

House Bill 1171 (AS PASSED HOUSE AND SENATE)

By: Representatives Randall of the 138th, Epps of the 140th, Dickey of the 136th, Beverly of the 139th, Holmes of the 125th, and others

A BILL TO BE ENTITLED
AN ACT

1 To provide for the restructuring of the governments of the City of Macon, the City of Payne
2 City, and Bibb County; to create and incorporate a new political body corporate under the
3 name Macon-Bibb County; to provide for the status, boundaries, and powers of the
4 restructured government; to provide for the form, administration, and affairs of the
5 restructured government; to provide for officers and employees, elections, courts, authorities,
6 taxation, and finance; to provide for related matters; to provide for severability; to provide
7 for a referendum; to provide for effective dates; to repeal conflicting laws; and for other
8 purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 **SECTION 1.**

11 (a) The governmental and corporate powers, duties, and functions now vested in the City of
12 Macon, a municipal corporation created by an Act of the General Assembly, approved March
13 23, 1977 (Ga. L. 1977, p. 3776), as amended, are restructured with the governmental and
14 corporate powers, duties, and functions of the County of Bibb and the City of Payne City,
15 such restructuring of the governments of the City of Macon, the City of Payne City, and the
16 County of Bibb being pursuant to the constitutional power granted by Article IX, Section III,
17 Paragraph II of the Constitution of Georgia, as amended. Said restructuring shall result in
18 the establishment of a single county-wide government with powers and jurisdiction
19 throughout the territorial limits of Bibb County, which single government shall supersede
20 and replace the governments of the City of Macon, the City of Payne City, and the County
21 of Bibb, and, to the extent provided in this charter, shall also supersede and replace any
22 public authorities and special service districts located and operating within Bibb County.
23 Said county-wide government shall be a new political entity, a body politic and corporate,
24 and a political subdivision of the State of Georgia, to be known as "Macon-Bibb County" (in
25 this charter at times called "the restructured government"), having all of the governmental
26 and corporate powers, duties, and functions heretofore held by and vested in the City of

27 Macon, the City of Payne City, and Bibb County, and also the powers, duties, and functions
28 provided in this charter. The restructured government shall be a public corporation; shall
29 have perpetual existence; shall, without the necessity or formality of a deed, bill of sale, or
30 other instrument of transfer, own, possess, and hold all properties of whatsoever kind or
31 nature, assets, contracts, franchises, things, rights, privileges, immunities, and real and
32 personal property theretofore owned, possessed, enjoyed, or held by the City of Macon, the
33 City of Payne City, and the County of Bibb; by the name of Macon-Bibb County shall be
34 able to contract and be contracted with, sue and be sued as provided by this charter, plead
35 and be impleaded in all courts of this state, and do all other acts relating to its corporate
36 capacity; and shall be able in law and equity to purchase, have and hold, receive, enjoy,
37 accept, possess, and retain for the use and benefit of said Macon-Bibb County, in perpetuity
38 or for any term of years, any estate or estates, real or personal, lands, tenements, or
39 hereditaments of whatsoever kind or nature inside or outside the territorial limits of the
40 restructured government, as may be devised, bequeathed, sold, or by any manner conveyed
41 or dedicated to or otherwise acquired by the restructured government and to use, manage,
42 improve, sell and convey, rent, or lease same; and to have and use a common seal. From and
43 after the effective date of this charter, the political subdivision known as Bibb County,
44 Georgia, and the municipal corporations known as the City of Macon and the City of Payne
45 City shall be merged into the said new political entity created in this charter.

46 (b) The territory embraced in the restructured government shall be the total area of Bibb
47 County, as the same may be now or hereafter fixed and established by law. Any portion of
48 the City of Macon as it exists on December 31, 2013, which extends in to any other county
49 shall not be included in the territory of the restructured government and shall on January 1,
50 2014, become unincorporated land of the county in which it is located.

51 **SECTION 2.**

52 (a) The restructured government shall have and be vested with, to the same extent as if
53 repeated in this charter, all rights, powers, duties, privileges, and authority that the City of
54 Macon, the City of Payne City, or Bibb County, or all collectively, have under the
55 Constitution and general and special laws of Georgia at the time of the adoption of this
56 charter, except as expressly modified in this charter.

57 (b) In addition to the foregoing, the restructured government shall have all rights, powers,
58 duties, privileges, and authority conferred or enlarged by this charter, and such other rights,
59 powers, duties, privileges, and authority as may be necessary and proper for carrying the
60 same into execution, and also all rights, powers, duties, privileges, and authority, whether
61 express or implied, that may now be vested in or hereafter granted to counties or municipal

corporations, or both, by the Constitution and laws of this state, including the powers vested in the restructured government by this charter.

(c) The restructured 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 local affairs, property, and government that are necessary or proper in the legitimate exercise of its corporate powers and governmental duties and functions.

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

(e) No repeal of any law under which the restructured government derives any right, power, privilege, or authority, except by amendment of this charter as provided in this charter, shall be construed as limiting or abolishing any such right, power, privilege, or authority set forth in this charter.

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

(1) Which on the effective date of this charter apply to the City of Macon or Bibb County shall be applicable to the restructured government; and

(2) Which apply to the restructured 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 Macon or Bibb County or the restructured government at the time of their enactment shall not become applicable to the restructured government except through the adoption of a resolution to that effect by the commission.

(g) Local Acts of the State of Georgia which apply specifically to Bibb County, the City of Payne City, or the City of Macon, or all collectively, shall be applicable to the restructured government.

(h) 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 Bibb County, the City of Payne City, or the City of Macon, or all collectively, the following terms as used in such laws shall be construed to include the restructured government as follows:

(1) "City," "town," "municipal corporation," or "municipality" shall be construed to include Macon-Bibb County;

(2) "County" shall be construed to include Macon-Bibb County;

(3) "Commissioners of roads and revenues" and "board of county commissioners" shall be construed to include the commission of Macon-Bibb County;

(4) "Council," "mayor and council," "aldermen," and "board of aldermen" shall be construed to include the commission of Macon-Bibb County, Georgia; and

(5) Any other terms and provisions as used in such Acts to refer specifically to Bibb County or the City of Macon, or both, and the officers, employees, departments, and agencies thereof shall be construed to mean Macon-Bibb County and its officers, employees, departments, and agencies.

(i) In construing the applicability of laws in force to the restructured 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 Bibb County, not in conflict with this charter;

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

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

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

(8) Existing ordinances and resolutions of the former City of Macon and City of Payne City and existing ordinances and resolutions of the former County of Bibb not in conflict with this charter.

(j) The tort and nuisance liability of the restructured government shall follow the law and rules of tort liability applicable to counties in Georgia.

(k) For purposes of all applicable laws, the restructured 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; provided, however, that the redistricting of commission districts shall be accomplished solely by local law.

(l) The restructured 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 the provisions of this charter; and to execute mortgages or deeds of trust in favor of any federal agency, secured by property of which the restructured 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 3.

(a) Prior to the effective date of this charter, all powers vested in Bibb County, the City of Macon, or the City of Payne City, or any of their respective officers, agents, or agencies shall remain in full force and effect. Upon such effective date, the board of commissioners of Bibb County, the mayor and council of the City of Macon, the mayor and council of the City of Payne City, and the offices of all members thereof shall stand abolished, and all emoluments appertaining thereto shall cease. Thereupon, the governments of Bibb County, the City of Macon, and the City of Payne City shall terminate as such separate political entities and be merged into the government created by this charter.

(b) When an agency of the City of Macon, the City of Payne City, or Bibb County is abolished or restructured 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.

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

SECTION 4.

(a) All contracts, orders, leases, bonds, and other obligations or instruments entered into by the City of Macon, the City of Payne City, or Bibb County or for its benefit prior to the effective date of this charter shall continue in effect according to the terms thereof as obligations and rights of Macon-Bibb County.

(b) No action or proceeding of any nature, whether civil or criminal, judicial or administrative, or otherwise, pending on the effective date of this charter by or against the City of Macon or its departments and agencies, the City of Payne City or its departments and

agencies, or Bibb County or its departments or agencies shall be abated or otherwise affected by the adoption of this charter.

(c) The departmental organization of the cities existing immediately prior to adoption of this charter shall continue in effect upon the effective date of this charter until such organization is changed or reorganized as provided by ordinance of the commission and administrative regulations consistent therewith.

(d) The provisions of this charter notwithstanding, the annual compensation of the mayor and councilmembers of the City of Macon and the City of Payne City for the remainder of their present terms of office shall be the same annual compensation as such officers received in the calendar year immediately preceding the date of adoption of this charter.

SECTION 5.

The governing authority of Macon-Bibb County shall consist of a commission of said county composed of a mayor and nine commissioners. Said board is designated as the Macon-Bibb County Commission, referred to in this charter as the "commission." The members of said commission are designated and referred to in this charter as "commissioners." The commission shall exercise and be subject to all of the rights, powers, duties, and obligations imposed by this charter or previously applicable to the governing authorities of the City of Macon, the City of Payne City, and Bibb County and to any general laws, local laws, or constitutional provisions applicable or effective within the former City of Macon, City of Payne City, and Bibb County. The commission shall constitute a county as well as a municipality for the purpose of the application of the general laws and Constitution of this state. The commission may exercise the powers vested in the governing authority of the municipality and municipalities generally as well as the powers vested in the former governing authority of the county and counties generally.

SECTION 6.

The governing authority shall exercise the jurisdiction, powers, and authorities vested in such body by this charter and perform and discharge the duties, obligations, and responsibilities imposed upon it by law, either directly or through such officers, agents, and employees as it may from time to time ordain, constitute, and appoint in addition to those created and provided for in this charter; and the governing authority shall, except as otherwise provided in this charter, prescribe by ordinances or resolutions the manners and methods in which such jurisdiction, powers, authorities, duties, obligations, and responsibilities shall be exercised, performed, and discharged, and the respective officers, agents, and employees by whom the several portions thereof shall be exercised, performed, and discharged.

SECTION 7.

On the effective date of this charter, the operations and employees of the Municipal Court of the City of Macon shall continue its operations without interruption resulting from the adoption of this charter. The employees of such court shall become employees of the restructured government of Macon-Bibb County. The court shall be known as the Municipal Court of Macon-Bibb County. The judge of the Municipal Court of the City of Macon shall be authorized to serve as the judge of said court. Vacancies in the office of judge of the Municipal Court of Macon-Bibb County shall be filled by appointment of the mayor. Such court shall have jurisdiction as provided by law for municipal courts for all covered offenses and all code and ordinance violations occurring in Macon-Bibb County.

SECTION 8.

Except as otherwise provided in this charter, the duties of the sheriff, the tax commissioner, the coroner, and the clerk of the superior court shall remain as such duties are presently imposed by law for such respective officers as county officers; provided, however, that such duties may be expanded and enlarged by the governing authority to include like duties and responsibilities in connection with the affairs of the restructured government. The compensation paid to any such officer shall be fixed as heretofore provided by law and may not be reduced during his or her term of office below the amount of such compensation as fixed at the commencement of such term, nor shall his or her compensation during his or her term of office in effect upon the effective date of this charter be reduced below the salary then being paid such officer. Such compensation as so fixed shall be the sole remuneration to such officers for their services and any and all other compensation for such services to Macon-Bibb County, the State of Georgia, or any agency thereof, including salaries, fees, commissions, fines, or forfeitures received from any source whatsoever, shall be the property of Macon-Bibb County and paid into its treasury.

SECTION 9.

(a) The territory of the restructured government shall consist of nine election districts to be designated as Commission Districts 1 through 9 and the boundaries of the initial districts shall be as described in the districting plan attached to and made a part of this charter and further identified as 'Plan: bibbcon12-hd139p2r-rev2 Plan Type: Local Administrator: Bibb Co. User: Gina'.

(b)(1) When used in such attachment, the term 'VTD' (voting tabulation district) 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 2010 for the State of Georgia.

(2) The separate numeric designations in a district description which are underneath a VTD heading shall mean and describe individual Blocks within a VTD as provided in the report of the Bureau of the Census for the United States decennial census of 2010 for the State of Georgia. Any part of Macon-Bibb 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 2010 for the State of Georgia.

(3) Any part of Macon-Bibb 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 2010 for the State of Georgia.

(4) Except as otherwise provided in the description of any election 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 2010 for the State of Georgia.

(c) The commission shall consist of nine members. The initial commissioners shall be elected at an election held on the Tuesday next following the first Monday in November, 2013, for terms of three years and until their successors are duly elected and qualified. A primary shall be conducted in accordance with law prior to such election. Their successors shall be elected for terms of four years. The members shall be elected from the nine districts specified in subsection (a) of this section by a majority of electors voting in such election from such district. All members of the commission shall be full voting members of the commission. The mayor shall be the presiding officer of the commission but shall not be a voting member of the commission; provided, however, that the mayor may cast a vote on any matter before the commission to break a tie. The mayor may propose ordinances in the same manner as a commissioner.

(d) No person shall be eligible to serve as a commissioner unless he or she:

(1) Has been a resident of Macon-Bibb County for a period of one year immediately prior to the date of the election;

(2) Continues to reside within the commission district from which elected during his or her term of office;

(3) Is a registered and qualified elector of Macon-Bibb County; and

(4) Meets the qualification standards required for members of the Georgia House of Representatives as are now or may in the future be prescribed by the Georgia Constitution.

(e)(1) Each commissioner shall be paid an annual salary of \$15,000.00. Future changes in the salary and expenses of the commissioners shall be effected in accordance with the provisions of Code Section 36-35-4 of the O.C.G.A. and in accordance with the procedures of Code Section 36-5-24 of the O.C.G.A.; provided, however, that any increase in the salary or compensation of commissioners shall equal no more than one-half of the average percentage salary increase granted by such governing authority to the restructured government employees over the preceding three years.

(2) Any action to increase the salary of commissioners shall not become effective until the date of commencement of the terms of those commissioners elected at the next regular election following such action.

(3) In addition to salary and subject to appropriations, commissioners shall be reimbursed for all actual expenses reasonably and necessarily incurred in carrying out the duties and responsibilities of the restructured government as provided by rule or regulation.

(f) The commission shall elect from among its members in January of each year a member to serve as mayor pro tempore, who shall preside over meetings of the commission in the mayor's absence.

(g) For purposes of eligibility for employee benefits, the commissioners shall be deemed to be part-time employees.

SECTION 10.

(a) Those members of the board of commissioners of Bibb County elected to take office in January, 2013, and the mayor and those members of the commissions of the City of Macon and the City of Payne City who are serving as such on the second Monday of January, 2013, and any persons filling vacancies in such offices shall continue to serve as such members until the second Monday of January, 2014, and then all such offices shall be abolished and all terms of office shall expire. After the second Monday of January, 2013, no further elections shall be conducted to elect members of the board of commissioners of Bibb County and the mayor and members of the commission of the City of Macon and the City of Payne City and all elections for the mayor and the members of the commission shall be conducted pursuant to this charter.

(b) The initial mayor shall be elected in an election to be held on the Tuesday after the first Monday in November, 2013. A primary shall be conducted in accordance with law prior to such election. Candidates shall be nominated and elected by majority vote as provided in this section. The person elected as mayor at such election shall take office on the second Tuesday of January, 2014, for an initial term of three years and until a successor is elected is and qualified. Thereafter, each successor to the office of mayor shall be elected at the

general election to be held on the Tuesday following the first Monday in November immediately preceding the expiration of a term of office, shall take office on the second Monday of January immediately following the date of the election, and shall have a term of office of four years and until a successor is elected and qualified. The mayor shall be elected by a majority vote on a county-wide basis by the electors of the entire county.

(c) To be eligible for election to the office of mayor, a person at the time of election shall:

(1) Have attained the age of 27 years;

(2) Have resided in Macon-Bibb County for at least one year;

(3) Be a qualified elector of the restructured government; and

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

(d) Except as otherwise provided in this section, all primaries and elections for the mayor and members of the commission shall be in accordance with the provisions of Chapter 2 of Title 21 of the O.C.G.A., known as the "Georgia Election Code," as now or hereafter amended. Any person who is a registered voter of Macon-Bibb County shall be eligible to vote in any election under this section.

(e) The mayor shall be limited to serving a total of no more than two four-year terms. Each commission member shall be limited to serving a total of three four-year terms. An initial term of less than four years shall nevertheless be deemed a full term for purposes of this subsection. Prior service as an officer of the City of Macon or Bibb County shall not be computed for such limitations.

SECTION 11.

(a) The commission shall provide by ordinance for the execution of all powers, functions, rights, privileges, duties, and immunities of the restructured government and its officers, agencies, or employees as provided by this charter or general state law.

(b) Without limiting the general legislative powers of the commission, it is empowered to:

(1) Adopt all annual appropriations for the restructured government by ordinance and any supplements or amendments the commission deems necessary from time to time during the fiscal year;

(2) Adopt, by ordinance, a fiscal year for the restructured government and each of its departments, boards, or other agencies and any other ordinances for the regulation and management of the financial affairs of the restructured government it deems necessary;

(3) Adopt, by ordinance, provisions for governmental reorganization including the establishment, alteration, or abolishment of any and all nonelective offices, positions, departments, and agencies of the restructured government unless otherwise established or provided by this charter;

- (4) Adopt ordinances establishing any and all personnel policies it deems necessary for an adequate and systematic handling of personnel affairs;
- (5) Make adjustments, by ordinance, to the boundaries of commission districts of the restructured government as provided in Section 9 of this charter;
- (6) Establish committees of its members for legislative, investigative, and study purposes without the need for approval of the mayor;
- (7) Establish and appoint any board or commission of citizens to advise the commission as it deems necessary without the need for approval by the mayor; provided, however, that the term of such boards or commissions shall automatically expire at the end of the term of office of the commission who appointed same, if not earlier abolished by the commission;
- (8) Grant franchises or make contract for, or impose taxes on public utilities and public service companies; and to prescribe the rates, fares, regulations and standards, and conditions of service applicable to the service to be provided by the franchise grantee or contractor, insofar as not in conflict with valid regulations of the Public Service Commission;
- (9) Provide for the collection of residential solid waste throughout Macon-Bibb County; and
- (10) Adopt any other ordinance, resolution, or amendment to this charter as is allowed or not denied now or hereafter under general state law or this charter and exercise any other power as may be provided now or hereafter under general state law, this charter, or ordinance.

SECTION 12.

The commission shall, upon the approval of the mayor and five commissioners or the approval of six commissioners, provide for an independent annual audit of all restructured government accounts and may provide for more frequent or continuing audits as it deems necessary. Audits shall be made by a certified public accountant or firm of certified public accountants who has no personal interest, direct or indirect, in the fiscal affairs of the restructured government or any of its officers. The commission may designate the accountant or firm annually, provided that the designation for any particular fiscal year shall be made no later than 30 days after the beginning of the fiscal year. The commission may also provide for special independent audits of any office, department, board, commission, or other agency of the restructured government without the need for approval by the mayor.

SECTION 13.

The commission, upon the approval of the mayor and five commissioners or upon the approval of six commissioners, may initiate inquiries and investigations into the affairs of the restructured government and the conduct of any department, office, or agency of the restructured government or any joint or independent commission, board, or authority of the restructured government. Any participant in any hearing authorized may request that such hearing be closed to the public and all reports to the commission of the result of any inquiry or investigation by an authorized committee may be closed to the public; provided, however, that all such hearings shall be subject to Chapter 14 of Title 50 of the O.C.G.A., relating to open and public meetings. Any action taken by the commission as a result of such inquiry or investigation shall be taken at and during an open meeting.

SECTION 14.

(a) All of the executive powers of the restructured government are vested in the mayor. The mayor shall be the chief executive officer of Macon-Bibb County and shall be responsible for execution of the laws and policies of the restructured government and applicable state and federal laws. The mayor shall possess and exercise the following executive and administrative powers and duties:

- (1) To see that the ordinances, resolutions, and regulations of the restructured government and laws of this state are faithfully executed and enforced;
- (2) To exercise supervision over the executive and administrative affairs of the restructured government and to provide for the coordination of executive and administrative activities;
- (3) In addition to the appointments provided for in Section 16 of this charter, to appoint department heads, subject to the approval of a majority of the commission, to serve at the pleasure of the mayor;
- (4) To sign and approve deeds, bonds, contracts, and other instruments and documents in any case in which the legal instruments must be in writing or where the general laws of this state or ordinance or resolution of the commission so require;
- (5) To submit to the commission annually a draft of the recommended appropriations ordinance, the budget message, and the budget report and to submit annually to the commission a capital improvement program;
- (6) To conduct studies and investigations and to make recommendations to the commission for legislation concerning all matters relating to the restructured government and the welfare of its citizens;
- (7) To represent the restructured government in its intergovernmental relations;

(8) To appoint the attorney, fire chief, municipal county judge, and county manager for the restructured government, with the approval of a majority of the commission, who shall serve at the pleasure of the mayor;

(9) To provide an annual financial audit of all authorities and provide a report of such audit to the commission; and

(10) To perform any other duties as may be required by law, ordinance, or resolution.

(b)(1) Every ordinance adopted by the commissioners shall be presented promptly by the clerk of commission to the mayor after its adoption.

(2) The mayor, within ten calendar days of receipt of an ordinance, shall return it to the clerk of commission with or without the mayor's approval or with the mayor's disapproval. If the ordinance has been approved by the mayor, it shall become law upon its return to the clerk of commission; if the ordinance is neither approved nor disapproved, it shall become law at 12:00 Noon on the tenth calendar day after its adoption; if the ordinance is disapproved, the mayor shall submit to the commissioners through the clerk of commission a written statement of the reasons for the veto. The clerk of commission shall record upon the ordinance the date of its delivery to and receipt from the mayor.

(3) Ordinances vetoed by the mayor shall be presented by the clerk of commission to the commissioners at their next meeting. If the commissioners then or at their next meeting adopt the ordinance by an affirmative vote of at least six members, it shall become law.

(4) The mayor may disapprove or reduce any item or items of appropriation in any ordinance. The approved part or parts of any ordinance making appropriations shall become law, and the part or parts disapproved shall not become law unless subsequently passed by the commissioners over the mayor's veto as provided in this subsection. The reduced part or parts shall be presented to the commissioners as though disapproved and shall not become law unless overridden by the commissioners as provided in paragraph (3) of this subsection.

(c) The mayor shall be considered full time and he or she shall receive an annual salary of \$100,000.00. In addition, the mayor shall be reimbursed for all actual expenses reasonably and necessarily incurred in the performance of his or her official duties, subject to appropriations. Future changes in the salary and expenses of the mayor shall be effected in accordance with the provisions of Code Section 36-35-4 of the O.C.G.A. and in accordance with the procedures of Code Section 36-5-24 of the O.C.G.A.; provided, however, that any increase in the salary or compensation of the mayor shall equal no more than one-half of the average percentage salary increase granted by the governing authority to restructured government employees over the last preceding three years.

451 (d) For purposes of eligibility to receive employee benefits, the mayor shall be deemed to
452 be a full-time employee.

453 **SECTION 15.**

454 (a) In the event that the office of mayor or any commissioner shall become vacant for any
455 cause whatsoever, the commission or those remaining shall, by resolution, order a special
456 election to fill the balance of the unexpired term of that office.

457 (b) If, however, the vacancy in any commission seat occurs within 12 months of the
458 expiration of the term of that office, the commission or those remaining may, within 20 days
459 of the occurrence of the vacancy, appoint a successor for the remainder of the term.

460 (c) If, however, a vacancy in the office of the mayor occurs, the mayor pro tempore shall be
461 acting mayor with all the powers and duties of that office until a successor is elected and
462 qualified, and if the vacancy in the office of the mayor occurs within 12 months of expiration
463 of the term of that office, the mayor pro tempore shall succeed to the office of the mayor for
464 the remainder of the term and the commission seat of such person shall be filled in
465 accordance with this section.

466 **SECTION 16.**

467 (a)(1) The mayor shall, subject to the approval of a majority of the commission, appoint
468 an officer whose title shall be county manager who shall serve at the pleasure of the
469 mayor. The county manager officer shall be appointed solely on the basis of executive
470 and administrative qualifications. The county manager officer shall hold a master's
471 degree in public or business administration or a related field and shall have at least four
472 years' experience in public administration or in business management in the private sector
473 or shall hold a bachelor's degree in public or business administration or a related field and
474 shall have at least eight years' experience in public administration or in business
475 management in the private sector. Such person need not be a resident of Macon-Bibb
476 County or the State of Georgia at the time of appointment.

477 (2) The mayor shall, subject to a majority vote of all commissioners then serving,
478 appoint a clerk of commission who shall serve at the pleasure of the mayor. The clerk
479 of commission may also serve as clerk of the restructured government or on any other
480 positions he or she may be appointed to in the restructured government.

481 (3) The clerk of the commission shall attend all meetings of the commission; keep the
482 minutes, rules, and records of the commission; provide notice of meetings; and perform
483 other duties required by the commission or by ordinance. The compensation of the clerk
484 shall be as fixed by the commission.

(4) The chief of the Macon-Bibb County Fire Department shall be appointed by the mayor with the approval of a majority of the commission, shall serve at the pleasure of the mayor, and shall perform his or her official duties as the chief firefighter throughout the entire limits of Macon-Bibb County.

(b) The county manager officer shall have the following powers, duties, and responsibilities:

(1) To serve as director of the department of administration;

(2) To advise and assist the mayor in the performance of designated duties;

(3) To coordinate the activities of the departments of the restructured government;

(4) To serve as a liaison between the mayor and the departments of the restructured government;

(5) To carry out the written directives of the mayor; provided, however, that the mayor shall not be authorized to delegate to the chief administrative officer any of the powers or duties conferred upon the mayor by charter or by ordinance;

(6) To make periodic reports with any recommendations to the mayor as required by the mayor or as he or she deems appropriate concerning the affairs of the restructured government; and

(7) To perform any other duties as shall be required by the mayor.

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

(d) There shall be an attorney for the restructured government who shall be appointed by the mayor with the approval of a majority of the commission and shall serve at the pleasure of the mayor. Such person shall be an active member of the State Bar of Georgia in good standing and shall have been engaged in the active practice of law for at least five years prior to the date of appointment. The attorney shall be legal counsel to the restructured government and perform any other duties as may be provided by ordinance. Such person shall be responsible to the mayor and to the commission. The compensation of the attorney shall be as prescribed by a duly adopted ordinance. The attorney shall recommend legal counsel to all authorities of the restructured government when needed except as otherwise instructed by the mayor.

(e)(1) There shall be a finance officer who shall be appointed by the mayor with the approval of a majority of the commission and shall serve at the pleasure of the mayor.

(2) The finance officer shall perform financial duties for the restructured government and any other duties as may be provided by ordinance. Such person shall be responsible to the mayor and to the commission.

SECTION 17.

(a) The newly elected mayor and commissioners shall take office and meet for organization and swearing-in ceremonies on the second Tuesday of January following their election. There shall be a committee on committees made up of the mayor, the mayor pro tempore, and an additional commissioner appointed by the mayor and the mayor pro tempore. The committee on committees shall create, abolish, and appoint all committees and the membership thereof. The mayor and the mayor pro tempore shall not be a voting member of any committee established by the committee or committees. At this meeting, the newly organized commission shall make any appointments and selections as may be required by this charter.

(b) At the meeting provided for in subsection (a) of this section, the newly elected mayor and commissioners shall each qualify to take office by taking the oath of office for public officials as provided by state law and the following oath:

"I do solemnly swear or affirm that I will well and truly perform the duties of (mayor or commissioner, as the case may be) by adopting such measures as in my judgment shall be best calculated to promote the general welfare of the inhabitants of Macon-Bibb County and the common interest thereof."

SECTION 18.

No person shall fill a vacancy for an unexpired term by appointment of the commission unless that person receives a majority of the votes of all commissioners then serving.

SECTION 19.

(a) Six members of the commission shall constitute a quorum for the transaction of ordinary business, but the affirmative vote of at least five members shall be required for the commission to take official action. Official action of the commission shall be entered upon its minutes. Any member of the commission shall have the right to request a roll-call vote.

(b) The commission may fix the date and time of regular meetings in the commission rules of procedure but there shall be at least one regular meeting each month.

(c) Special meetings of the commission may be held on call of the mayor pro tempore or a majority of all members of the commission. The mayor shall also be authorized to call special meetings regarding fiscal affairs or emergencies involving public safety. Notice of a special meeting shall be served on all other members personally, or by telephone personally, at least 48 hours in advance of the meeting. If, after diligent effort, personal service is not possible, notice shall be deemed to have been served if delivered to the residence of record of the member by a law enforcement officer who certifies that such delivery was made at least 24 hours prior to the convening of the meeting. This notice to

commissioners shall not be required if all commissioners are present when the special meeting is called. This notice of any special meeting may be waived by a commissioner in writing before or after such a meeting, and attendance at the meeting shall also constitute a waiver of notice on any business transacted in the commissioner's presence. Only the business stated in the call may be transacted at the special meeting.

(d) All meetings of the commission shall be public to the extent required by general state law and notice to the public of special meetings shall be made fully as is reasonably possible 48 hours prior to the meetings.

(e)(1) To meet a public emergency affecting life, health, property, or public peace, the commission may convene on call of the mayor, the mayor pro tempore, or a majority of all commissioners and promptly adopt an emergency ordinance, but this ordinance may not levy taxes; grant, renew, or extend a franchise; regulate the rate charged by any public utility for its services; or authorize the borrowing of money except for loans to be repaid within 30 days. An emergency ordinance shall be introduced in the form prescribed for ordinances generally, except that it shall be plainly designated as an emergency ordinance and shall contain, after the enacting clause, a declaration stating that an emergency exists and describing it in clear and specific terms. An emergency ordinance may be adopted with or without amendment or rejected at the meeting at which it is introduced. It shall become effective upon adoption and approval or at any later time as it may specify. Every emergency ordinance shall automatically stand repealed 30 days following the date upon which it was adopted, but this shall not prevent reenactment of the ordinance in the manner specified in this section if the emergency still exists. An emergency ordinance may also be repealed by adoption of a repealing ordinance in the same manner specified in this section for adoption of emergency ordinances.

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

SECTION 20.

(a) Elected and appointed officers and employees shall demonstrate by their example the highest standards of ethical conduct, to the end that the public may justifiably have trust and confidence in the integrity of government. They, as agents of public purpose, shall hold their offices or positions for the benefit of the public, shall recognize that the public interest is their primary concern, and shall faithfully discharge the duties of their offices regardless of personal consideration.

(b) No elected official, appointed officer, or employee of the restructured government, any authority of the restructured government, 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 valuable gift 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 the restructured government or any portion of its government; or

(5) Vote or otherwise actively participate in the negotiation or the making of any contract between the restructured government and any business or entity in which he or she has a substantial financial interest.

(c) Any elected or appointed officer or employee of the restructured government, any authority of the restructured government, or any agency or political entity to which this charter applies who possesses or who acquires any financial interest as might reasonably tend to create a conflict with the public interest shall make full disclosure in writing to the appointing authority or the commission, in the case of a member of the commission, at any time a conflict becomes apparent. The disclosure statement shall be made a matter of public record and be filed with the clerk of commission. Any member of the commission who has any personal or private interest, indirect, financial, or otherwise, in any proposal before the commission shall disclose the interest in writing to the commission. The disclosure shall be made a matter of public record prior to the taking of any vote on the proposal.

(d) No elected member of the governing authority of Macon-Bibb County nor any company or business in which such elected member or a member of his or her immediate family presently has an interest, direct or indirect, which is incompatible with the proper discharge of his or her official duties or which would tend to impair his or her independence of judgment or action in the performance of his or her official duties, shall do business with an authority associated with Macon-Bibb County nor an authority whose members in whole or in part are appointed by the governing authority of Macon-Bibb County nor shall any member of an authority of the restructured government do business with an authority

associated with Macon-Bibb County or an authority whose members in whole or in part are appointed by the governing authority of Macon-Bibb County.

(e) No elected official, appointed officer, or employee of the restructured government, any authority of the restructured government, or any agency or entity to which this charter applies shall use property owned by the restructured government for financial benefit, convenience, or profit except in accordance with policies of the restructured government.

(f) Any violation of this charter which occurs with the knowledge, express or implied, of another party to a contract or sale shall render the contract or sale involved voidable and rescindable as to that party, at the option of the commission.

(g) Except where authorized by law, neither the mayor nor any commissioner shall hold any other elective or compensated appointive office in the government of Macon-Bibb County or otherwise be employed by Macon-Bibb County or any agency thereof during the term for which such official was elected, provided that the provisions of this section shall not apply to any elective office holder in office on the effective date of this charter.

(h) No person shall be hereafter appointed by the mayor, commission, or any member thereof, to any office, agency, or employment who is related within the third degree of consanguinity or affinity to the mayor or any member of the commission, nor shall any other board created by this charter or the head of any department of the restructured government hereafter appoint or employ any person who is so related to any member of such board or head of such department; nor shall any person be hereafter appointed or employed in any capacity on behalf of the restructured government who is so related to the person so appointing or employing him or her.

(i) Employees of Macon-Bibb County may individually exercise their right to vote and privately express their views as citizens, but no employee of Macon-Bibb County shall:

(1) Use his or her official authority or capacity for the purpose of interfering with or affecting the result of an election or nomination for office; or

(2) Directly or indirectly coerce, attempt to coerce, or command a state or local officer or employee to pay, lend, or contribute anything of value to a party, committee, organization, agency, or person for political purposes.

(j)(1) A knowing violation of this section shall be a misdemeanor.

(2) Any officer or employee of Macon-Bibb County who knowingly violates any requirement of this section shall upon conviction be guilty of malfeasance in office or position and shall forfeit the office or position.

(3) The appointing authority may reprimand, put on probation, demote, suspend, or discharge an employee or appointed officer found to have violated the standards of conduct established by this section.

SECTION 21.

(a) The general obligation bonded indebtedness of the City of Macon which is outstanding on the effective date of this charter shall become the debt and obligation of a special tax district which shall correspond to and be conterminous with the corporate limits of the City of Macon as said corporate limits existed on the day immediately preceding the effective date of this charter. The ad valorem taxes imposed by the City of Macon prior to the effective date of this charter to retire such bonded indebtedness shall continue to be imposed within the special tax district in the same manner and to the same extent that such ad valorem taxes were previously imposed by the City of Macon in accordance with the terms of the obligations of such bonded indebtedness. The commission, as the governing authority of Macon-Bibb County, shall be the successor to the previously existing governing authority of the City of Macon for all purposes relating to such bonded indebtedness, including the enforcement of rights and remedies of bondholders.

(b) The general obligation bonded indebtedness of the City of Payne City which is outstanding on the effective date of this charter shall become the debt and obligation of a special tax district which shall correspond to and be conterminous with the corporate limits of the City of Payne City as said corporate limits existed on the day immediately preceding the effective date of this charter. The ad valorem taxes imposed by the City of Payne City prior to the effective date of this charter to retire such bonded indebtedness shall continue to be imposed by the commission within the special tax district in the same manner and to the same extent that such ad valorem taxes were previously imposed by the City of Payne City in accordance with the terms of the obligations of such bonded indebtedness. The commission, as the governing authority of Macon-Bibb County, shall be the successor to the previously existing governing authority of the City of Payne City for all purposes relating to such bonded indebtedness, including the enforcement of rights and remedies of bondholders.

(c) The general obligation bonded indebtedness of Bibb County outstanding on the effective date of this charter shall not be affected by this charter, and the commission, as the governing authority of Macon-Bibb County, shall become the successor to the previously existing governing authority of Bibb County for all purposes relating to such bonded indebtedness, including the enforcement of rights and remedies of bondholders.

(d) Each special tax district created by this section shall cease to exist upon the full satisfaction of all relative bonded indebtedness, but not later than July 1, 2019. At the time the final special tax district ceases to exist, this section shall stand repealed.

SECTION 22.

(a) Existing ordinances and resolutions of the board of commissioners of Bibb County and existing rules and regulations of departments or agencies thereof not inconsistent with the

provisions of this charter shall continue to be effective as ordinances and resolutions of the commission and as rules and regulations of the appropriate department or agency thereof until they are modified or repealed.

(b) Existing ordinances and resolutions of the board of commissioners of Bibb County and existing rules and regulations of departments and agencies of Bibb County which, by their terms or by their operation, were applicable prior to the effective date of this charter throughout the territorial limits of Bibb County shall continue to be effective throughout the territorial limits of Bibb County until such time as the commission, by resolution or ordinance, modifies or repeals such ordinances, resolutions, or regulations.

(c) Existing ordinances and resolutions of the commission of the City of Macon which are not inconsistent with the provisions of this charter shall continue to be effective as ordinances and resolutions of the commission until they are modified or repealed.

(d) 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 restructured government that such ordinance or resolution applied to prior to the effective date of this charter and until such ordinance or resolution is repealed, changed, or amended to eliminate the conflict.

(e) Through December 1, 2013, all ordinances and resolutions shall apply uniformly throughout the area of the restructured government. Prior to this date, the transition task force created pursuant to Section 37 of this charter 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 23.

(a) Until July 1, 2014, the restructured government shall operate under the funds remaining from the fiscal year 2013-2014 of the combined budgets of the City of Macon, the City of Payne City, and Bibb County.

(b)(1) The first full 12 month budget of the unified government for fiscal year 2015 shall not exceed an amount equal to the combined fiscal year general operating budgets of the City of Macon, Payne City, and Bibb County, plus increases due to inflation as specified in the Consumer Price Index, but not including capital road improvement and other special revenue funds including, without limitation, special purpose local option sales tax and transportation special purpose local option sales tax funds.

(2) The 12 month budget of the unified government for fiscal year 2016 shall not exceed an amount equal to 95 percent of the fiscal year 2015 general operating budget, plus increases due to inflation as specified in the Consumer Price Index, but not including capital road improvement and other special revenue funds.

(3) The 12 month budget of the unified government for fiscal year 2017 shall not exceed an amount equal to 90 percent of the fiscal year 2015 general operating budget, plus increases due to inflation as specified in the Consumer Price Index, but not including capital road improvement and other special revenue funds.

(4) The 12 month budget of the unified government for fiscal year 2018 shall not exceed an amount equal to 85 percent of the fiscal year 2015 general operating budget, plus increases due to inflation as specified in the Consumer Price Index, but not including capital road improvement and other special revenue funds.

(5) The 12 month budget of the unified government for fiscal year 2019 shall not exceed an amount equal to 80 percent of the fiscal year 2015 general operating budget, plus increases due to inflation as specified in the Consumer Price Index, but not including capital road improvement and other special revenue funds.

(c) The budget limits established by subsection (b) of this section may be exceeded by not more than 25 percent in any given year if extreme economic circumstances require or if additional expenditures for public safety purposes are needed but only by a vote of six of the nine commissioners at an open meeting after notice on the official website of Macon-Bibb County once a week for two consecutive weeks prior to the meeting and the hearing of public comments.

(d) The tax assessments made by the board of tax assessors of Bibb County and the City of Macon and the City of Payne City as of the effective date of this charter shall constitute the basis for the assessment and collection of taxes of the commission for the calendar year in which this charter becomes effective.

(e) It is the purpose of this section that property shall be subject to taxation in relation to services received.

(f) Within four years of the effective date of this charter, the restructured government shall adopt a service delivery plan.

SECTION 24.

The commission may create special services tax districts and shall assess, levy, and collect ad valorem taxes and collect service charges and fees for the provision of district services within a special services district only in accordance with the kind, character, type, and degree of district services provided by the commission within such special services tax district. The provisions of this section shall control ad valorem taxation and the collection of service charges and fees for the provision of district services within special services tax districts by the commission. District services shall mean and include all of those governmental services enumerated in Article IX, Section II, Paragraph III of the Constitution.

SECTION 25.

(a) All employees and former employees of Bibb County, the City of Payne City, and the City of Macon and of every agency, instrumentality, commission, or authority thereof shall retain those pension rights, if any, which had accrued to them prior to the effective date of this charter under any pension plan adopted by law or by ordinance or resolution by the board of commissioners of Bibb County, the mayor and commissions of the City of Macon, or the governing authority of the City of Payne City. The commission shall assume on the effective date of this charter all obligations arising under all such pension plans, but the assumption of such obligations by the commission shall not create any obligation on the part of the commission or create any right which did not exist prior to the effective date of this charter.

(b) 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 the effective date of this charter; 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 Macon, the City of Payne City, Bibb County, or of any agency of such former governments.

SECTION 26.

(a)(1) The mayor shall submit to the commission at least six weeks prior to the start of the fiscal year a budget message and a budget report, accompanied by a draft of the recommended appropriations ordinance, in a form and manner as may be prescribed by ordinance, which shall provide for the appropriation of the funds necessary to operate all the various departments and to meet the current expenses of the restructured government for the next fiscal year. Such ordinance must be approved by a two-thirds' majority vote of the commissioners then serving.

(2) The commission shall annually appropriate the funds necessary to operate all the various departments and to meet the current expenses of the restructured government for the next fiscal year. The fiscal year of Macon-Bibb County shall be as determined by ordinance.

(b)(1) Each appropriations ordinance, as enacted or as amended from time to time, shall continue in force and effect for the next fiscal year after adoption and it shall then expire except for any mandatory appropriations required to meet contractual obligations or the continued appropriation and authorization of state or federal grants.

(2) The commission shall not appropriate funds for any given fiscal year which, in aggregate, exceed a sum equal to the amount of unappropriated surplus expected to have

accrued in the city treasury at the beginning of the fiscal year, together with an amount not greater than the total receipts from existing revenue sources anticipated to be collected in the fiscal year as determined by the mayor, less refunds as estimated in the budget report and amendments thereto.

(3) All appropriated funds, except for the mandatory appropriations required by law and those required to meet contractual obligations or the continued appropriation and authorization of state or federal grants, remaining unexpended and not contractually obligated at the expiration of the appropriations ordinance shall lapse.

(4) All state or federal funds received by Macon-Bibb County are by this charter continually appropriated in the exact amounts and for the purposes authorized and directed by the state or federal government in making the grant.

(c)(1) In addition to the appropriations made by the appropriations ordinance and amendments thereto, the commission may make additional appropriations in the same manner as provided in this charter, which shall be known as supplementary appropriations ordinances, provided that no supplementary appropriation shall be made unless there is an unappropriated surplus in the treasury of the restructured government or the revenue necessary to pay the appropriation has been collected into the general fund of the treasury as provided by law.

(2) In no event shall a supplementary appropriations ordinance continue in force and effect beyond the expiration of the appropriations ordinance in effect when the supplementary appropriations ordinance was adopted and approved.

(d)(1) The appropriation for each department, office, bureau, board, commission, function, or line item for which appropriation is made shall be for a specific amount of money and no appropriation shall allocate to any object the proceeds of any particular tax or fund or a part or percentage thereof. All appropriations by function or line item shall be lump sum by function or line item.

(2) Any appropriation made in conflict with the foregoing provisions shall be void.

SECTION 27.

(a) The commission shall prescribe, by ordinance, the procedures to be followed in the making of contracts which shall bind the restructured government. All contracts and all ordinances which shall make or authorize contracts shall be approved as to form by the attorney for the restructured government. The mayor shall sign and authorize all contracts; provided, however, the commission may authorize the mayor, by ordinance, to designate another appropriate official to sign any type of contract. The clerk of commission shall authenticate all contracts. The original of all contracts shall be maintained on file in the office of the clerk of commission.

(b) The commission shall prescribe, by ordinance, the procedures for all purchases of real and personal property by the restructured government. Competitive bidding shall be required for purchases and contracts and awards shall be made to the lowest or best bidder; provided, however, that the commission by ordinance may authorize the purchase of goods, materials, supplies, equipment, and services without the receipt of formal sealed bids where the price does not exceed a specified dollar amount. Prior to the making of purchases and contracts, the availability of adequate funds shall be certified as provided by ordinance.

(c) The commission shall prescribe, by ordinance, the procedures for all sales and other disposition of real and personal property by restructured government.

SECTION 28.

(a) On the effective date of this charter, the Board of Public Education and Orphanage for Bibb County established pursuant to an Act approved August 23, 1872 (Ga. L. 1872, p. 388), as amended, shall continue in the exercise of its functions and duties, subject to the provisions of law applicable thereto and subject to the provisions of subsections (b) and (c) of this section.

(b) The Board of Public Education and Orphanage for Bibb County shall annually certify to the commission of Macon-Bibb County a school tax for the support and maintenance of education in Macon-Bibb County. The commission shall annually levy said tax upon the assessed value of all taxable property within Macon-Bibb County and collect the same like other taxes of the restructured government. The levy made by the board of education and certified to the commission shall not exceed 22 mills per dollar unless such mill limitation shall be increased or removed in the manner provided by law.

(c) Notwithstanding any contrary provisions of local law, the Board of Public Education and Orphanage for Bibb County shall not be required to submit to the commission of Macon-Bibb County a copy of the school budget which is prepared pursuant to the provisions of Part 4 of Article 6 of Chapter 2 of Title 20 of the O.C.G.A. as the same is now or hereafter amended.

SECTION 29.

(a) Macon-Bibb County shall have power and authority to levy and provide for the assessment, valuation, revaluation, and collection of taxes on all property subject to taxation and to levy and collect such other taxes as may be allowed now or in the future by law.

(b)(1) The commission, by ordinance, shall establish a millage rate within the limits provided in subsection (a) of this section for the restructured government property tax; a due date; and in what length of time these taxes must be paid.

(2) The commission, by ordinance, may provide for the payment of these taxes by installments or in one lump sum, as well as authorize the voluntary payment of taxes prior to the time when due and provide for interest on late installments.

(c)(1) Macon-Bibb County shall have the power to levy any occupation or business taxes as are not prohibited by general state law. These taxes may be levied on both individuals and corporations who transact business in Macon-Bibb County or who practice or offer to practice any profession or calling therein to the extent the persons have a constitutionally sufficient nexus to Macon-Bibb County to be so taxed. These taxes may be levied and imposed on a fixed rate or gross receipts basis or any combination thereof. The commission may classify businesses, occupations, professions, or callings for the purpose of these taxes in any manner as is reasonable and payment of these taxes may be compelled as provided in subsection (i) of this section.

(2) Notwithstanding any other provisions of this section, no occupation or business tax based on gross receipts shall be levied and imposed prior to the holding of a special public hearing thereon, and in no event shall the total revenue received from the imposition of an occupation or business tax based on gross receipts exceed in its first year the total revenue received the immediately preceding year from the occupation and business taxes levied.

(d) Macon-Bibb County shall have the power to require individuals or corporations who transact business in Macon-Bibb County or who practice or offer to practice any profession or calling therein to obtain a license or permit for these activities from Macon-Bibb County and to pay a reasonable fee for the license or permit where the activities are not now regulated by general state law in such a way as to preclude regulation by Macon-Bibb County. These fees may reflect the total cost to Macon-Bibb County of regulating the activity and if unpaid shall be collected as provided in subsection (i) of this section. The commission by ordinance may establish reasonable requirements for obtaining or keeping licenses as the public health, safety, and welfare necessitate.

(e) Macon-Bibb County shall have power and authority to impose and collect license fees and taxes on life insurance companies in the manner provided by Code Section 33-8-8.1 of the O.C.G.A. and on fire and casualty insurance companies in the manner provided by Code Section 33-8-8.2 of the O.C.G.A., as now or hereafter amended.

(f) Macon-Bibb County shall have the power to assess and collect fees, charges, and tolls for sewer, sanitary and health services, and garbage and solid waste collection and disposal services, or any other services rendered inside and outside the corporate limits of Macon-Bibb County for the total cost to Macon-Bibb County of providing these services. If unpaid, these charges or fees shall be collected as provided in subsection (i) of this section.

913 (g) Macon-Bibb County shall have the power to assess and collect the cost of constructing,
914 reconstructing, widening, or improving any public way, street, sidewalk, curbing, gutters,
915 sewers, or other utility mains and appurtenances from the abutting property owners under any
916 terms and conditions as are reasonable. If unpaid, these charges shall be collected as
917 provided in subsection (i) of this section.

918 (h) Macon-Bibb County shall be empowered to levy any other tax allowed now or hereafter
919 by state law and the specific mention of any right, power, or authority in this charter shall not
920 be construed as limiting in any way the general powers of Macon-Bibb County to tax or
921 otherwise govern its local affairs.

922 (i) The commission, by ordinance, may provide generally for the collection of delinquent
923 taxes, fees, or other revenue due Macon-Bibb County under this charter or general state law
924 by whatever reasonable means as are not precluded by general state law. This shall include
925 providing for the dates when the taxes, fees, or other revenues are due; late penalties or
926 interest; issuance and execution of fi.fa's.; creation and priority of liens; making delinquent
927 taxes, fees, and other revenues personal debts of the persons required to pay the taxes, fees,
928 or other revenues imposed; revoking licenses issued by Macon-Bibb County for failure to
929 pay any Macon-Bibb County taxes, fees, or other revenues; allowing exceptions for hardship;
930 providing for the assignment or transfer of executions and collection of transferred
931 executions; providing for the billing and collecting of principal, interest, and costs of
932 delinquent executions as an addition to and a part of the annual ad valorem tax bill issued by
933 the Macon-Bibb County tax commissioner.

934 (j) The commission, by ordinance, shall prescribe the amount and terms of surety bonds
935 conditioned upon the faithful performance of the duties of office of any officer or employee
936 of Macon-Bibb County charged with the responsibility of handling moneys on a regular
937 basis.

938 (k) Macon-Bibb County shall have all power granted by general law to issue general
939 obligation bonds. Such issuance shall be accomplished in the manner provided by general
940 law.

941 (l) Macon-Bibb County shall have the power to issue bonds for the purpose of raising
942 revenue to carry out any project, program, or venture authorized under this charter or the
943 general laws of the state. This bonding authority shall be exercised in accordance with the
944 laws governing bond issuances by municipalities in effect at the item the issue is undertaken.

945 (m) Revenue bonds may be issued by Macon-Bibb County as state law now or hereafter
946 provides. Such bonds are to be repaid out of any revenue produced by the project, program,
947 or venture for which they were issued.

948 (n) Macon-Bibb County may issue short-term notes as now or hereafter provided by state
949 law.

(o)(1) In order to facilitate the financing of any improvements authorized by law, Macon-Bibb County may issue bonds of Macon-Bibb County in the aggregate amount of assessments for the improvement then unpaid, which bond or bonds and the interest thereon shall in no event become a liability of Macon-Bibb County or the mayor and the commission issuing them.

(2) These bonds shall mature at a date and bear an interest rate as the commission may determine by ordinance but in no event shall the rate of interest exceed that which the assessments are to bear.

(3) These bonds shall be signed by the mayor and attested by the clerk of commission, shall have the impression of the corporate seal of Macon-Bibb County thereon, and shall be payable at a place designated by ordinance.

(4) These bonds shall be designated as improvement bonds and shall, on the face thereof, recite the nature and location of the improvement for which they have been issued and shall recite that they are payable solely from assessments which have been levied upon the lots and tracts of land abutting upon or being the situs of the improvement made.

(5) These bonds shall be sold at not less than par and the proceeds thereof applied to the payment of the costs and expense of the improvement for which the bonds were issued, or the bonds, in the amount that shall be necessary for that purpose, may be turned over and delivered to the contractor, in respect to the improvement at par value, in payment of the amount due on the contract, and the portion thereof which shall be necessary to pay other expenses, incident to and incurred in providing for the improvement, shall be sold or otherwise disposed of as the commission by ordinance shall direct.

SECTION 30.

(a) The sheriff of Bibb County in office upon the date the governing authority of the restructured government is installed shall become the sheriff and chief law enforcement officer of Macon-Bibb County. He or she shall serve for the same term and his or her compensation shall be fixed as heretofore provided by law. Subsequent elections for sheriff shall be upon the basis provided by state law for sheriffs generally. The sheriff of Macon-Bibb County shall execute the orders and processes of the courts, shall enforce executions issued by any officer or agency of Macon-Bibb County, shall maintain and operate the jail wherein state or federal prisoners are incarcerated, be responsible for the transport of prisoners, and shall perform such other duties as are provided for in Code Section 15-16-10 of the O.C.G.A. and the Constitution of this state.

(b)(1) The commission shall utilize the facilities, equipment, vehicles, records, and personnel of both the former Macon Police Department and the Bibb County Sheriff's

Department in such manner as it shall deem necessary to ensure adequate protection of the lives and property of all of the citizens of Macon-Bibb County.

(2) The commission in cooperation with the chief shall utilize the facilities, equipment, vehicles, records, and personnel of both the former Macon Fire Department and the Bibb County Fire Department in such manner as it shall deem necessary to ensure the most advantageous rating classification of the commercial, residential, and public property in Macon-Bibb County.

(c) Except as otherwise provided by this charter or by law, the administrative and service departments of the restructured 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.

(d) The commission may by ordinance reorganize, combine, consolidate, or discontinue any department or agency of the restructured 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 restructured government.

(e) Except as provided by this charter or prohibited by the general laws of this state, the terms of office of all members of all boards, commissions, committees, panels, authorities, or other entities who were appointed by the board of commissioners of Bibb County or the governing authority of the City of Macon and Payne City shall continue for not more than one year after the members of the commission take office under this charter unless extended by such commission. Each such member shall serve out the term of office to which such member was appointed. Except as provided by this charter or prohibited by the general laws of this state, the positions of director or administrative head, by whatever name known, of each department or entity of the governments of Bibb County and the City of Macon shall be abolished 90 days after the members of the commission take office under this charter. Such departments may be abolished, reestablished, reorganized, or restructured; new job descriptions shall be established as appropriate; and a director or administrative head shall be appointed for each department by the mayor. Any person who formerly occupied such position and any other person shall have the right to apply for any position thus created. The provisions of this subsection shall not result in the automatic termination from employment with the reorganized government of any such person and the provisions of Section 14 of this charter shall be applicable to any such person. On or after January 1, 2016, no person shall be eligible for appointment to any position as the administrative head of any department or agency of the restructured government unless such person meets such qualifications as may be established by the mayor. Each person serving as the administrative head of any department or agency of the restructured government shall serve at the pleasure of the mayor.

1022 (f) Notwithstanding any provision of this charter to the contrary, the Macon-Bibb County
1023 Hospital Authority shall continue to exist as provided by Article 4 of Chapter 7 of Title 31
1024 of the O.C.G.A., the "Hospital Authorities Law," as now or hereafter amended, and the
1025 ordinances and resolutions activating such authority on the effective date of this charter;
1026 provided, however, that appointments and the filling of vacancies on such authority shall be
1027 made by the commission of Macon-Bibb County in accordance with applicable laws,
1028 ordinances, and resolutions.

1029 **SECTION 31.**

1030 (a) The commission shall establish by ordinance a system of civil service for employees of
1031 the fire department which shall provide for the establishment of a civil service board to orally
1032 interview and pass upon the qualifications of applicants and promotional candidates. The
1033 sheriff may elect to include eligible employees of the sheriff's office in such civil service
1034 system. To provide for requirements for selections, training, promotion, physical condition,
1035 and appeal procedures and other related matters, the commission shall adopt civil service
1036 rules and regulations to govern and control the fire department.

1037 (b) The commission shall establish by ordinance a personnel management system based on
1038 merit principles that meets the social, economic, and program needs of the people of
1039 Macon-Bibb County. This system shall provide means to recruit, select, train, develop, and
1040 maintain an effective and responsive work force and shall include policies and guidelines for
1041 employing, hiring and advancement, training and career development, job classification,
1042 discharge, code of conduct, fringe benefits, and other related activities. All appointments and
1043 promotions in Macon-Bibb County shall be made without regard to sex, race, religion,
1044 national origin, age, or political affiliation and shall be based on merit and fitness.

1045 (c) It is the intent of the General Assembly that as many employees of Bibb County, the City
1046 of Macon, and Payne City as feasible shall continue in the same or a substantially equal
1047 position with at least the same salary and benefit level, where possible within budget
1048 constraints, after the consolidation is complete. It is further the intent of the General
1049 Assembly that the integration of the sheriff's office and the city police department shall be
1050 seamless and cooperative and that where possible the rights and positions of all employees
1051 shall be respected.

1052 **SECTION 32.**

1053 (a) The commission shall afford equal opportunities for employment and promotion to all
1054 persons regardless of sex, race, religion, national origin, age, or political affiliation.

1055 (b) It shall be the policy of the commission that all citizens shall have equal opportunity for
1056 employment, promotion, and appointment by the commission. It shall further be the express

1057 policy of the commission that all persons shall have equal opportunity for conducting
1058 business with the commission to the greatest extent possible.

1059 (c) In furtherance of the policies stated in subsection (b) of this section, and subject to the
1060 availability of funds, there is created and established the Office of Small Business Affairs as
1061 an agency of the consolidated government.

1062 (d) The purposes for which the Office of Small Business Affairs is established shall include
1063 the following:

1064 (1) To promote, stimulate, develop, and advance the economic growth of small
1065 businesses within Macon-Bibb County and thereby promote, stimulate, develop, and
1066 advance the business, prosperity, and economic welfare of the entire county;

1067 (2) To stimulate and assist in the expansion of all kinds of small business activity which
1068 will tend to promote small business development;

1069 (3) To cooperate and act in conjunction with other organizations, public or private, in the
1070 promotion of small business development in Macon-Bibb County; and

1071 (4) To promote economic literacy among low-wealth citizens of Macon-Bibb County.

1072 (e) In furtherance of its purposes, the Office of Small Business Affairs shall have the
1073 following powers:

1074 (1) To provide technical advice and assistance for both public and private sources of
1075 contract opportunities for small businesses;

1076 (2) To monitor the progress and improvement of small business and minority business
1077 owners' access to business with local government authorities and other publicly financed
1078 entities;

1079 (3) To implement procedures and promulgate rules and regulations to increase
1080 procurement opportunities extended to the small business and minority business
1081 community and to provide direct assistance to small business and minority businesses on
1082 how government and private contracting processes work;

1083 (4) To encourage small business and minority business participation in the public sector;

1084 (5) To operate an economic development program designed to transition persons who
1085 are receiving public assistance to gainful employment;

1086 (6) To construct or establish the necessary legal mechanism to be able to apply for and
1087 to accept any gifts, bequests, or grants or loans of funds or property or financial or other
1088 aid in any form from the federal government or agency or instrumentality thereof or from
1089 the state or any agency or instrumentality thereof or from any other source for any or all
1090 of the purposes specified in this section and to comply with the terms and conditions
1091 thereof;

1092 (7) To review governmental policies and recommend changes to ensure fair participation
1093 by small businesses and minority businesses in contract bidding;

- 1094 (8) To randomly and statistically review purchase orders and bids to ensure compliance
1095 with fair participation by small businesses and minority businesses in government
1096 contracts;
- 1097 (9) To ensure that bid specifications do not discriminate against small businesses and
1098 minority businesses;
- 1099 (10) To work with local agencies in assisting small businesses and minority businesses
1100 in bid application and funding available for doing business with the governing authority;
- 1101 (11) To manage and recommend economic development assistance to small businesses
1102 and minority businesses from governing authority economic development funds;
- 1103 (12) To work with local agencies in determining and coordinating all sources of
1104 education and financial assistance available to small business and minority business
1105 owners;
- 1106 (13) To encourage contractors and large bidders to include small businesses and minority
1107 businesses among their subcontractors;
- 1108 (14) To maintain statistical information to ensure that small business and minority
1109 business participation is improving in contracts with the commission and issue an annual
1110 report; and
- 1111 (15) To establish a mentor program where proactive businesses which have pledged
1112 increased minority business relationships can assist minority businesses in doing business
1113 with government and the private sector.
- 1114 (f) The Office of Small Business Affairs shall be under the direction and supervision of a
1115 director appointed by the mayor with the approval of a majority of the commissioners. The
1116 director shall have the following powers and duties:
- 1117 (1) To appoint assistants, clerks, and other employees as the director may deem
1118 necessary within constraints of the budget;
- 1119 (2) To furnish technical advice and assistance with respect to small business economic
1120 development to further the purposes of this section;
- 1121 (3) To render monthly written reports to the commission. The reports may contain
1122 recommendations of the director for legislative or other action to effectuate the purposes
1123 of this section;
- 1124 (4) To act as a liaison between community based groups, small businesses and minority
1125 businesses, government agencies, community development corporations, and the private
1126 sector; and
- 1127 (5) To request from any state or local governmental agency or department such reports
1128 and information at such times as it may deem reasonably necessary to carry out the
1129 purposes of this section.

SECTION 33.

(a) Except as otherwise provided in this charter or applicable state law, all boards, commissions, and authorities of the City of Macon and Bibb County shall continue in the exercise of their functions and duties, subject to the provisions of laws applicable thereto and subject to the provisions of this charter. As used in the Acts and amendments creating the existing boards, commissions, and authorities of the City of Macon and Bibb County, the terms "Macon City Council" and "Bibb County Board of Commissioners" shall mean the commission of Macon-Bibb County and the term "mayor of Macon" shall mean the "mayor of Macon-Bibb County."

(b) All boards, commissions, and authorities of the restructured government, including those boards, commissions, and authorities of the City of Macon and Bibb County which are continued under the restructured government pursuant to subsection (a) of this section, shall consist of seven members, three of whom shall be appointed by the commission and four of whom shall be appointed by the mayor, except where other appointment authority, term of office, or manner of appointment is prescribed by this charter or by applicable state law. Each member shall have been a resident of the area encompassed by Macon-Bibb County for a period of at least one year immediately prior to appointment.

(c) Any vacancy in the office of any member of a board, commission, or authority of the restructured government shall be filled for the unexpired term in the manner prescribed in subsection (b) of this section for original appointment, except as otherwise provided in this charter or by applicable state law.

(d) Members of all boards, commissions, and authorities of the restructured government shall be limited to two consecutive full terms of office on such boards, commissions, and authorities. Filling more than one-half of an unexpired term of office shall constitute a full term of office.

(e) Members of all boards, commissions, and authorities of the restructured government shall serve four years terms of office unless otherwise provided in this charter or applicable state law, provided that such members are subject to removal at any time by the appointing authority.

(f) No board, commission, or authority shall create any other entity or subsidiary whatsoever without first obtaining approval by a two-thirds' vote of the commission of Macon-Bibb County and approval by the mayor.

(g) The commission is authorized to review and dissolve at its discretion any entity to which this section is applicable that was created prior to the effective date of this charter by two-thirds' vote of the members then serving.

SECTION 34.

All officers, officials, and employees of the former City of Macon, City of Payne City, and Bibb County shall cooperate with and assist the commission, mayor, and other officers of Macon-Bibb County:

(1) In planning the restructuring 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 restructured government of Macon-Bibb County; 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 restructured 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 restructured government.

SECTION 35.

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 Macon-Bibb County, Georgia, as provided for in Article IX, Section II, Paragraph I of the Constitution of the State of Georgia.

SECTION 36.

(a) Except as otherwise provided by this charter, all contracts, orders, leases, bonds, and other obligations or instruments entered into by Bibb County or for its benefit prior to the effective date of this charter shall continue in effect according to the terms thereof as obligations and rights of the restructured government; provided, however, any obligation created by Bibb County to become effective after the date of approval of this charter and prior to the effective date of this charter shall be subject to ratification and approval by the commission of the restructured government within six months following the effective date of this charter.

(b) Except as otherwise provided by this charter, contracts, orders, leases, bonds, and other obligations or instruments entered into by the City of Macon or the City of Payne City or for its benefit prior to the effective date of this charter shall continue in effect according to the terms thereof as obligations and rights of the restructured government; provided, however, any obligation created by the City of Macon or the City of Payne City to become effective

1200 after the date of approval of this charter and prior to the effective date of this charter shall be
1201 subject to ratification and approval by the commission of the restructured government within
1202 six months following the effective date of this charter.

1203 (c) No pending action or proceeding of any nature, whether civil, criminal, judicial,
1204 administrative, or other, by or against the City of Macon, the City of Payne City, or Bibb
1205 County or an agency or department thereof shall be abated or otherwise affected by the
1206 adoption of this charter, and the restructured government shall stand substituted as a party
1207 in lieu thereof.

1208 **SECTION 37.**

1209 (a) Effective September 1, 2012, there is created a transition task force for the purpose of
1210 planning and preparing for the assumption of governmental powers by the restructured
1211 governing authority. The transition task force shall be composed of members as follows:

1212 (1) The chairperson of the board of commissioners of Bibb County who shall be the
1213 co-chief executive officer of the task force;

1214 (2) The chairperson of the finance committee of the board of commissioners of Bibb
1215 County;

1216 (3) The chairperson of the finance committee of the city council of the City of Macon;

1217 (4) The mayor of the City of Macon who shall be the co-chief executive officer of the
1218 task force;

1219 (5) The president of the city council of the City of Macon;

1220 (6) The president of the Bibb County Chamber of Commerce;

1221 (7) The Macon City Police Chief;

1222 (8) The chairperson of the Bibb County delegation in the General Assembly who shall
1223 serve as chairperson of the transition task force;

1224 (9) The vice-chairperson of the Bibb County delegation in the General Assembly;

1225 (10) The sheriff of Bibb County; and

1226 (11) Five members appointed by the members of the General Assembly whose districts
1227 include all or any portion of Bibb County.

1228 The transition task force shall meet upon the call of the chairperson of the transition task
1229 force for the purpose of planning and scheduling the initial organization of the government
1230 in accordance with the applicable provisions of this charter.

1231 (b) The transition task force shall be authorized to make such recommendations as it deems
1232 appropriate for the assumption of governmental powers by the commission. The transition
1233 task force is specifically charged with the responsibility of developing proposed ordinances
1234 which should be considered for adoption by the commission at its first regular meeting held

following the second Tuesday in September, 2012, or at a regular meeting of the commission held as soon thereafter as practicable.

(c) All officers, officials, including elected officials, and employees of Bibb County, the City of Macon, and the City of Payne City shall cooperate with and assist the transition task force. The transition task force shall be entitled to examine all records, files, and other data in the possession of Bibb County, the City of Macon, and the City of Payne City and all officers, officials, and employees and departments thereof. Bibb County, the City of Macon, and the City of Payne City shall, to the extent possible, provide working areas and facilities for the transition task force.

(d) The transition task force shall be authorized to receive and expend appropriations from the board of commissioners of Bibb County and from the mayor and commission of the City of Macon and from the governing authority of the City of Payne City for the purpose of carrying out its duties, but members of the transition task force shall receive no compensation for their services as such members.

(e) During the period beginning on the date on which this charter is approved in the referendum provided for by Section 45 of this charter, it shall be the duty of the transition task force to recommend and the duty of the board of commissioners of Bibb County and the mayor and commission of the City of Macon to implement, where possible, such restructuring or reorganization of services, functions, powers, and duties as may be advantageous to the restructuring of such governments.

(f) The transition task force shall be abolished on the date specified by the commission.

SECTION 38.

On and after January 1, 2014, that portion of the City of Macon that is located in Jones County shall be treated as having been deannexed from the City of Macon and shall be an unincorporated area of Jones County.

SECTION 39.

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

SECTION 40.

Unless prohibited by the federal Voting Rights Act of 1965, as amended, the election superintendent of Bibb County shall call and conduct an election as provided in this section for the purpose of submitting this Act to the electors of Bibb County for approval or rejection. The election superintendent shall conduct that election on the date of the general primary in 2012 and shall issue the call and conduct that election as provided by general law. The superintendent shall cause the date and purpose of the election to be published once a week for two weeks immediately preceding the date thereof in the official organ of Bibb County. The ballot shall have written or printed thereon the words:

"() YES Shall the Act restructuring the governments of the City of Macon, the City of Payne City, and Bibb County and creating a single county-wide government to supersede and replace these governments and providing for the termination of the terms of office of members of the governing authorities of Bibb County, the City of Macon, and the City of Payne City and which cuts short the terms of sitting commission members and county commissioners to be approved?"

All persons desiring to vote for approval of the Act shall vote "Yes," and those persons desiring to vote for rejection of the Act shall vote "No." If more than one-half of the votes in the county as a whole cast on such question are for approval of the Act and if more than one-half of the votes cast in the City of Macon on such question are for approval of the Act, this charter shall become of full force and effect on January 1, 2013. If the Act is not so approved or if the election is not conducted as provided in this section, the remaining sections of this Act 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 shall be borne by Bibb County. It shall be the election superintendent's duty to certify the result thereof to the Secretary of State.

SECTION 41.

(a) Sections 37 and 40 of this Act and this section shall become effective upon the approval of this Act by the Governor or upon its becoming law without such approval.
(b) Except as provided in Section 39 of this Act, the remaining provisions of this Act shall become effective on the second Monday in January, 2014.

SECTION 42.

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

Plan: bibbcon12-hd139p2r-rev2
Plan Type: Local
Administrator: Bibb Co.
User: Gina

District 001
Bibb County
VTD: 021HO3 - HOWARD 3
VTD: 021HO6 - HOWARD 6
VTD: 021HO7 - HOWARD 7
VTD: 021HO8 - HOWARD 8
VTD: 021HO9 - HOWARD 9
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013410:
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3030
013411:
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District 002
Bibb County
VTD: 021EM1 - EAST MACON 1
VTD: 021EM4 - EAST MACON 4
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1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 2000
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4005 4006 4007 4008 4009
VTD: 021GF1 - GODFREY 1
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013700:
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VTD: 021GF4 - GODFREY 4
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District 003
Bibb County
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VTD: 021EM4 - EAST MACON 4
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VTD: 021EM6 - EAST MACON 6
VTD: 021RU2 - RUTLAND 2
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District 004
Bibb County
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VTD: 021HO4 - HOWARD 4
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District 005
Bibb County
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VTD: 021VV7 - VINEVILLE 7
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011800:
1007 1018
VTD: 021VV8 - VINEVILLE 8

District 006
Bibb County
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VTD: 021HA3 - HAZZARD 3
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2012 2013 2014 2015 2016 2017 2018 2019 2020 2021 2022 2023
2024 2025 2026 2027 2028 2029 2030 2031 2032 2033 2036 2037
2038 2039 2040 2041 2042 2043 2044 2045
013604:
2000 2001 2019 2020 2028 2029 2030 3000 3001 3002 3005
013606:
1010 1011 4000 4001 4002 4003 4004 4005 4006 4007 4008 4009
4010 4011 4012 4013 4014 4015 4016 4017 4019
VTD: 021HA4 - HAZZARD 4
VTD: 021HA7 - HAZZARD 7
013605:
2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011
2012 2013 2014
VTD: 021WA1 - WARRIOR 1
VTD: 021WA2 - WARRIOR 2
013101:
1073 1074 1075
013603:
1000 1001 1002 1003 1004 1005 1015 1016 1017 1029 1031 2046
013604:
1010 1011 1012 1013 1014 1015 1016 1017 1020 3003 3004 3006
3007 3008 3009 3010 3011 3012 3013 3014 3015 3016 3017 3018

District 007
Bibb County
VTD: 021GF4 - GODFREY 4
012900:
1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011 1012
1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023 1024
1025 2005 2006 2014 2017 2018 2019 2020 2021 2022 2023 2024
2025 2026 2027 2028 2029 2030 2031 2032
013900:
1152 1153 1154 1170 1171 1179 1180 1181 1182 1183 1184 1185
1186 1187 1188 1191 1226
VTD: 021GF7 - GODFREY 7
VTD: 021RU1 - RUTLAND 1
VTD: 021RU2 - RUTLAND 2
013504:
3000 3001 3002 3003 3004 3005 3006 3024 3025 4000 4003 4004
4005 4006 4007 4008 4009 4010 4011 4014 4015 4016 4017 4018
4019 4020 4021 4022 4023 4024 4025 4026 4027 4028 4029 4030
4031 4032 4033
VTD: 021WA2 - WARRIOR 2
013603:
1006 1007 1008 1009 1010 1011 1012 1013 1014 1018 1019 1020
1021 1022 1023 1024 1025 1026 1027 1028 1030 1032 1033 1034
1035 1036 1037 1038

District 008
Bibb County
VTD: 021GF1 - GODFREY 1
010300:
1020 1021 1022 1037 1038 1039 1043 1044 1045 1046 1077
010400:
1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011
1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023
1024 2034
010500:
1000 1001 1002 1003 1005 1006 1007 1008 1009 1010 1011 1012
1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023 1024

1025 1026 1027 1028 1029 1030 1031 1032 1033 1034 1035 1036
1037 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010
2011 2012 2013 2014 2015 2016 2017 2018 2019
011500:
1002 1003 1004 1006 1007 1008 1009 1010 1011 1012 1013 1014
1015 1016 1017 1018 1019 1020 1021 1022 2036 2037 2038 2039
2040 2047 2048 2049 2056 2057
013700:
2009 2012 2017 2018 2019 2035 3000 3007
VTD: 021GF3 - GODFREY 3
010400:
2015 2016 2017 2018 2019 2020 2021 2025 2026 2027 2028 2029
2030 2031 2032 2033
VTD: 021GF5 - GODFREY 5
VTD: 021GF6 - GODFREY 6
VTD: 021HA6 - HAZZARD 6
013101:
3000 3013 3025
013102:
4000 4001 4002 4003 4004 4005 4006 4007 4008 4009 4010 4011
VTD: 021VV1 - VINEVILLE 1

District 009
Bibb County
VTD: 021HA1 - HAZZARD 1
012500:
2016 3026
013201:
1000 1001 1002 1003 1004 2012 2013 2017 2018 2019 2037 2038
2039 3000 3001 3002 3003 3004 3005 3006 3007 3008 3009 3010
3011 3012 4000 4001 4002 4016 4017 4018 4019 4020 4021 4022
4028 4029 4030 4031 4033 4034 4035 4036 4037 4038 4039 4045
4046
VTD: 021HA3 - HAZZARD 3
013201:
4003 4004 4005 4006 4007 4008 4009 4010 4011 4012 4013 4014
4015 4023 4024 4025 4032 4041 4042
VTD: 021HA5 - HAZZARD 5
VTD: 021HA6 - HAZZARD 6
013101:
2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011
2012 2013 2014 2015 2016 2017 2018 2019 3001 3002 3003 3018
3022 3026
013202:
1010 1014 1015 1017 1020 3011
VTD: 021HO4 - HOWARD 4
011800:
2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011
2012 2013 2014 2015 2016 2017 2018 2019 3004 3005 3006 3009
4008 4019
012000:
3015 3016 3021 3022
VTD: 021VV4 - VINEVILLE 4
VTD: 021VV5 - VINEVILLE 5
VTD: 021VV7 - VINEVILLE 7
011800:
1000 1001 1002 1003 1004 1005 1006 1008 1009 1010 1011 1012
1013 1014 1015 1016 1017 1019 3014 3015 3016 3017 3018 3019
3020 3021
012200:
1001 1002 1003 1004 1005 1006 1007 1013
012300:
3000 3001 3002 3003 3004 3005 3006 3007 3008 3009 3010 3011
3012