Senate Bill 299

By: Senator Goggans of the 7th

AS PASSED

A BILL TO BE ENTITLED

AN ACT

To amend an Act to provide a new charter for the City of Patterson in the County of Pierce, approved April 9, 1981 (Ga. L. 1981, p. 4545), as amended, so as to reduce the number of members of the city council from six to five members; to provide for the time and manner of election of the mayor and council; to provide for the terms of the mayor and council; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

An Act to provide a new charter for the City of Patterson in the County of Pierce, approved April 9, 1981 (Ga. L. 1981, p. 4545), as amended, is amended by striking Sections 2.10 and 2.11 and inserting in lieu thereof new Sections 2.10 and 2.11 to read as follows:

"**Section 2.10.** Creation; composition; number; election. Until the first organizational meeting of the city council in January 2006, the governing authority of this city shall be composed of a mayor and six council members. On and after the first organizational meeting of the city council in January 2006, the governing authority of this city shall be composed of a mayor and five council members. The mayor and council members shall be elected in the manner provided by Article V of this charter.

Section 2.11. Terms and qualifications of office. The mayor and council members shall serve for terms of four years and until their respective successors are elected and qualified. No person shall be eligible to serve as mayor or council member unless he or she shall have been a resident of the city for a period of at least one year immediately prior to the date of the election of mayor or members of the council and shall continue to reside therein during his or her period of service and shall be registered and qualified to vote in municipal elections of the city."

SECTION 2.

Said charter is further amended by striking Sections 5.10, 5.11, 5.12, 5.13, and 5.14 and inserting in lieu thereof new Sections 5.10, 5.11, 5.12, 5.13, and 5.14 to read as follows:

"**Section 5.10.** Applicability of general law. All elections shall be held and conducted in accordance with Chapter 2 of Title 21 of the O.C.G.A., the 'Georgia Election Code,' as now or hereafter amended.

Section 5.11. Election of council and mayor. (a) General elections for mayor and members of the council shall be held on the Tuesday after the first Monday in November immediately preceding the expiration of the mayor or council member´s term of office.

(b) The term of office of mayor shall be for four years and until a successor is elected and qualified. In order to be elected as mayor, a candidate must receive a majority of the votes cast in such election for the office of mayor. In the event that no candidate receives a majority of the votes cast, there shall be a runoff between the candidates receiving the two highest numbers of votes cast for the office of mayor.

(c) The mayor and members of the city council in office on the effective date of this Act shall serve out the terms to which they were elected. It is the intent of the General Assembly through this Act to reduce the number of members of the council from six members to five members by electing only two members of the city council in 2005 instead of three members. Therefore, in the 2005 November general election, an election shall be conducted for the offices of mayor and two council members. In the 2007 November general election, an election shall be conducted for the offices of three remaining council members. The two candidates for the office of member of the city council in the 2005 November general election and every four years thereafter who receive the two highest numbers of votes cast for such office shall be elected to four year terms of office and until their successors are elected and qualified. The three candidates for the office of member of the city council in the 2007 November general election and every four years thereafter who receive the three highest numbers of votes cast for such office shall be elected to four year terms of office and until their successors are elected and qualified.

(d) The terms of office of the mayor and council members elected as provided in this section shall begin upon their taking the oath of office, as provided in Section 2.22 of this charter.

Section 5.12. Special elections; vacancies. In the event that the office of mayor or council member shall become vacant for any cause whatsoever, the council or those remaining shall order a special election to fill the balance of the unexpired term of such office; provided, however, if such vacancy occurs within six months of the expiration of the term of that office, the council or those remaining shall appoint a successor for the

remainder of the term. In all other respects, the special election shall be held and conducted in accordance with Chapter 2 of Title 21 of the O.C.G.A., the 'Georgia Election Code,' as now or hereafter amended.

Section 5.13. Nonpartisan elections. Political parties shall not conduct primaries for city offices, and all names of candidates for city offices shall be listed without party labels.

Section 5.14. Other provisions. Except as otherwise provided by this charter, the council shall, by ordinance, prescribe such other rules and regulations as it deems appropriate to fulfill any options and duties under Chapter 2 of Title 21 of the O.C.G.A., the 'Georgia Election Code,' as now or hereafter amended."

SECTION 3.

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