

House Bill 806 (AS PASSED HOUSE AND SENATE)

By: Representatives Jackson of the 128<sup>th</sup>, Williams of the 168<sup>th</sup>, and Talton of the 147<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To provide a new charter for the Town of Riddleville; to provide for incorporation,  
2 boundaries, and powers of the town; to provide for a governing authority of such town and  
3 the powers, duties, authority, election, terms, method of filling vacancies, compensation,  
4 expenses, qualifications, prohibitions, conflicts of interest, and suspension and removal from  
5 office relative to members of such governing authority; to provide for inquiries and  
6 investigations; to provide for oaths, organization, meetings, quorum, voting, rules, and  
7 procedures; to provide for ordinances and codes; to provide for a mayor and a mayor pro  
8 tempore and certain duties, powers, and other matters relative thereto; to provide for  
9 administrative affairs and responsibilities; to provide for boards, commissions, and  
10 authorities; to provide for a town attorney, a town clerk, and other personnel and matters  
11 relating thereto; to provide for rules and regulations; to provide for taxation, permits, and  
12 fees; to provide for franchises, service charges, and assessments; to provide for bonded and  
13 other indebtedness; to provide auditing, accounting, budgeting, and appropriations; to  
14 provide for town contracts and purchasing; to provide for the conveyance of property; to  
15 provide for bonds for officials; to provide for prior ordinances and rules, existing personnel,  
16 and pending matters; to provide for penalties; to provide for definitions and construction; to  
17 provide for other matters relative to the foregoing; to provide for severability; to repeal a  
18 specific Act; to provide for an effective date; to repeal conflicting laws; and for other  
19 purposes.

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

21 ARTICLE I

22 CHARTER, TOWN LIMITS, AND CORPORATE POWERS

23 SECTION 1.10.

24 Charter.

25 This town and the inhabitants thereof are reincorporated by the enactment of this charter and  
 26 are constituted and declared a body politic and corporate under the name and style Town of  
 27 Riddleville, Georgia, and by that name shall have perpetual succession.

28 SECTION 1.11.

29 Corporate boundaries.

30 (a) The boundaries of this town shall be those existing on the effective date of the adoption  
 31 of this charter with such alterations as may be made from time to time in the manner  
 32 provided by law. The boundaries of this town at all times shall be shown on a map, a written  
 33 description, or any combination thereof, to be retained permanently at town hall and to be  
 34 designated, as the case may be: "Official Map (or Description) of the corporate limits of the  
 35 Town of Riddleville, Georgia." Photographic, typed, or other copies of such map or  
 36 description certified by the mayor shall be admitted as evidence in all courts and shall have  
 37 the same force and effect as with the original map or description.

38 (b) The corporate limits of such town shall be as follows: one-half mile from the point  
 39 where the Savannah public road crosses the Davisboro public road; such crossing designated  
 40 in such town as the crossing of Broad and Taylor streets; such crossing to be the center of the  
 41 corporate limits of such town, and the such corporate limits to extend one-half mile  
 42 therefrom in each and every direction.

43 (c) The town council may provide for the redrawing of any such map by ordinance to reflect  
 44 lawful changes in the corporate boundaries. A redrawn map shall supersede for all purposes  
 45 the entire map or maps which it is designated to replace.

46 SECTION 1.12.

47 Powers and construction.

48 (a) This town shall have all powers possible for a town to have under the present or future  
 49 Constitution and laws of this state as fully and completely as though they were specifically  
 50 enumerated in this charter. This town shall have all the powers of self-government not  
 51 otherwise prohibited by this charter or by general law.

52 (b) The powers of this town shall be construed liberally in favor of the town. The specific  
53 mention or failure to mention particular powers shall not be construed as limiting in any way  
54 the powers of this town.

55 **SECTION 1.13.**

56 Specific powers.

57 (a) Animal regulations. To regulate and license or to prohibit the keeping or running at large  
58 of animals and fowl and to provide for the impoundment of same if in violation of any  
59 ordinance or lawful order; to provide for the disposition by sale, gift, or humane destruction  
60 of animals and fowl when not redeemed as provided by ordinance; and to provide  
61 punishment for violation of ordinances enacted under this charter;

62 (b) Alcoholic beverages. To regulate the sale of all distilled spirits, wines, malt beverages,  
63 and other alcoholic beverages; under this charter, it shall be unlawful for any person to have  
64 or keep for sale in the Town of Riddleville any alcoholic, malt, spirituous, or other  
65 intoxicating liquors. The mayor and council shall not have authority to pass such ordinances  
66 relative to such matter;

67 (c) Appropriations and expenditures. To make appropriations for the support of the  
68 government of the town; to authorize the expenditure of money for any purposes authorized  
69 by this charter and for any purpose for which a municipality is authorized by the laws of the  
70 State of Georgia; and to provide for the payment of expenses of the town;

71 (d) Building regulation. To regulate and to license the erection and construction of buildings  
72 and all other structures; to adopt building, housing, plumbing, electrical, gas, and heating and  
73 air-conditioning codes; and to regulate all housing and building trades;

74 (e) Business regulation and taxation. To levy and to provide for collection of regulatory fees  
75 and taxes on privileges, occupations, trades, and professions as authorized by Title 48 of the  
76 O.C.G.A., or such other laws as now or may hereafter be enacted; to permit and regulate the  
77 same; to provide for the manner and method of payment of such regulatory fees and taxes;  
78 and to revoke such permits after due process for failure to pay any town taxes or fees;

79 (f) Condemnation. To condemn property, inside or outside the corporate limits of the town,  
80 for present or future use and for any corporate purpose deemed necessary by the governing  
81 authority, utilizing procedures enumerated in Title 22 of the O.C.G.A. or such other  
82 applicable laws as are now or may hereafter be enacted;

83 (g) Contracts. To enter into contracts and agreements with other governmental entities and  
84 with private persons, firms, and corporations;

85 (h) Emergencies. To establish procedures for determining and proclaiming that an  
86 emergency situation exists inside or outside the town and to make and carry out all

87 reasonable provisions deemed necessary to deal with or meet such an emergency for the  
88 protection, safety, health, or well-being of the citizens of the town;

89 (i) Environmental protection. To protect and preserve the natural resources, environment,  
90 and vital areas of this state through the preservation and improvement of air quality, the  
91 restoration and maintenance of water resources, the control of erosion and sedimentation, the  
92 management of solid and hazardous waste, and other necessary actions for the protection of  
93 the environment;

94 (j) Fire regulations. To fix and establish fire limits and from time to time to extend, enlarge,  
95 or restrict the same; to prescribe fire safety regulations not inconsistent with general law,  
96 relating to both fire prevention and detection and to fire fighting; and to prescribe penalties  
97 and punishment for violations thereof;

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

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

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

107 (n) Motor vehicles. To regulate the operation of motor vehicles and exercise control over  
108 all traffic, including parking upon or across the streets, roads, alleys, and walkways of the  
109 town;

110 (o) Municipal agencies and delegation of power. To create, alter, or abolish departments,  
111 boards, offices, commissions, and agencies of the town and to confer upon such agencies the  
112 necessary and appropriate authority for carrying out all the powers conferred upon or  
113 delegated to the same;

114 (p) Municipal debts. To appropriate and borrow money for the payment of debts of the town  
115 and to issue bonds for the purpose of raising revenue to carry out any project, program, or  
116 venture authorized by this charter or the laws of the State of Georgia;

117 (q) Municipal property ownership. To acquire, dispose of, lease, and hold in trust or  
118 otherwise any real, personal, or mixed property, in fee simple or lesser interest, inside or  
119 outside the property limits of the town;

120 (r) Municipal property protection. To provide for the preservation and protection of  
121 property and equipment of the town and the administration and use of same by the public;  
122 and to prescribe penalties and punishment for violations thereof;

- 123 (s) Municipal utilities. To acquire, lease, construct, operate, maintain, sell, and dispose of  
124 public utilities, including, but not limited to, a system of waterworks, sewers and drains,  
125 sewage disposal, gas works, electric light plants, cable television and other  
126 telecommunications, transportation facilities, public airports, and any other public utility and  
127 to fix the taxes, charges, rates, fares, fees, assessments, regulations, and penalties and to  
128 provide for the withdrawal of service for refusal or failure to pay the same;
- 129 (t) Nuisance. To define a nuisance and provide for its abatement whether on public or  
130 private property;
- 131 (u) Penalties. To provide penalties for violation of any ordinance adopted pursuant to the  
132 authority of this charter and the laws of the State of Georgia;
- 133 (v) Planning and zoning. To provide comprehensive town planning for development by  
134 zoning; and to provide subdivision regulation and the like as the town council deems  
135 necessary and reasonable to ensure a safe, healthy, and esthetically pleasing community;
- 136 (w) Public hazards; removal. To provide for the destruction and removal of any building  
137 or other structure which is or may become dangerous or detrimental to the public;
- 138 (x) Public improvements. To provide for the acquisition, construction, building, operation,  
139 and maintenance of public ways, parks and playgrounds, recreational facilities, cemeteries,  
140 markets and market houses, public buildings, libraries, public housing, airports, hospitals,  
141 terminals, docks, parking facilities, or charitable, cultural, educational, recreational,  
142 conservation, sport, curative, corrective, detentional, penal, and medical institutions,  
143 agencies, and facilities; to provide any other public improvements, inside or outside  
144 corporate limits of the town; to regulate the use of public improvements; and, for such  
145 purposes, property may be acquired by condemnation under Title 22 of the O.C.G.A. or such  
146 other applicable laws as are now or may hereafter be enacted;
- 147 (y) Other powers. To exercise and enjoy all other powers, functions, rights, privileges, and  
148 immunities necessary or desirable to promote or protect the safety, health, peace, security,  
149 good order, comfort, convenience, or general welfare of the town and its inhabitants; and to  
150 exercise all implied powers necessary or desirable to carry into execution all powers granted  
151 in this charter as fully and completely as if such powers were fully stated in this charter; and  
152 to exercise all powers now or in the future authorized to be exercised by other municipal  
153 governments under other laws of the State of Georgia; and no listing of particular powers in  
154 this charter shall be held to be exclusive of others, nor restrictive of general words and  
155 phrases granting powers, but shall be held to be in addition to such powers unless expressly  
156 prohibited to municipalities under the Constitution or applicable laws of the State of Georgia.

157 **SECTION 1.14.**

158 Exercise of powers.

159 All powers, functions, rights, privileges, and immunities of the town, its officers, agencies,  
 160 or employees shall be carried into execution as provided by this charter. If this charter makes  
 161 no provision, such shall be carried into execution as provided by ordinance or as provided  
 162 by pertinent laws of the State of Georgia.

163 **ARTICLE II**  
 164 **GOVERNMENT STRUCTURE**

165 **SECTION 2.10.**

166 Town council creation, composition, terms, and qualifications for office.

167 (a) The legislative authority of the government of this town, except as otherwise specifically  
 168 provided in this charter, shall be vested in a town council to be composed of a mayor and  
 169 four councilmembers. The town council established in this charter shall in all respects be a  
 170 successor to and continuation of the town governing authority under prior law. The mayor  
 171 and councilmembers shall be elected in the manner provided by this charter.

172 (b) The mayor and councilmembers shall serve for terms of four years and until their  
 173 respective successors are elected and qualified.

174 (c) No person shall be eligible to serve as mayor or councilmember unless he or she shall  
 175 have been a resident of this town for 12 months immediately preceding the election of mayor  
 176 or councilmembers; each such person shall continue to reside within the town during such  
 177 period of service and shall be registered and qualified to vote in municipal elections of this  
 178 town.

179 (d) No person's name shall be listed as a candidate on the ballot for election for either mayor  
 180 or councilmember unless such person shall file a written notice with the clerk of such town  
 181 that he or she desires his name to be placed on such ballot as a candidate either for mayor or  
 182 councilmember. No person shall be eligible for the office of mayor or councilmember unless  
 183 such person shall file such written notice within the time provided for in Chapter 2 of Title  
 184 21 of the O.C.G.A., the "Georgia Election Code."

**SECTION 2.11.**

## Elections.

187 (a) At any election, all persons who are qualified under the Constitution and laws of Georgia  
188 to vote for members of the General Assembly of Georgia and who are bona fide residents of  
189 such town shall be eligible to qualify as voters in the election.

190 (b) All primaries and elections shall be held and conducted in accordance with Chapter 2 of  
191 Title 21 of the O.C.G.A., the "Georgia Election Code." Except as otherwise provided by this  
192 charter, the town council shall, by ordinance, prescribe such rules and regulations it deems  
193 appropriate to fulfill any options and duties under the "Georgia Election Code."

194 (c) The mayor and councilmembers who are in office on the effective date of this charter  
195 shall serve until the expiration of the term of office to which they were elected and until their  
196 successors are elected and qualified.

197 (d) The mayor and each councilmember shall be elected by the electors voting in the entire  
198 town at large and not from wards or any other district comprising less than the entire area of  
199 the town.

200 (e) The mayor and councilmembers elected in November, 2013, shall have their terms expire  
201 on December 31, 2017. On the Tuesday next following the first Monday in November  
202 of 2017 and every four years thereafter, the successors to the mayor and such  
203 councilmembers shall be elected; shall serve for terms of office of four years and until their  
204 successors are elected and qualified; and shall take office on the first day of January  
205 following their election.

206 (f) Political parties shall not conduct primaries for town offices, and all names of candidates  
207 for town offices shall be listed without party designation.

208 (g) The mayor shall be elected by a majority vote of the votes cast in the whole town.

209 (h) The candidates receiving the highest number of votes cast for the offices of  
210 councilmembers shall be elected to fill the positions for councilmembers.

**SECTION 2.12.**

## Vacancy; filling of vacancies.

213 (a) Vacancies. The office of mayor or councilmember shall become vacant upon the  
214 occurrence of any event specified by the Constitution of this state, Title 45 of the O.C.G.A.,  
215 or such other applicable laws as are now or may hereafter be enacted.

216 (b) Filling of vacancies. In the event that the office of mayor or councilmember shall  
217 become vacant for any cause provided in subsection (a) of Section 2.12 of this charter, the  
218 town council or those remaining shall order a special election to fill the balance of the

219 unexpired term of such official; provided, however, that if such vacancy occurs within 12  
 220 months of the expiration of the term of that office, the town council or those members  
 221 remaining shall appoint a successor for the remainder of the term. In all other respects, the  
 222 special election shall be held and conducted in accordance with Chapter 2 of Title 21 of the  
 223 O.C.G.A., the "Georgia Election Code," as now or hereafter amended.

224 **SECTION 2.13.**

225 Compensation and expenses.

226 The council may determine by ordinance the annual salary of the mayor and  
 227 councilmembers. The mayor and councilmembers may receive their actual and necessary  
 228 expenses incurred in the performance of their duties of office.

229 **SECTION 2.14.**

230 Conflicts of interest; holding other offices.

231 (a) Fiduciary capacity. Elected and appointed officers of the town are trustees and servants  
 232 of the residents of the town and shall act in a fiduciary capacity for the benefit of such  
 233 residents.

234 (b) Conflict of interest. No elected official, appointed officer, or employee of the town or  
 235 any agency or political entity to which this charter applies shall knowingly:

236 (1) Engage in any business or transaction or have a financial or other personal interest,  
 237 direct or indirect, which is incompatible with the proper discharge of that person's official  
 238 duties or which would tend to impair the independence of that official's judgment or  
 239 action in the performance of that official's duties;

240 (2) Engage in or accept private employment or render services for private interests when  
 241 such employment or service is incompatible with the proper discharge of that person's  
 242 official duties or would tend to impair the independence of the official's judgment or  
 243 action in the performance of those official duties;

244 (3) Disclose confidential information, including information obtained at meetings which  
 245 are closed pursuant to Chapter 14 of Title 50 of the O.C.G.A., concerning the property,  
 246 government, or affairs of the governmental body by which that person is engaged without  
 247 proper legal authorization or use such information to advance the financial or other  
 248 private interest of that person or others;

249 (4) Accept any valuable gift, whether in the form of service, loan, thing, or promise,  
 250 from any person, firm, or corporation which to that person's knowledge is interested,  
 251 directly or indirectly, in any manner whatsoever, in business dealings with the



252 governmental body by which the official is engaged; provided, however, that an elected  
253 official who is a candidate for public office may accept campaign contributions and  
254 services in connection with any such campaign;

255 (5) Represent other private interests in any action or proceeding against this town or any  
256 portion of its government; or

257 (6) Vote or otherwise participate in the negotiation or in the making of any contract with  
258 any business or entity in which that person has a financial interest.

259 (c) Disclosure. Any elected official, appointed officer, or employee who shall have any  
260 financial interest, directly or indirectly, in any contract or matter pending before or within  
261 any department of the town shall disclose such private interest to the town council. The  
262 mayor or any councilmember who has a financial interest in any matter pending before the  
263 town council shall disclose such interest and such disclosure shall be entered on the records  
264 of the town council, and that person shall disqualify himself or herself from participating in  
265 any decision or vote relating thereto. Any elected official, appointed officer, or employee  
266 of any agency or political entity to which this charter applies who shall have any financial  
267 interest, directly or indirectly, in any contract or matter pending before or within such entity  
268 shall disclose such private interest to the governing body of such agency or entity.

269 (d) Use of public property. No elected official, appointed officer, or employee of the town  
270 or any agency or entity to which this charter applies shall use property owned by such  
271 governmental entity for personal benefit, convenience, or profit except in accordance with  
272 policies promulgated by the town council or the governing body of such agency or entity.

273 (e) Contracts voidable and rescindable. Any violation of this section which occurs with the  
274 knowledge, express or implied, of a party to a contract or sale shall render such contract or  
275 sale voidable at the option of the town council.

276 (f) Ineligibility of elected official. Except where authorized by law, no councilmember nor  
277 the mayor shall hold any other elective or compensated appointive office in the town or  
278 otherwise be employed by the government or any agency thereof during the term for which  
279 that official was elected. No former councilmember and no former mayor shall hold any  
280 compensated appointive office in the town until one year after the expiration of the term for  
281 which that official was elected.

282 (g) Political activities of certain officers and employees. No appointed officer of the town  
283 shall continue in such employment upon qualifying as a candidate for nomination or election  
284 to any public office. No employee of the town shall continue in such employment upon  
285 election to any public office in this town or any other public office which is inconsistent,  
286 incompatible, or in conflict with the duties of the town employee. Such determination shall  
287 be made by the mayor and council either immediately upon election or at any time such  
288 conflict may arise.

289 (h) Penalties for violation:

290 (1) Any town officer or employee who knowingly conceals such financial interest or  
 291 knowingly violates any of the requirements of this section shall be guilty of malfeasance  
 292 in office or position and shall be deemed to have forfeited that person's office or position.

293 (2) Any officer or employee of the town who shall forfeit an office or position as  
 294 described in paragraph (1) of this subsection shall be ineligible for appointment or  
 295 election to or employment in a position in the town government for a period of three  
 296 years thereafter.

297 **SECTION 2.15.**

298 Removal of officers.

299 (a) A councilmember, the mayor, or other appointed officers provided for in this charter  
 300 shall be removed from office for any one or more of the causes provided in Title 45 of the  
 301 O.C.G.A. or for violations of Section 2.14 of this charter or such other applicable laws as are  
 302 now or may hereafter be enacted.

303 (b) Removal of an officer pursuant to subsection (a) of this section shall be accomplished  
 304 by one of the following methods:

305 (1) Following a hearing at which an impartial panel shall render a decision. In the event  
 306 an elected officer is sought to be removed by the action of the town council, such officer  
 307 shall be entitled to a written notice specifying the ground or grounds for removal and to  
 308 a public hearing which shall be held not less than ten days after the service of such  
 309 written notice. The town council shall provide by ordinance for the manner in which  
 310 such hearings shall be held. Any elected officer sought to be removed from office as  
 311 provided in this section shall have the right of appeal from the decision of the town  
 312 council to the Superior Court of Washington County. Such appeal shall be governed by  
 313 the same rules as govern appeals to the superior court from decisions of administrative  
 314 bodies; or

315 (2) By an order of the Superior Court of Washington County following a hearing on a  
 316 complaint seeking such removal brought by any resident of the Town of Riddleville.

317 **SECTION 2.16.**

318 Inquiries and investigations.

319 Following the adoption of an authorizing resolution, the town council may make inquiries  
 320 and investigations into the affairs of the town and conduct of any department, office, or  
 321 agency thereof and for this purpose may subpoena witnesses, administer oaths, take

322 testimony, and require the production of evidence. Any person who fails or refuses to obey  
323 a lawful order issued in the exercise of these powers by the town council shall be punished  
324 as may be provided by ordinance.

325 **SECTION 2.17.**

326 General power and authority of the town council.

327 Except as otherwise provided by law or this charter, the town council shall be vested with  
328 all the powers of government of this town.

329 **SECTION 2.18.**

330 Eminent domain.

331 The town council is empowered to acquire, construct, operate, and maintain public ways,  
332 parks, public grounds, cemeteries, markets, market houses, public buildings, libraries,  
333 sewers, drains, sewage treatment, waterworks, electrical systems, gas systems, airports,  
334 hospitals, and charitable, educational, recreational, sport, curative, corrective, detentional,  
335 penal, and medical institutions, agencies, and facilities, and any other public improvements  
336 inside or outside the town and to regulate the use thereof and, for such purposes, property  
337 may be condemned under procedures established under general law applicable now or as  
338 provided in the future.

339 **SECTION 2.19.**

340 Organizational meetings.

341 The town council shall hold an organizational meeting on the first Monday in January  
342 following each election. The meeting shall be called to order by the town clerk and the oath  
343 of office shall be administered to the newly elected members as follows:

344 "I do solemnly (swear) (affirm) that I will faithfully perform the duties of (mayor)  
345 (councilmember) of this town and that I will support and defend the charter thereof as well  
346 as the Constitution and laws of the State of Georgia and of the United States of America."

347 **SECTION 2.20.**

348 Regular and special meetings.

349 (a) The town council shall hold regular meetings at such times and places as shall be  
350 prescribed by ordinance.

351 (b) Special meetings of the town council may be held on call of the mayor or two members  
352 of the town council. Notice of such special meetings shall be served on all other members  
353 personally, or by telephone personally, at least 48 hours in advance of the meeting. Such  
354 notice to councilmembers shall not be required if the mayor and all councilmembers are  
355 present when the special meeting is called. Such notice of any special meeting may be  
356 waived by a councilmember in writing before or after such a meeting and attendance at the  
357 meeting shall also constitute a waiver of notice on any business transacted in such  
358 councilmember's presence. Only the business stated in the call may be transacted at the  
359 special meeting.

360 (c) All meetings of the town council shall be public to the extent required by law and notice  
361 to the public of special meetings shall be made fully as is reasonably possible as provided by  
362 Code Section 50-14-1 of the O.C.G.A. or other such applicable laws as are now or may  
363 hereafter be enacted.

364 **SECTION 2.21.**

365 Rules of procedure.

366 (a) The town council shall adopt its rules of procedure and order of business consistent with  
367 the provisions of this charter and shall provide for keeping of a journal of its proceedings,  
368 which shall be a public record.

369 (b) All committees and committee chairpersons and offices of the town council shall be  
370 appointed by the mayor and shall serve at the pleasure of the mayor. The mayor shall have  
371 the power to appoint new members to any committee at any time.

372 **SECTION 2.22.**

373 Quorum; voting.

374 Three councilmembers shall constitute a quorum and shall be authorized to transact business  
375 of the town council. Voting on the adoption of ordinances shall be by voice vote and the  
376 vote shall be recorded in the journal, but any member of the town council shall have the right  
377 to request a roll-call vote and such vote shall be recorded in the journal. Except as otherwise  
378 provided in this charter, the affirmative vote of three councilmembers shall be required for  
379 the adoption of any ordinance, resolution, or motion. An abstention shall be counted as an  
380 affirmative vote.

381

**SECTION 2.23.**

382

Ordinance form; procedures.

383 (a) Every proposed ordinance shall be introduced in writing and in the form required for  
384 final adoption. No ordinance shall contain a subject which is not expressed in its title. The  
385 enacting clause shall be "It is hereby ordained by the governing authority of the Town of  
386 Riddleville ..." and every ordinance shall so begin.

387 (b) An ordinance may be introduced by any councilmember and be read at a regular or  
388 special meeting of the town council. Ordinances shall be considered and adopted or rejected  
389 by the town council in accordance with the rules which it shall establish; provided, however,  
390 that an ordinance shall not be adopted the same day it is introduced, except for emergency  
391 ordinances as provided in Section 2.25 of this charter. Upon introduction of any ordinance,  
392 the clerk shall as soon as possible distribute a copy to the mayor and each councilmember  
393 and shall file a reasonable number of copies in the office of the clerk and at such other public  
394 places as the town council may designate.

395

**SECTION 2.24.**

396

Action requiring an ordinance.

397 Acts of the town council which have the force and effect of law shall be enacted by  
398 ordinance.

399

**SECTION 2.25.**

400

Emergencies.

401 (a) To meet a public emergency affecting life, health, property, or public peace, the town  
402 council may convene on call of the mayor or two councilmembers and may promptly adopt  
403 an emergency ordinance, but such ordinance may not levy taxes; grant, renew, or extend a  
404 franchise; regulate the rate charged by any public utility for its services; or authorize the  
405 borrowing of money except for loans to be repaid within 30 days. An emergency ordinance  
406 shall be introduced in the form prescribed for ordinances generally, except that it shall be  
407 plainly designated as an emergency ordinance and shall contain, after the enacting clause,  
408 a declaration stating that an emergency exists and describing the emergency in clear and  
409 specific terms. An emergency ordinance may be adopted, with or without amendment, or  
410 rejected at the meeting at which it is introduced, but the affirmative vote of at least three  
411 councilmembers shall be required for adoption. It may become effective upon adoption or  
412 at such later time as it may specify. Every emergency ordinance shall automatically stand

413 repealed 30 days following the date upon which it was adopted, but this shall not prevent  
 414 reenactment of the ordinance in the manner specified in this section if the emergency still  
 415 exists. An emergency ordinance may also be repealed by adoption of a repealing ordinance  
 416 in the same manner specified in this section for adoption of emergency ordinances.

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

#### 421 **SECTION 2.26.**

##### 422 Codes of technical regulations.

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

426 (1) The requirements of subsection (b) of Section 2.23 of this charter for distribution and  
 427 filing of copies of the ordinance shall be construed to include copies of any code of  
 428 technical regulations, as well as the adopting ordinance; and

429 (2) A copy of each adopted code of technical regulations, as well as the adopting  
 430 ordinance, shall be authenticated and recorded by the clerk pursuant to Section 2.27 of  
 431 this charter.

432 (b) Copies of any adopted code of technical regulations shall be made available by the clerk  
 433 for inspection by the public.

#### 434 **SECTION 2.27.**

##### 435 Signing; authenticating; recording; codification; printing.

436 (a) The clerk or appointed councilmember shall authenticate by their signature and record  
 437 in full in a properly indexed book kept for that purpose all ordinances adopted by the council.

438 (b) The town council shall provide for the preparation of a general codification of all the  
 439 ordinances of the town having the force and effect of law. The general codification shall be  
 440 adopted by the town council by ordinance and shall be published promptly, together with all  
 441 amendments thereto and such codes of technical regulations and other rules and regulations  
 442 as the town council may specify. This compilation shall be known and cited officially as  
 443 "The Code of the Town of Riddleville, Georgia." Copies of the code shall be furnished to  
 444 all officers, departments, and agencies of the town and made available for purchase by the  
 445 public at a reasonable price as fixed by the town council.

446 (c) The town council shall cause each ordinance and each amendment to this charter to be  
 447 printed promptly following its adoption, and the printed ordinances and charter amendments  
 448 shall be made available for purchase by the public at reasonable prices to be fixed by the  
 449 town council. Following publication of the first code under this charter and at all times  
 450 thereafter, the ordinances and charter amendments shall be printed in substantially the same  
 451 style as the code currently in effect and shall be suitable in form for incorporation therein.  
 452 The town council shall make such further arrangements as deemed desirable with  
 453 reproduction and distribution of any current changes in or additions to codes of technical  
 454 regulations and other rules and regulations included in the code.

455 **SECTION 2.28.**

456 Election of mayor; forfeiture; compensation.

457 The mayor shall be elected and serve for a term of four years and until a successor is elected  
 458 and qualified. The mayor shall be a qualified elector of this town and shall have been a  
 459 resident of this town for 12 months prior to the election. The mayor shall continue to reside  
 460 in this town during the period of the mayor's service. The mayor shall forfeit that office on  
 461 the same grounds and under the same procedure as for councilmembers. Compensation of  
 462 the mayor shall be established in the same manner as for councilmembers.

463 **SECTION 2.29.**

464 Mayor pro tempore; selection; duties.

465 By a majority vote, the town council may elect a councilmember to serve as mayor pro  
 466 tempore. The mayor pro tempore shall assume the duties and power of the mayor upon the  
 467 mayor's physical or mental disability or absence. Any such absence or disability shall be  
 468 declared by majority vote of all councilmembers. The mayor pro tempore shall sign all  
 469 contracts and ordinances in which the mayor has a disqualifying financial interest as  
 470 provided in Section 2.14 of this charter.

471 **SECTION 2.30.**

472 Powers and duties of mayor.

473 The mayor shall:

- 474 (1) Preside at all meetings of the town council;  
 475 (2) Be the head of the town for the purpose of service of process and for ceremonial  
 476 purposes and be the official spokesperson for the town and the chief advocate of policy;

- 477 (3) Have the power to administer oaths and to take affidavits;  
478 (4) Sign as a matter of course on behalf of the town all written and approved contracts,  
479 ordinances, and other instruments executed by the town which by law are required to be  
480 in writing;  
481 (5) Shall have no vote on legislative questions before that body, except in cases of a tie;  
482 (6) Shall have veto power and may veto any ordinance or resolution of the council;  
483 (7) Prepare and submit to the town council a recommended annual operating budget and  
484 recommended capital budget; and  
485 (8) Fulfill such other executive and administrative duties as the town council shall by  
486 ordinance establish.

487 **SECTION 2.31.**

488 Submission of ordinances to the mayor; veto power.

- 489 (a) Every ordinance adopted by the town council shall be presented promptly by the clerk  
490 to the mayor.
- 491 (b) The mayor, within ten calendar days of receipt of an ordinance, shall return it to the clerk  
492 with or without the mayor's approval, or with the mayor's disapproval. If the ordinance has  
493 been approved by the mayor, it shall become law upon its return to the clerk; if the ordinance  
494 is neither approved nor disapproved, it shall become law at 12:00 Noon on the tenth calendar  
495 day after its adoption; if the ordinance is disapproved, the mayor shall submit to the town  
496 council through the clerk a written statement of reasons for the veto. The clerk shall record  
497 upon the ordinance the date of its delivery to and receipt from the mayor.
- 498 (c) Ordinances vetoed by the mayor shall be presented by the clerk to the town council at  
499 its next meeting. If the town council then or at its next meeting adopts the ordinance by an  
500 affirmative vote of three councilmembers, it shall become law.
- 501 (d) The mayor may disapprove or reduce any item or items of appropriation in any  
502 ordinance. The approved part or parts of any ordinance making appropriations shall become  
503 law, and the part or parts disapproved shall not become law unless subsequently passed by  
504 the town council over the mayor's veto as provided herein. The reduced part or parts shall  
505 be presented to town council as though disapproved and shall not become law unless  
506 overridden by the council as provided in subsection (c) of this section.



507 **SECTION 2.32.**

508 Limitation on terms of service.

509 There shall be no limitation on the number of terms that a person may serve as mayor of the  
510 Town of Riddleville.

511 **ARTICLE III**512 **ADMINISTRATIVE AFFAIRS**513 **SECTION 3.10.**

514 Administrative and service departments.

515 (a) Except as otherwise provided in this charter, the town council by ordinance shall  
516 prescribe the functions or duties and establish, abolish, alter, consolidate, or leave vacant all  
517 nonelective offices, positions of employment, departments, and agencies of the town as  
518 necessary for the proper administration of the affairs and government of this town.

519 (b) Except as otherwise provided by this charter or by law, the directors of departments and  
520 other appointed officers of the town shall be appointed solely on the basis of their respective  
521 administrative and professional qualifications.

522 (c) All appointed officers and directors of departments shall receive such compensation as  
523 prescribed by ordinance.

524 (d) There shall be a director of each department or agency who shall be its principal officer.  
525 Each director shall, subject to the direction and supervision of the mayor, be responsible for  
526 the administration and direction of the affairs and operations of that director's department or  
527 agency.

528 (e) All appointed officers and directors under the supervision of the mayor shall be  
529 nominated by the mayor with confirmation of appointment by the town council. All  
530 appointed officers and directors shall be employees at will and subject to removal or  
531 suspension at any time by the town council unless otherwise provided by state law.

532 **SECTION 3.11.**

533 Boards, commissions, and authorities.

534 (a) The town council shall create by ordinance such boards, commissions, and authorities  
535 to fulfill any investigative, quasi-judicial, or quasi-legislative function the town council  
536 deems necessary and shall by ordinance establish the composition, period of existence,  
537 duties, and powers thereof.

538 (b) All members of boards, commissions, and authorities of the town shall be appointed by  
539 the town council for such terms of office and in such manner as shall be provided by  
540 ordinance, except where other appointing authority, terms of office, or manner of  
541 appointment is prescribed by this charter or by law.

542 (c) The town council by ordinance may provide for the compensation and reimbursement  
543 for actual and necessary expenses of the members of any board, commission, or authority.

544 (d) Except as otherwise provided by charter or by law, no member of any board,  
545 commission, or authority shall hold any elective office in the town.

546 (e) Any vacancy on a board, commission, or authority of the town shall be filled for the  
547 unexpired term in the manner prescribed in this charter for original appointment, except as  
548 otherwise provided by this charter or by law.

549 (f) No member of a board, commission, or authority shall assume office until that person has  
550 executed and filed with the clerk of the town an oath obligating that person to perform  
551 faithfully and impartially the duties of that person's office, and such oath shall be prescribed  
552 by ordinance and administered by the mayor.

553 (g) Any member of a board, commission, or authority serves at will and may be removed  
554 at any time by a vote of three members of the town council, unless otherwise provided by  
555 law.

556 (h) Except as otherwise provided by this charter or by law, each board, commission, or  
557 authority of the town shall elect one of its members as chairperson and one member as vice  
558 chairperson and may elect as its secretary one of its own members or may appoint as  
559 secretary an employee of the town. Each board, commission, or authority of the town  
560 government may establish such bylaws, rules, and regulations, not inconsistent with this  
561 charter, ordinances of the town, or law, as it deems appropriate and necessary for the  
562 fulfillment of its duties or the conduct of its affairs. Copies of such bylaws, rules, and  
563 regulations shall be filed with the clerk of the town.

564 **SECTION 3.12.**

565 Town attorney.

566 The town council shall appoint a town attorney, together with such assistant town attorneys  
567 as may be authorized, and shall provide for the payment of such attorney or attorneys for  
568 services rendered to the town. The town attorney shall be responsible for representing and  
569 defending the town in all litigation in which the town is a party; may be the prosecuting  
570 officer in the municipal court; shall attend the meetings of the council as directed; shall  
571 advise the town council, mayor, and other officers and employees of the town concerning

572 legal aspects of the town's affairs; and shall perform such other duties as may be required by  
573 virtue of such person's position as town attorney.

574 **SECTION 3.13.**

575 Town clerk.

576 The town council may appoint a town clerk who shall not be a councilmember. The town  
577 clerk shall be custodian of the official town seal and town records; maintain town council's  
578 records required by this charter; and perform such other duties as may be required by the  
579 town council. The town council shall provide for the compensation of the town clerk. If no  
580 town clerk is appointed, then the mayor shall assume the responsibilities of the town clerk.

581 **SECTION 3.14.**

582 Position classification and pay plans.

583 The mayor shall be responsible for the preparation of a position classification and pay plan  
584 which shall be submitted to the town council for approval. Such plan may apply to all  
585 employees of the town and any of its agencies, departments, boards, commissions, or  
586 authorities. When a pay plan has been adopted, the town council shall not increase or  
587 decrease the salary range applicable to any position except by amendment of such pay plan.  
588 For purposes of this section, elected and appointed town officials are not town employees.

589 **SECTION 3.15.**

590 Personnel policies.

591 All employees serve at will and may be removed from office at any time unless otherwise  
592 provided by ordinance.

593 **ARTICLE IV**

594 **FINANCE**

595 **SECTION 4.10.**

596 Property tax.

597 The town council may assess, levy, and collect an ad valorem tax on all real and personal  
598 property within the corporate limits of the town that is subject to such taxation by the state  
599 and county. This tax is for the purpose of raising revenues to defray the costs of operating  
600 the town government, of providing governmental services, for the repayment of principal and

601 interest on general obligations, and for any other public purpose as determined by the town  
602 council in its discretion.

603 **SECTION 4.11.**

604 Millage rate; due dates; payment methods.

605 The town council by ordinance may establish a millage rate for the town property tax, a due  
606 date, and the time period within which these taxes must be paid. The town council by  
607 ordinance may provide for the payment of these taxes by installments or in one lump sum,  
608 as well as authorize voluntary payment of taxes prior to the time when due.

609 **SECTION 4.12.**

610 Occupation and business taxes.

611 The town council by ordinance may have the power to levy such occupation or business  
612 taxes as are not denied by law. The town council may classify businesses, occupations, or  
613 professions for the purpose of such taxation in any way which may be lawful and may  
614 compel the payment of such taxes as provided in Section 4.18 of this charter.

615 **SECTION 4.13.**

616 Regulatory fees; permits.

617 The town council by ordinance may have the power to require business or practitioners doing  
618 business within this town to obtain a permit for such activity from the town and pay a  
619 reasonable regulatory fee for such permit as provided by general law. Such fees shall reflect  
620 the total cost to the town of regulating the activity and, if unpaid, shall be collected as  
621 provided in Section 4.18 of this charter.

622 **SECTION 4.14.**

623 Franchises.

624 (a) The town council may have the power to grant franchises for the use of this town's streets  
625 and alleys for the purposes of railroads, street railways, telephone companies, electric  
626 companies, electric membership corporations, cable television and other telecommunication  
627 companies, gas companies, transportation companies, and other similar organizations. The  
628 town council shall determine the duration, terms, whether the same shall be exclusive or  
629 nonexclusive, and the consideration for such franchises; provided, however, that no franchise

630 shall be granted for a period in excess of 35 years and no franchise shall be granted unless  
631 the town receives just and adequate compensation therefor. The town council shall provide  
632 for the registration of all franchises with the town clerk in a registration book kept by the  
633 town clerk. The town council may provide by ordinance for the registration within a  
634 reasonable time of all franchises previously granted.

635 (b) If no franchise agreement is in effect, the town council shall have the authority to impose  
636 a tax on gross receipts for the use of this town's streets and alleys for the purposes of  
637 railroads, street railways, telephone companies, electric companies, electric membership  
638 corporations, cable television and other telecommunications companies, gas companies,  
639 transportation companies, and other similar organizations.

640 **SECTION 4.15.**

641 Service charges.

642 The town council by ordinance shall have the power to assess and collect fees, charges, and  
643 tolls for sewers, sanitary and health services, or any other services provided or made  
644 available inside and outside the corporate limits of the town for the total cost to the town of  
645 providing or making available such services. If unpaid, such charges shall be collected as  
646 provided in Section 4.18 of this charter.

647 **SECTION 4.16.**

648 Special assessments.

649 The town council by ordinance shall have the power to assess and collect the cost of  
650 constructing, reconstructing, widening, or improving any public way, street, sidewalk,  
651 curbing, gutters, sewers, or other utility mains and appurtenances from the abutting property  
652 owners under such terms and conditions as are reasonable. If unpaid, such charges shall be  
653 collected as provided in Section 4.18 of this charter.

654 **SECTION 4.17.**

655 Construction; other taxes and fees.

656 This town shall be empowered to levy any other tax or fee allowed now or hereafter by law,  
657 and the specific mention of any right, power, or authority in this article shall not be construed  
658 as limiting in any way the general powers of this town to govern its local affairs.

659 **SECTION 4.18.**

660 Collection of delinquent taxes and fees.

661 The town council by ordinance may provide generally for the collection of delinquent taxes,  
 662 fees, or other revenue due the town under Sections 4.10 through 4.17 of this charter by  
 663 whatever reasonable means as are not precluded by law. This shall include providing for the  
 664 dates when the taxes or fees are due; late penalties or interest; issuance and execution of fi.  
 665 fa.; creation and priority of liens; making delinquent taxes and fees personal debts of the  
 666 persons required to pay the taxes or fees imposed; revoking town permits for failure to pay  
 667 any town taxes or fees; and providing for the assignment or transfer of tax executions.

668 **SECTION 4.19.**

669 General obligation bonds.

670 The town council shall have the power to issue bonds for the purpose of raising revenue to  
 671 carry out any project, program, or venture authorized under this charter or the laws of this  
 672 state. Such bonding authority shall be exercised in accordance with the laws governing bond  
 673 issuance by municipalities in effect at the time such issue is undertaken.

674 **SECTION 4.20.**

675 Revenue bonds.

676 Revenue bonds may be issued by the town council as state law now or hereafter provides.  
 677 Such bonds shall be paid out of any revenue produced by the project, program, or venture for  
 678 which they were issued.

679 **SECTION 4.21.**

680 Short-term loans.

681 The town may obtain short-term loans and shall repay such loans not later than December 31  
 682 of each year, unless otherwise provided by law.

683 **SECTION 4.22.**

684 Lease-purchase contracts.

685 The town may enter into multiyear lease, purchase, or lease-purchase contracts for the  
 686 acquisition of goods, materials, real and personal property, services, and supplies, provided

687 that the contract terminates without further obligation on the part of the municipality at the  
688 close of the calendar year in which it was executed and at the close of each succeeding  
689 calendar year for which it may be renewed. Contracts shall be executed in accordance with  
690 the requirements of Code Section 36-60-13 of the O.C.G.A. or other such applicable laws as  
691 are now or may hereafter be enacted.

692 **SECTION 4.23.**

693 Fiscal year.

694 The town council shall set the fiscal year by ordinance. This fiscal year shall constitute the  
695 budget year and the year for financial accounting and reporting of each and every office,  
696 department, agency, and activity of the town government.

697 **SECTION 4.24.**

698 Preparation of budgets.

699 The town council shall provide an ordinance on the procedures and requirements for the  
700 preparation and execution of an annual operating budget, a capital improvement plan, and  
701 a capital budget, including requirements as to the scope, content, and form of such budgets  
702 and plans.

703 **SECTION 4.25.**

704 Submission of operating budget to town council.

705 On or before a date fixed by the town council but not later than 60 days prior to the  
706 beginning of each fiscal year, the mayor shall submit to the town council a proposed  
707 operating budget for the ensuing fiscal year. The budget shall be accompanied by a message  
708 from the mayor containing a statement of the general fiscal policies of the town, the  
709 important features of the budget, explanations of major changes recommended for the next  
710 fiscal year, a general summary of the budget, and such other pertinent comments and  
711 information. The operating budget, the capital improvements budget, the budget message,  
712 and all supporting documents shall be filed in the office of the town clerk and shall be open  
713 to public inspection.

714

**SECTION 4.26.**

715

Action by town council on budget.

716 (a) The town council may amend the operating budget proposed by the mayor, except that  
 717 the budget as finally amended and adopted shall provide for all expenditures required by state  
 718 law or by other provisions of this charter and for all debt service requirements for the ensuing  
 719 fiscal year. The total appropriations from any fund shall not exceed the estimated fund  
 720 balance, reserves, and revenues.

721 (b) The town council shall by ordinance adopt the final operating budget for the ensuing  
 722 fiscal year not later than the thirty-first day of December of each year. If the town council  
 723 fails to adopt the budget by such date, the amounts appropriated for operation for the then  
 724 current fiscal year shall be deemed adopted for the ensuing fiscal year on a month-to-month  
 725 basis, with all items prorated accordingly, until such time as the town council adopts a budget  
 726 for the ensuing fiscal year. Adoption of the budget shall take the form of an appropriation  
 727 ordinance setting out the estimated revenues in detail by sources and making appropriations  
 728 according to fund and by organizational unit, purpose, or activity as set out in the budget  
 729 preparation ordinance adopted pursuant to Section 4.24 of this charter.

730 (c) The amount set out in the adopted operating budget for each organizational unit shall  
 731 constitute the annual appropriation for such, and no expenditure shall be made or  
 732 encumbrance created in excess of the otherwise unencumbered balance of the appropriations  
 733 or allotments thereof to which it is chargeable.

734

**SECTION 4.27.**

735

Tax levies.

736 The town council shall levy by ordinance such taxes as are necessary. The taxes and tax  
 737 rates set by such ordinance shall be such that reasonable estimates of revenues from such  
 738 levy shall at least be sufficient, together with other anticipated revenues, fund balances, and  
 739 applicable reserves, to equal the total amount appropriated for each of the several funds set  
 740 forth in the annual operating budget for defraying the expense of the general government of  
 741 this town.

742

**SECTION 4.28.**

743

Changes in appropriations.

744 The town council by ordinance may make changes in the appropriations contained in the  
 745 current operating budget at any regular meeting or special or emergency meeting called for



746 such purpose, but any additional appropriations may be made only from an existing  
747 unexpended surplus.

748 **SECTION 4.29.**

749 Capital budget.

750 (a) On or before the date fixed by the town council, but no later than 60 days prior to the  
751 beginning of each fiscal year, the mayor shall submit to the town council a proposed capital  
752 improvements plan with a recommended capital budget containing the means of financing  
753 the improvements proposed for the ensuing fiscal year. The town council shall have the  
754 power to accept, with or without amendments, or reject the proposed plan and proposed  
755 budget. The town council shall not authorize an expenditure for the construction of any  
756 building, structure, work, or improvement unless the appropriations for such project are  
757 included in the capital budget, except to meet a public emergency as provided in Section 2.25  
758 of this charter.

759 (b) The town council shall adopt by ordinance the final capital budget for the ensuing fiscal  
760 year not later than the thirty-first day of December of each year. No appropriation provided  
761 for in a prior capital budget shall lapse until the purpose for which the appropriation was  
762 made shall have been accomplished or abandoned; provided, however, that the mayor may  
763 submit amendments to the capital budget at any time during the fiscal year, accompanied by  
764 recommendations. Any such amendments to the capital budget shall become effective only  
765 upon adoption by ordinance.

766 **SECTION 4.30.**

767 Independent audit.

768 There shall be annual independent audit of all town accounts, funds, and financial  
769 transactions by a certified public accountant selected by the town council. The audit shall  
770 be conducted according to generally accepted auditing principles. Any audit of any funds  
771 by the state or federal government may be accepted as satisfying the requirements of this  
772 charter. Copies of all audit reports shall be available at printing costs to the public.

773 **SECTION 4.31.**

774 Contracting procedures.

775 No contract with the town shall be binding on the town unless:

776 (1) It is in writing;

- 777 (2) It is drawn or submitted and reviewed by the town attorney and, as a matter of course,  
 778 is signed by the town attorney to indicate such drafting or review; and  
 779 (3) It is made or authorized by the town council and such approval is entered in the town  
 780 council journal of proceedings pursuant to Section 2.21 of this charter.

781 **SECTION 4.32.**

782 Centralized purchasing.

783 The town council shall by ordinance prescribe procedures for a system of centralized  
 784 purchasing for the town.

785 **SECTION 4.33.**

786 Sale and lease of town property.

- 787 (a) The town council may sell and convey or lease any real or personal property owned or  
 788 held by the town for governmental or other purposes as now or hereafter provided by law.  
 789 (b) The town council may quitclaim any rights it may have in property not needed for public  
 790 purposes upon report by the mayor and adoption of a resolution, both finding that the  
 791 property is not needed for public or other purposes and that the interest of the town has no  
 792 readily ascertainable monetary value.  
 793 (c) Whenever in opening, extending, or widening any street, avenue, alley, or public place  
 794 of the town a small parcel or tract of land is cut off or separated by such work from a larger  
 795 tract or boundary of land owned by the town, the town council may authorize the mayor to  
 796 sell and convey said cut-off or separated parcel or tract of land to an abutting or adjoining  
 797 property owner or owners where such sale and conveyance facilitates the enjoyment of the  
 798 highest and best use of the abutting owner's property. Included in the sales contract shall be  
 799 a provision for the rights of way of said street, avenue, alley, or public place. Each abutting  
 800 property owner shall be notified of the availability of the property and given the opportunity  
 801 to purchase said property under such terms and conditions as set out by ordinance. All deeds  
 802 and conveyances heretofore and hereafter so executed and delivered shall convey all title and  
 803 interest the town has in such property, notwithstanding the fact that no public sale after  
 804 advertisement was or is hereafter made.

805

ARTICLE V

806

GENERAL PROVISIONS

807

**SECTION 5.10.**

808

Bonds for officials.

809

The officers and employees of this town, both elected and appointed, shall execute such

810

surety or fidelity bonds in such amounts and upon such terms and conditions as the town

811

council may from time to time require by ordinance or as may be provided by law.

812

**SECTION 5.11.**

813

Prior ordinances.

814

All other ordinances, resolutions, rules, and regulations adopted prior to the adoption of this

815

charter are hereby repealed.

816

**SECTION 5.12.**

817

Existing personnel and officers.

818

Except as specifically provided otherwise by this charter, all personnel and officers of this

819

town and their rights, privileges, and powers shall continue beyond the time this charter takes

820

effect for a period of 90 days before or during which time the existing town council shall

821

pass a transition ordinance detailing the changes in personnel and appointed officers required

822

or desired and arranging such titles, rights, privileges, and powers as may be required or

823

desired to allow a reasonable transition.

824

**SECTION 5.13.**

825

Pending matters.

826

Except as specifically provided otherwise by this charter, all rights, claims, actions, orders,

827

contracts, and legal or administrative proceedings shall continue and any such ongoing work

828

or cases shall be completed by such town agencies, personnel, or officers as may be provided

829

by the town council.

830 **SECTION 5.14.**

831 Construction.

832 (a) Section captions in this charter are informative only and shall not be considered as a part  
833 thereof.

834 (b) The word "shall" is mandatory and the word "may" is permissive.

835 (c) The singular shall include the plural, the masculine shall include the feminine, and vice  
836 versa.

837 **SECTION 5.15.**

838 Severability.

839 If any article, section, subsection, paragraph, sentence, or part thereof of this charter shall be  
840 held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect  
841 or impair other parts of this charter unless it clearly appears that such other parts are wholly  
842 and necessarily dependent upon the part held to be invalid or unconstitutional, it being the  
843 legislative intent in enacting this charter that each article, section, subsection, paragraph,  
844 sentence, or part thereof be enacted separately and independent of each other.

845 **SECTION 5.16.**

846 Repealer.

847 An Act incorporating the Town of Riddleville in the County of Washington, approved  
848 August 15, 1903 (Ga. L. 1903, p. 578), is hereby repealed in its entirety and all amendatory  
849 Acts thereto are likewise repealed in their entirety.

850 **SECTION 5.17.**

851 Effective date.

852 This Act shall become effective on July 1, 2014.

853 **SECTION 5.18.**

854 General repealer.

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