

House Bill 357 (AS PASSED HOUSE AND SENATE)

By: Representative Campbell of the 171st

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act to provide a new charter for the City of Pelham, approved April 28, 2016
2 (Ga. L. 2016, p. 3859), so as to reduce the size of the city council; to revise the power of the
3 mayor to vote at city council meetings; to revise when newly elected mayors or council
4 members take office; to provide for election by plurality of votes; to provide for related
5 matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 An Act to provide a new charter for the City of Pelham, approved April 28, 2016
9 (Ga. L. 2016, p. 3859), is amended by revising Section 2.10 as follows:

10 "SECTION 2.10.

11 City council creation; number; election.

12 The legislative authority of the government of this city, except as otherwise specifically
13 provided in this charter, shall be vested in a city council to be composed of a mayor and
14 six council members. The city council shall in all respects be a successor to and

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15 continuation of the governing authority under prior law. The mayor and council members
16 shall be elected in the manner provided by general law and this charter."

17 **SECTION 2.**

18 Said Act is further amended by revising Section 2.19 as follows:

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20 "SECTION 2.19.

21 Quorum; voting.

22 Four council members other than the mayor or the mayor and three council members shall
23 constitute a quorum and shall be authorized to transact business of the city council. Voting
24 on the adoption of ordinances may be by oral vote, and the vote shall be recorded in the
25 city council minutes of proceedings pursuant to Section 2.18 of this charter; but any
26 member of the city council shall have the right to require a roll-call vote, and such vote
27 shall be recorded in the city council minutes of proceedings pursuant to Section 2.18 of this
28 charter. Except as otherwise provided in this charter, the affirmative vote of four council
29 members or the mayor and three council members shall be required for the adoption of any
30 ordinance, resolution, or motion."

31 **SECTION 3.**

32 Said Act is further amended by revising paragraph (5) of Section 2.26 as follows:

33 "(5) Vote only in the case of a tie or when the mayor's affirmative or negative vote is
34 necessary for a majority."

35 **SECTION 4.**

36 Said Act is further amended by revising Section 5.11 as follows:

"SECTION 5.11.

Regular elections; time for holding same.

(a) The council shall be composed of six members. Three council members shall be elected from District 1 and three council members shall be elected from District 2. Only those persons residing within a district shall be qualified to vote for candidates for the city council from such district.

(b)(1) Municipal general elections for the City of Pelham shall be conducted on the Tuesday next following the first Monday in November of each odd-numbered year.

(2) Successors to council members whose terms of office are to expire shall be elected at the municipal general election immediately preceding the expiration of such terms, shall take office at the organization meeting held pursuant to Section 2.17 of this charter, and shall serve for terms of four years each and until their respective successors are elected and qualified. Each person seeking election from a council district shall designate the current district for which that person seeks election.

(3) Every four years, the mayor of the City of Pelham shall be elected to take office at the organization meeting held pursuant to Section 2.17 of this charter and shall serve for a term of office of four years and until a successor is elected and qualified.

(4)(A) At the general municipal election in 2021, two council members from District 2 and one council member from District 1 shall be elected for four-year terms of office.

(B) At the general municipal election in 2023, the mayor, two council members from District 1, and one council member from District 2 shall be elected for four-year terms of office.

(c) The mayor and council members serving as such on July 1, 2021, shall continue to serve for the remainder of the terms to which they were elected."

61 **SECTION 5.**

62 Said Act is further amended by revising Section 5.13 as follows:

63 "SECTION 5.13.

64 Election by plurality.

65 (a) The mayor shall be elected by a plurality of the votes cast city wide.

66 (b) City council members shall be elected by a plurality of the votes cast in that district in
67 which they qualify. All candidates for each district shall be placed on the ballot for such
68 district in alphabetical order. Those candidates receiving the most votes for the position
69 or positions available in a particular district shall be elected."

70 **SECTION 6.**

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