

House Bill 1138 (AS PASSED HOUSE AND SENATE)

By: Representative Corbett of the 174th

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act to incorporate the town of Argyle, approved November 18, 1901
2 (Ga. L. 1901, p. 301), so as to provide for elections and procedures; to provide for oaths; to
3 provide for qualifications of voters; to provide for a county sheriff; to provide for a town
4 clerk; to provide for bonds; to provide for the powers and duties of the mayor and council;
5 to provide for public works; to provide for a mayor's court; to provide for sanctions for
6 violations of law; to provide for compensation of various officials; to provide for related
7 matters; to repeal conflicting laws; and for other purposes.

8 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

9 **SECTION 1.**

10 An Act to incorporate the town of Argyle, approved November 18, 1901 (Ga. L. 1901,
11 p. 301), is amended by revising Section 4 as follows:

12 **"SECTION 4.**

13 Be it further enacted, that an election shall be held on the first Tuesday in November, and
14 every four years thereafter, in said town, for the election of a mayor and four
15 councilmembers of said town, to serve for four years and continue until their successors
16 are qualified and elected; said elections shall be held in accordance with the provisions of
17 Chapter 2 of Title 21 of the O.C.G.A., the 'Georgia Election Code.'"

18 **SECTION 2.**

19 Said Act is further amended by revising Section 6 as follows:

20 **"SECTION 6.**

21 Be it further enacted, that all citizens qualified to vote for members of the General
22 Assembly shall be qualified to vote at any election for officers of said town."

23 **SECTION 3.**

24 Said Act is further amended by revising Section 8 as follows:

25 "SECTION 8.

26 Be it further enacted, that the persons elected in town elections shall be notified of their
27 election by the election superintendent, and they shall as soon thereafter as may be
28 practicable, take the oath of office before some person authorized to administer it, which
29 oath shall be in writing, and placed in the book of minutes of the council, which oath shall
30 be as follows: 'I do solemnly swear or affirm that I will well and truly perform the duties
31 of the mayor or councilmember of the town of Argyle by adopting such measures as in my
32 judgment will be best calculated to promote the general welfare of the inhabitants of said
33 town, and are not violative of the spirit and intent of this charter, so help me God.' They
34 shall then forthwith enter upon their duties."

35 **SECTION 4.**

36 Said Act is further amended by revising Section 9 as follows:

37 "SECTION 9.

38 Be it further enacted, that there shall be a county sheriff for said town of Argyle, and the
39 county shall receive compensation annually. They may either arrange for his or her
40 compensation at a salary or by fees, which fees shall not exceed those that sheriffs receive
41 for like services."

42 **SECTION 5.**

43 Said Act is further amended by revising Section 10 as follows:

44 "SECTION 10.

45 Be it further enacted, that the council shall elect a clerk for said town. The mayor and
46 council shall have the power to fix the compensation of the clerk, provided that the pay of
47 the clerk shall not exceed \$1,000.00 per annum."

48 **SECTION 6.**

49 Said Act is further amended by revising Section 11 as follows:

50 "SECTION 11.

51 Be it further enacted, that the council shall have the power, and it shall be their duty, to
52 require bonds of the clerk for the strict performance of the clerk's duties and to fix the
53 amount of such bonds and approve the same."

54 **SECTION 7.**

55 Said Act is further amended by revising Section 13 as follows:

56 "SECTION 13.

57 Be it further enacted, that the mayor and council shall have the power and authority to open
58 and change or abolish streets in said town as the public interest may require; shall keep in
59 good order the streets and sidewalks of said town; and may require and compel all persons
60 residing in said town who may be subject by law to road duty to work on the streets and
61 sidewalks of said town, not to exceed six months in each year, but may receive in lieu
62 thereof a commutation fee from such persons; and the mayor of said town shall have the
63 same power and authority to punish defaulters as the road commissioners of this state have,
64 or may hereafter have, provided that no defaulter shall have the right to relieve himself or
65 herself of any fine or penalty imposed for his or her failure to perform street duty after
66 being returned as such defaulter without the consent of the mayor."

67 **SECTION 8.**

68 Said Act is further amended by revising Section 14 as follows:

69 "SECTION 14.

70 Be it further enacted, that the mayor and council shall have the full power and authority to
71 enact and enforce all ordinances, by-laws, rules, and regulations necessary for the good
72 government of said town, and securing and promoting the health thereof, not repugnant to
73 the Constitution and the laws of the state. They may prohibit the running at large in said
74 town, and regulate the running at large, of any horse, mule, cattle, hogs, dogs, or other
75 animals or fowls, and prescribe penalties therefor; to protect places of divine worship; to
76 make regulations to guard against danger or damage by fire; to abate nuisances; to protect
77 the public health; and to protect and promote the peace and good order of said town."

78 **SECTION 9.**

79 Said Act is further amended by revising Section 15 as follows:

80 "SECTION 15.

81 Be it further enacted, that the mayor shall hold a council meeting in said town at any time
82 for all violators of the ordinances, by-laws, rules, and regulations of said town, and shall
83 keep a docket upon which the mayor shall plainly enter all cases and judgments, the
84 punishment inflicted not to exceed a fine of \$25.00 per incident or labor on the public
85 streets or works of said town not to exceed 60 days, and in addition thereto the cost of any
86 judgments. It shall be the duty of the mayor to act as the presiding officer of the council
87 when in session, and look after the promotion of the peace and good order of said town,
88 and the enforcement of the by-laws and ordinances thereof."

89 **SECTION 10.**

90 Said Act is further amended by revising Section 16 as follows:

91 "SECTION 16.

92 Be it further enacted, that the council shall have the power to fix their own salaries and that
93 of the mayor, and the mayor's salary shall not exceed \$500.00 per annum and the
94 councilmembers' salaries shall not exceed \$400.00 per annum apiece, and the fire chief's
95 salary shall not exceed \$350.00 per annum."

96 **SECTION 11.**

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