House Bill 1802 (AS PASSED HOUSE AND SENATE)

By: Representative Shaw of the 143rd

A BILL TO BE ENTITLED

AN ACT

To provide for the unification of the existing governments of the City of Lakeland and Lanier County; to provide for the creation of the unified government of Lakeland-Lanier County, Georgia; to provide for the status, boundaries, and powers of the unified government; to provide for the form, administration, and affairs of the unified government; to provide for officers and employees, elections, courts, taxation, and finance; to provide for other related matters; to provide for referendum elections with respect to the effectiveness of the foregoing; to provide for effective dates; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

The following provisions, exclusive of the complete table of contents and the interior tables of contents which are included solely as a convenience to the reader, shall constitute and may be referred to as the charter of the Unified Government of Lakeland-Lanier County, Georgia.

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ARTICLE I

UNIFICATION, CREATION, BOUNDARIES, STATUS, AND POWERS OF UNIFIED GOVERNMENT

SECTION 1-101.

Unification of county and city; creation of unified government; name.

(a) The governmental and corporate powers, duties, and functions now vested in the governing authority of the City of Lakeland, a municipal corporation created by an Act of the General Assembly of Georgia, approved August 11, 1925 (Ga. L. 1925, p. 1217), as amended, are unified with the governmental and corporate powers, duties, and functions of Lanier County. This unification shall result in the creation and establishment of a single county-wide government with powers and jurisdiction throughout the territorial limits of Lanier County, which single government shall supersede and replace the governments of the City of Lakeland and Lanier County. Said county-wide government shall be a new political entity, a body politic and corporate, and a political subdivision of the state, to be known as the "Unified Government of Lakeland-Lanier County, Georgia," (at times in this charter called the unified government or commission) having all the governmental and corporate powers, duties, and functions heretofore held by and vested in the City of Lakeland and Lanier County and also the powers, duties, and functions provided in this charter. The unified government shall be a public corporation; shall have perpetual existence; shall adopt a common seal; shall, without the necessity or formality of a deed, bill of sale, or other instrument of transfer, own, possess, and hold all the properties of whatsoever kind or nature, assets, contracts, franchises, things, rights, privileges, immunities, and real and personal property theretofore owned, possessed, enjoyed, or held by the City of Lakeland or Lanier County; and by the name of Lakeland-Lanier County, Georgia, shall be capable of bringing and defending actions when authorized by this charter and by the Constitution and laws of the State of Georgia. From and after January 1, 2006, the political subdivision known as Lanier County, Georgia, and the municipal corporation known as the City of Lakeland, Georgia, shall be unified into the said new political entity created pursuant to this charter.

(b) The unified government shall encourage the meaningful involvement in its operations of all citizens of Lakeland-Lanier County, particularly those who are members of minority or other traditionally disadvantaged groups, as appointees, employees, and independent contractors. No individual shall be denied any opportunity on the basis of race, gender, religion, age, handicap, or national origin.

(c) The unification of the governments of the City of Lakeland and Lanier County is authorized pursuant to the provisions of Article IX, Section III, Paragraph II(a) of the Constitution of Georgia of 1983, as amended.

SECTION 1-102.

Boundaries.

The unified government shall embrace the total area included within the existing territorial limits of Lanier County as such limits are fixed and established on January 1, 2006. However, such limits may be altered and changed from time to time as provided by the Constitution and laws of the State of Georgia pertaining to counties.

SECTION 1-103.

Status of unified government as municipal corporation and county.

The unified government shall be deemed to be both a municipal corporation and a county throughout the total territory of said government. It is the express intention of this section to declare as a city and as a part of the unified government all of the area of Lanier County.

SECTION 1-104.

Powers of the unified government.

(a) The Unified Government of Lakeland-Lanier County, Georgia, shall have all powers of self-government authorized by the Constitution and not otherwise prohibited by the laws of Georgia.

(b) In addition to the foregoing, the unified government shall have and be vested with, to the same extent as if repeated in this charter, all rights, powers, duties, privileges, and authority that the mayor and Commission of the City of Lakeland or the chairman and the Commission of Lanier County, or both, have under the Constitution and general and local laws of the State of Georgia at the time of adoption of this charter, except as expressly modified in this charter. This authority shall include but shall not be limited to the authority to adopt home rule ordinances and resolutions as provided in Article IX, Section II of the Constitution of the State of Georgia.

(c) In addition to the foregoing, the unified government shall have all rights, powers, duties, privileges, and authority conferred or enlarged in this charter, and such other rights, powers, duties, privileges, and authority as may be necessary and proper for carrying the same into execution and also all rights, powers, duties, privileges, and authority, whether express or

implied, that may be now vested in or hereafter granted to counties or municipal corporations, or both, by the Constitution and laws of the State of Georgia, including the powers vested in the unified government by this charter.

(d) The unified government, in addition to the rights, duties, powers, privileges, and authority expressly conferred upon it by this charter, shall have the right, duty, power, privilege, and authority to exercise and enjoy all other powers, duties, functions, rights, privileges, and immunities necessary and proper to promote or protect the safety, health, peace, security, and general welfare of said government and its inhabitants and to exercise all implied powers necessary to carry into execution all powers granted in this charter as fully and completely as if such powers were fully enumerated in this charter and to do and perform all of the acts pertaining to its property, affairs, and local government which are necessary or proper in the legitimate exercise of its corporate powers and governmental duties and functions.

(e) No enumeration of any right, power, privilege, or authority in this charter made shall be construed as limiting or abolishing any right, power, privilege, or authority set forth in this section.

(f) In addition to and supplementary to all other powers which it may possess, and by way of illustration and not of limitation, the unified government shall have the powers specifically enumerated in Section 8-114 of this charter.

SECTION 1-105.

Taxing districts.

(a) The unified government shall divide the county into two or more taxing districts (at times in this charter called services districts); provided, however, that at least one of such districts shall be known as the general services district. The general services district shall consist of the total area of Lanier County. In addition, the commission shall establish at least one or more urban services districts which shall embrace such territory or territories for which provision is made by the commission for additional or higher levels of services than are provided uniformly throughout the territory of the unified government. Special services districts, which are those wherein specific services are provided to specific areas outside an urban services district, may also be created as provided in this charter.

(b) Taxes shall be assessed, levied, and collected in accordance with the kind, character, type, degree, and level of services provided by the government within said services districts, and the rate and manner of taxation may vary in any one district from that in another or other districts.

(c) The unified government may also establish special services districts which shall embrace such territory or territories for which provision is made by the commission for additional or higher levels of services provided by the unified government.

(d) In the establishment of the first urban services district or districts, the commission shall hold one or more public hearings thereon at which all interested persons affected thereby shall have an opportunity to be heard. Notice of the time, place, and date of such hearings shall be published in the official legal organ of Lakeland-Lanier County at least once a week during the two weeks immediately preceding the date of hearing.

(e) In the establishment of special services districts, the commission shall hold one or more public hearings thereon at which all interested persons affected thereby shall have an opportunity to be heard. Notice of the time, place, and date of such hearings shall be published in the official legal organ of Lakeland-Lanier County at least once a week during the two weeks immediately preceding the date of hearing.

(f) The unified government is empowered to exercise and provide within the general services district and within any urban and special services district established by this charter or by ordinance of the commission those powers, functions, and services which have theretofore been exercised and provided by Lanier County or the City of Lakeland, or both; all powers, functions, and services authorized by this charter and any amendments thereto; and all powers, functions, and services which counties or municipal corporations, or both, are now or are hereafter authorized to exercise under the Constitution and laws of the State of Georgia.

(g) The unified government shall perform within the general services district those governmental duties, functions, and services which are generally available and accessible to all residents throughout the total area of said government.

(h) The unified government shall perform within its urban services districts those additional, more comprehensive, intensive, and higher levels of governmental duties, functions, and services which benefit primarily the residents of such urban services districts.

(i) The unified government shall perform within its special services districts those additionally selected, more comprehensive, intensive, and higher levels of governmental duties, functions, and services which benefit primarily the residents of such special services districts.

(j) Except as otherwise provided by this charter, urban and special services districts of the unified government shall be created, expanded, merged, consolidated, or reduced only by an ordinance duly adopted by the commission under such general rules, procedures, regulations, requirements, and specifications as established by the commission; provided, however, that no new urban or special services district shall be created or existing urban or special services district expanded, abolished, merged, consolidated, or reduced without providing an

opportunity for interested persons to be heard by publishing a notice of a public hearing on the proposed expansion, consolidation, reduction, or creation of an urban or special services district in the official legal organ of Lakeland-Lanier County, Georgia, at least once a week during the two weeks immediately preceding the date of hearing. Such rules and regulations shall set forth the manner and method for the creation of new urban and special services districts; the expansion, consolidation, reduction, or merger of existing urban or special services districts; requirements for defining functions and policies for rendering services; changes in levels of services within existing services districts; the transfer of territory from one services district to another; requirements for defining boundaries of services districts; procedures for the expansion, reduction, or consolidation of existing services districts; and requirements for defining boundaries of services districts.

(k) The unified government is empowered to create new services and eliminate existing services by the same procedures and methods set forth in this section.

(l) Citizens of any area in the county may request additional services by petitioning the unified government according to the rules, procedures, and guidelines established by the unified government. The unified government will hold public hearings as outlined in the services district modification procedure set forth in this section and will consider all comments received prior to reaching a final decision.

SECTION 1-106.

Construction.

The powers of the unified government shall be construed liberally in favor of the unified government. The specific mention or failure to mention particular powers in this charter shall not be construed as limiting in any way the general powers of the unified government as provided in this article. It is the intention of this charter to grant to the unified government full power and right to exercise all governmental authority authorized by the Constitution and laws of Georgia which is necessary for the effective operation and conduct of the unified government within its territory and for the conduct of all of its affairs.

ARTICLE II

LEGISLATIVE ARTICLE

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ARTICLE II
LEGISLATIVE ARTICLE
CHAPTER 1
The commission.

SECTION 2-101.
Name and composition.

There is created the "Commission of Lakeland-Lanier County, Georgia." Membership on the commission is a part-time position. The commission shall consist of seven members elected from districts as provided in Section 6-102 of this charter, and the chairperson elected at large as provided in Article III of this charter.

SECTION 2-102.

Term of office; qualifications; disqualifications.

(a) The term of office of all members of the commission shall be four years with members serving staggered terms and until their successors are elected and qualified, except that a commissioner appointed to fill a vacancy shall serve only for the balance of the unexpired term as provided in Section 2-106 of this charter. All terms of office following the initial terms shall commence at the first regular meeting in January next following the election.

(b) No person shall be eligible for election or appointment to the commission unless such person, on or before the date of election or appointment, shall:

(1) Have attained the age of 21 years, except as otherwise provided under paragraph (1) of Code Section 45-2-1 of the O.C.G.A.;

(2) Be a qualified voter of the unified government; and

(3) Have resided within the county for one year and within the territorial limits of the district from which elected on the date of qualifying for election.

A member of the commission shall continue to reside within the district from which elected during such member´s term of office.

(c) No member of the commission, during that member´s term of office, shall hold any other federal, state, or local government elective office or be employed full time by the Unified Government of Lakeland-Lanier County, Georgia.

SECTION 2-103.

Salary and expenses of the commission.

(a) The salary of each commissioner shall be $6,000.00 per year, payable in equal monthly installments.

(b) In addition to the salary, commissioners shall be reimbursed for all direct expenses incurred in carrying out the duties and responsibilities of the unified government.

(c) The salary and expenses of members of the commission may be changed by ordinance, subject to the conditions and requirements of Code Section 36-35-4 of the O.C.G.A.

SECTION 2-104.

Organization; oath; rules; quorum; meetings; records; chairperson pro tempore.

(a) The commission shall meet for organization and swearing-in purposes on January 1 next following its election or as soon thereafter as practicable. At this meeting, the newly elected or reelected commissioners shall each take the following oath of office, to be administered by the judge of the probate court:

"I do solemnly swear (or affirm) that I will well and truly perform the duties of commissioner of the Unified Government of Lakeland-Lanier County, Georgia, and that I will support and defend the charter thereof, as well as the Constitution and laws of the State of Georgia and of the United States of America, so help me God."

(b) The commission, by majority vote, shall adopt rules of procedure governing the transaction of its business consistent with the provisions of this charter; shall adopt by ordinance the time, date, and place for regular meetings, which will be held at least twice each month; and shall provide for keeping minutes of its proceedings by the manager as provided in Section 4-102 of this charter.

(c) At its first organization meeting, the commission shall select the date when it will hold its regular monthly meetings.

(d) Five of the seven members of the commission shall constitute a quorum for the transaction of business; however, a smaller number may adjourn from time to time.

(e) Special meetings of the commission may be called by the chairperson or by any five commissioners upon no less than 24 hours´ written notice to each member served personally or left at the usual place of business or residence of such member. Such notice of a special meeting may be waived in writing either before or after the meeting. Subject to subsection (d) of Code Section 50-14-1 of the O.C.G.A., special meetings may be held at any time without notice to all commissioners, upon attendance at such meeting by all members of the commission or by waiver of notice of those not in attendance.

(f) All meetings of the commission, except for those exceptions provided for in general law, shall be public and any citizen shall have access to the minutes and records thereof at reasonable times.

(g) At its first meeting in January of each year, a chief elected officer pro tempore known as the chairperson pro tempore shall be elected by and from the membership of the commission to serve for a term of one year. Such an election shall take place at the first regular meeting of the commission each year and whenever necessary to fill a vacancy in the office. A commissioner elected to fill a vacancy shall only serve as such until an election for a new chairperson pro tempore is held the following year.

(h) In the absence of the chairperson for any cause, the chairperson pro tempore shall preside over meetings and discharge the duties of the chairperson until either the return of the chairperson or the election of a new chairperson. While serving as the chairperson, the chairperson pro tempore shall have the same powers as the chairperson and not those of a commissioner.

SECTION 2-105.

Powers of the commission.

(a) All legislative powers of the unified government of Lakeland-Lanier County, Georgia, including any such powers which may hereafter be conferred by law upon said government, shall be vested exclusively in and exercised by the commission in accordance with the provisions of this charter.

(b) In addition to its legislative powers, the commission shall specifically have the power to:

(1) Adopt and from time to time amend the budgets;

(2) Approve or reject recommendations concerning the appointments of the manager, attorney, and municipal judge;

(3) Remove from office the manager, attorney, and municipal judge by majority vote of the entire commission; and

(4) Override the chairperson´s veto with the affirmative vote of five commissioners.

(c) In the exercise of its powers, the commission shall adopt and provide for the execution of such ordinances, resolutions, rules, and regulations, not inconsistent with this charter, as may be necessary or proper for the purpose of carrying into effect the powers conferred by this charter and for the promotion and protection of the safety, health, peace, security, and general welfare of the inhabitants of the unified government and may enforce such ordinances, resolutions, rules, and regulations by imposing penalties for violations thereof, as prescribed by ordinance, by a fine not exceeding $1,000.00 or by imprisonment for a period not exceeding six months, or both.

(d) Except as otherwise provided by the Constitution, general or local law, or this charter, the commission may by ordinance create, change, alter, combine, abolish, unify, consolidate, and redefine the manner of appointment, membership, powers, and duties of bureaus, boards, commissions, departments, divisions, authorities, offices, and agencies of the unified government, including positions of public employment, and may transfer and delete functions and assign additional functions to any bureaus, offices, agencies, departments, divisions, boards, authorities, commissions, and positions of public employment existing under this charter. The commission may by ordinance transfer all the assets, liabilities, and

obligations thereof to a department, a division, or other unit of a department of the unified government, which shall have the power, and its duty shall be, to perform and exercise all the functions and powers theretofore performed and exercised by such board, commission, authority, division, agency, bureau, office, department, or position of public employment.

(e) Subsection (d) of this section does not apply to any authorities or boards which were created by either a local constitutional amendment or by a local Act of the General Assembly.

(f) The commission shall have the power to conduct or cause to be conducted inquiries and investigations of the operations of any office, department, or agency or the conduct of any officer or employee thereof administering the affairs of the unified government. In conducting inquiries and investigations, the commission shall have the right to administer oaths; subpoena witnesses, documents, records, or other evidence; take testimony; and require the production of evidence. The conduct of proceedings at commission inquiries and investigations shall be subject to such rules and regulations as the commission may prescribe by general ordinance.

(g) The commission shall provide for the form of oaths and the amount and condition of surety bonds as may be required of any officer or employee of the unified government.

(h) The commission shall have and exercise such other powers as conferred upon it by this charter and the laws of Georgia.

SECTION 2-106.

Filling of vacancies.

(a) In the event that the office of a member of the commission shall become vacant by reason of death, resignation, or any other cause and the term shall expire in less than 180 days, the vacant position shall be filled by appointment of the remaining members of the commission. Any individual so appointed must have the same qualifications required for election to the office.

(b) If the term of the vacant commission position will continue for more than 180 days, a special election shall be held as provided in this charter and in general state law to elect a new member of the commission to serve for the remainder of the term.

CHAPTER 2

Legislative procedure.

SECTION 2-201.

Legislation by ordinance.

Every official act of the commission which is to have the force and effect of law shall be by ordinance and shall begin with the words: "The Commission of Lakeland-Lanier County, Georgia, hereby ordains...." All other acts of the commission shall be by resolution or shall take such other form as prescribed by its rules.

SECTION 2-202.

Introduction, consideration, and passage of ordinances and resolutions.

(a) Every proposed ordinance and every amendment shall contain not more than one subject which shall be clearly expressed in its title.

(b) Every proposed ordinance and every amendment shall be introduced in writing.

(c) Prior to the introduction of any ordinance, copies of it shall be prepared by the manager and distributed to each member of the commission and to the attorney. It shall be the duty of the attorney to review the draftsmanship and impact of each ordinance.

(d) A summary of every proposed ordinance shall be read upon first introduction and by title at the next regular meeting not less than seven days following the meeting of its introduction. In no event however, except for emergency ordinances, may any ordinance be voted on in less than seven days after it is introduced.

(e) The adoption of any ordinance shall be by the affirmative vote of at least four of the seven commissioners.

(f) The passage of all ordinances shall be contingent upon the recording of the "ayes" and "nays" of each commissioner, and the names of the commissioners voting for and against each proposed ordinance or amendment, those abstaining, and those absent shall be entered upon the minutes of the proceedings of the commission.

SECTION 2-203.

Emergency ordinances.

To meet a public emergency threatening life, health, property, or public safety, the commission may adopt emergency ordinances; provided, however, that such ordinances may not be enacted to levy taxes; to grant, renew, or extend a franchise; to regulate the rate charged for any public utility or service; or to authorize the borrowing of money unless it shall be repaid in 30 days or less. An emergency ordinance shall be in the form prescribed for ordinances generally, except that it shall be plainly designated as an emergency ordinance and shall contain a declaration stating what emergency exists. An emergency ordinance may be adopted with or without amendment or it may be rejected at the meeting at which it is

introduced, but the affirmative vote of at least five of the seven members of the commission shall be required for adoption. An emergency ordinance shall become effective upon adoption or at such later time as it may specify.

SECTION 2-204.

Submission of ordinances to chairperson; veto.

Every ordinance or resolution adopted by the commission shall be certified by the manager and presented to the chairperson within two business days following its adoption. The chairperson shall approve or veto the ordinance or resolution within ten business days after adoption, and no ordinance or resolution shall become effective without his or her approval except as provided in this section. If the chairperson vetoes an ordinance or resolution, he or she shall within two business days following such veto return the ordinance or resolution to the manager with a written statement of the reasons for the veto. The manager shall record the date of the receipt of the vetoed ordinance or resolution and thereupon shall notify the commission members of such veto. If the commission shall pass the ordinance or resolution by a vote of five of the seven members at the meeting next held after the ordinance or resolution has been returned with the chairperson´s veto, it shall become law without his or her approval. In the event the chairperson does not approve or veto the ordinance or resolution within the time required, it shall become law without his or her approval.

SECTION 2-205.

Authentication; recording; effective date.

All ordinances which have become law shall immediately be deposited in the official archives of the manager. The manager shall note on the face of the ordinance the date and time it has become law and the ordinance shall become effective at 12:00 Noon on the day following its becoming law or at such later time as it may specify. The manager shall authenticate by his or her signature each ordinance which has become law.

SECTION 2-206.

Codes of technical regulations.

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

(1) The requirements of subsection (c) of Section 2-202 of this charter for distribution of copies of the ordinance to each commissioner and to the attorney shall be construed to include copies of the code of technical regulations which shall be maintained in the manager´s office, as well as the adopting ordinance; and

(2) A copy of each adopted code of technical regulations, as well as the adopting ordinance, shall be authenticated and recorded by the manager as provided in Section 2-205 of this charter.

(b) Copies of any adopted code of technical regulations shall be made available by the manager for public inspection and for purchase at a reasonable price as fixed by the commission.

SECTION 2-207.

Codification and printing of ordinances.

(a) The commission shall, on or by January 1, 2006, provide for the preparation of a general codification of all ordinances of a general or permanent nature. Such code shall be adopted by the commission by ordinance and shall be published promptly, together with all amendments thereto, this charter, any amendments hereto, and such codes of technical regulations and other rules and regulations as the commission may specify. This compilation shall be known and cited officially as the "Code of Lakeland-Lanier County, Georgia." As determined by the commission, copies of the code shall be furnished to officers, departments, and agencies of the unified government; placed in libraries and public offices for public reference; and made available for purchase by the public at a reasonable price.

(b) Following publication of the first Code of Lakeland-Lanier County, Georgia, and from time to time thereafter, the ordinances and charter amendments shall be printed in substantially the same style as the code then in effect and shall be suitable in form for integration in such code.

SECTION 2-208.

Prima-facie evidence.

A record or entry made by the manager or a copy of such record or entry, duly certified by the manager, shall be prima-facie evidence of the terms of every ordinance and its due publication.

CHAPTER 3

Ethics and prohibited practices.

SECTION 2-301.

Conflict of interest.

No elected official, appointed officer, or employee of Lakeland-Lanier County, Georgia, or any agency or political entity to which this charter applies shall knowingly:

(1) Engage in any business or transaction in which the person has a financial interest which is incompatible with the proper discharge of official duties;

(2) Disclose confidential information concerning the property, government, or affairs of the governmental body by which such person is engaged or is a member of without proper legal authorization or use that information to advance the financial or other private interest of such person or others;

(3) Accept any gift that has a value of $100.00 or more from any person, firm, or corporation which to his or her knowledge is interested, directly or indirectly, in business dealings with the governmental body he or she is a member of or by which such person is engaged; provided, however, that an elected official who is a candidate for public office may accept campaign contributions and services in connection with any campaign;

(4) Represent private interests other than his or her own in any action or proceeding against Lakeland-Lanier County, Georgia, or any portion of its government; or

(5) Vote or otherwise actively participate in the negotiation or the making of any contract between Lakeland-Lanier County, Georgia, and any business or entity in which he or she has a financial interest.

SECTION 2-302.

Disclosure.

Any elected official, appointed officer, or employee of the unified government or of any board, commission, authority, or agency thereof who shall have any private financial interest, direct or indirect, in any contract or matter pending before or within any department of the unified government shall disclose such private interest to the commission. Any commissioner who has a private interest in any matter pending before the commission shall disclose such private interest and such disclosure shall be entered on the records of the commission, and he or she shall disqualify himself or herself from participating in any decision or vote relating thereto. Any elected official, appointed officer, or employee of any board, commission, authority, or agency of the unified government who shall have any

private financial interest, direct or indirect, in any contract or matter pending before or within such entity shall disclose such private interest to the commission.

SECTION 2-303.

Testimony of public officials relating to public affairs.

Any officer or employee of the unified government or of any board, commission, authority, or agency thereof who is duly and properly called as a witness before any unified government, state, or federal judicial or administrative tribunal and who shall before such tribunal fail to answer any proper question concerning the performance of his or her official duties shall be guilty of a violation of this charter.

SECTION 2-304.

Contracts voidable and rescindable.

Any contract between the unified government or any board, commission, authority, agency, or entity thereof made in violation of the provisions of this charter shall be voidable or rescindable at the option of the commission at any time if any elected official, appointed officer, or employee of such unified government or board, commission, authority, or agency thereof has any interest in such contract and does not disclose such interest in accordance with Section 2-302 of this charter.

SECTION 2-305.

Hearings and determinations; penalties for violation.

(a) Upon the sworn complaint of any person alleging facts which if true would constitute a violation of this charter, the commission may conduct a public hearing at which the accused shall be given an opportunity to be heard, either personally or through counsel. At the conclusion of such hearing, the commission shall, in written findings of fact and conclusions based thereon, make a determination concerning the propriety of the conduct of the official or employee in question.

(b) Any officer or employee of the unified government or of any board, commission, authority, or agency thereof who is found to have knowingly concealed his or her personal financial interest or who is found to have knowingly violated any of the requirements of this charter shall be deemed guilty of malfeasance in office or position. If such decision is upheld after all reviews and appeals provided by the merit system of the unified government have been exhausted, the officer or employee shall be subject to such punishment as may be

deemed appropriate by the commission and which may include forfeiture of office or position.

(c) Any officer or employee of the unified government or of any board, commission, authority, or agency thereof who shall forfeit his or her office or position as described in subsection (b) of this section shall be ineligible for appointment or election to or employment in a position in the unified government or of any board, commission, authority, or agency thereof for a period of three years thereafter.

ARTICLE III

CHIEF ELECTED OFFICER

Section 3-101. Election; term.
Section 3-102. Qualifications of office.
Section 3-103. Compensation.
Section 3-104. Powers and duties.
Section 3-105. Voting.
Section 3-106. Vacancy in office of chief elected officer.

ARTICLE III

CHIEF ELECTED OFFICER

SECTION 3-101.

Election; term.

There is created the office of chief elected officer of Lakeland-Lanier County, Georgia (referred to at times in this charter as the chairperson). The chairperson shall be elected from the unified government at large and shall serve part time for a term of four years and until a successor is elected and qualified. Any chairperson who has been elected for two full consecutive four-year terms of office under the provisions of this charter shall not be eligible to be elected for the succeeding term.

SECTION 3-102.

Qualifications of office.

(a) To be eligible for election as chairperson, a person on the date of election must:

(1) Have attained the age of 21 years except as otherwise provided in paragraph (1) of Code Section 45-2-1 of the O.C.G.A.;

(2) Have resided in the territory of the unified government for at least one year immediately preceding the date of election and must continue such residence therein during the term of office;

(3) Be a registered voter of the unified government; and

(4) Meet any other requirements as established by law.

(b) No person elected as chairperson shall, during that person´s term of office, hold any other federal, state, or local government office or be employed full time by the Unified Government of Lakeland-Lanier County, Georgia.

SECTION 3-103.

Compensation.

(a) The chairperson shall receive as compensation for the services of this office an annual salary of $12,000.00, payable in equal monthly installments.

(b) In addition to the salary, the chairperson shall be reimbursed for all direct expenses incurred in carrying out the duties and responsibilities of the unified government.

(c) The salary and expenses of the chairperson may be changed by ordinance, subject to the conditions and requirements of Code Section 36-35-4 of the O.C.G.A.

SECTION 3-104.

Powers and duties.

The chairperson shall have the powers and duties to:

(1) Serve as the official representative of the unified government, including serving as the unified government´s representative to federal, state, and local governmental bodies and officials;

(2) Initiate the process, with the involvement of commission members and appropriate staff, to search and screen candidates for the positions of manager, attorney, and municipal judge and to recommend candidates for these positions to the commission, appointment of which requires concurrence of a majority of the entire commission;

(3) Set the agenda, after receiving input from members of the commission, the manager, and the public, for meetings of the commission;

(4) Preside over meetings of the commission;

(5) Present the annual operating expenses budget and the capital improvements budget, which have been prepared by the manager with the assistance of all department and agency heads and all others who supervise the implementation of a budget that uses funds of the unified government for approval by the chairperson, to the commission for approval;

(6) Approve or veto proposed ordinances or resolutions as provided by this charter;

(7) Call special meetings of the commission as provided by this charter and by rules of the commission;

(8) Execute all deeds, contracts, and obligations of the unified government, provided that such execution shall be attested to by the manager;

(9) Recommend to the commission the adoption of such measures as deemed necessary or expedient; and

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

SECTION 3-105.

Voting.

The chairperson shall not be authorized to vote on any matter before the commission except in the case of a tie.

SECTION 3-106.

Vacancy in office of chief elected officer.

In the event that the office of chairperson shall become vacant by reason of death, resignation, or any other cause, the vacancy shall be filled by the chairperson pro tempore who shall serve as chairperson with all powers of the chairperson until a new chairperson is selected as provided below:

(1) If the term of the chairperson will expire in less than 180 days, the chairperson pro tempore shall serve as the chairperson until the next general election when a new chairperson will be elected; or

(2) If the term of the chairperson will continue for more than 180 days, a special election shall be held as provided in general law to elect a new chairperson for the remainder of the vacant chairperson´s term.

ARTICLE IV

ADMINISTRATION

CHAPTER 1

Officers.

Section 4-101. Manager; appointment; qualifications; compensation.

Section 4-102. Manager; powers and duties.
Section 4-103. Attorney; appointment; term; qualifications; duties; compensation.
Section 4-104. Municipal judge; appointment; term; duties; qualifications; compensation.
Section 4-105. Sheriff.
Section 4-106. Judge of the probate court.
Section 4-107. Clerk of superior court.
Section 4-108. Tax commissioner.
Section 4-109. Coroner.

CHAPTER 2
Administrative and service departments.

Section 4-201. Creation and functions; generally.
Section 4-202. Administrative reorganization.
Section 4-203. Appointment of directors of departments.
Section 4-204. Departments under state or federal law.

CHAPTER 3
Merit system of personnel administration.

Section 4-301. Establishment of merit system.

CHAPTER 4
Boards, commissions, and authorities.

Section 4-401. Certain boards, commissions, and authorities continued.

ARTICLE IV
ADMINISTRATION
CHAPTER 1
Officers.

SECTION 4-101.
Manager; appointment; qualifications; compensation.

The chairperson shall recommend candidates to the commission for the office of manager who shall be the full-time administrative officer of the unified government. No person holding an elective office in Lakeland-Lanier County shall be eligible for appointment until two years after leaving elective office. Such recommendations shall become effective when confirmed by a majority vote of the total membership of the commission. The manager shall be prohibited from engaging in any political activity, and the manager shall not be eligible to qualify as a candidate for an elective office in Lakeland-Lanier County for one year after leaving office. The manager shall be appointed by a majority vote of the entire commission for a term of one year; may succeed himself or herself; and at any time may be removed from office by a majority vote of the entire commission. The manager need not be a resident of the unified government at the time of his or her appointment but shall establish residence therein within six months of such appointment and continue to reside therein throughout such appointment. The qualifications and compensation of the manager shall be fixed by ordinance.

SECTION 4-102.

Manager; powers and duties.

(a) The manager shall be responsible for:

(1) The management and coordination of the operations and activities of the various departments and agencies of the unified government;

(2) The appointment and removal of department heads;

(3) The preparation of the proposed annual operating expenses budget and the capital improvements budget with the assistance of all department heads for approval by the chairperson;

(4) Keeping the commission at all times fully advised as to the financial condition and needs of the unified government;

(5) Conducting studies and investigations and making reports thereon to the commission concerning the operations of the departments, offices, and agencies of the unified government;

(6) Requiring any department, board, commission, or agency under the manager´s jurisdiction to submit written reports and to provide other information as deemed necessary;

(7) Prescribing, requiring, publishing, and implementing standards of administrative, management, and operating practices and procedures to be followed and adhered to by all offices, departments, boards, commissions, authorities, and other agencies of the unified government which are subject to the manager´s supervision and jurisdiction; and

(8) Maintaining all required records of the operations and activities of Lakeland-Lanier County, including the minutes of all meetings of the Lakeland-Lanier County Commission.

(b) Except for the purpose of inquiry and investigation, the chairperson and commission shall deal with employees of the unified government who are subject to appointment and removal by the manager solely through the manager and shall not give orders or directions to any such employee, either publicly or privately or directly or indirectly.

SECTION 4-103.

Attorney; appointment; term; qualifications; duties; compensation.

(a) The chairperson shall make recommendations to the commission for the attorney of the unified government. The attorney shall be appointed by a majority vote of the entire commission for a term of one year; may succeed himself or herself; and at any time may be removed by a majority vote of the entire commission.

(b) The attorney shall be an active member of the State Bar of Georgia in good standing and shall satisfy any other qualifications established by ordinance.

(c) The attorney shall be the legal counsel to the unified government and shall perform such other duties as may be required by this charter or by ordinance.

(d) The compensation of the attorney shall be as prescribed by a duly adopted ordinance.

SECTION 4-104.

Municipal judge; appointment; term; duties; qualifications; compensation.

(a) The chairperson shall recommend candidates to the commission for the office of municipal judge of the unified government. The recommendations shall become effective when confirmed by a majority vote of the total membership of the commission. The municipal judge shall serve at the pleasure of the commission and may be removed from office by a majority vote of the total membership of the commission.

(b) The qualifications, duties, and compensation of the municipal judge shall be as prescribed in a duly adopted ordinance.

SECTION 4-105.

Sheriff.

The sheriff of Lanier County in office on January 1, 2006, shall be the sheriff of Lakeland-Lanier County, Georgia. The sheriff shall serve for the same term as provided by law, and the compensation shall be fixed as provided by law. Subsequent elections for

sheriff shall be on the same basis as provided by law for the election of sheriffs generally. The sheriff shall be the chief law enforcement officer with constitutional and statutory duties throughout Lakeland-Lanier County. The sheriff shall also be responsible for the operation of the jail, the transport of prisoners, the service of process, and such other duties being provided on January 1, 2006. The sheriff shall have such other or different powers and duties as provided by the Constitution and laws of Georgia.

SECTION 4-106.

Judge of the probate court.

The judge of the Probate Court of Lanier County in office on January 1, 2006, shall be the judge of the Probate Court of Lakeland-Lanier County, Georgia. The judge of the Probate Court of Lakeland-Lanier County shall serve for the same term as provided by law, and the compensation shall be fixed as provided by law. Subsequent elections for the judge of the probate court shall be on the same basis as provided by law for the election of probate judges generally. The judge of the probate court shall perform the same duties and exercise the same powers as conferred on probate judges generally by the Constitution and laws of Georgia.

SECTION 4-107.

Clerk of superior court.

The clerk of Superior Court of Lanier County in office on January 1, 2006, shall be the clerk of Superior Court of Lakeland-Lanier County, Georgia. The clerk of superior court shall serve for the same term as provided by law, and the compensation shall be fixed as provided by law. Subsequent elections for the clerk of superior court shall be on the same basis as provided by law for the election of clerks of superior court generally. The clerk of superior court shall perform the same duties and exercise the same powers as conferred on clerks of superior court generally by the Constitution and laws of Georgia.

SECTION 4-108.

Tax commissioner.

The tax commissioner of Lanier County in office on January 1, 2006, shall be the tax commissioner of Lakeland-Lanier County, Georgia. The tax commissioner shall serve for the same term as provided by law, and the compensation shall be fixed as provided by law. Subsequent elections for tax commissioner shall be on the same basis as provided by law for

the election of tax commissioners generally. The tax commissioner shall perform the same duties and exercise the same powers as conferred on tax commissioners generally by the Constitution and laws of Georgia.

SECTION 4-109.

Coroner.

The coroner of Lanier County in office on January 1, 2006, shall be the coroner of Lakeland-Lanier County, Georgia. The coroner shall serve for the same term as provided by law, and compensation shall be fixed as provided by law. Subsequent elections for coroner shall be on the same basis as provided by law for the election of coroners generally. The coroner shall perform the same duties and exercise the same powers as conferred on coroners generally by the Constitution and laws of Georgia.

CHAPTER 2

Administrative and service departments.

SECTION 4-201.

Creation and functions; generally.

Except as otherwise provided by this charter or by law, the administrative and service departments of the unified government shall be created and established by ordinance and shall perform such functions, duties, services, and responsibilities as enumerated therein and as prescribed by administrative regulations.

SECTION 4-202.

Administrative reorganization.

The commission may, by ordinance, reorganize, combine, unify, consolidate, or discontinue any department or agency of the unified government subject to the jurisdiction of the commission and may, by ordinance, prescribe the functions and duties thereof and may establish, abolish, or alter all nonelective offices and positions of employment as necessary for the proper administration of the unified government.

SECTION 4-203.

Appointment of directors of departments.

All directors of departments under the supervision and direction of the manager shall be appointed by the manager. The directors of all such departments shall serve at the pleasure of the manager.

SECTION 4-204.

Departments under state or federal law.

All departments which are created pursuant to state or federal law and which administer various state and federal programs and services shall continue their operations without interruption resulting from the adoption of this charter.

CHAPTER 3

Merit system of personnel administration.

SECTION 4-301.

Establishment of merit system.

(a) The commission shall establish, by ordinance, a merit system of personnel administration for Lakeland-Lanier County, Georgia. All positions in the service of Lakeland-Lanier County, Georgia, shall be in the classified service of the merit system except the following which are declared to be in the unclassified service:

(1) Officers elected by the people and persons appointed to fill vacancies in elective offices;

(2) Members of boards and commissions;

(3) Directors of departments;

(4) Persons temporarily employed in a professional or scientific capacity or to conduct a special inquiry, investigation, examination, or installation;

(5) Temporary and part-time employees; and

(6) Such other employees as may be excluded from coverage under the merit system as provided by ordinance or other applicable law.

(b) The merit system of personnel administration shall provide for classification of positions, the manner and method of publicizing vacancies, employing and appointing personnel, the qualifications of employees, employee performance evaluations, salaries, hours of employment, vacations, sick leave, special workers´ compensation, job security, promotion,

demotion, disciplinary procedures, transfer, layoff, removal, welfare of employees, retirement policy, payment of premiums of employee insurance benefits, grievance procedures, service awards, training leave, and any other measures that promote the hiring and retaining of capable, diligent, and honest career employees, all of which shall be in accordance with the concept of affirmative action as provided by federal law.

CHAPTER 4

Boards, commissions, and authorities.

SECTION 4-401.

Certain boards, commissions, and authorities continued.

All existing boards, commissions, and authorities are continued without interruption on January 1, 2006. As used in the Acts and amendments creating the existing boards, commissions, and authorities, the terms "Lakeland City Commission" and "Lanier County Board of Commissioners" shall mean the Commission of Lakeland-Lanier County, Georgia, and the terms "mayor of the City of Lakeland" and "chairman of the Lanier County Board of Commissioners" shall mean the chairperson of Lakeland-Lanier County, Georgia.

ARTICLE V

JUDICIARY

Section 5-101.	Superior court and district attorney; unaffected by charter; redesignation.
Section 5-102.	Juvenile court; unaffected by charter; redesignation.
Section 5-103.	Probate court; unaffected by charter; redesignation.
Section 5-104.	Magistrate court; unaffected by charter; redesignation.
Section 5-105.	Municipal Court of the City of Lakeland; continuation of operations in the court of the unified government.

ARTICLE V

JUDICIARY

SECTION 5-101.

Superior court and district attorney; unaffected by charter; redesignation.

The Superior Court of Lanier County, including the office of the district attorney, shall continue its operations without interruption resulting from the adoption of this charter, and nothing in this charter shall be construed as affecting the status of said court. The court shall be known as the Superior Court of Lakeland-Lanier County, Georgia.

SECTION 5-102.

Juvenile court; unaffected by charter; redesignation.

The Juvenile Court of Lanier County shall continue its operations without interruption resulting from the adoption of this charter, and nothing in this charter shall be construed as affecting the status of said court. The court shall be known as the Juvenile Court of Lakeland-Lanier County, Georgia.

SECTION 5-103.

Probate court; unaffected by charter; redesignation.

The Probate Court of Lanier County shall continue its operations without interruption resulting from the adoption of this charter, and nothing in this charter shall be construed as affecting the status of said court. The court shall be known as the Probate Court of Lakeland-Lanier County, Georgia.

SECTION 5-104.

Magistrate court; unaffected by charter; redesignation.

The Magistrate Court of Lanier County shall continue its operations without interruption resulting from the adoption of this charter, and nothing in this charter shall be construed as affecting the status of said court. The court shall be known as the Magistrate Court of Lakeland-Lanier County, Georgia.

SECTION 5-105.

Municipal Court of the City of Lakeland; continuation of operations in the court of the unified government.

On January 1, 2006, the operations and employees of the Municipal Court of the City of Lakeland shall continue as the operations and employees of a court of the Unified Government of Lakeland-Lanier County. The judge of the Municipal Court of the City of Lakeland shall be authorized to serve as the municipal judge of said court.

ARTICLE VI

ELECTIONS

CHAPTER 1

Conduct of elections.

Section 6-101. Applicability of general laws.
Section 6-102. Regular election; time for holding; voting; districts.
Section 6-103. Special elections.

CHAPTER 2

Election districts; reapportionment.

Section 6-201. Reapportionment of election districts.

ARTICLE VI

ELECTIONS

CHAPTER 1

Conduct of elections.

SECTION 6-101.

Applicability of general laws.

Except as otherwise provided by this charter, primaries and regular and special elections shall be conducted in accordance with provisions of Chapter 2 of Title 21 of the O.C.G.A., the "Georgia Election Code." As used in said code, the term "election" or "general election" shall be construed to include the term "regular election" as provided in Section 6-102 of this charter; the term "governing authority" shall include the chairperson and the commissioners of Lakeland-Lanier County, Georgia; the term "municipal," "municipality," or "county" shall include Lakeland-Lanier County, Georgia; and the term "public office" shall include elective offices of Lakeland-Lanier County, Georgia.

SECTION 6-102.

Regular election; time for holding; voting; districts.

(a) For purposes of electing commissioners, other than the chairperson, the territory of Lakeland-Lanier County is divided into four commissioner districts. One member of the

commission shall be elected from each such district. The Commissioner Districts 1 through 4 shall be and correspond to those four numbered districts described in and attached to and made a part of this Act as Appendix B and further identified as Plan Name: lanierccsbp1 Plan Type: Local User: staff Administrator: Lanier Co.

(b) When used in such attachment, the terms "Tract" and "BG" (Block Group) shall mean and describe the same geographical boundaries as provided in the report of the Bureau of the Census for the United States decennial census of 2000 for the State of Georgia. The separate numeric designations in a Tract description which are underneath a "BG" heading shall mean and describe individual Blocks within a Block Group as provided in the report of the Bureau of the Census for the United States decennial census of 2000 for the State of Georgia. Any part of Lanier County which is not included in any such district described in that attachment shall be included within that district contiguous to such part which contains the least population according to the United States decennial census of 2000 for the State of Georgia. Any part of Lanier County which is described in that attachment as being in a particular district shall nevertheless not be included within such district if such part is not contiguous to such district. Such noncontiguous part shall instead be included within that district contiguous to such part which contains the least population according to the United States decennial census of 2000 for the State of Georgia. Except as otherwise provided in the description of any district, whenever the description of such district refers to a named city, it shall mean the geographical boundaries of that city as shown on the census map for the United States decennial census of 2000 for the State of Georgia.

(c) No person shall be a member of the commission if that person is ineligible for such office pursuant to Code Section 45-2-1 of the O.C.G.A. or any other general law applicable to that office.

(d) In order to be elected or appointed as a member of the commission from a commissioner district, a person must have resided in that district for at least 12 months prior to election or appointment thereto and, if elected, must receive the number of votes cast for that office, as required by general law, in that district only and not at large. Only electors who are residents of that commissioner district may vote for a member of the commission for that district. At the time of qualifying for election as a member of the commission from a commissioner district, each candidate for such office shall specify the commissioner district for which that person is a candidate. A person elected or appointed as a member of the commission from a commissioner district must continue to reside in that district during that person´s term of office or that office shall become vacant.

(e) The chairperson may reside anywhere within the territory of Lakeland-Lanier County and, if elected, must receive the number of votes cast for that office, as required by general law, in the entire territory of Lakeland-Lanier County. The chairperson must continue to

reside within the territory of Lakeland-Lanier County during that person´s term of office or that office shall become vacant.

(f) The first chairperson and the first members of the Commission of Lakeland-Lanier County shall be elected at a special election which shall be conducted at the time of the general election on the Tuesday next following the first Monday in November, 2005. The chairperson and those members of the commission elected thereto from Commissioner Districts 1 and 3 in 2005 shall take office the first day of January immediately following that election and shall serve for initial terms of office which expire December 31, 2008, and upon the election and qualification of their respective successors. Those members of the commission elected thereto from Commissioner Districts 2 and 4 in 2005 shall take office the first day of January immediately following that election and shall serve for initial terms of office which expire December 31, 2006, and upon the election and qualification of their respective successors. Those and all future successors to the chairperson and members of the commission whose terms of office are to expire shall be elected at the state-wide general election immediately preceding the expiration of such terms, shall take office the first day of January immediately following that election, and shall serve for terms of office of four years. Members of the commission shall serve for the terms of office specified therefor in this subsection and until their respective successors are elected and qualified.

(g) All members of the commission who are elected thereto shall be nominated and elected in accordance with Chapter 2 of Title 21 of the O.C.G.A., the "Georgia Election Code."

SECTION 6-103.

Special elections.

All special elections shall be held and conducted in accordance with applicable provisions of Chapter 2 of Title 21 of the O.C.G.A., the "Georgia Election Code," that govern the conduct of county elections.

CHAPTER 2

Election districts; reapportionment.

SECTION 6-201.

Reapportionment of election districts.

(a) The election district boundaries of the unified government shall be reapportioned following the publication of each official federal decennial census of the population of

Lakeland-Lanier County, Georgia. Such reapportionment shall be accomplished by the adoption of an amendment to this charter by the General Assembly of Georgia.

(b) The reapportionment of election districts shall comply with the following specifications:

(1) Each election district shall be formed of contiguous territory and its boundary lines shall be the center lines of streets or other well-defined boundaries as utilized by the United States Bureau of the Census; and

(2) Such election districts shall be as nearly equal in population as practicable, and they shall comply with the requirements of the federal Voting Rights Act of 1965, as amended.

(c) Any reapportionment of election districts shall apply to officials of the unified government elected at the next regular election following such reapportionment.

ARTICLE VII
REVENUE AND FINANCE

CHAPTER 1
Taxation and other revenues.

Section 7-101. Levy and collection of taxes, fees, charges, and assessments; appropriations.
Section 7-102. Collection of delinquent taxes and fees.
Section 7-103. Homestead exemptions.
Section 7-104. Tax and services districts; taxation therein.

CHAPTER 2
Borrowing and indebtedness.

Section 7-201. Issuance of general obligation bonds.
Section 7-202. Debt limitation; general obligation bonds.
Section 7-203. Revenue bonds.
Section 7-204. Use of bond proceeds.
Section 7-205. Allocation of indebtedness.

CHAPTER 3
Financing of services.

Section 7-301. General and urban services districts.
Section 7-302. Creation of services districts by ordinance.

Section 7-303. Requirements for defining boundaries.
Section 7-304. Notice of hearing prior to adoption of ordinance.

CHAPTER 4
Financial administration.

Section 7-401. Fiscal year.
Section 7-402. Preparation of budgets.
Section 7-403. Scope of budgets.
Section 7-404. Submission of budgets to the commission.
Section 7-405. Adoption of budgets.
Section 7-406. Property tax levies.
Section 7-407. Limitation of funds.
Section 7-408. Transfer of funds.
Section 7-409. Lapse of appropriations.
Section 7-410. Continuing audit.

CHAPTER 5
Procurement and disposition of property.

Section 7-501. Contracting procedures.
Section 7-502. Sale and disposition of property.

ARTICLE VII
REVENUE AND FINANCE
CHAPTER 1
Taxation and other revenues.

SECTION 7-101.

Levy and collection of taxes, fees, charges, and assessments; appropriations.

(a) For the purpose of raising revenue for the support and maintenance of the government of Lakeland-Lanier County, Georgia, the commission shall have full power and authority to levy and collect taxes to the extent provided in this section and to appropriate funds and expend money:

(1) For the purposes authorized by this charter;

(2) For the discharge of the powers, duties, obligations, liabilities, and functions specified in this charter;

(3) For any and all purposes and any and all subjects of taxation for which the City of Lakeland or Lanier County may have been authorized and in accordance with those authorizations to levy and collect taxes and to appropriate and expend funds under the Constitution or any general or special law of Georgia applicable to the City of Lakeland or Lanier County on January 1, 2006; and

(4) For any purpose authorized by the Constitution or any general or special law of Georgia applicable to municipal corporations and counties generally now of force or hereafter enacted.

(b) The commission shall have full power and authority to levy and collect the following taxes, charges, and assessments:

(1) Ad valorem taxes on all real and personal property situated within Lakeland-Lanier County, Georgia, which is subject to taxation for state, county, and municipal purposes, or for any other public purpose, to the full extent permitted by the Constitution and laws of Georgia;

(2) Occupation and business license taxes that are not prohibited by the Constitution and general laws of Georgia. These taxes may be levied upon any person, firm, partnership, company, or corporation which transacts business within Lakeland-Lanier County, Georgia, or which practices or offers to practice any trade, business, calling, avocation, or profession therein. The commission may classify businesses, occupations, professions, or callings for the purpose of these taxes in any manner as is reasonable. The commission shall have authority to provide by ordinance for the return or registration for taxation of any trade, business, calling, avocation, or profession subject to such taxes. In levying and collecting those taxes the commission, by ordinance, may require any person, firm, partnership, company, or corporation which transacts business within Lakeland-Lanier County, Georgia, or which practices or offers to practice any trade, business, calling, avocation, or profession therein to obtain a license or permit for these activities from the unified government and to pay a reasonable fee for the license or permit for the regulation of any activities not prohibited by general law. The commission, by ordinance, may establish reasonable requirements for obtaining or keeping licenses as the public health, safety, and welfare necessitate, including, but not limited to, denial or revocation for any violation of federal or state law or local ordinance;

(3) An excise tax on rooms, lodgings, or accommodations as now or hereafter provided by law for counties and municipalities;

(4) License fees and taxes on insurance companies as authorized by Code Sections 33-8-8 through 33-8-8.6 of the O.C.G.A.;

(5) A public utility franchise tax, fee, or both, on each electric light and power company, gas company, telephone and telegraph company, and other public utility making use of the roads, streets, alleys, or other public ways of the unified government for the purpose of rendering services therein;

(6) Franchise fees on cable television systems as now or hereafter provided by law for counties;

(7) Fees, assessments, and charges for the cost of constructing, reconstructing, widening, or improving any public way, street, sidewalk, curbing, gutters, storm sewers, drainage structures, or other utility mains and appurtenances from the abutting property owners under any terms and conditions as provided by ordinance;

(8) Fees, assessments, charges, and tolls for sanitary and health services or any other services rendered within and outside the limits of the unified government under such terms and conditions as provided by ordinance;

(9) All other such taxes, charges, or assessments as the City of Lakeland or Lanier County is authorized and empowered to make and collect upon January 1, 2006, which powers may be exercised throughout the area of the unified government, or appropriate portions thereof, including any tax now or hereafter authorized by state law and the specific mention of any right, power, or authority in this charter shall not be construed as limiting in any way the general powers of the commission to govern its local affairs. When authorized by this charter or a statute or the Constitution of the State of Georgia, the commission shall have full power and authority to assess, levy, charge, and collect taxes, rentals, interest, fees, penalties, fines, and costs; to receive income on investments; to accept funds, services, or property from other political subdivisions and public agencies, either local, state, or national, and from private persons, firms, or corporations; and to contract with them for any public purpose;

(10) An excise tax upon the sale of distilled spirits or alcoholic beverages for beverage purposes by the drink as now or hereafter provided by law for counties and municipalities;

(11) An excise tax upon the sale, transfer, or dispensing of malt beverages and alcoholic beverages within Lakeland-Lanier County, Georgia, by wholesale or retail dealers as now or hereafter provided by law for counties and municipalities. In addition, the commission shall have the authority to impose, assess, levy, and collect an excise tax upon the sale, transfer, or dispensing of wine by wholesale or retail dealers within Lakeland-Lanier County, Georgia, as now or hereafter provided by law for counties and municipalities; and

(12) Such other taxes and charges as provided by law.

SECTION 7-102.

Collection of delinquent taxes and fees.

The collection of delinquent taxes and fees shall be as provided in state law for the collection of delinquent property taxes by counties.

SECTION 7-103.

Homestead exemptions.

The homestead exemptions provided under the Constitution and laws of Georgia presently in force or as hereafter amended shall be applicable to all such property subject to ad valorem taxes within Lakeland-Lanier County, Georgia.

SECTION 7-104.

Tax and services districts; taxation therein.

(a) The general services district as defined and authorized in paragraph (1) of subsection (a) of Section 7-301 of this charter shall constitute a general services tax district wherein the commission shall levy and collect taxes and shall appropriate money to perform and discharge those powers, functions, and services provided therein by the unified government.
(b) The urban services district as defined and authorized in paragraph (2) of subsection (a) of Section 7-301 of this charter together with any enlargement or modification thereof pursuant to the provisions of this charter shall constitute an urban tax district in which the commission may levy and collect additional taxes and may appropriate additional money therefrom to perform and discharge those additional powers, functions, and additional services provided therein by the unified government.
(c) The assessment of real and personal property for ad valorem tax purposes shall be upon a uniform basis throughout the entire area of the unified government; provided, however, that the rate and manner of additional taxation of services districts may vary in any services tax district from that in another or other services tax districts in such a way as to reflect reasonably the kind, character, type, degree, and level of services afforded to such services tax district or districts.

CHAPTER 2

Borrowing and indebtedness.

SECTION 7-201.

Issuance of general obligation bonds.

(a) The commission shall be authorized to issue and sell general obligation bonds, after approval of the qualified voters, under the provisions of the Constitution and general laws of Georgia for any public purpose for the benefit of the unified government or any tax district or services district thereof; provided, however, that for the purpose of issuing and selling such general obligation bonds, the unified government shall be deemed a county and the provisions of the Constitution and laws of Georgia governing the limitations, terms, and procedures for the issuance and sale of bonds by counties shall apply to the unified government unless otherwise provided by this charter.

(b) All general obligation bonds shall be issued in the name of Lakeland-Lanier County, Georgia, and shall be an obligation thereof, and the full faith and credit of the unified government shall be pledged for all general obligation bonds issued thereunder which are payable from ad valorem taxes; and, for such purpose, the commission shall have the authority to levy and collect ad valorem taxes on all taxable property within the territorial limits of the unified government.

SECTION 7-202.

Debt limitation; general obligation bonds.

The total general obligation bond indebtedness of the unified government payable from ad valorem taxes including all outstanding general obligation bonds of the former City of Lakeland and Lanier County on January 1, 2006, shall not exceed 10 percent of the assessed value of all taxable property within the territorial limits of the unified government.

SECTION 7-203.

Revenue bonds.

The commission shall be empowered and authorized to issue revenue bonds for the purposes and in the manner as now or hereafter provided by Article 3 of Chapter 82 of Title 36 of the O.C.G.A., the "Revenue Bond Law."

SECTION 7-204.

Use of bond proceeds.

All revenue derived by the unified government from the issuance and sale of bonds shall be used exclusively for the purposes for which such bonds were issued, and all ad valorem taxes collected for the purpose of servicing or retiring such bonds shall be used exclusively for the payment of principal and interest thereof.

SECTION 7-205.

Allocation of indebtedness.

(a) All general indebtedness of Lanier County, whether represented by general obligation bonds or otherwise, which may be outstanding on January 1, 2006, shall be allocated to the general services district as defined in paragraph (1) of subsection (a) of Section 7-301 of this charter and is recognized as the obligation of the general services district of Lakeland-Lanier County, Georgia. All general indebtedness of the City of Lakeland, whether represented by general obligation bonds or otherwise, which may be outstanding on January 1, 2006, shall be allocated to the urban services district as defined in paragraph (2) of subsection (a) of Section 7-301 of this charter. The commission is authorized to levy taxes and otherwise provide for the retirement of such indebtedness, subject to the terms of this charter. Any funds in the control of the heretofore existent City of Lakeland and Lanier County, now unified into Lakeland-Lanier County, Georgia, by this charter, which theretofore had been allocated to the retirement of any bonded indebtedness of said municipality and county shall be so applied by the commission.

(b) All general obligation bonds issued prior to January 1, 2006, by Lanier County and all bonds authorized but unissued by Lanier County on January 1, 2006, and thereafter issued by Lakeland-Lanier County, Georgia, shall be allocated to the general services district, and the principal of and interest on such bonds shall be paid from ad valorem taxes or other revenues collected in the general services district. All general obligation bonds issued prior to January 1, 2006, by the City of Lakeland and all bonds authorized but unissued by the City of Lakeland on January 1, 2006, and thereafter issued by Lakeland-Lanier County, Georgia, shall be allocated to the urban services district, and the principal and interest on such bonds shall be paid from ad valorem taxes or other revenues collected in the urban services district.

(c) Any revenue bonds issued prior to January 1, 2006, by the City of Lakeland or Lanier County under Article 3 of Chapter 82 of Title 36 of the O.C.G.A., the "Revenue Bond Law," and any such revenue bonds authorized but unissued by said city or county on January 1, 2006, and thereafter issued by Lakeland-Lanier County, Georgia, shall be payable as to

principal and interest from the revenues or sources and in the manner provided in the proceedings which authorized the issuance of such revenue bonds.

(d) Neither the allocation of bonds to the general services district nor any of the other provisions of this charter shall impair or diminish any of the rights, revenues, or security and source for payment of any of such bonds or revenue bonds issued by the City of Lakeland or by Lanier County prior to January 1, 2006, or authorized but unissued by the City of Lakeland or by Lanier County on January 1, 2006, and thereafter issued by Lakeland-Lanier County, Georgia; and such holders of such bonds or revenue bonds shall have and be entitled to enforce any and all rights, remedies, and security and sources for payment granted such holders by the proceedings which authorized the issuance of such bonds or revenue bonds as fully and to the same extent as if this charter had not been adopted.

CHAPTER 3

Financing of services.

SECTION 7-301.

General and urban services districts.

(a) In Lakeland-Lanier County, Georgia, there shall be:

(1) A general services district which shall consist of the total area of Lanier County as fixed and established upon January 1, 2006, or as thereafter modified according to law;

(2) An urban services district which shall consist of the area embraced within the corporate limits of the City of Lakeland as the same exists upon the day immediately preceding January 1, 2006, or as such district may be expanded as provided in this section; and

(3) Such special services districts as the commission may subsequently establish.

(b) All other tax districts existing in the City of Lakeland or Lanier County immediately prior to January 1, 2006, are continued in effect by this charter.

(c) Such services districts shall be tax districts wherein taxes and other assessments shall be assessed, levied, and collected by the unified government in accordance with the kind, character, type, and degree of services actually provided therein and may vary in any one services district from that of another or other districts in accordance with the provisions of this charter. The powers, authority, duties, liabilities, services, and functions of Lakeland-Lanier County, Georgia, may vary in any services district from that in another or other services district.

(d) The unified government is empowered to exercise and provide within the general services district and within any urban services district established by this charter or by ordinance of the commission those powers, functions, and services which have theretofore

been exercised and provided by Lanier County or the City of Lakeland, or both; all powers, functions, and services authorized by this charter, and any amendments thereto; and all powers, functions, and services which counties and municipal corporations, or both, are now or hereafter authorized to exercise under the Constitution and laws of Georgia.

(e) The unified government shall perform or procure the performance within the general services district of those governmental duties, functions, and services which are generally available and accessible to all residents throughout the total territory of the unified government.

(f) The unified government shall perform within its urban services districts those additional, more comprehensive, intensive, and higher levels of governmental duties, functions, and services which benefit primarily the residents of such urban services districts.

SECTION 7-302.

Creation of services districts by ordinance.

Except as otherwise provided by this charter, services districts of the unified government shall be created, expanded, merged, unified, or reduced only by ordinance duly adopted by the commission under such general rules, procedures, regulations, requirements, and specifications as are established by the commission and this charter. Such rules and regulations shall set forth the manner and method for the creation of new services districts and the expansion, unification, reduction, or merger of existing services districts; set forth requirements for defining functions and policies for rendering services, for changing levels of services within existing services districts, and for transferring territory from one services district to another; and set forth requirements for defining boundaries of services districts.

SECTION 7-303.

Requirements for defining boundaries.

Whenever in this charter it is required that the boundaries of a services district be set out, it shall suffice if the boundaries are described in such a way as to convey an intelligent understanding of the location of the land. In the discretion of the commission, the boundaries may be described: (1) by reference to a map; (2) by metes and bounds; (3) by general description referring to roads or natural boundaries or to the boundaries of particular tracts or parcels of land; or (4) by any combination of the methods described in this section.

SECTION 7-304.

Notice of hearing prior to adoption of ordinance.

Before it adopts any ordinance authorized or described in Sections 7-301 through 7-303 of this charter, the commission shall give notice of its intentions to consider the ordinance and shall provide an opportunity for interested persons to be heard as is provided for in Section 1-105 of this charter.

CHAPTER 4

Financial administration.

SECTION 7-401.

Fiscal year.

The fiscal year of Lakeland-Lanier County, Georgia, shall begin on the first day of July of each year and shall end on the thirtieth day of June next following. The commission may adopt a different fiscal year by ordinance, which shall not be effective until at least six months after the date of adoption thereof. The fiscal year shall constitute the budget year and the year for financial accounting and reporting of each and every office, department, institution, agency, and activity of the unified government, unless otherwise provided by state or federal law.

SECTION 7-402.

Preparation of budgets.

The preparation of annual budgets shall be as prescribed by ordinance and provisions of this charter.

SECTION 7-403.

Scope of budgets.

(a) There shall be two annual budgets:

(1) The annual operating expenses budget shall apply only to the operating expenses of the unified government; and

(2) The capital improvements budget shall apply only to capital improvement expenses of the unified government.

(b) Each section of the annual operating expenses budget and the capital improvements budget shall contain with respect to each of the operating funds of the government of Lakeland-Lanier County, Georgia, to which they are applicable:

(1) A reasonable estimate of cash revenues to be received during the ensuing year, classified according to source;

(2) Proposed expenditures detailed by each department, board, commission, office, agency, and activity in accordance with an established classification of accounts, including those capital outlays which are to be financed from the revenues of the ensuing year and including all debt service requirements in full for such fiscal year; and

(3) Such other information as may be considered necessary or desirable by the manager, the chairperson, or the commission.

(c) In no event shall the total proposed expenditures from any fund exceed the total anticipated revenues plus the estimated unappropriated surplus or fund balance and applicable reserves less any estimated deficit at the end of the current fiscal year.

(d) The capital improvements budget shall describe capital projects anticipated, the proposed expenditures therefor, and the revenues or other sources of funds anticipated to finance such capital projects.

SECTION 7-404.

Submission of budgets to the commission.

(a) In advance of initiating preparation of the annual budgets, the chairperson, with participation of the commission, shall develop a statement of the general fiscal policies of Lakeland-Lanier County, Georgia, the important features of the budgets, explanations of major changes recommended for the next fiscal year, a general summary of the budgets, and such other comments and information as may be deemed pertinent.

(b) On or before a date fixed by the commission but not later than 60 days prior to the beginning of each fiscal year, the chairperson of the unified government shall submit to the commission a proposed operating expenses budget and a proposed capital improvements budget for the ensuing fiscal year. Such budgets shall be accompanied by a message from the chairperson containing a statement of the general fiscal policies of Lakeland-Lanier County, Georgia, the important features of the budgets, explanations of major changes recommended for the next fiscal year, a general summary of the budgets, and such other comments and information as may be deemed pertinent. A summary of the budgets and the chairperson´s message thereon shall be published in a newspaper of general circulation designated as the legal organ of Lakeland-Lanier County. The operating expenses budget

and the capital improvements budget, the budget message, and all supporting schedules shall be filed in the manager´s office and shall be open to public inspection.

SECTION 7-405.

Adoption of budgets.

(a) The commission shall approve or reject the proposed operating expenses budget. Such budget as finally adopted must provide for all expenditures required by law or by other provisions of this charter and for all debt service requirements for the ensuing fiscal year. The total appropriations from any fund shall not exceed the estimated fund balance, reserves, and revenues, constituting the resources available of such fund.

(b) The commission shall adopt the final annual operating expenses budget for the ensuing fiscal year not later than the thirtieth day of June of each year and such budget shall be effective for the fiscal year beginning on the first day of July. In the event the commission fails to adopt the budget by this date, the amounts appropriated for current operation for the current fiscal year shall be deemed adopted for the ensuing fiscal year, with appropriate items prorated accordingly until such time as the commission shall adopt an operating expenses budget for the ensuing fiscal year. Adoption of the operating expenses budget shall take the form of an appropriations ordinance setting out estimated revenues in detail by source and making appropriations accordingly to fund organizational units, purposes, or activities as set forth in the operating expenses budget.

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

(d) The commission shall adopt by ordinance the capital improvements program and capital improvement expenses budget for the ensuing fiscal year not later than the thirtieth day of June of each year. The adopting ordinance shall show in detail the capital expenditures intended to be made or incurred in the ensuing fiscal year that are to be financed from funds subject to control or appropriation by the commission and shall be in full conformity with that part of the capital improvements program applicable to the year which it covers. Amounts specified as intended to be spent out of new appropriations shall, upon enactment of the ordinance adopting the capital improvement expenses budget, constitute appropriations of such amounts.

SECTION 7-406.

Property tax levies.

Following the adoption of the annual operating expenses budget and the capital improvements budget for each fiscal year:

(1) The commission shall levy by ordinance a general services district tax on all real and personal property within the general services tax district as provided by this charter. The tax rate set by such ordinance shall be such that a reasonable estimate of cash revenues from such levy shall be at least sufficient, together with other anticipated revenues, fund balances, and applicable reserves, to equal the total amount appropriated for each of the several funds set forth in the annual operating expenses budget for defraying the expenses of the general services district for services to be rendered throughout the entire area of Lakeland-Lanier County, Georgia. Such services shall include those functions set forth in subsections (c) and (d) of Section 7-301 of this charter, and such other purposes, functions, and services as may be authorized by the laws of Georgia, by this charter, or by ordinance of the commission;

(2) The commission shall levy by ordinance an urban services district tax on all real and personal property within the urban services tax district as authorized by this charter. The tax rates set by such ordinance for each district shall be such that a reasonable estimate of cash revenues from such levy shall be at least sufficient, together with other anticipated revenues, fund balances, and applicable reserves, to equal the total amount appropriated for each of the several funds set forth in the annual operating expenses budget for defraying the expenses of a higher level of services to be rendered in urban services districts; and

(3) The commission shall levy by ordinance a special services district tax on all real and personal property within the special services tax district as authorized by this charter. The tax rates set by such ordinance for each district shall be such that a reasonable estimate of cash revenues from such levy shall be at least sufficient, together with other anticipated revenues, fund balances, and applicable reserves, to equal the total amount appropriated for each of the several funds set forth in the annual operating expenses budget for defraying the expenses of a higher level of services to be rendered in a special services district.

SECTION 7-407.

Limitation of funds.

Upon certification by the manager that the revenues or other resources actually realized with respect to any fund will be less than was anticipated and will be insufficient to meet the amounts appropriated from such fund, it shall be the duty of the manager upon the instruction

of the chairperson of the unified government to limit such appropriations as may be necessary to prevent deficit operation.

SECTION 7-408.

Transfer of funds.

Upon recommendation of the manager and approval of the chairperson, the commission may make interfund or interdepartmental transfers in the current operating expenses budget or capital improvements expenses budget at any regular or special meeting called for such purpose, provided that funds are also available.

SECTION 7-409.

Lapse of appropriations.

All unencumbered balances of appropriations in the current operating expenses budget at the end of the fiscal year shall lapse into the unappropriated surplus or reserves of the fund or funds from which such appropriations were made.

SECTION 7-410.

Continuing audit.

(a) The commission shall have conducted a continuing internal audit of the fiscal affairs and operations of every department, office, and agency of the unified government.

(b) The commission shall provide annually for an independent audit of the accounts and other evidences of financial transactions of the unified government of Lakeland-Lanier County, Georgia, and of every office, department, board, commission, authority, or other agency. The audit shall be made by a certified public accountant who shall have no personal interest, direct or indirect, in the fiscal affairs of Lakeland-Lanier County, Georgia, or of any of its departments, offices, boards, commissions, authorities, or agencies. The commission shall by competitive bids, taking into consideration the lowest and best bid, designate such accountant or firm annually or for a period not exceeding three years.

(c) The audit may be conducted on a quarterly or continuing basis and the final report of the annual audit shall be completed as soon as practicable after the close of the fiscal year, and in no event later than six months after the close of the fiscal year. The audit report shall be filed with the manager and made available to the public.

(d) The commission may at any time order an examination or special audit of any office, department, board, commission, or other agency of Lakeland-Lanier County, Georgia.

CHAPTER 5

Procurement and disposition of property.

SECTION 7-501.

Contracting procedures.

The commission shall prescribe by ordinance rules and regulations which must be followed in the making of contracts in order to bind the government of Lakeland-Lanier County, Georgia. Except where otherwise provided by law or by ordinance, all contracts of the government of Lakeland-Lanier County, Georgia, shall be signed by the chairperson and authenticated by the manager.

SECTION 7-502.

Sale and disposition of property.

(a) The commission is authorized to sell any real or personal property owned or held by Lakeland-Lanier County, Georgia, and not needed for governmental or other public purposes in such manner as is required in state law for counties, as provided for in Code Sections 36-9-2 and 36-9-3 of the O.C.G.A.

(b) The commission is empowered to authorize the following transactions:

(1) A transfer of any real or personal property owned by Lakeland-Lanier County, Georgia, to another governmental entity upon finding that such transfer is in the public interest;

(2) A sale of any such property to another governmental entity; and

(3) An exchange of such property for property that is owned privately or by some other governmental entity.

In each instance, whether the property is transferred, sold, or exchanged, the requirements of a public sale shall not be required; but a statement thereof shall be published in the newspaper designated as the legal organ of Lakeland-Lanier County once a week for the two weeks preceding the day in which such transaction is to be concluded. Such statement shall contain a description of the property or properties involved and the prices and estimated values as to each item of property.

(c) Lakeland-Lanier County, Georgia, may quitclaim any rights it may have in property not needed for public purposes upon a report by the manager of the unified government and the adoption by the commission of a resolution, both finding that the property is not needed for public purposes and that the interest of the unified government of Lakeland-Lanier County, Georgia, therein has no readily ascertainable monetary value.

(d) Whenever in opening, extending, or widening any street, avenue, alley, or public place of Lakeland-Lanier County, Georgia, a small parcel or tract of land is cut off or separated by such work from a larger tract of land owned by Lakeland-Lanier County, Georgia, the commission may authorize the execution and deliverance in the name of the unified government of Lakeland-Lanier County, Georgia, of a deed conveying said cut-off or separated parcel or tract of land to an abutting or adjoining property owner or owners in exchange for rights of way in said street, avenue, alley, or public place, or in settlement of any alleged damages sustained by said abutting or adjoining property owner. All deeds and conveyances so executed and delivered shall convey all title and interest the unified government of Lakeland-Lanier County, Georgia, has in such property.

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GENERAL PROVISIONS

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ARTICLE VIII

GENERAL PROVISIONS

SECTION 8-101.

Application of laws; laws in force.

(a) The general laws of the State of Georgia of a criminal nature shall be applicable to and within the limits of the unified government. General laws of local application through classification by population, not in conflict with this charter:

(1) Which on January 1, 2006, apply to the City of Lakeland or Lanier County, Georgia, shall be applicable to the unified government; and

(2) Which apply to the unified government as either a city or a county at the time of their enactment or thereafter shall be effective; but those which did not apply to the City of Lakeland or Lanier County or the unified government at the time of their enactment shall not become applicable to the unified government except through the adoption of a resolution to that effect by the commission.

(b) Local Acts of the State of Georgia which apply specifically to either Lanier County or the City of Lakeland, or both, shall be applicable to the unified government.

(c) In construing the applicability of provisions of the Constitution and the general laws of Georgia which apply in general terms to either counties or municipalities, or both, and local Acts of the General Assembly that apply specifically to Lanier County or the City of Lakeland, or both, the following terms as used in such laws shall be construed to include the unified government as follows:

(1) "County" shall be construed to include Lakeland-Lanier County, Georgia;

(2) "City," "town," "municipal corporation," or "municipality" shall be construed to include Lakeland-Lanier County, Georgia;

(3) "Commissioners of roads and revenues" and "board of county commissioners" shall be construed to include the Commission of Lakeland-Lanier County, Georgia;

(4) "Council," "mayor and commission," "aldermen," and "board of aldermen" shall be construed to include the Commission of Lakeland-Lanier County, Georgia;

(5) "Chairman of the commissioners of roads and revenues" and "chairman of the board of county commissioners" shall be construed to include the chairperson of Lakeland-Lanier County, Georgia;

(6) "Mayor" shall be construed to include the chairperson of Lakeland-Lanier County, Georgia; and

(7) Any other terms and provisions as used in such Acts to refer specifically to Lanier County or the City of Lakeland, or both, and the officers, employees, departments, and

agencies thereof shall be construed to mean Lakeland-Lanier County, Georgia, and its officers, employees, departments, and agencies.

(d) In construing the applicability of laws in force to the unified government, the following order shall prevail:

(1) The Constitution of the State of Georgia;

(2) The general laws of uniform application now in force or hereafter enacted by the General Assembly, as distinguished from general laws of local application through classification by population, applicable to municipal corporations or counties, or both;

(3) The general laws of local application through classification by population as and to the extent provided in subsection (a) of this section;

(4) Special laws applicable to Lanier County, not in conflict with this charter;

(5) Special laws applicable to the City of Lakeland, not in conflict with this charter;

(6) This charter and all ordinances and resolutions passed pursuant thereto; and

(7) Existing ordinances and resolutions of the former City of Lakeland and existing ordinances and resolutions of the former County of Lanier not in conflict with this charter.

SECTION 8-102.

Limitation on claims and service.

(a) All contractual claims against the unified government shall be presented within 12 months after they accrue or become payable or the same as claimed, unless held by minors or other persons laboring under disabilities, who are allowed 12 months after the removal of such disability.

(b) Service on the unified government of any suit, process, or order of court shall be served upon the chairperson.

SECTION 8-103.

Tort and nuisance liability.

The tort and nuisance liability of the unified government shall follow the law and rules of tort liability applicable to counties in Georgia.

SECTION 8-104.

Conflict of laws.

For purposes of all applicable laws, the unified government shall constitute a municipality and a county, or both. Except as otherwise provided by this charter, if a law applicable to

municipalities and the same or another law applicable to counties are in conflict, the law applicable to municipalities shall prevail.

SECTION 8-105.

Competitive bidding.

All departments and agencies of the unified government must utilize competitive bidding procedures, as specified in an ordinance of the commission, for all purchases in excess of an amount provided for in an ordinance of the commission, unless such purchase shall be otherwise approved by five of the seven commissioners.

SECTION 8-106.

Execution of assessments.

Whenever any tax or special assessment is authorized or empowered to be levied or imposed by this charter which is required to be collected by the unified government and such is not paid within the time period specified by the commission and no specific provision is elsewhere provided in this charter for its collection, then the manager shall issue execution in the name of the unified government against such person, firm, or entity liable therefor or property subject thereto for such sums as may be due with interest at the legal rate from due date and penalties and costs. The unified government shall have the right to enforce payment of such execution by levy and sale as in the case of county taxes, and the purchaser at such sale shall acquire the same title and rights as a purchaser at a sale for county taxes. Executions issued by the manager of Lakeland-Lanier County, Georgia, and the levy and sale thereunder shall be governed by general law.

SECTION 8-107.

Authority to deal with federal and state agencies.

The unified government shall have the power and authority to participate in, cooperate in, and take all necessary action with respect to any and all projects, programs, and undertakings of any nature authorized by any statute, rule, or regulation of the United States, the State of Georgia, or any federal or state agency or instrumentality, including but not limited to community development, highways, aviation, aviation terminals, airports, airport facilities, municipal area or regional development, sewer and sewage disposal, public housing, housing for the aged, and transportation or mass transit or any phase thereof; to borrow money and issue promissory notes, general obligation bonds, or revenue bonds or a combination thereof

for any such purposes in accordance with provisions of this charter; and to execute mortgages or deeds of trust in favor of any federal agency, secured by property of which the unified government is the legal or beneficial or equitable owner, or in favor of any private agency where the loan is guaranteed by a federal agency.

SECTION 8-108.

Federal and state aid.

The unified government shall be deemed a county but shall also be deemed an incorporated city or municipality for the purpose of determining its right to receive and for the purpose of receiving state aid or grant in aid from the State of Georgia or from the United States or from any agency or instrumentality thereof or from any other source, public or private. The unified government shall be entitled to receive as state aid or as grant in aid from the State of Georgia or from the United States or from any agency or instrumentality thereof or from any other source, public or private, all funds to which a county is or may hereafter be entitled and also all funds to which an incorporated city or municipality is or may be hereafter entitled and to receive the same without diminution or loss by reason of unification. When state aid or other grant in aid is distributed to any county on the basis of population or area, or both, then the entire population and the total area of Lakeland-Lanier County, Georgia, shall be considered in calculating and determining the basis for such distribution. When state aid or other grant in aid is distributed to any county on the basis of rural area, rural road mileage, or rural population, or any combination thereof, then that area of the general services district outside of the urban services district or districts shall be deemed to constitute rural area, its road mileage to constitute rural road mileage, and its population to constitute rural population. When state aid or other grant in aid is distributed to any incorporated city or municipality on the basis of population or area, or both, then the population or the area of the urban services district or districts of Lakeland-Lanier County, Georgia, shall be deemed the population and the area used in calculating and determining the basis of such distribution.

SECTION 8-109.

Budgets of county officers and agencies.

All elected officers and all agencies not under the direct control and jurisdiction of the manager, such as the Board of Health and the Board of Family and Children Services, which receive appropriations from the commission, shall, on the same date as is applicable to budgets submitted by department heads, submit to the manager annual operating and capital budget requests for the ensuing fiscal year. Such budget requests, after any revisions therein

by the manager and the chairperson, shall be incorporated into the overall unified government budgets for submission by the chairperson to the commission, which shall grant a hearing to any such officer or agency on such proposed budgets.

SECTION 8-110.

Existing pension rights protected.

(a) Persons who, on January 1, 2006, are employed by any office, department, board, commission, or agency of the former City of Lakeland shall retain all pension rights which have accrued to them under any existing pension system. The unified government shall continue in force and effect any existing pension system for city employees covered thereby who are employed by the unified government, and the services of such employees shall not be deemed to have been interrupted by the adoption of this charter.

(b) Persons who, on January 1, 2006, are employed by any office, department, board, commission, or agency of the former County of Lanier shall retain all rights which have accrued to them under any existing pension system. The unified government shall continue in force and effect any existing pension system for county employees covered thereby who are employed by the unified government, and the services of such employees shall not be deemed to have been interrupted by the adoption of this charter.

SECTION 8-111.

Establishment of new pension systems; merging of existing systems.

The commission is authorized and empowered to establish and maintain a new pension system or pension systems affecting new employees and such other employees as desire to be covered thereby and to revise, combine, and consolidate any pension system in effect on January 1, 2006; provided, however, that in no event shall any revision, combination, or unification of any existing pension system in effect when this charter is adopted result in the curtailment or diminishment of any right accrued under any existing pension system to any person heretofore employed by the City of Lakeland, Lanier County, or of any agency of such former governments.

SECTION 8-112.

Amending charter.

This charter may be modified, rescinded, changed, or amended by only the following methods:

(1) An Act of the General Assembly of Georgia; or

(2) An ordinance adopted by the Commission of Lakeland-Lanier County, Georgia, as provided for in Article IX, Section II, Paragraph I of the Constitution of the State of Georgia.

SECTION 8-113.

Fidelity bonds.

All officers of the unified government, both elected and appointed, shall execute such official bonds in such amounts and upon such terms and conditions as the law or the commission may require.

SECTION 8-114.

Examples of powers.

The powers of Lakeland-Lanier County, Georgia, shall include, but shall not be limited to, the following powers:

(1) Ad valorem taxation: to levy, assess, and collect ad valorem taxes on all taxable property;

(2) Other taxes: to levy, assess, and collect other taxes allowed by general law and in accordance therewith;

(3) Business regulation and taxation: to levy, assess, and collect occupational and business taxes and to license and regulate occupations and businesses. Such taxes may be based on any one or combination of the following criteria:

(A) Gross receipts, notwithstanding the provisions of Code Section 48-8-6 of the O.C.G.A.;

(B) Square footage;

(C) Number of employees;

(D) Fixed fee; or

(E) Any other criterion reasonably related to the purposes of this power;

(4) Appropriations: to make appropriations and expend funds for support of the unified government and any other lawful purpose;

(5) Debts: to borrow money and issue bonds as authorized by general law;

(6) Property: to own property and interests in property;

(7) Gifts: to accept gifts and grants for any purpose related to the powers and duties of the unified government on such terms as the donor may impose;

(8) Condemnation: to condemn property inside the unified government for present or future use;

(9) Public utilities: to acquire, lease, operate, and dispose of public utilities;

(10) Franchises: to grant franchises or make contracts for public utilities and to prescribe the conditions of such franchises and contracts;

(11) Roadways: to open, maintain, improve, and close streets and roads and to grant franchises and rights of way thereon;

(12) Public facilities: to acquire, operate, and dispose of public buildings, public projects, parks, cemeteries, recreational facilities, and other public improvements inside the unified government;

(13) Building regulation: to regulate the building trades and the construction of buildings and to adopt and enforce building, housing, plumbing, electrical, gas, heating, and air-conditioning codes;

(14) Planning and zoning: to adopt land use plans and exercise the power of zoning, subdivision regulation, and the like;

(15) Police power: to exercise the police power for the public safety and well-being of the citizens of the unified government;

(16) Roadside regulation: to prohibit or regulate signs, billboards, and other items upon or adjacent to streets and roads;

(17) Health: to prescribe and enforce health and sanitation standards;

(18) Pollution: to regulate emissions which pollute the air and water;

(19) Fire safety: to fix fire limits and to prescribe and enforce fire safety regulations;

(20) Public hazards: to provide for the destruction or removal of public hazards;

(21) Waste disposal: to provide for and regulate the collection, disposal, and recycling of garbage and wastes;

(22) Water and sewer fees: to fix and collect water and sewer fees;

(23) Garbage fees: to fix and collect garbage fees;

(24) Nuisances: to define and provide for the abatement of nuisances;

(25) Property protection: to preserve and protect the property of the unified government;

(26) Prisoners: to provide for public work by prisoners and for their confinement;

(27) Animal control: to regulate or prohibit the keeping of animals;

(28) Motor vehicles: to regulate the operation and parking of motor vehicles;

(29) Taxicabs: to regulate vehicles operated for hire in the unified government;

(30) Pensions: to provide and maintain a system of pensions and retirement for employees and officers of the unified government;

(31) Special assessments: to levy, assess, and collect special assessments to cover the cost of public improvements;

(32) Contracts: to enter into lawful contracts and agreements;

(33) Agencies: to create, alter, or abolish departments, boards, offices, commissions, authorities, and agencies of the unified government and to confer appropriate authority upon them;

(34) Penalties: to provide penalties for violations of ordinances of the unified government;

(35) Police and fire protection: to exercise the power of arrest through appointed police officers and to operate a fire department;

(36) Emergencies: to provide for the determination, proclamation, and combating of emergencies;

(37) Urban redevelopment: to organize and operate an urban redevelopment program;

(38) Public transportation: to organize and operate public transportation systems; and

(39) General health, safety, and welfare: to define, regulate, and prohibit any act, practice, conduct, or use of property which is detrimental to the health, sanitation, cleanliness, welfare, and safety of the inhabitants of the unified government.

SECTION 8-115.

Provision of services.

When determining services to be provided, the unified government shall always attempt:

(1) To efficiently allocate resources to increase the quality of life for all citizens of Lakeland-Lanier County;

(2) To provide the highest quality services to all citizens of Lakeland-Lanier County;

(3) To ensure efficient utilization of community resources;

(4) To promote equity for all citizens in the delivery of governmental services throughout Lakeland-Lanier County; and

(5) To recognize and consider the advantages of the provision of services through contractual arrangements with other governments and private enterprises.

SECTION 8-116.

The overview commission.

(a) In order to provide a more efficient and responsive government for the citizens of Lakeland-Lanier County, an overview commission shall be established to review the operation of the unified government. Such evaluation shall be completed every four years.

(b) The overview commission shall be composed of a minimum of 22 individuals to be appointed by the grand jury sitting immediately prior to July 1, 2009. Members of the overview commission shall be registered voters in Lakeland-Lanier County and not members

of the appointing grand jury. Three members shall be selected from each commission district and one member, who shall serve as chairperson, from the county at large. In making appointments to the overview commission, the grand jury shall solicit and consider applications from the citizens of Lakeland-Lanier County.

(c) The overview commission shall be convened on July 1, 2009, and shall complete its review on or before December 31, 2009. In reviewing the unified government, the following factors shall be considered:

(1) The goals and objectives of the unified government;

(2) The extent to which the unified government has achieved its original objectives in an effective and responsible manner;

(3) The performance and accomplishments of the agencies of the unified government in the preceding fiscal year, budgetary costs incurred, projected activities, and budgets;

(4) The extent to which additional programs are needed; and

(5) Any other relevant criteria that the overview commission considers necessary in its evaluation.

(d) Upon completion of its review, the overview commission shall make recommendations to the new government in the same manner as grand jury presentments are normally made to a local government.

SECTION 8-117.

Historic items.

It shall be the responsibility of the unified government to collect, preserve, and display documents and other items of historical significance to the City of Lakeland and Lanier County.

SECTION 8-118.

Section captions.

The captions to the several sections of this charter are informative only and are not to be construed as a part thereof.

SECTION 8-119.

Effect of repeals.

No law heretofore repealed, expressly or by implication, shall be revived by the repeal herein of the repealing Act or by any provision of this charter that disclaims an intention to repeal or affect enumerated laws.

ARTICLE IX

TRANSITION PROVISIONS

Section 9-101. Provision of services during transition.
Section 9-102. Protection and compensation of existing employees.
Section 9-103. Effective date of charter.
Section 9-104. Initial budgets.
Section 9-105. Number of employees.
Section 9-106. Cooperation of former governments.
Section 9-107. Existing ordinances and resolutions continued in effect.
Section 9-108. Contracts and obligations.
Section 9-109. Dissolution of existing governments.
Section 9-110. Transfer of records and equipment.
Section 9-111. Officers serve until successors qualify.
Section 9-112. Referenda on the charter.
Section 9-113. Effective dates.
Section 9-114. Repealer.

ARTICLE IX

TRANSITION PROVISIONS

SECTION 9-101.

Provision of services during transition.

In order to unify the two governments and to assure the common and continued administration of services currently provided by both the City of Lakeland and Lanier County, the following procedures shall apply:

(1) On January 1, 2006, all services currently provided by the county shall be provided through the general services district to all residents of the county and all services provided by the city shall be provided through the urban services district to the current residents of

the City of Lakeland. Assuming the continued availability of state and federal funds, these service arrangements shall apply until modified as provided under the provisions set forth in this article; and

(2) The unified government shall work with due speed to equalize the charges for all services throughout the county.

SECTION 9-102.

Protection and compensation of existing employees.

(a) All full-time employees of the City of Lakeland and Lanier County and all full-time employees of any department, office, or agency thereof shall, upon the termination of said city and county governments and the inception of the unified government, become employees of the unified government or of a department, office, or agency thereof and shall be assigned to duties as similar in nature as may be practicable within said government.

(b) No permanent full-time employee of the City of Lakeland or Lanier County shall suffer any diminution of compensation resulting from the adoption of this charter. The definition of compensation includes, but is not limited to, salary, insurance and retirement benefits, annual and sick leave, and rights provided by a merit system.

(c) On or by January 1, 2007, the unified government shall have begun implementation of a plan that ensures that all employees performing the same functions and having the same responsibilities receive uniform compensation by the end of the fourth year of operation of the unified government. This requirement that there be a uniform level of compensation throughout Lakeland-Lanier County by the end of the fourth year does not require that there be any freeze on employee compensation.

(d) Elimination of the duplication of functions shall be addressed through attrition and reassignment. Therefore, no permanent full-time employee of the City of Lakeland or Lanier County at the time of unification shall suffer any reduction of compensation resulting from the adoption of this charter.

(e) No person shall be appointed to, removed from, or in any way favored or discriminated against with respect to any position in the unified government because of race, gender, religion, age, handicap, or national origin.

SECTION 9-103.

Effective date of charter.

This charter shall become effective on January 1, 2006, except as otherwise provided in Section 9-113.

SECTION 9-104.

Initial budgets.

(a) Until July 1, 2006, the unified government shall operate under the funds remaining from the fiscal year 2005-2006 of the combined budgets of the City of Lakeland and Lanier County.

(b) The first full 12 month annual operating expenses budget and capital improvements expenses budget of the unified government (July 1, 2006, to June 30, 2007) shall not exceed an amount equal to the combined 2005-2006 fiscal year budgets of the City of Lakeland and Lanier County, plus increases due to inflation as specified in figures from the United States government.

SECTION 9-105.

Number of employees.

From January 1, 2006, until June 30, 2006, the total number of employees of the unified government shall not exceed the combined number of employees authorized for the governments of the City of Lakeland and Lanier County on January 1, 2006, except as otherwise mandated by law.

SECTION 9-106.

Cooperation of former governments.

(a) All officers, officials, and employees of the former City of Lakeland and Lanier County shall cooperate with and assist the chairperson, the commission, the manager, and other officers of Lakeland-Lanier County, Georgia:

(1) In planning the unification of departments, boards, commissions, and agencies of said former governments and in transferring the functions, duties, and responsibilities of such departments, boards, commissions, authorities, and agencies to the appropriate agencies of the unified government of Lakeland-Lanier County, Georgia; and

(2) In all other respects in order that the transfer of the governments be accomplished in the most orderly manner possible.

The officers of the unified government shall be entitled to examine all records, files, and other data in the possession of the former governments and of all officers, officials, employees, and departments thereof. The former governments shall, to the extent possible, provide working areas and facilities for the officers of the unified government.

(b) A schedule for activity during the transition period is contained in Appendix A, attached to and made a part of this charter.

SECTION 9-107.

Existing ordinances and resolutions continued in effect.

(a) Subject to subsection (d) of this section, existing ordinances and resolutions of the Commission of Lanier County and existing rules and regulations of county departments or agencies, not inconsistent with the provisions of this charter, shall continue in effect as ordinances, resolutions, rules, or regulations of Lakeland-Lanier County, Georgia, or the appropriate department or agency thereof until they have been repealed, modified, or amended.

(b) Subject to subsection (d) of this section, existing ordinances and resolutions of the City of Lakeland, not inconsistent with the provisions of this charter, shall continue in effect as ordinances and resolutions of Lakeland-Lanier County, Georgia, and shall apply only to the area included within the urban services district until they have been repealed, modified, or amended.

(c) Subject to subsection (d) of this section, in the event of a conflict between any of the ordinances or resolutions continued by this section, the provisions thereof shall apply only to the territory of the unified government that such ordinance or resolution applied prior to January 1, 2006, and until such ordinance or resolution is repealed, changed, or amended to eliminate the conflict.

(d) On or by January 1, 2007, all ordinances and resolutions shall apply uniformly throughout the area of the unified government. Prior to this date, the commission shall review all ordinances and resolutions and take whatever action is needed to remove any conflicts between ordinances and resolutions continued by this section in order to produce a uniform body of ordinances and resolutions, free of any conflicts or contradictions between such provisions.

SECTION 9-108.

Contracts and obligations.

(a) Except as otherwise provided by this charter, all contracts, orders, leases, bonds, and other obligations or instruments entered into by Lanier County or for its benefit prior to January 1, 2006, shall continue in effect according to the terms thereof as obligations and rights of the unified government; provided, however, that any obligation created by Lanier County to become effective after the date of approval of this charter and prior to January 1,

2006, shall be subject to ratification and approval by the commission of the unified government on or before July 1, 2006.

(b) Except as otherwise provided by this charter, contracts, orders, leases, bonds, and other obligations or instruments entered into by the City of Lakeland or for its benefit prior to January 1, 2006, shall continue in effect according to the terms thereof as obligations and rights of the unified government; provided, however, that any obligation created by the City of Lakeland to become effective after the date of approval of this charter and prior to January 1, 2006, shall be subject to ratification and approval by the commission of the unified government on or before July 1, 2006.

(c) No pending action or proceeding of any nature whether civil, criminal, judicial, administrative, or other by or against the City of Lakeland or Lanier County or an agency or department thereof shall be abated or otherwise affected by the adoption of this charter, and the unified government shall stand substituted as a party in lieu thereof.

SECTION 9-109.

Dissolution of existing governments.

On January 1, 2006, the Commission of Lanier County and the Mayor and Commission of the City of Lakeland, a municipal corporation created by an Act of the General Assembly of Georgia approved August 11, 1925 (Ga. L. 1925, p. 1217), as amended, and all the officers thereof and the offices thereof not continued under this charter are abolished and all emoluments appertaining thereto shall cease. Thereupon, the governments of Lanier County and the City of Lakeland shall terminate as separate political entities and all powers, functions, duties, and obligations thereof shall be transferred to and vested in the unified government created by this charter.

SECTION 9-110.

Transfer of records and equipment.

When an agency of the City of Lakeland or of Lanier County is abolished or unified by this charter, all books, papers, maps, charts, plans, records, other equipment, and personal property in possession of the same shall be delivered to the agency to which its rights, powers, duties, and obligations are transferred.

SECTION 9-111.

Officers serve until successors qualify.

Notwithstanding any other provision of this charter, any officer performing duties under the government of the City of Lakeland or Lanier County may continue to perform the duties thereof until a successor, whether under the same title or office or another, shall be elected or appointed and qualified to perform the duties, it being the intention of this section that no duty or service shall lapse or be abandoned because of lack of an officer to perform same.

SECTION 9-112.

Referenda on the charter.

(a) Unless prohibited by the federal Voting Rights Act of 1965, as amended, the election superintendent of the City of Lakeland shall call and conduct an election as provided in this section for the purpose of submitting this Act to the electors of the City of Lakeland for approval or rejection, and the election superintendent of Lanier County shall call and conduct an election as provided in this section for the purpose of submitting this Act to the electors of Lanier County for approval or rejection. The election superintendents shall conduct those elections on the Tuesday following the first Monday in November, 2004, and shall issue the calls and conduct those elections as provided by general law. The superintendents shall cause the date and purpose of the elections to be published once a week for two weeks immediately preceding the date thereof in the official organ of Lanier County. The ballot in each election shall have written or printed thereon the words:

"( ) YES Shall the charter unifying the governments of the City of Lakeland and Lanier County and creating a single unified government to supercede and
( ) NO replace those governments be approved?"

(b) All persons desiring to vote for approval of the charter shall vote "Yes," and those persons desiring to vote for rejection of the charter shall vote "No." If more than one-half of the total votes cast on such question by the qualified voters of the City of Lakeland are for approval of the charter and if more than one-half of the votes cast on such question by the qualified voters of Lanier County are for approval of the charter, then the charter shall become effective in the manner provided for in Section 9-113 of this Act. Otherwise, it shall not become effective and this Act shall be automatically repealed on the first day of January immediately following that election date. The expense of such election in Lanier County shall be borne by Lanier County and the expense of such election in the City of Lakeland shall be borne by the City of Lakeland.

(c) The election shall be conducted pursuant to Chapter 2 of Title 21 of the O.C.G.A., the "Georgia Election Code."

(d) A qualified voter, as used in this Act, shall mean a voter of Lanier County qualified to vote for members of the General Assembly of Georgia. The superintendent of elections shall certify the returns to the Secretary of State. The Secretary of State shall issue a proclamation showing and declaring the result of the elections on the approval or rejection of the charter.

SECTION 9-113.

Effective dates.

(a) Section 9-112 of this charter and this section shall become effective upon their approval by the Governor or upon their becoming law without such approval.

(b) Those provisions of this Act necessary for the election of the initial chairperson and members of the Commission of Lakeland-Lanier County, Georgia, shall become effective January 1, 2005.

(c) The remaining provisions of this Act shall become effective on January 1, 2006, but only under the conditions specified in Section 9-112 of this charter.

SECTION 9-114.

Repealer.

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

APPENDIXES

Appendix A — Transition Schedule and Plan

Appendix B — Districts

Appendix A

Transition Schedule and Plan

The following four-stage transition schedule and plan shall govern the implementation of this Act:

Stage 1: Referendum on Charter to Initial Election

Upon approval of the unification, a transition team shall be formed. The transition team will be appointed and charged with anticipating implementation responsibilities, issues, and opportunities related to the unification of the two governments. Its effort will involve

collecting data, assembling facts, and presenting options to the unified government officials when they take office. The transition team shall not have any decision-making power and shall serve in an advisory function to the new government until such time as the newly elected officials assume the responsibilities described below. The transition team shall consist of: the county administrator, the city administrator, two appointees of the mayor of the City of Lakeland who shall not be elected officials or employees of the City of Lakeland, and two appointees of the chairperson of the Lanier County Board of Commissioners who shall not be elected officials or employees of Lanier County. The transition team shall select one of its members to serve as chairperson of the transition team.

Stage 2: Initial Election to January 1, 2006

(a) The newly elected government officials assume limited powers to plan for the new government. During this time, the newly elected chairperson and commissioners may exercise the following powers:

(1) Begin preparation for the appointment of the manager, attorney, and municipal judge;

(2) Hold meetings, establish committees, plan the establishment of boundaries of the general and urban services districts, and plan for and schedule the initial organization of the unified government in accordance with the applicable provisions of this Act. The chairperson and commission shall be authorized to receive and expend appropriations from the Lakeland City Commission and the Lanier County Board of Commissioners for the purposes of performing its responsibilities as provided herein;

(3) Initiation of the preparation of the initial budget of the unified government for fiscal year 2006-2007; and

(4) Begin preparation for plans and schedules of the unification of the various departments and agencies of the City of Lakeland and Lanier County.

(b) All officers, officials, and employees of the City of Lakeland and Lanier County shall cooperate and assist the chairperson and commission and other officers of the unified government in planning for and scheduling the unification of departments, boards, commissions, and agencies of said former governments and in transferring functions, duties, and responsibilities of such departments, boards, commissions, and agencies to the appropriate agencies of the unified government and in all other respects in order that the transfer of the governmental and corporate functions of the former governments shall be accomplished in the most orderly manner possible. The chairperson, commission, and officers of the unified government shall be entitled to examine all records, files, and other data in possession of the former governments and all officers, officials, and employees thereof. The former governments shall, to the extent possible, provide working areas and

facilities to the transition team and the newly elected chairperson and commission of the unified government.

Stage 3: January 1, 2006, to June 30, 2006

The unified government takes office operating under the combined city and county budgets subject to the budget and employee caps specified in Sections 9-104 and 9-105 of this charter. The unified government budget for July 1, 2006, to June 30, 2007, shall be prepared. During this period, the government would begin combining operations.

Stage 4: July 1, 2006, to June 30, 2007

The unified government begins operation under the first unified government budget. The budget for this fiscal year, July 1, 2006, to June 30, 2007, shall be capped by combining the July 1, 2005, to June 30, 2006, budgets of the city and county, plus increases due to inflation.

Appendix B

Districts

Plan Name: lanierccsbp1 Plan Type: Local User: staff Administrator: Lanier Co.

Redistricting Plan Components Report

District 001

Lanier County

Tract: 9502

BG: 2

2005 2006 2007 2008 2009 2010 2011 2012 2013 2014 2015 2016
2017 2018 2019 2020 2021 2022 2023 2024 2025 2026 2027 2028
2029 2030 2031 2032 2033 2034 2035 2036 2037 2038 2039 2040
2041 2042 2043 2044 2045 2046 2047 2048 2049 2050 2051 2052
2053 2054 2055 2056 2057 2058 2059 2060 2061 2062 2063 2064
2065 2066 2067 2068 2069 2070 2071 2072 2073 2074 2075 2076
2077 2078 2079 2080 2081 2082 2083 2084 2085 2086 2087 2088
2089 2090 2091 2092 2093 2094 2095 2096 2097 2098 2099 2100
2101 2999

BG: 3

3000 3001 3002 3003 3004 3020 3021 3022 3023 3024 3025 3026
3027 3028 3029 3030 3031 3032 3043 3044 3045 3046 3047 3048
3049 3050 3051 3052 3053 3054 3055

District 002
Lanier County
Tract: 9502
BG: 1

1003 1004 1005 1006 1007 1008 1009 1010 1011 1012 1013 1014
1015 1016 1017 1018 1019 1023 1024 1025 1026 1027 1028 1029
1030 1031 1032 1033 1034 1035 1036 1037 1038 1039 1040 1041
1044 1045 1053 1054 1055 1056 1057 1062 1063 1064 1065 1066
1067 1068 1069 1070 1071 1072 1073 1074 1075 1076 1078 1079
1080 1084 1085 1086 1087 1088

BG: 3

3006 3007 3008 3009

BG: 4

4002 4003 4004 4005 4006 4007 4008 4009 4010 4011 4012 4013
4014 4015 4016 4017 4018 4019 4020 4027 4028 4029 4030 4031
4032 4033 4034

District 003
Lanier County
Tract: 9501
BG: 2

2021

Tract: 9502
BG: 3

3005 3010 3011 3012 3013 3014 3015 3016 3017 3018 3019 3033
3034 3035 3036 3037 3038 3039 3040 3041 3042 3056 3057 3058
3059

BG: 4

4000 4001 4021 4022 4023 4024 4025 4026 4035 4036 4037 4038
4998 4999

BG: 5

District 004
Lanier County
Tract: 9501
BG: 1
BG: 2
2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011
2012 2013 2014 2015 2016 2017 2018 2019 2020 2022 2023 2024
2025 2026 2027 2028 2029 2030 2031 2032 2033 2034 2035 2036
2037 2038 2039 2040 2041 2042 2043 2044 2045 2046 2047 2048
2049 2050 2051 2052 2053 2054 2055 2056 2057 2058 2059 2060
2061 2062 2063 2064 2065 2066 2067 2068 2069 2070 2071 2072
2073 2074 2075 2076 2077 2078 2079 2080 2081 2082
Tract: 9502
BG: 1
1000 1001 1002 1020 1021 1022 1042 1043 1046 1047 1048 1049
1050 1051 1052 1058 1059 1060 1061 1077 1081 1082 1083
BG: 2
2000 2001 2002 2003 2004