

Senate Bill 423

By: Senator Shafer of the 48th

AS PASSED

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act to provide a new charter for the City of Berkeley Lake, approved April 9,
2 1999 (Ga. L. 1999, p. 3636), as amended, so as to change the number of councilmembers
3 required for a quorum with the mayor; to provide that the mayor pro tempore may vote in the
4 event of a tie when presiding in the mayor's absences; to reaffirm the current city boundary;
5 to provide for related matters; to provide an effective date; to repeal conflicting laws; and for
6 other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 An Act to provide a new charter for the City of Berkeley Lake, approved April 9, 1999
10 (Ga. L. 1999, p. 3636), as amended, is amended by adding a new subsection to Section 1.11
11 to read as follows:

12 "(d) In addition to any territory lying within the corporate limits of the City of Berkeley
13 Lake on the effective date of this subsection, such corporate limits shall also include the
14 following properties included in the tax parcels set forth below as those tax parcels exist
15 on the tax rolls and the tax maps of Gwinnett County for 2013:

- 16 R6268 005 4464 South Old Peachtree Rd
- 17 R6268 031 3088 Process Dr
- 18 R6268 035 3157 Process Dr
- 19 R6268 053 4488 Peachtree Industrial Blvd
- 20 R6269 003 4707 South Old Peachtree Rd
- 21 R6269 004 4560 South Berkeley Lake Rd
- 22 R6269 005 4525 South Berkeley Lake Rd
- 23 R6269 006 4600 South Berkeley Lake Rd
- 24 R6269 006B 4540 South Berkeley Lake Rd
- 25 R6269 007 4580 South Berkeley Lake Rd
- 26 R6269 008 4590 South Berkeley Lake Rd

27	R6269 009	4520 South Berkeley Lake Rd
28	R6269 011	0 South Old Peachtree Rd
29	R6269 013	4788 South Old Peachtree Rd
30	R6269 016	4795 South Old Peachtree Rd
31	R6269 019	4535 South Berkeley Lake Rd
32	R6269 024	4545 South Berkeley Lake Rd
33	R6269 029	4530 South Berkeley Lake Rd
34	R6269 031	4487 South Old Peachtree Rd
35	R6269 032	4610 Peachtree Industrial Blvd
36	R6269 040	4585 South Berkeley Lake Rd
37	R6269 041	4555 South Old Peachtree Rd
38	R6269 043	4527 South Old Peachtree Rd
39	R6269 047	4519 South Old Peachtree Rd
40	R6269 048	4497 South Old Peachtree Rd
41	R6269 050	4567 South Berkeley Lake Rd
42	R6269 059	4600 Peachtree Industrial Blvd
43	R6269 063	4575 South Old Peachtree Rd
44	R6269 065	0 Peachtree Rd
45	R6269 067	4515 South Old Peachtree Rd
46	R6269 069	4590 Peachtree Industrial Blvd
47	R6269 073	4561 South Berkeley Lake Rd
48	R6269 099	0 South Old Peachtree Rd
49	R6269 114	4720 Peachtree Industrial Blvd
50	R6269 148	4775 Peachtree Industrial Blvd
51	R6269 150	4535 South Berkeley Lake Rd
52	R6269 152	4575 South Berkeley Lake Rd
53	R6269 158	4790 Peachtree Industrial Blvd
54	R6269 159	4760 Peachtree Industrial Blvd
55	R6269 161	4575 South Berkeley Lake Rd
56	R6270 001	4810 South Old Peachtree Rd
57	R6270 002	0 South Old Peachtree Rd
58	R6270 009	4810 Peachtree Industrial Blvd
59	R6270 023	4940 Peachtree Industrial Blvd
60	R6270 025	0 South Old Peachtree Rd
61	R6270 041	4900 South Old Peachtree Rd
62	R6270 055	0 South Old Peachtree Rd
63	R6270 088	4855 Peachtree Industrial Blvd

64	R6270 092	4830 Peachtree Industrial Blvd
65	R6270 093	4850 Peachtree Industrial Blvd
66	R6270 094	4870 Peachtree Industrial Blvd
67	R6270 095	4890 Peachtree Industrial Blvd
68	R6270 096	4895 South Old Peachtree Rd
69	R6270 191	4875 Peachtree Industrial Blvd
70	R6270 192	4895 Peachtree Industrial Blvd
71	R6290 006	3630 North Berkeley Lake Rd
72	R6290 009	3604 North Berkeley Lake Rd
73	R6290 010	3560 North Berkeley Lake Rd
74	R6290 011	3560 Hermitage Dr
75	R6290 012	3559 Hermitage Dr
76	R6290 013	3554 North Berkeley Lake Rd
77	R6290 014	3599 Hermitage Dr
78	R6290 015	3589 Hermitage Dr
79	R6290 016	3579 Hermitage Dr
80	R6290 017	3569 Hermitage Dr
81	R6290 018	3570 Hermitage Dr
82	R6290 019	3580 Hermitage Dr
83	R6290 020	4126 Saint Clair Cir
84	R6290 021	4136 Saint Clair Cir
85	R6290 022	4146 Saint Clair Cir
86	R6290 023	4156 Saint Clair Cir
87	R6297 002	3622 Frederica Rd
88	R6297 004	3640 North Berkeley Lake Rd
89	R6297 006	3632 Frederica Rd
90	R6297 007	3642 Frederica Rd
91	R6297 008	3652 Frederica Rd
92	R6297 009	3662 Frederica Rd
93	R6297 010	3672 Frederica Rd
94	R6297 011	3682 Frederica Rd
95	R6297 012	3681 Frederica Rd
96	R6297 013	3671 Frederica Rd
97	R6297 015	3657 Frederica Rd
98	R6297 016	3651 Frederica Rd
99	R6297 017	3647 Frederica Rd
100	R6297 018	3641 Frederica Rd

101	R6297 019	3631 Frederica Rd
102	R6297 020	4167 Saint Clair Cir
103	R6297 021	4157 Saint Clair Cir
104	R6297 022	4147 Saint Clair Cir
105	R6297 023	3610 Hermitage Dr
106	R6297 024	3620 Hermitage Dr
107	R6297 025	3630 Hermitage Dr
108	R6297 026	3640 Hermitage Dr
109	R6297 028	3660 Hermitage Dr
110	R6297 029	3670 Hermitage Dr
111	R6297 030	3680 Hermitage Dr
112	R6297 031	3679 Hermitage Dr
113	R6297 032	3669 Hermitage Dr
114	R6297 033	3665 Hermitage Dr
115	R6297 034	3659 Hermitage Dr
116	R6297 035	3649 Hermitage Dr
117	R6297 036	3639 Hermitage Dr
118	R6297 037	3629 Hermitage Dr
119	R6297 038	3619 Hermitage Dr
120	R6297 039	3609 Hermitage Dr
121	R6297 040	3692 Frederica Rd
122	R6297 041	3683 Wassaw Ln
123	R6297 042	3673 Wassaw Ln
124	R6297 043	3663 Wassaw Ln
125	R6297 044	3655 Wassaw Ln
126	R6297 045	3664 Wassaw Ln
127	R6297 046	3674 Wassaw Ln
128	R6297 047	3684 Wassaw Ln
129	R6297 048	3694 Wassaw Ln
130	R6297 049	3704 Wassaw Ln
131	R6297 050	3714 Wassaw Ln
132	R6297 051	3724 Wassaw Ln
133	R6297 052	3723 Wassaw Ln
134	R6297 053	3713 Wassaw Ln
135	R6297 054	3703 Wassaw Ln
136	R6297 057	3712 Frederica Rd
137	R6297 059	3752 Frederica Rd

138	R6297 060	3741 Frederica Rd
139	R6297 061	3731 Frederica Rd
140	R6297 062	3721 Frederica Rd
141	R6297 063	3711 Frederica Rd
142	R6297 064	3701 Cloister Pl
143	R6297 065	4121 Cloister Pl
144	R6297 066	3710 Hermitage Dr
145	R6297 067	3720 Hermitage Dr
146	R6297 068	3730 Hermitage Dr
147	R6297 069	3740 Hermitage Dr
148	R6297 070	3749 Hermitage Dr
149	R6297 072	3729 Hermitage Dr
150	R6297 073	3719 Hermitage Dr
151	R6297 074	3709 Hermitage Dr
152	R6297 075	3699 Hermitage Dr
153	R6297 076	3689 Hermitage Dr
154	R6297 077	3690 Hermitage Dr
155	R6297 078	3691 Frederica Rd
156	R6297 079	3680 Frederica Ln
157	R6297 081	3774 Frederica Ln
158	R6297 082	3764 Frederica Ln
159	R6297 083	3754 Frederica Ln
160	R6297 084	3744 Frederica Ln
161	R6297 086	3733 Frederica Ln
162	R6297 087	3743 Frederica Ln
163	R6297 089	3762 Frederica Rd
164	R6297 091	3751 Frederica Rd
165	R6297 092	3761 Frederica Rd
166	R6297 093	3771 Frederica Rd
167	R6297 094	3791 Frederica Rd
168	R6297 095	3790 Hermitage Dr
169	R6297 096	3770 Hermitage Dr
170	R6297 097	3760 Hermitage Dr
171	R6297 098	3750 Hermitage Dr
172	R6297 099	3759 Hermitage Dr
173	R6297 100	3796 Hermitage Dr
174	R6297 101	3779 Hermitage Dr

175	R6297 102	3789 Hermitage Dr
176	R6297 103	3799 Hermitage Dr
177	R6297 104	3831 Frederica Rd
178	R6297 105	3841 Frederica Rd
179	R6297 106	3862 Frederica Rd
180	R6297 110	3852 Frederica Rd
181	R6297 111	3832 Frederica Rd
182	R6297 112	3812 Frederica Rd
183	R6297 113	3792 Frederica Rd
184	R6297 114	3782 Frederica Rd
185	R6297 115	3772 Frederica Rd
186	R6297 307	0 Hermitage Dr
187	R6299 025	4539 Bush Rd
188	R6299 027	4503 Bush Rd
189	R6299 083	3648 Habersham Ln
190	R6299 084	3658 Habersham Ln
191	R6299 085	3668 Habersham Ln
192	R6299 086	3678 Habersham Ln
193	R6299 087	3688 Habersham Ln
194	R6299 088	3698 Habersham Ln
195	R6299 089	3708 Habersham Ln
196	R6299 090	3707 Habersham Ln
197	R6299 091	3697 Habersham Ln
198	R6299 092	3687 Habersham Ln
199	R6299 093	3677 Habersham Ln
200	R6299 094	3667 Habersham Ln
201	R6299 095	3657 Habersham Ln"

202 **SECTION 2.**

203 Said Act is further amended by revising Section 2.21 as follows:

204 "SECTION 2.21.

205 Quorum; voting.

206 The mayor and three councilmembers shall constitute a quorum and shall be authorized to
 207 transact business of the city council. When the mayor pro tempore is presiding in the
 208 mayor's absence, the mayor pro tempore and three councilmembers shall constitute a

209 quorum and the mayor pro tempore shall have no vote except in the event of a tie. Voting
210 on the adoption of ordinances shall be by voice vote and the vote shall be recorded in the
211 journal, but any member shall have the right to request a roll-call vote and such vote shall
212 be recorded in the journal. Except as otherwise provided in this charter, the affirmative
213 vote of three councilmembers shall be required for the adoption of any ordinance,
214 resolution, or motion. The mayor shall only be able to vote in the event of a tie. The
215 mayor shall have the power to veto any motion, resolution, ordinance, or other question
216 adopted by the council, but such veto may be overridden by a vote of four-fifths of the
217 entire council."

218 **SECTION 3.**

219 Said Act is further amended by revising Section 2.28 as follows:

220 "SECTION 2.28.

221 Mayor pro tempore.

222 By a majority vote, the city council shall elect a councilmember to serve as mayor pro
223 tempore. The mayor pro tempore shall assume the duties and powers of the mayor during
224 the mayor's physical or mental disability or absence. Any such disability or absence shall
225 be declared by a majority vote of the city council. The mayor pro tempore shall sign all
226 contracts and ordinances in which the mayor has a disqualifying financial interest as
227 provided in Section 2.14 of this charter. Except in the event of a tie, the mayor pro tempore
228 shall not have a vote when presiding in the mayor's absence at meetings of the city
229 council."

230 **SECTION 4.**

231 This Act shall become effective upon its approval by the Governor or upon its becoming law
232 without such approval.

233 **SECTION 5.**

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