

House Bill 361 (AS PASSED HOUSE AND SENATE)

By: Representative Greene of the 151st

A BILL TO BE ENTITLED

AN ACT

1 To provide a new charter for the City of Edison; to provide for incorporation, boundaries,
2 and powers of the city; to provide for general powers and limitations on powers; to provide
3 for a city council and the powers, duties, authority, election, terms, removal from office,
4 method of filling vacancies, compensation, expenses, and qualifications of members of such
5 city council; to provide for conflicts of interest and holding other offices; to provide for
6 inquiries and investigations; to provide for eminent domain; to provide for organization and
7 procedures; to provide for regular and special meetings; to provide for rules of procedure,
8 quorum, and voting by commission; to provide for ordinances; to provide for emergencies;
9 to provide for codes of technical regulations; to provide for signing, recording,
10 authentication, codification, and printing of ordinances; to provide for administrative
11 responsibilities; to provide for the office of mayor and certain duties and powers thereto; to
12 provide for a mayor pro tempore; to provide for administrative departments; to provide for
13 boards, commissions, and authorities; to provide for a city attorney and city clerk; to provide
14 for personnel policies; to provide for the establishment of a municipal court and the judge
15 or judges thereof; to provide for jurisdiction, powers, and appeals from the municipal court;
16 to provide for practices and procedures; to provide for court fees; to provide for procedures
17 for municipal elections; to provide for taxation, permits, and fees; to provide for franchises,
18 service charges, and assessments; to provide for collection of delinquent taxes and fees; to

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19 provide for bonded and other indebtedness; to provide for multiyear contracts; to provide for
20 accounting and budgeting; to provide a millage rate cap; to provide for contracting and
21 purchasing; to provide for bonds for officials; to provide for prior ordinances, existing
22 personnel, and pending matters; to provide for definitions and construction; to provide for
23 severability; to provide for related matters; to repeal a specific Act; to repeal conflicting
24 laws; and for other purposes.

25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

26 ARTICLE I.
27 INCORPORATION AND POWERS

28 SECTION 1.10.
29 Incorporation.

30 The city and the inhabitants thereof are reincorporated by the enactment of this charter and
31 are hereby constituted and declared a municipality and body politic and corporate under the
32 name and style City of Edison, Georgia, and by that name shall have perpetual existence.

33 SECTION 1.11.
34 Corporate boundaries.

35 (a) The boundaries of the city shall be those existing on the effective date of the adoption
36 of this charter with such alterations as may be made from time to time in the manner
37 provided by law. The boundaries of the city at all times shall be shown on a map to be
38 retained permanently in the City of Edison city hall and to be identified by the city clerk
39 as the "Official Map of the Corporate Limits of the City of Edison, Georgia." A

40 photographic, typed, or other copy of such map or description certified by the City of
41 Edison shall be admitted as evidence in all courts and shall have the same force and effect
42 as with the original map or description.

43 (b) The city 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
45 purposes the entire map or maps which it is designated to replace.

46 SECTION 1.12.

47 Powers and construction.

48 (a) The city shall have all powers possible for a city 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. The city shall have all the powers of self-government not
51 otherwise prohibited by this charter or by general law.

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

55 SECTION 1.13.

56 Example of powers.

57 Unless otherwise preempted by federal or state law, the corporate powers of the city may
58 include, but are not limited to, the following:

59 (1) Animal Regulations. To regulate and license or to prohibit the keeping or running
60 of at-large animals and fowl, and to provide for the impoundment of the same if in
61 violation of any ordinance or lawful order; to provide for the disposition by sale, gift, or

62 humane destruction of animals and fowl when not redeemed as provided by ordinance;
63 and to provide punishment for violation of ordinances enacted hereunder.

64 (2) Appropriations and Expenditures. To make appropriations for the support of the
65 government of the city; to authorize the expenditure of money for any purposes
66 authorized by this charter or for municipalities by the laws of the State of Georgia; and
67 to provide for the payment of expenses of the city.

68 (3) Building Regulation. To regulate and to license the erection and construction of
69 buildings and all other structures; to adopt building, housing, plumbing, electrical, gas,
70 and heating and air conditioning codes; and to regulate all housing and building trades.

71 (4) Business Regulation and Taxation. To levy and to provide for the collection of
72 regulatory fees and taxes on privileges, occupations, trades, and professions as authorized
73 by Title 48 of the O.C.G.A. or other such applicable laws as are or may hereafter be
74 enacted; to permit and regulate the same; to provide for the manner and method of
75 payment of such regulatory fees and taxes; and to revoke such permits after due process
76 for failure to pay any city taxes or fees.

77 (5) Condemnation. To condemn property inside or outside the corporate limits of the
78 city for present or future use and for any corporate purpose deemed necessary by the
79 governing authority, utilizing procedures as the same shall exist from time to time as
80 provided by the O.C.G.A.

81 (6) Contracts. To enter into contracts and agreements with other governmental entities
82 and with private persons, firms, and corporations.

83 (7) Emergencies. To establish procedures for determining and proclaiming that an
84 emergency situation exists within or without the city and to make and carry out all
85 reasonable provisions deemed necessary to deal with or meet such an emergency for the
86 protection, safety, health, or well-being of the citizens of the city.

87 (8) Environmental Protection. To protect and preserve the natural resources,
88 environment, and vital areas of the city through the preservation and improvement of air

89 quality, the restoration and maintenance of water resources, the control of erosion and
90 sedimentation, the management of solid and hazardous waste, and other necessary actions
91 for the protection of the environment.

92 (9) Fire Regulations. To fix and establish fire limits and from time to time to extend,
93 enlarge, or restrict the same; to prescribe fire safety regulations consistent with general
94 law relating to fire prevention and detection and to firefighting; and to prescribe penalties
95 and punishment for violations thereof.

96 (10) Garbage Fees and Solid Waste Disposal. To levy, fix, assess, and collect a garbage,
97 refuse, rubbish, and trash collection and disposal fee and other sanitary service charge as
98 may be necessary in the operation of the city from all individuals, firms, and corporations
99 residing in or doing business therein benefitting from such services or to whom such
100 services are available; to enforce the payment of such charges, taxes, or fees; to provide
101 for the manner and method of collecting such service charges; and to provide for the
102 separate collection of glass, tin, aluminum, cardboard, paper, and other recyclable
103 materials, and to provide for the sale of such items.

104 (11) General Health, Safety, and Welfare. To define, regulate, and prohibit any act,
105 practice, conduct, or use of property which is detrimental to health, sanitation,
106 cleanliness, welfare, and safety of the inhabitants of the city and to provide for the
107 enforcement of such standards.

108 (12) Gifts. To accept or refuse gifts, donations, bequests, or grants from any source for
109 any purpose related to powers and duties of the city and the general welfare of its
110 citizens, on such terms and conditions as the donor or grantor may impose.

111 (13) Health and Sanitation. To prescribe standards of health and sanitation and to
112 provide for the enforcement of such standards.

113 (14) Jail Sentences. To provide that persons given jail sentences in the municipal court
114 may work out such sentences in any public works or on the streets, roads, drains, and
115 other public property in the city; to provide for commitment of such persons to any jail,

116 or to provide for commitment of such persons to any county work camp or county jail by
117 agreement with the appropriate county officials.

118 (15) Motor Vehicles. To regulate the operation of motor vehicles and exercise control
119 over all traffic, including parking upon or across the streets, roads, alleys, and walkways
120 of the city.

121 (16) Municipal Agencies and Delegation of Power. To create, alter, or abolish
122 departments, boards, offices, commissions, and agencies of the city and to confer upon
123 such agencies the necessary and appropriate authority for carrying out all the powers
124 conferred upon or delegated to the same.

125 (17) Municipal Debts. To appropriate and borrow money for the payment of debts of the
126 city and to issue bonds for the purpose of raising revenue to carry out any project,
127 program, or venture authorized by this charter and the laws of the State of Georgia.

128 (18) Municipal Property Ownership. To acquire, dispose of, lease, option, and hold in
129 trust or otherwise accept or transfer an interest in any real, personal, or mixed property,
130 in fee simple or lesser interest, inside or outside the property limits of the city.

131 (19) Municipal Property Protection. To provide for the preservation and protection of
132 property and equipment of the city and the administration and use of same by the public,
133 and to prescribe penalties and punishment for violations thereof.

134 (20) Municipal Utilities. To acquire, lease, construct, operate, maintain, sell, and dispose
135 of public utilities, including, but not limited to, a system of waterworks, sewers and
136 drains, sewage disposal, gas works, electric light plants, cable television, and other
137 telecommunications, transportation facilities, public airports, and any other public utility;
138 and to fix the taxes, charges, rates, fares, fees, assessments, regulations, and penalties,
139 and to provide for the withdrawal of service for refusal or failure to pay the same.

140 (21) Nuisance. To define a nuisance and provide for its abatement whether on public or
141 private property.

142 (22) Penalties. To provide penalties for violation of any ordinances adopted pursuant to
143 the authority of this charter and the laws of the State of Georgia.

144 (23) Planning and Zoning. To provide comprehensive city planning for development by
145 zoning; and to provide subdivision regulation and the like as the city council deems
146 necessary and reasonable to ensure a safe, healthy, and aesthetically pleasing community.

147 (24) Police and Fire Protection. To exercise the power of arrest through duly appointed
148 police and to establish, operate, or contract for a police and a firefighting agency.

149 (25) Removal of Public Hazards. To provide for the destruction and removal of any
150 building or other structure which is or may become dangerous or detrimental to the
151 public.

152 (26) Public Improvements. To provide for the acquisition, construction, building,
153 operation, and maintenance of public ways, parks and playgrounds, recreational facilities,
154 cemeteries, markets and market houses, public buildings, libraries, public housing,
155 airports, hospitals, terminals, docks, parking facilities, or charitable, cultural, educational,
156 recreational, conservation, sport, curative, corrective, detention, penal and medical
157 institutions, agencies, and facilities; and to provide any other public improvements, inside
158 or outside the corporate limits of the city; to regulate the use of public improvements; and
159 for such purposes, property may be acquired by condemnation under procedures provided
160 by the O.C.G.A. as the same shall exist from time to time.

161 (27) Public Peace. To provide for the prevention and punishment of drunkenness, riots,
162 and public disturbances.

163 (28) Public Transportation. To organize and operate such public transportation systems
164 as are deemed beneficial.

165 (29) Public Utilities and Services. To grant franchises or make contracts for or impose
166 taxes on public utilities and public service companies; and to prescribe the rates, fares,
167 regulations, standards, and conditions of service applicable to the service to be provided

168 by the franchise grantee or contractor, insofar as the same are not in conflict with valid
169 regulations of the Public Service Commission.

170 (30) Regulation of Roadside Areas. To prohibit or regulate and control the erection,
171 removal, and maintenance of signs, billboards, trees, shrubs, fences, buildings, and any
172 and all other structures or obstructions upon or adjacent to the rights-of-way of streets and
173 roads or within view thereof, within or abutting the corporate limits of the city; and to
174 prescribe penalties and punishment for violation of such ordinances.

175 (31) Retirement. To provide and maintain a retirement plan for officers and employees
176 of the city.

177 (32) Roadways. To lay out, open, extend, widen, narrow, establish, or change the grade
178 of, abandon or close, construct, pave, curb, gutter, provide drainage for, adorn with shade
179 trees or otherwise improve, maintain, repair, clean, prevent erosion of, and light the
180 roads, alleys, and walkways within the corporate limits of the city; and to grant franchises
181 and rights-of-way throughout the streets and roads and over the bridges and viaducts for
182 the use of public utilities; and to require real estate owners to repair and maintain in a safe
183 condition the sidewalks adjoining their lots or lands, and to impose penalties for failure
184 to do so.

185 (33) Sewer Fees. To levy a fee, charge, or sewer tax as necessary to assure the acquiring,
186 constructing, equipping, operating, maintaining, and extending of a sanitary sewage
187 disposal plant and sewerage system; to levy on those to whom sewers and sewerage
188 systems are made available a sewer service fee, charge, or sewer tax for the availability
189 or use of the sewers; to provide for the manner and method of collecting such service
190 charges and for enforcing payment of the same; and to charge, impose, and collect a
191 sewer connection fee or fees to those connected with the system.

192 (34) Special Areas of Public Regulation. To regulate or prohibit junk dealers, pawn
193 shops, the manufacture, sale, or transportation of intoxicating liquors, and the use and
194 sale of firearms; to regulate the transportation, storage, and use of combustible, explosive,

195 and flammable materials, the use of lighting and hearing equipment, and any other
196 business or situation which the city may deem to be dangerous to persons or property; to
197 regulate and control the conduct of peddlers and itinerant traders and theatrical
198 performances, exhibitions, and shows of any kind, by taxation or otherwise; and to
199 license, tax, regulate, or prohibit professional fortunetelling, palmistry, adult bookstores,
200 and massage parlors.

201 (35) Special Assessments. To levy and provide for the collection of special assessments
202 to cover the costs for any public improvements.

203 (36) Taxes. To levy and provide for the assessment, valuation, revaluation, and
204 collection of taxes on all property subject to taxation; to levy and collect such other taxes
205 as may be allowed now or in the future by law.

206 (37) Taxicabs. To regulate and license vehicles operated for hire in the city; to limit the
207 number of such vehicles; to require the operators thereof to be licensed; to require public
208 liability insurance on such vehicles in the amounts to be prescribed by ordinance; and to
209 regulate the parking of such vehicles.

210 (38) Urban Redevelopment. To organize and operate an urban redevelopment program.

211 (39) Other Powers. To exercise and enjoy all other powers, functions, rights, privileges,
212 and immunities necessary or desirable to promote or protect the safety, health, peace,
213 security, good order, comfort, convenience, or general welfare of the city and its
214 inhabitants; to exercise all implied powers necessary or desirable to carry into execution
215 all powers granted in this charter as fully and completely as if such powers were fully
216 stated herein; and to exercise all powers now or in the future authorized to be exercised
217 by other municipal governments under other laws of the State of Georgia; and no listing
218 of particular powers in this charter shall be held to be exclusive of others, nor restrictive
219 of general words and phrases granting powers, but shall be held to be in addition to such
220 powers unless expressly prohibited to municipalities under the Constitution or applicable
221 laws of the State of Georgia.

222 SECTION 1.14.

223 Exercise of powers.

224 All powers, functions, rights, privileges, and immunities of the city, its officers, agencies, or
225 employees shall be carried into execution as provided by this charter. If this charter makes
226 no provisions, such shall be carried into execution as provided by ordinance or as provided
227 by pertinent laws of the State of Georgia.

228 ARTICLE II.

229 GOVERNMENT STRUCTURE

230 SECTION 2.10.

231 City council; creation; posts; election.

232 The legislative authority of the government of the city, except as otherwise specifically
233 provided in this charter, shall be vested in a city council to be composed of a mayor and four
234 councilmembers. Councilmembers shall be elected to individual posts numbered 1 through
235 4, respectively. The city council shall in all respects be a successor to and continuation of
236 the governing authority under prior law. The mayor and councilmembers shall be elected
237 in the manner provided by general law and this charter.

238 SECTION 2.11.

239 City council terms and qualifications for office.

240 The members of the city council shall serve for terms of four years and until their respective
241 successors are elected and qualified. No person shall be eligible to serve as mayor or
242 councilmember unless he or she shall have been a resident of the city for at least 12 months

243 prior to the date of election of the mayor or councilmember; each shall continue to reside
244 therein during his or her period of service and to be registered and qualified to vote in
245 municipal elections of the city.

246 SECTION 2.12.

247 Vacancies.

248 (a) The office of mayor or councilmember shall become vacant upon the occurrence of any
249 event specified by the Constitution, Title 45 of the O.C.G.A., or such other applicable laws
250 as are or may hereafter be enacted; provided, however, that the office of mayor or
251 councilmember shall become vacant upon the unexcused absence of the holder of the office
252 from four consecutive regularly scheduled meetings of the city council. Excused absences
253 shall be granted by a majority vote of the remaining city councilmembers and the mayor
254 and shall be entered upon the minutes of the council meeting.

255 (b) A vacancy in the office of mayor shall be filled for the remainder of the unexpired
256 term, if any, by appointment of the remaining councilmembers if less than 12 months
257 remain on the unexpired term and otherwise shall be filled by an election as provided for
258 in Section 5.14 of this charter and in accordance with Titles 21 and 45 of the O.C.G.A. or
259 such other laws as are or may hereafter be enacted.

260 (c) A vacancy in the office of councilmember shall be filled for the remainder of the
261 unexpired term, if any, by appointment of the remaining councilmembers.

262 SECTION 2.13.

263 Compensation and expenses.

264 The mayor and councilmembers shall receive compensation and expenses for their services
265 as provided by ordinance.

266 SECTION 2.14.

267 Conflicts of interest.

268 (a) Elected and appointed officers of the city are trustees and servants of the residents of
269 the city and shall act in a fiduciary capacity for the benefit of such residents.

270 (b) Neither the mayor nor any councilmember shall vote upon, sign, or veto any ordinance,
271 resolution, contract, or other matter in which he or she is financially interested.

272 SECTION 2.15.

273 Inquiries and investigations.

274 Following the adoption of an authorizing resolution, the city council may make inquiries and
275 investigations into the affairs of the city and the conduct of any department, office, or agency
276 thereof, and for this purpose may subpoena witnesses, administer oaths, take testimony, and
277 require the production of evidence. Any person who fails or refuses to obey a lawful order
278 issued in the exercise of these powers by the city council shall be punished as provided by
279 ordinance.

280 SECTION 2.16.

281 General powers and authority of the city council.

282 Except as otherwise provided by law or this charter, the city council shall be vested with all
283 the powers of government of the city as provided by Article I of this charter.

284 SECTION 2.17.

285 Eminent domain.

286 The city council is hereby empowered to acquire, construct, operate, and maintain public
287 ways, parks, public grounds, cemeteries, markets, market houses, public buildings, libraries,
288 sewers, drains, sewage treatment, waterworks, electrical systems, gas systems, airports,
289 hospitals, and charitable, educational, recreational, sport, curative, corrective, detentional,
290 penal and medical institutions, agencies and facilities and any other public improvements
291 inside or outside the city and to regulate the use thereof; and for such purposes, property may
292 be condemned under procedures established under general law applicable now or as provided
293 in the future.

294 SECTION 2.18.

295 Organizational meetings.

296 The city council shall hold an organizational meeting at the first meeting in January
297 following a regular election, as provided in Section 5.11 of this charter. The meeting shall
298 be called to order by the city clerk, and the oath of office shall be administered to the newly
299 elected members as follows:

300 "I _____ do solemnly swear or affirm that I will properly perform the duties of the
301 office of _____ in and for the City of Edison, to the best of my knowledge, skill,
302 and ability; that I am not the holder of any unaccounted for public money due to the State
303 of Georgia or any political subdivision or authority thereof; that I am not the holder of any
304 office of trust under the government of the United States, any other state, or any foreign
305 state, which I am by the laws of the State of Georgia prohibited from holding; that I am
306 qualified to hold the office which I am about to enter according to the Constitution and
307 laws of Georgia; that I will support the Constitutions of the United States and the State of

308 Georgia; that I have been a resident of the post from which elected and the City of Edison
309 for the time required by the Constitution and laws of the State of Georgia and the charter
310 of the City of Edison."

311 SECTION 2.19.

312 Regular and special meetings.

313 (a) The city council shall hold regular meetings at such times and places as shall be
314 prescribed by ordinance.

315 (b) Special meetings of the city council may be held on call of the mayor or two members
316 of the city council. Notice of such special meetings shall be served on all other members
317 personally, or by telephone personally, at least 24 hours in advance of the meeting. Such
318 notice to councilmembers shall not be required if the mayor and all councilmembers are
319 present when the special meeting is called. Such notice of any special meeting may be
320 waived by a councilmember in writing before or after such a meeting, and attendance at the
321 meeting shall also constitute a waiver of notice on any business transacted in such
322 councilmember's presence. Only the business stated in the call may be transacted at the
323 special meeting.

324 (c) All meetings of the city council shall be public to the extent required by law, and notice
325 to the public of special meetings shall be made fully as is reasonably possible as provided
326 by O.C.G.A. § 50-14-1 or other such applicable laws as are or may hereafter be enacted.

327 SECTION 2.20.

328 Rules of procedure.

329 (a) The city council shall adopt for itself rules of procedure and order of business
330 consistent with the provisions of this charter and shall provide for keeping a journal of its
331 proceedings, which shall be a public record.

332 (b) All committees and committee chairs and officers of the city council shall be appointed
333 by the mayor and shall serve at the pleasure of the mayor. The mayor shall have the power
334 to appoint new members to any committee at any time.

335 SECTION 2.21.

336 Quorum; voting.

337 Three councilmembers other than the mayor shall constitute a quorum and shall be
338 authorized to transact business of the city council. Voting on the adoption of ordinances
339 shall be by oral vote, and the vote shall be recorded in the journal; provided, however, that
340 any member of the city council shall have the right to request a roll call vote, and such vote
341 shall be recorded in the journal. Except as otherwise provided in this charter, the affirmative
342 vote of three councilmembers shall be required for the adoption of any ordinance, resolution,
343 or motion. The mayor shall vote only in the event of a tie. An abstention shall not be counted
344 as either an affirmative or negative vote.

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SECTION 2.22.

346

Ordinance form; procedures.

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(a) Except as herein provided, every official action of the city council which is to become law shall be by ordinance. Each proposed ordinance shall be introduced in writing and in the form required for final adoption. No ordinance shall contain a subject which is not expressed in its title. The enacting clause shall be "It is hereby ordained by the governing authority of the City of Edison," and every ordinance shall so begin.

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(b) An ordinance may be introduced by a councilmember and be read at a regular or special meeting of the city council. Ordinances shall be considered and adopted or rejected by the city council in accordance with the rules which it shall establish. All ordinances shall have two separate readings; provided, however, that the city council may dispense with the second reading with unanimous consent of the members present. Emergency ordinances, as provided in Section 2.24, may be adopted on the same day that they are introduced without dispensing with the second reading. Upon introduction of any ordinance, the city clerk shall as soon as possible distribute a copy to the mayor and to each councilmember and shall file a reasonable number of copies in the office of the city clerk and at such other public places as the city council may designate.

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SECTION 2.23.

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Action requiring an ordinance.

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

365 SECTION 2.24.
366 Emergencies.

367 (a) To meet a public emergency affecting life, health, property, or public peace, the city
368 council may convene on call of the mayor or three councilmembers and promptly adopt an
369 emergency ordinance, but such ordinance may not levy taxes; grant, renew, or extend a
370 franchise; regulate the rate charged by any public utility for its services; or authorize the
371 borrowing of money except for loans to be repaid within 30 days. An emergency
372 ordinance shall be introduced in the form prescribed for ordinances generally, except that
373 it shall be plainly designated as an emergency ordinance and shall contain, after the
374 enacting clause, a declaration stating that an emergency exists and describing the
375 emergency in clear and specific terms. An emergency ordinance may be adopted, with or
376 without amendment, or rejected at the meeting at which it is introduced, but the affirmative
377 vote of at least three councilmembers shall be required for adoption. It shall become
378 effective upon adoption or at such later time as it may specify. Every emergency ordinance
379 shall automatically stand repealed 30 days following the date upon which it was adopted,
380 but this shall not prevent reenactment of the ordinance in the manner specified in this
381 subsection if the emergency still exists. An emergency ordinance may also be repealed by
382 adoption of a repealing ordinance in the same manner specified in this subsection for
383 adoption of emergency ordinances.

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

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SECTION 2.25.

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Codes of technical regulations.

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

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(1) The requirements of subsection (b) of Section 2.22 of this charter for distribution and filing of copies of the ordinance shall be construed to include copies of any code of technical regulations, as well as the adopting ordinance; and

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(2) A copy of each adopted code of technical regulations, as well as the adopting ordinance, shall be authenticated and recorded by the city clerk pursuant to Section 2.26 of this charter.

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

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SECTION 2.26.

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Signing; authenticating; recording; codification; printing.

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(a) The city clerk shall authenticate by the clerk's signature and record in full, in a properly indexed book kept for that purpose, all ordinances adopted by the city council.

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(b) The city council shall provide for the preparation of a general codification of all the ordinances of the city having the force and effect of law. The general codification shall be adopted by the city council by ordinance and shall be published promptly, together with all amendments thereto and such codes of technical regulations and other rules and regulations as the city council may specify. This compilation shall be known and cited officially as "The Code of the City of Edison, Georgia." Copies of the code shall be

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411 furnished to all officers, departments, and agencies of the city and made available for
412 purchase by the public at a reasonable price as fixed by the city council.

413 (c) The city council shall cause each ordinance and each amendment to this charter to be
414 printed promptly following its adoption, and the printed ordinances and charter
415 amendments shall be made available for purchase by the public at reasonable prices to be
416 fixed by the city council. Following publication of the first code under this charter and at
417 all times thereafter, the ordinances and charter amendments shall be printed in substantially
418 the same style as the code currently in effect and shall be suitable in form for incorporation
419 therein. The city council shall make such further arrangements as deemed desirable with
420 reproduction and distribution of any current changes in, or additions to, codes of technical
421 regulations and other rules and regulations included in the code.

422 SECTION 2.27.

423 Chief executive officer.

424 The mayor shall be the chief executive of the city. The mayor shall possess all of the
425 executive and administrative power granted to the city under the Constitution and laws of the
426 State of Georgia and all the executive powers contained in this charter.

427 SECTION 2.28.

428 Powers and duties of mayor.

429 As the chief executive of the city, the mayor shall:

430 (1) See that all laws and ordinances of the city are faithfully executed;

- 431 (2) Recommend to the city council such measures relative to the affairs of the city,
432 improvement of the government, and promotion of the welfare of its inhabitants as the
433 mayor may deem expedient;
- 434 (3) Call special meetings of the city council as provided for in subsection (b) of
435 Section 2.19 of this charter;
- 436 (4) Preside at all meetings of the city council and vote only in the event of a tie or when
437 an affirmative or negative vote by the mayor constitutes a majority of three votes;
- 438 (5) Provide for an annual audit of all accounts of the city;
- 439 (6) Require any department or agency of the city to submit written reports whenever the
440 mayor and council deems it expedient; and
- 441 (7) Perform such other duties as may be required by law, this charter, or by ordinance.

442 SECTION 2.29.

443 Mayor pro tempore.

444 At the first meeting in January of each year, the city council shall elect a councilmember to
445 serve as mayor pro tempore. In the mayor's absence, the mayor pro tempore shall preside
446 at meetings of the city council and shall assume the duties and powers of the mayor upon the
447 mayor's physical or mental disability; provided, however, that the mayor pro tempore shall
448 vote as a member of the city council at all times when serving as herein provided.

449

ARTICLE III.

450

ADMINISTRATIVE AFFAIRS

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SECTION 3.10.

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Administrative and service departments.

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

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

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

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(d) All appointive officers, directors, and department heads under the supervision of the mayor and council shall be nominated by the mayor with confirmation of appointment by the city council. All appointive officers, directors, and department heads shall be employees-at-will and subject to removal or suspension at any time by the mayor and council unless otherwise provided by law or ordinance.

467

SECTION 3.11.

468

Boards, commissions, and authorities.

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(a) The city council shall create by ordinance such boards, commissions, and authorities to fulfill any investigative, quasi-judicial, or quasi-legislative function the city council

471 deems necessary and shall by ordinance establish the composition, period of existence,
472 duties, and powers thereof.

473 (b) All members of boards, commissions, and authorities of the city shall be appointed by
474 the city council for such terms of office and in such manner as shall be provided by
475 ordinance, except where other appointing authority, terms of office, or manner of
476 appointment is prescribed by this charter or by law.

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

479 (d) Any vacancy on a board, commission, or authority of the city shall be filled for the
480 unexpired term in the manner prescribed in this charter for the original appointment, except
481 as otherwise provided by this charter or by law.

482 (e) No member of a board, commission, or authority shall assume office until he or she has
483 executed and filed with the city clerk an oath obligating himself or herself to faithfully and
484 impartially perform the duties of his or her office, such oath to be prescribed by ordinance
485 and administered by the mayor.

486 (f) All board members serve at will and may be removed at any time by a vote of three
487 members of the city council unless otherwise provided by law.

488 (g) Except as otherwise provided by this charter or by law, each board, commission, or
489 authority of the city shall elect one of its members as chairperson and one member as vice
490 chairperson and may elect as its secretary one of its own members or may appoint as
491 secretary an employee of the city. Each board, commission, or authority of the city
492 government may establish such bylaws, rules, and regulations, consistent with this charter,
493 ordinances of the city, or law, as it deems appropriate and necessary for the fulfillment of
494 its duties or the conduct of its affairs. Copies of such bylaws, rules, and regulations shall
495 be filed with the city clerk.

496 SECTION 3.12.

497 City attorney.

498 The city council shall appoint a city attorney, together with such assistant city attorneys as
499 may be authorized, and shall provide for the payment of such attorney or attorneys for
500 services rendered to the city. The city attorney shall be responsible for providing for the
501 representation and defense of the city in all litigation in which the city is a party; may be the
502 prosecuting officer in the municipal court; shall attend the meetings of the council as
503 directed; shall advise the city council, mayor, and other officers and employees of the city
504 concerning legal aspects of the city's affairs; and shall perform such other duties as may be
505 required by virtue of his or her position as city attorney.

506 SECTION 3.13.

507 City clerk.

508 The city council shall appoint a city clerk who shall not be a councilmember. The city clerk
509 shall be custodian of the official city seal and city records; maintain city council records
510 required by this charter; and perform such other duties as may be required by the city
511 council.

512 SECTION 3.14.

513 Personnel policies.

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

516 ARTICLE IV.
517 JUDICIAL BRANCH

518 SECTION 4.10.
519 Municipal court; creation.

520 There shall be a court to be known as the Municipal Court of the City of Edison.

521 SECTION 4.11.
522 Judges of the municipal court.

523 (a) The municipal court shall be presided over by a chief judge and such part-time,
524 full-time, or stand-by judges as shall be provided by ordinance.

525 (b) No person shall be qualified or eligible to serve as a judge on the municipal court
526 unless he or she has attained the age of 21 years and possesses all qualifications required
527 by law. All judges shall be appointed by the city council to terms as provided by law and
528 shall serve until a successor is appointed and qualified.

529 (c) Compensation of the judges shall be fixed by ordinance.

530 (d) Judges may be removed as provided by general law.

531 (e) Before assuming office, each judge shall take an oath, given by the mayor, that the
532 judge will honestly and faithfully discharge the duties of the office to the best of his or her
533 ability and without fear, favor, or partiality. The oath shall be entered upon the minutes of
534 the city council journal required in Section 2.20 of this charter.

535 SECTION 4.12.

536 Convening.

537 The municipal court shall be convened at regular intervals as provided by ordinance.

538 SECTION 4.13.

539 Jurisdiction; powers.

540 (a) The municipal court shall try and punish violations of this charter, all city ordinances,
541 and such other violations as provided by law.

542 (b) The municipal court shall have authority to punish those in its presence for contempt,
543 provided that such punishment shall not exceed \$500 or ten days in jail.

544 (c) The municipal court may fix punishment for offenses within its jurisdiction not
545 exceeding a fine of \$1,000 or imprisonment for 180 days, or other such fine and
546 imprisonment, or may fix punishment by fine, imprisonment, or alternative sentencing as
547 now or hereafter provided by law.

548 (d) The municipal court shall have authority to establish a schedule of fees to defray the
549 cost of operation and shall be entitled to reimbursement of the cost of meals, transportation,
550 and care of prisoners bound over to superior courts for violations of state law.

551 (e) The municipal court shall have authority to establish bail and recognizance to ensure
552 the presence of those charged with violations before said court and shall have discretionary
553 authority to accept cash or personal or real property as surety for the appearance of persons
554 charged with violations. Whenever any person shall give bail for his or her appearance and
555 fails to appear at the time fixed for trial, the bond shall be forfeited by the judge presiding
556 at such time and an execution issued thereon by serving the defendant and the defendant's
557 sureties with a rule nisi at least two days before a hearing on the rule nisi. In the event that
558 cash or property is accepted in lieu of bond for security for the appearance of a defendant

559 at trial, and if such defendant fails to appear at the time and place fixed for trial, the cash
560 so deposited shall be on order of the judge declared forfeited to the city, or the property so
561 deposited shall have a lien against it for the value forfeited which lien shall be enforceable
562 in the same manner and to the same extent as a lien for city property taxes.

563 (f) The municipal court shall have the same authority as superior courts to compel the
564 production of evidence in the possession of any party; to enforce obedience to its orders,
565 judgments, and sentences; and to administer such oaths as are necessary.

566 (g) The municipal court may compel the presence of all parties necessary to a proper
567 disposal of each case by the issuance of summonses, subpoenas, and warrants which may
568 be served as executed by any officer as authorized by this charter or by law.

569 (h) Each judge of the municipal court shall be authorized to issue warrants for the arrest
570 of persons charged with offenses against any ordinance of the city, and each judge of the
571 municipal court shall have the same authority as a magistrate of the state to issue warrants
572 for offenses against state laws committed within the city.

573 SECTION 4.14.

574 Certiorari.

575 The right of certiorari from the decision and judgment of the municipal court shall exist in
576 all criminal cases and ordinance violation cases, and such certiorari shall be obtained under
577 the sanction of a judge of the Superior Court of Calhoun County under the laws of the State
578 of Georgia regulating the granting and issuance of writs of certiorari.

579 SECTION 4.15.

580 Rules of court.

581 With the approval of the city council, the judge of the municipal court shall have full power
582 and authority to make reasonable rules and regulations necessary and proper to secure the
583 efficient and successful administration of the municipal court; provided, however, that the
584 city council may adopt in part or in total the rules and regulations applicable to municipal
585 courts. The rules and regulations made or adopted shall be filed with the city clerk, shall be
586 available for public inspection, and, upon request, a copy shall be furnished to all defendants
587 in municipal court proceedings at least 48 hours prior to said proceedings.

588 SECTION 4.16.

589 Indigent defense and prosecutor.

590 The mayor and council shall have the power to provide for a system of defense for indigent
591 persons charged in the municipal court of the City of Edison with violations of ordinances
592 or state laws, and for the prosecution of such cases by a prosecutor. The city council is
593 further authorized to provide for the expense of indigent defense and prosecution by
594 prorating the estimated cost over all criminal cases disposed of by the court and bond
595 forfeitures in such criminal cases. A bond amount shall be imposed by the municipal court
596 judge and collected in all criminal cases. Bond forfeitures in such cases shall be collected
597 as costs in addition to fines, penalties, and all other costs.

598 ARTICLE V.
599 ELECTIONS AND REMOVAL

600 SECTION 5.10.
601 Applicability of general law.

602 All primaries and elections shall be held and conducted in accordance with Chapter 2 of
603 Title 21 of the O.C.G.A., the "Georgia Election Code," as now or hereafter amended.

604 SECTION 5.11.
605 Regular elections.

606 Beginning in 2021, and every four years thereafter, on the Tuesday following the first
607 Monday in November, there shall be an election for mayor and councilmembers for Posts 1
608 and 2. Beginning in 2023, and every four years thereafter, on the Tuesday following the first
609 Monday in November, there shall be an election for councilmembers for Posts 3 and 4. The
610 terms of office for officers elected at such time shall begin at the organizational meeting as
611 provided for in Section 2.18.

612 SECTION 5.12.
613 Nonpartisan elections.

614 Political parties shall not conduct primaries for city offices, and names of all candidates for
615 city offices shall be listed without party designations.

616 SECTION 5.13.

617 Election by majority.

618 The person receiving a majority of the votes cast for any city office shall be elected.

619 SECTION 5.14.

620 Special elections.

621 In the event that the office of mayor shall become vacant as provided in Section 2.12 of this
622 charter, the city council shall order a special election to fill the remainder of the unexpired
623 term of the mayor; provided, however, that if such vacancy occurs within 12 months of the
624 expiration of the term of that office, the city council shall appoint a successor for the mayor
625 for the remainder. In all other respects, the special election shall be held and conducted in
626 accordance with Chapter 2 of Title 21 of the O.C.G.A., the "Georgia Election Code," as now
627 or hereafter amended.

628 SECTION 5.15.

629 Other provisions.

630 Except as otherwise provided by this charter, the city council shall, by ordinance, prescribe
631 such rules and regulations as it deems appropriate to fulfill any obligations and duties under
632 the "Georgia Election Code."

633

SECTION 5.16.

634

Removal of officers.

635

(a) The mayor, councilmembers, or other appointed officers provided for in this charter shall be removed from office for any one or more of the causes provided in Title 45 of the O.C.G.A. or such other applicable laws as are or may hereafter be enacted.

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

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(1) By vote of three councilmembers or by the mayor and two councilmembers after an investigative hearing. In the event an elected officer is sought to be removed by the action of the city council, such officer shall be entitled to a written notice specifying the ground or grounds for removal and to a public hearing which shall be held not less than ten days after the service of such written notice. The city council shall provide by ordinance for the manner in which such hearings shall be held. Any elected officer sought to be removed from office as provided in this paragraph shall have the right of appeal from the decision of the city council to the Superior Court of Calhoun County. Such appeal shall be governed by the same rules as govern appeals to the superior court from the probate court, or

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(2) By an order of the Superior Court of Calhoun County following a hearing on a complaint seeking such removal brought by any resident of the City of Edison.

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652 ARTICLE VI.

653 FINANCE

654 SECTION 6.10.

655 Property tax.

656 The city council may assess, levy, and collect an ad valorem tax on all real and personal
657 property within the corporate limits of the city that is subject to such taxation by the state and
658 county. This tax is for the purpose of raising revenues to defray the costs of operating the
659 city government, providing governmental services, for the repayment of principal and
660 interest on general obligations, and for any other public purpose as determined by the city
661 council in its discretion.

662 SECTION 6.11.

663 Millage rate; due dates; method of payment.

664 The city council, by ordinance, shall establish a millage rate for the city property tax, a due
665 date, and the time period within which these taxes must be paid. The city council, by
666 ordinance, may provide for the payment of these taxes by installments or in one lump sum,
667 as well as authorize the voluntary payment of taxes prior to the time when due.

668 SECTION 6.12.

669 Occupation and business taxes.

670 The city council, by ordinance, shall have the power to levy such occupation or business
671 taxes as are not denied by law. The city council may classify businesses, occupations, or

672 professions for the purpose of such taxation in any way which may be lawful and may
673 compel the payment of such taxes as provided in Section 6.18 of this charter.

674 SECTION 6.13.

675 Regulatory fees and permits.

676 The city council, by ordinance, shall have the power to require businesses or practitioners
677 doing business within the city to obtain a permit for such activity from the city and pay a
678 reasonable regulatory fee for such permit as provided by general law. Such fees shall reflect
679 the total cost to the city for regulating the activity and, if unpaid, shall be collected as
680 provided in Section 6.18 of this charter.

681 SECTION 6.14.

682 Franchises.

683 (a) The city council shall have the power to grant franchises for the use of the city's streets
684 and alleys for the purposes of railroads, street railways, telephone companies, electric
685 companies, electric membership corporations, cable television, and other
686 telecommunications companies, gas companies, transportation companies, and other
687 similar organizations. The city council shall determine the duration, terms, whether the
688 same shall be exclusive or nonexclusive, and the consideration for such franchises;
689 provided, however, that no franchise shall be granted for a period in excess of 35 years, and
690 no franchise shall be granted unless the city receives just and adequate compensation
691 therefor. The city council shall provide for the registration of all franchises with the city
692 clerk in a registration book kept by the city clerk. The city council may provide by
693 ordinance for the registration within a reasonable time of all franchises previously granted.

694 (b) If no franchise agreement is in effect, the council has the authority to impose a tax on
695 gross receipts for the use of the city's streets and alleys for the purposes of railroads, street
696 railways, telephone companies, electric companies, electric membership corporations,
697 cable television, and other telecommunications companies, gas companies, transportation
698 companies, and other similar organizations.

699 SECTION 6.15.

700 Service charges.

701 The city council, by ordinance, shall have the power to assess and collect fees, charges, and
702 tolls for sewers, sanitary and health services, or any other services provided or made
703 available within and without the corporate limits of the city for the total cost to the city of
704 providing or making available such services. If unpaid, such charges shall be collected as
705 provided in Section 6.18 of this charter.

706 SECTION 6.16.

707 Special assessments.

708 The city council, by ordinance, shall have the power to assess and collect the cost of
709 constructing, reconstructing, widening, or improving any public way, street, sidewalk,
710 curbing, gutters, sewers, or other utility mains and appurtenances from the abutting property
711 owners under such terms and conditions as are reasonable. If unpaid, such charges shall be
712 collected as provided in Section 6.18 of this charter.

713 SECTION 6.17.

714 Construction; other taxes and fees.

715 The city shall be empowered to levy any other tax or fee allowed now or hereafter by law,
716 and the specific mention of any right, power, or authority in this article shall not be construed
717 as limiting in any way the general powers of the city to govern its local affairs.

718 SECTION 6.18.

719 Collection of delinquent taxes and fees.

720 (a) The city council shall have the power and authority to provide by ordinance for the
721 collection from delinquent taxpayers, in addition to all other sums, the costs of collection
722 and the costs of levy preparation and execution procedures and to add such sums to the
723 amounts due on tax executions. The costs of levy preparation and execution procedures
724 shall include, but shall not be limited to, the costs of title searches, name and address
725 verifications, legal fees, and all other levy and enforcement costs.

726 (b) The city council shall have the power and authority to provide by ordinance for the
727 employment by the city clerk of agencies to assist in the collection of delinquent taxes and
728 in tax execution levy preparation and enforcement procedures, to provide for the payment
729 of the costs of such agencies by the delinquent taxpayer, and to provide for the costs of
730 such agencies to be added to the amounts due on tax executions.

731 (c) Executions for any and all taxes or licenses, or demands of any sort due the city or its
732 corporate authorities by any person, firm or corporation, or against any property subject
733 thereto, shall be issued by the city clerk, be signed by him or her, bear teste in the name of
734 the mayor, and be directed to the chief of police of said city and his or her deputies and all
735 or singular sheriffs, deputy sheriffs, and constables of this state.

736 (d) Except as otherwise provided by this charter, all executions issued by the city clerk for
737 taxes, license fees, special assessments, fines, or forfeitures due the city shall be governed
738 by the laws governing executions for state and county taxes and shall be subject to all
739 presumptions of law and fact which apply to executions for state and county taxes.

740 SECTION 6.19.
741 General obligation bonds.

742 The city council shall have the power to issue bonds for the purpose of raising revenue to
743 carry out any project, program, or venture authorized under this charter or the laws of the
744 state. Such bonding authority shall be exercised in accordance with the laws governing bond
745 issuance by municipalities in effect at the time said issue is undertaken.

746 SECTION 6.20.
747 Revenue bonds.

748 Revenue bonds may be issued by the city council as state law now or hereafter provides.
749 Such bonds are to be paid out of any revenue produced by the project, program, or venture
750 for which they were issued.

751 SECTION 6.21.
752 Short-term loans.

753 The city may obtain short-term loans and must repay such loans not later than December 31
754 of each year, unless otherwise provided by law.

755 SECTION 6.22.

756 Lease-purchase contracts.

757 The city may enter into multiyear leases or lease-purchase contracts for the acquisition of
758 goods, materials, real and personal property, services, and supplies, provided that the contract
759 terminates without further obligation on the part of the municipality at the close of the
760 calendar year in which it was executed and at the close of each succeeding calendar year for
761 which it may be renewed. Contracts must be executed in accordance with the requirements
762 of O.C.G.A. § 36-60-13 or other such applicable laws as are or may hereafter be enacted.

763 SECTION 6.23.

764 Fiscal year.

765 The city council shall set the fiscal year by ordinance. This fiscal year shall constitute the
766 budget year and the year for financial accounting the reporting of each and every office,
767 department, agency, and activity of the city government.

768 SECTION 6.24.

769 Preparation of budgets.

770 The city council shall provide an ordinance on the procedures and requirements for the
771 preparation and execution of an annual operating budget, a capital improvement plan, and
772 a capital budget, including requirements as to the scope, content, and form of such budgets
773 and plans.

774 SECTION 6.25.

775 Submission of budget to city council.

776 On or before a date fixed by the city council, but not later than 60 days prior to the beginning
777 of each fiscal year, the mayor shall submit to the city council a proposed operating budget
778 for the ensuing fiscal year. The budget shall be accompanied by a message from the mayor
779 containing a statement of the general fiscal policies of the city, the important features of the
780 budget, explanations of major changes recommended for the next fiscal year, a general
781 summary of the budget, and such other pertinent comments and information. The operating
782 budget and the capital budget required by this article, the budget message, and all supporting
783 documents shall be filed in the office of the city clerk and shall be open to public inspection.

784 SECTION 6.26.

785 Action by city council on budget.

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

791 (b) The city council, by ordinance, shall adopt the final operating budget for the ensuing
792 fiscal year not later than the first day of the fiscal year. If the city council fails to adopt the
793 budget by this date, then the amounts appropriated for operation for the past fiscal year
794 shall be deemed adopted for the ensuing fiscal year on a month-to-month basis, with all
795 items prorated accordingly until such time as the city council adopts a budget for the
796 ensuing fiscal year. Adoption of the budget shall take the form of an appropriations
797 ordinance setting out the estimated revenues in detail by sources and making appropriations

798 according to fund and by organizational unit, purpose, or activity as set out in the budget
799 preparation ordinance adopted pursuant to Section 6.24 of this charter.

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

804 SECTION 6.27.

805 Tax levies.

806 The city council shall levy by ordinance such taxes as are necessary. The taxes and tax rates
807 set by such ordinance shall be such that reasonable estimates of revenues from such levy
808 shall at least be sufficient, together with other anticipated revenues, fund balances, and
809 applicable reserves, to equal the total amount appropriated for each of the several funds set
810 forth in the annual operating budget for defraying the expenses of the general government
811 of the city.

812 SECTION 6.28.

813 Changes in appropriations.

814 The city council, by ordinance, may make changes in the appropriations contained in the
815 current operating budget at any regular meeting or special or emergency meeting called for
816 such purpose, but any additional appropriations may be made only from an existing
817 unexpended surplus.

818 SECTION 6.29.

819 Independent audit.

820 There shall be an annual independent audit of all city accounts, funds, and financial
821 transactions by a certified public accountant selected by the city council. The audit shall be
822 conducted according to generally accepted auditing principles. Any audit of any funds by
823 the state or federal governments may be accepted as satisfying the requirements of this
824 charter. Copies of annual audit reports shall be available at printing costs to the public.

825 SECTION 6.30.

826 Contracting procedures.

827 No contract with the city shall be binding on the city unless:

828 (1) It is in writing;

829 (2) It is drawn by or submitted and reviewed by the city attorney, and as a matter of
830 course, is signed by the city attorney to indicate such drafting or review; and

831 (3) It is made or authorized by the city council, and such approval is entered in the city
832 council journal of proceedings pursuant to Section 2.21 of this charter.

833 SECTION 6.31.

834 Centralized purchasing.

835 The city council, by ordinance, shall prescribe procedures for a system of centralized
836 purchasing for the city.

837

SECTION 6.32.

838

Sale and lease of city property.

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(a) The city council may sell and convey or lease any real or personal property owned or held by the city for government or other purposes as now or hereafter provided by law.

841

(b) The city council may quitclaim any rights it may have in property not needed for public purposes upon report by the mayor and adoption of a resolution, both finding that the property is not needed for public or other purposes and that the interest of the city has no readily ascertainable monetary value.

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(c) Whenever in opening, extending, or widening any street, avenue, alley, or public place of the city a small parcel or tract of land is cut off or separated by such work from a larger tract or boundary of land owned by the city, the city council may authorize the mayor to sell and convey said cut off or separated parcel or tract of land to an abutting or adjoining property owner or owners where such sale and conveyance facilitates the enjoyment of the highest and best use of the abutting owner's property. Included in the sales contract shall be a provision for the rights of way of said street, avenue, alley, or public place. Each abutting property owner shall be notified of the availability of the property and given the opportunity to purchase said property under such terms and conditions as set out by ordinance. All deeds and conveyances heretofore and hereafter so executed and delivered shall convey all title and interest the city has in such property, notwithstanding the fact that no public sale after advertisement was or is hereafter made.

856

877 SECTION 7.13.

878 Pending matters.

879 Except as specifically provided otherwise by this charter, all rights, claims, actions, orders,
880 contracts, and legal or administrative proceedings shall continue, and any such ongoing work
881 or cases shall be completed by such city agencies, personnel, or offices as may be provided
882 by the city council.

883 SECTION 7.14.

884 Construction.

885 (a) Section captions in this charter are informative only and are not to be considered as a
886 part thereof.

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

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

890 SECTION 7.15.

891 Severability.

892 If any article, section, subsection, paragraph, sentence, or part thereof of this charter shall be
893 held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect
894 nor impair other parts of this charter unless it clearly appears that such other parts are wholly
895 and necessarily dependent upon the part held to be invalid or unconstitutional, it being the
896 legislative intent in enacting this charter that each article, section, subsection, paragraph,
897 sentence, or part thereof be enacted separately and independent of each other.

898 SECTION 7.16.
899 Specific repealer.

900 An Act to provide a new charter for the City of Edison, Georgia in the County of Calhoun,
901 approved April 17, 1975, (Ga. L. 1975, p. 3489), is hereby repealed in its entirety; and all
902 amendatory acts thereto are likewise repealed in their entirety.

903 SECTION 7.17.
904 General repealer.

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