for the United
 1281 States decennial census of 2010 for the State of Georgia. Any area which is described in this
 1282 appendix as being included within the corporate boundaries of the City of South Fulton shall
 1283 nevertheless not be included within such corporate boundaries if, on August 1, 2014, such
 1284 area is within the corporate boundaries of another municipal corporation.

1285 APPENDIX B

1286 Plan: SF-7dp1-rev
 1287 Plan Type: Local
 1288 Administrator: HD61
 1289 User: Gina
 1290 District 001
 1291 Fulton County
 1292 VTD: 121SC01 - SC01
 1293 007802:
 1294 2017
 1295 010303:
 1296 1000 1001 1002 1003 1004 1014 1015 1016 1017 1018 1019 1020
 1297 1040 1041 1043 2057

1298 010304:
 1299 1000 1001 1002 1003 1004

 1300 VTD: 121SC02 - SC02
 1301 VTD: 121SC14 - SC14
 1302 007805:
 1303 2017 2018 2019 2029 2032
 1304 007806:
 1305 2010 2011 2019
 1306 VTD: 121SC16A - SC16A
 1307 010303:
 1308 2019 2020 2022 2023 2024 2026 2036 2037 2038 2039 2040 2041
 1309 2042 2043 2052 2066 2067 2068 2069 2071 2072 2073 2074 2075
 1310 2076 2077 2078 2079 2080 2082 2083 2084 2086
 1311 VTD: 121SC16B - SC16B
 1312 VTD: 121SC30 - SC30
 1313 007703:
 1314 3000 3001 3002 3003 3016
 1315 007704:
 1316 3005 3006
 1317 007802:
 1318 1000 1001 1002 1003 1004 1006 1016 1018 1025 1027 1028 4012
 1319 007806:
 1320 2002 2020 2021 2022 2023 2024
 1321 007900:
 1322 3017 3018 3019 3038 3042 3051 3052 3058

 1323 District 002
 1324 Fulton County
 1325 VTD: 12111E4 - 11E4
 1326 007706:
 1327 2028
 1328 VTD: 121SC01 - SC01
 1329 010303:
 1330 1048 1049 1050 1051
 1331 010304:
 1332 1005 1006 1007 1008 1009 1010 1011 1012 1013 1014 1022 1028

1333 1029
 1334 VTD: 121SC13A - SC13A

 1335 VTD: 121SC18 - SC18
 1336 007706:
 1337 2007 2014 2017 2018 2019 2020 2021 2023 2029
 1338 010304:
 1339 1015 1016 1017 1018 1019 1020 1021 1023 1024 1025 1026 1027
 1340 1030 1031 1032 1033 1034 1035 1036 2000 2001 2016 2017 2018
 1341 2019 2020 2021 2022 2023 2024 2025 2026

 1342 District 003
 1343 Fulton County
 1344 VTD: 121EP08A - EP08A
 1345 011305:
 1346 3015 3017
 1347 011306:
 1348 1031 2008 2018 2021
 1349 VTD: 121SC05 - SC05
 1350 010301:
 1351 1095 2034 2035 2038 2039 2040 2042 2043 2044 2045 2046 2047
 1352 2048 2049
 1353 010304:
 1354 2027 2028 2029 2030 2031 2032 2033 2034 2035 2036 2037 2038
 1355 2039 2040 2046 2047 2048 2049 2050 2051 2052 2053 2054 2055
 1356 2056 2057 2060 2061 2063 2064 2065 2066 2067 2068 2069 2070
 1357 2071 2083 2085 2089 2090 2091 2094 2095 2096 2097 2098 2099
 1358 2100 2101 2114
 1359 010513:
 1360 1009 1025 1026
 1361 010514:
 1362 1000
 1363 VTD: 121SC08 - SC08
 1364 010513:
 1365 1007 1008 1063 1064 1069 1070 1073 1074 1075 1087 1088 1089
 1366 1094 1102 1110
 1367 VTD: 121SC17 - SC17

1368 010511:
 1369 1019 1020 1021 1022 1023 1027 1028 1029 1032 1050 1051 1052
 1370 1053 1054 1055 1056 1057 1058 1059 1063 1064 1065 1066
 1371 010513:
 1372 1001 1005 1016 1030 1031 1032 1037 1038 1039 1041 1042 1103
 1373 1104 1106 1107 1117
 1374 VTD: 121SC18 - SC18
 1375 010304:
 1376 2004 2011 2012 2013 2014 2015 2041 2042 2043 2044 2045 2072
 1377 2073 2075 2078 2081 2092 2093 2115
 1378 VTD: 121SC19 - SC19
 1379 010511:
 1380 1012 1013 1015 1016 1018 1024 1025 1026 1030 1031 1067
 1381 010604:
 1382 3011 3012 3013 3015 3016
 1383 011305:
 1384 3018 3019 3020 3021
 1385 011306:
 1386 1011 1012 1032 1033 1034 1036 1038 1039 1040 2019 2020 2025
 1387 2028 2029 2030 2031 2032 2033 2035 2036 2037 2038 2039

 1388 District 004
 1389 Fulton County
 1390 VTD: 121FA01A - FA01A
 1391 010400:
 1392 3064 3066 3078 3079 3087 3099
 1393 010514:
 1394 2051 2078 2086 2100 2101 2102
 1395 VTD: 121SC04 - SC04
 1396 VTD: 121SC05 - SC05
 1397 010301:
 1398 1048 1054 1055 2009 2010 2011 2013 2014 2015 2016 2017 2018
 1399 2019 2020 2021 2022 2023 2024 2025 2026 2027 2028 2029 2030
 1400 2031 2032 2033 2051 2052 2053
 1401 VTD: 121SC07 - SC07
 1402 010304:
 1403 2087 2103 2105 2106 2107 2108 2109 2112

1404 010400:
 1405 3000 3003 3005 3006 3008 3009 3011 3012 3013 3014 3017 3019
 1406 3021 3028 3029 3042 3043 3053 3054 3065 3080
 1407 010513:
 1408 1021 1022 1043 1044 1045 1048 1049 1050 1051 1052 1055 1060
 1409 1061 1062 1078 1098 1119 3045
 1410 010514:
 1411 1002 1003 1004 1005 1006 1012 1013 1014 1017 1019 1021 1022
 1412 1023 1024 1025 1026 1027 1028 1029 1030 1031 1032 1033 1034
 1413 1036 1037 1043 1044 1046 1051 1054 1055 1056 1057 1059 1061
 1414 1062 1063 1065 1066 1067 1073 1087 1088 1089 2000 2002 2003
 1415 2004 2005 2006 2007 2008 2009 2010 2011 2012 2013 2014 2015
 1416 2016 2017 2018 2019 2020 2021 2022 2023 2024 2025 2026 2028
 1417 2029 2030 2031 2032 2033 2034 2035 2038 2040 2043 2044 2045
 1418 2046 2054 2055 2057 2059 2060 2061 2068 2071 2072 2073 2074
 1419 2075 2076 2077 2080 2085 2087 2091 2094 2098 2108 2109 2110
 1420 2111
 1421 VTD: 121SC08 - SC08
 1422 010513:
 1423 1077
 1424 VTD: 121SC13B - SC13B
 1425 010301:
 1426 1016 1017 1018 1026 1027 1028 1029 1030 1031 1032 1049 1050
 1427 1051 1052 1053 1056 1057 1058 1062 1063 1064 1065 1066 1067
 1428 1068 1083 1084 1085 1086 1087 1088 1089 1090 1091 1092 1093
 1429 1097 1098 1099 1100 1101 1102 1103 1104 1105 1106 1110 1115
 1430 1116 1119 1123 1137

 1431 District 005
 1432 Fulton County
 1433 VTD: 121CP08B - CP08B
 1434 010511:
 1435 2004
 1436 VTD: 121SC08 - SC08
 1437 010507:
 1438 3066
 1439 010510:

1440 2003 4000 4001 4009
 1441 010511:
 1442 1033 1034 1035 1036 1037 1038 1039 1040 1041 1043 1045 1046
 1443 1047 1048 1049 1061 1062 2005 2006 2008 2009 2010 2011 2012
 1444 2013 2014 2015 2017 2018 2019 2020 2021 2024 2027 2028 2029
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 1447 2062 2064 3000 3001 3002 3003 3004 3005 3008 3011 3012 3013
 1448 3014 3015
 1449 010512:
 1450 1002 1003 1004 1005 1006 1007 1008 1016 1017 1024 1025 2001
 1451 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011 2012 2015
 1452 2019 2020 2035 2036
 1453 010513:
 1454 1071 1096 1097 1105 1109
 1455 VTD: 121SC09 - SC09
 1456 010507:
 1457 4000 4001 4002 4003 4004 4005 4006 4007 4008 4009 4010 4011
 1458 4012 4013 4014 4015 4016 4017 4018
 1459 010508:
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 1461 010510:
 1462 2002 2013 4003 4004 4005 4006 4008 4010
 1463 VTD: 121SC10 - SC10
 1464 010507:
 1465 1006 1008 2001 2002 2003 2004 2005 2006 2007 3037 3055 3056
 1466 3057 3059 3060 3067 3068
 1467 010511:
 1468 2066
 1469 VTD: 121SC19 - SC19
 1470 010507:
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 1472 3022

 1473 District 006
 1474 Fulton County
 1475 VTD: 121SC09 - SC09

1476 010508:
 1477 1009 1010 1011 1021 1022 1023 1024 1025 1026 1027 1028 1029
 1478 1030 1031 1032 1033 1034 1035 1036 1037 1038 1039 1045 1046
 1479 VTD: 121SC11 - SC11
 1480 VTD: 121SC23 - SC23
 1481 010516:
 1482 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2012
 1483 2013 2014 2015 2016 2019 2020 2021 2022 2023 2024 2025 2026
 1484 2027 2028 2029 2030 2031 2032 2033 2034 2035 2036 2037
 1485 VTD: 121SC27 - SC27

 1486 District 007
 1487 Fulton County
 1488 VTD: 121FA01B - FA01B
 1489 010510:
 1490 3126
 1491 VTD: 121SC07 - SC07
 1492 010513:
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 1494 010514:
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 1496 VTD: 121SC21 - SC21
 1497 010510:
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 1499 3027 3028 3029 3031 3034 3036 3037 3038 3039 3042 3043 3044
 1500 3045 3046 3047 3048 3049 3050 3051 3052 3053 3054 3055 3064
 1501 3066 3067 3068 3069 3070 3071 3072 3073 3074 3075 3076 3077
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 1504 3116 3127 3174 3186 3187 3188 3189 3190 3192 3214 3215 3216
 1505 3217 3220 3221 3222
 1506 010513:
 1507 2036
 1508 010515:
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 1510 1048
 1511 VTD: 121SC23 - SC23

1512 010510:
 1513 1027

1514 010515:
 1515 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011
 1516 1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1028 1044
 1517 1045

1518 010516:
 1519 2011 2017 2018

1520 VTD: 121SC29 - SC29
 1521 VTD: 121UC02 - UC02

1522 010510:
 1523 3014

1524 010513:
 1525 2037 2057

1526 VTD: 121UC03A - UC03A

1527 010510:
 1528 3008

1529 For the purposes of this plan:

- 1530 (1) The term "VTD" shall mean and describe the same geographical boundaries as
 1531 provided in the report of the Bureau of the Census for the United States decennial census
 1532 of 2010 for the State of Georgia. The separate numeric designations in a district
 1533 description which are underneath a VTD heading shall mean and describe individual
 1534 Blocks within a VTD as provided in the report of the Bureau of the Census for the United
 1535 States decennial census of 2010 for the State of Georgia;
- 1536 (2) Except as otherwise provided in the description of any district, whenever the
 1537 description of any district refers to a named city, it shall mean the geographical
 1538 boundaries of that city as shown on the census maps for the United States decennial
 1539 census of 2010 for the State of Georgia;
- 1540 (3) Any part of the City of South Fulton which is not included in any district described
 1541 in this plan shall be included within that district contiguous to such part which contains
 1542 the least population according to the United States decennial census of 2010 for the State
 1543 of Georgia;
- 1544 (4) Any part of the City of South Fulton which is described in this plan as being included
 1545 in a particular district shall nevertheless not be included within such district if such part
 1546 is not contiguous to such district. Such noncontiguous part shall instead be included

1547 within that district contiguous to such part which contains the least population according
 1548 to the United States decennial census of 2010 for the State of Georgia; and
 1549 (5) Any area which is described in this plan as being included in a particular district shall
 1550 nevertheless not be included within such district if such area is not within the corporate
 1551 boundaries of the City of South Fulton.

1552 APPENDIX C

1553 CERTIFICATE AS TO MINIMUM STANDARDS
 1554 FOR INCORPORATION OF A NEW MUNICIPAL CORPORATION

1555 I, Representative Virgil Fludd, Georgia State Representative from the 64th District and the
 1556 author of this bill introduced at the 2014 session of the General Assembly of Georgia, which
 1557 grants an original municipal charter to the City of South Fulton, do hereby certify that this
 1558 bill is in compliance with the minimum standards required by Chapter 31 of Title 36 of the
 1559 O.C.G.A. in that the area embraced within the original incorporation in this bill is in all
 1560 respects in compliance with the minimum standards required by Chapter 31 of Title 36 of the
 1561 O.C.G.A. This certificate is executed to conform to the requirements of Code
 1562 Section 36-31-5 of the O.C.G.A.

1563 So certified this _____ day of _____, 2014.

1564 Honorable Virgil Fludd
 1565 Representative, 64th District
 1566 Georgia State House of Representatives