A BILL TO BE ENTITLED
AN ACT

To provide a new charter for the City of Richmond Hill; to provide for incorporation, boundaries, and powers of the city; to provide for the exercise of powers and limitations on powers; to provide for a governing authority of such city and the powers, duties, authority, prohibitions, election, terms, removal from office, method of filling vacancies, compensation, expenses, and qualifications; to provide for conflict of interest and holding other offices; to provide for inquiries and investigations; to provide for organization and meeting procedures; to provide for ordinances; to provide for codes; to provide for the office of mayor and certain duties and powers relative to the office of mayor; to provide for a veto; to provide for a mayor pro tempore; to provide for a city manager; to provide for chief executive officer; to provide for administrative responsibilities; to provide for department heads; to provide for boards, commissions, and authorities; to provide for a city attorney, city clerk, city finance officer, and other personnel; to provide for the establishment of a municipal court and the judge or judges thereof; to provide for practices and procedures; to provide for taxation, permits, and fees; to provide for franchises, service charges, and assessments; to provide for bonded and other indebtedness; to provide for accounting and budgeting; to provide for capital improvements; to provide for contracting and purchasing; to provide for sale of city property; to provide for bonds for officials; to provide for pending matters; to provide for rules and regulations; to provide for definitions and construction; to provide for eminent

H. B. 546
- 1 -
domain; to provide for related matters; to repeal a specific Act; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

ARTICLE I.
INCORPORATION AND POWERS

Section 1.10.
Incorporation.
The City of Richmond Hill in Bryan County is reincorporated by the enactment of this charter and is constituted and declared a municipality and body politic and corporate under the name of the "City of Richmond Hill." References in the charter to "the city" or "this city" refer to the City of Richmond Hill. The city shall have perpetual existence.

Section 1.11.
Corporate boundaries.

(a) The boundaries of this city shall be those existing on the effective date of the adoption of this charter with such alterations as may be made from time to time by local law or in the manner provided by general state law. The boundaries of this city at all times shall be shown on a map, a written description, or any combination thereof, to be retained permanently in the office of the city clerk and to be designated, as the case may be: "Official Map or Description of the Corporate Limits of the City of Richmond Hill, Georgia." Photographic, typed, or other copies of such map or description certified by the mayor shall be admitted as evidence in all courts and shall have the same force and effect as the original map or description.
(b) The city council may provide for the redrawing of any such map by ordinance to reflect lawful changes in the corporate boundaries. A redrawn map shall supersede for all purposes the entire map or maps which it is designated to replace.

Section 1.12.
Municipal powers.

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

(b) The powers of this city shall be construed liberally in favor of the city. The specific mention or failure to mention particular powers shall not be construed as limiting in any way the powers of this city. Said powers shall include, but are not limited to, the following:

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

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

(3) Building regulations. To regulate and to license the erection and construction of buildings and all other structures not inconsistent with general law; to adopt building,
housing, plumbing, electrical, gas, and heating and air-conditioning codes; and to regulate all housing and building trades except as otherwise prohibited by general law;

(4) Business regulation and taxation. To levy and to provide for the collection of license fees and taxes on privileges, occupations, trades, and professions; to license and regulate the same; to provide for the manner and method of payment of such licenses and taxes; to provide for the due dates therefor and to provide for reasonable penalties and interest in the event of failure to pay the same; and to revoke such licenses after due process for the failure to pay any city taxes or fees;

(5) Condemnation. To exercise the power of eminent domain to condemn property, inside or outside the corporate limits of the city, for present or future use and for any lawful purpose deemed necessary by the governing authority, utilizing procedures enumerated in Title 22 of the O.C.G.A. or such other applicable laws as are or may hereafter be enacted;

(6) Contracts. To enter into contracts and agreements with other governments and entities and with private persons, firms, and corporations;

(7) Emergencies. To establish procedures for determining and proclaiming that an emergency situation exists inside or outside the city and to make and carry out all reasonable provisions deemed necessary to deal with or meet such an emergency for the protection, safety, health, or well-being of the citizens of the city;

(8) Environmental protection. To protect the natural resources, environment, and vital areas of the state through the preservation and improvement of air quality, the restoration and maintenance of water resources, the control of erosion and sedimentation, the management of solid and hazardous waste, and other necessary actions for the protection of the environment or to comply with mandates enacted by the State of Georgia or any other governmental agency or authority;

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

(10) Garbage fees. To levy, fix, assess, and collect a garbage, refuse, and trash collection
and disposal and other sanitary service charge, tax, or fee for such services as may be
necessary in the operation of the city from all individuals, firms, and corporations
residing in or doing business within the city and benefiting from such services; to enforce
the payment of such charges, taxes, or fees; and to provide for the manner and method
of collecting such service charges;

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

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

(13) Health and sanitation. To prescribe standards of health and sanitation within the
city and to provide for the enforcement of such standards;

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

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

(16) Municipal agencies and delegation of power. To create, alter, or abolish
departments, boards, offices, commissions, and agencies of the city and to confer upon
such agencies the necessary and appropriate authority for carrying out all the powers
cdfferred upon or delegated to the same;

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

(18) Municipal property ownership. To acquire, dispose of, lease, and hold in trust or
otherwise any real, personal, or mixed property, in fee simple or lesser interest, inside or
outside the corporate limits of the city;

(19) Municipal property protection. To provide for the preservation and protection of
property and equipment of the city and the administration and use of same by the public
and to prescribe penalties and punishment for violations thereof;

(20) Municipal utilities. To acquire, lease, construct, operate, maintain, sell, and dispose
of public utilities, including, but not limited to, a system of waterworks, sewers and
drains, sewage disposal, gas works, electric plants, transportation facilities, public
airports, and any other public utility; to fix the taxes, charges, rates, fares, fees,
assessments, regulations, and penalties therefor; to provide for the withdrawal of service
for refusal or failure to pay the same; to authorize the extension of water, sewerage, and
electrical distribution systems, and all necessary appurtenances by which said utilities are
distributed, inside and outside the corporate limits of the city; and to provide utility
services to persons, firms, and corporations inside and outside the corporate limits of the
city as provided by ordinance;

(21) Nuisances. To define a nuisance and provide for its abatement whether on public
or private property;

(22) Penalties. To provide penalties for violation of any ordinances adopted pursuant to
the authority of this charter and the laws of the State of Georgia;
(23) Planning and zoning. To provide comprehensive city planning for development by zoning and to provide subdivision regulation and the like as the city council deems necessary and reasonable to ensure a safe, healthy, and esthetically pleasing community;

(24) Police and fire protection. To exercise the power of arrest through duly appointed police officers and to establish, operate, or contract for police and a firefighting agency;

(25) Public hazards; removal. To provide for the destruction and removal of any building or other structure which is or may become dangerous or detrimental to the public;

(26) Public improvements. To provide for the acquisition, construction, building, operation, and maintenance of public ways, parks, playgrounds, recreational facilities, golf courses, amphitheaters, cemeteries, markets and market houses, public buildings, libraries, public housing, airports, hospitals, terminals, docks, and parking facilities or charitable, cultural, educational, recreational, conservation, sport, curative, corrective, detentional, penal, and medical institutions, agencies and facilities; to provide for other public improvements inside or outside the corporate limits of the city; to regulate the use of public improvements; and, for such purposes, property may be acquired by condemnation under Title 22 of the O.C.G.A. or such other applicable laws as are or may hereafter be enacted;

(27) Public peace. To provide for the prevention and punishment of drunkenness, riots, and public disturbances;

(28) Public transportation. To organize and operate or contract for such public transportation systems as are deemed beneficial or necessary;

(29) Public utilities and services. To grant franchises or make contracts for public utilities and public services and to prescribe the rates, fares, regulations, and standards and conditions of service applicable to the utility or service to be provided by the franchise grantee or contractor, insofar as not in conflict with valid regulations of the Georgia Public Service Commission;
(30) Regulation of roadside areas. To prohibit or regulate and control the erection, removal, and maintenance of signs, billboards, trees, shrubs, fences, buildings, and any and all other structures or obstructions upon or adjacent to the rights of way of streets and roads or within view thereof, inside or abutting the corporate limits of the city, and to prescribe penalties and punishment for violation of such ordinances;

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

(32) Roadways. To lay out, open, extend, widen, narrow, establish or change the grade of, abandon or close, construct, pave, curb, gutter, adorn with shade trees or otherwise improve, maintain, repair, clean, prevent erosion of, and light the roads, alleys, and walkways within the corporate limits of the city; to negotiate and execute leases over, through, under, or across any city property or the right of way of any street, road, alley, and walkway or portion thereof within the corporate limits of the city for bridges, passageways, or any other purpose or use between buildings on opposite sides of the street and for other bridges, overpasses, and underpasses for private use at such location and to charge a rental therefor in such manner as may be provided by ordinance; to authorize and control the construction of bridges, passageways, overpasses, and underpasses within the corporate limits of the city; to grant franchises and rights of way throughout the streets and roads and over the bridges and viaducts for the use of public utilities and for private use; and to require real estate owners to repair and maintain in a safe condition the sidewalks adjoining their lots or lands and to impose penalties for failure to do so;

(33) Sewer fees. To levy a fee, charge, or sewer tax as necessary to assure the acquiring, construction, equipping, operating, maintaining, and extending of a sewage disposal plant and sewerage system; to levy on those to whom sewers and sewerage systems are made available a sewer service fee, charge, or tax for the availability or use of the sewers, except that no fee or charge for sewers shall be assessed against any abutting real estate
which cannot be served by such sewers; to provide for the manner and method of
collecting such service charge; and to impose and collect a sewer connection fee or fees
to those connected with the system;

(34) Solid waste disposal. To provide for the collection and disposal of garbage, rubbish,
and refuse and to regulate the collection and disposal of garbage, rubbish, and refuse by
others and to provide for the separate holding of glass, tin, aluminum, cardboard, paper,
and other recyclable materials and provide for the sale of such items;

(35) Special areas of public regulation. To regulate or prohibit junk dealers, pawn shops;
to regulate or prohibit the manufacture, sale, or transportation of intoxicating liquors; and
to regulate or prohibit the use of firearms; to regulate the transportation, storage, and use
of combustible, explosive, and inflammable materials, the use of lighting and heating
equipment, and any other business or situation which may be dangerous to persons or
property; to regulate and control peddlers and itinerant traders, theatrical performances,
exhibitions, and shows of any kind, by taxing or otherwise; and to license, tax, regulate,
or prohibit professional fortunetelling, palmistry, adult bookstores, massage parlors, and
entertainment displaying nudity;

(36) Special assessments. To levy and provide for the collection of special assessments
to cover the costs of any public improvement;

(37) Taxes: ad valorem. To levy and provide for the assessment, valuation, revaluation,
and collection of taxes on all property subject to taxation;

(38) Taxes: other. To levy and collect such other taxes as may be allowed now or in the
future by law;

(39) Taxicabs or similar conveyances. To regulate and license vehicles operated for hire
in the city; to limit the number of such vehicles; to require the operators thereof to be
licensed; to require public liability insurance on such vehicles in the amounts to be
prescribed by ordinance; and to regulate the parking of such vehicles;
(40) Urban redevelopment. To organize and operate an urban redevelopment program;

and

(41) Other powers. To exercise and enjoy all other powers, functions, rights, privileges,

and immunities necessary or desirable to promote or protect the safety, health, peace,

security, good order, comfort, convenience, or general welfare of the city and its

inhabitants; to exercise all implied powers necessary to carry into execution all powers

granted in this charter as fully and completely as if such powers were fully stated in this

charter; and to exercise all powers now or in the future authorized to be exercised by

other municipal governments under other laws of the State of Georgia; and no listing of

particular powers in this charter shall be held to be exclusive of others, nor restrictive of

general words and phrases granting powers, but shall be held to be in addition to such

powers unless expressly prohibited to municipalities under the Constitution or applicable

laws of the State of Georgia.

ARTICLE II.

GOVERNMENT STRUCTURE, ELECTIONS, AND REMOVAL

Section 2.10.

City council creation; composition; number; election.

(a) The legislative authority of the government of this city, except as otherwise specifically

provided in this charter, shall be vested in a city council to be composed of a mayor and

four councilmembers.

(b) The mayor and councilmembers shall serve for terms of four years and until their

respective successors are elected and qualified. No person shall be eligible to serve as

mayor or councilmember unless he or she shall have been a resident of this city for 12

months immediately preceding the election of mayor or councilmembers; each such person

shall continue to reside within the city during said period of service and shall be registered

H. B. 546

- 10 -
and qualified to vote in municipal elections of this city. No person's name shall be listed as a candidate on the ballot for election for either mayor or councilmember unless and until such person has filed a written notice with the clerk of said city that he or she desires his or her name to be placed on said ballot as a candidate either for mayor or councilmember. No person shall be eligible for the office of mayor or councilmember unless such person has filed said notice within the time provided for in Chapter 2 of Title 21 of the O.C.G.A., the "Georgia Election Code." Provided further that no person shall hold the office of Mayor for more than two consecutive terms.

Section 2.11.

Elections.

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

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

(c) There shall be a municipal general election biennially in odd-numbered years on the Tuesday next following the first Monday in November.

(d) The mayor and councilmembers in office on the effective date of this charter and any person selected to fill a vacancy in such office shall serve until the regular expiration of the term of office to which they were elected and until their successors are elected and qualified. Successors to such mayor and councilmembers shall be elected at the municipal general election on the Tuesday next following the first Monday in November. All future
successors to such mayor and councilmembers whose terms of office are to expire shall be elected at the time of the municipal general election immediately preceding the expiration of such terms and shall serve for terms of office of four years each and until their respective successors are elected and qualified.

(e) For the purpose of electing members of the council, the City of Richmond Hill shall consist of one election district with four at-large seats.

Section 2.12.

Vacancies in office.

(a) The office of mayor or councilmember shall become vacant upon the incumbent's death, incapacity, resignation, forfeiture of office, or removal from office in any manner authorized by this charter or the general laws of the State of Georgia.

(b) Upon the suspension from office of the mayor or councilmember in any manner authorized by the general laws of the State of Georgia, the city council or those remaining shall appoint a successor for the duration of the suspension. If the suspension becomes permanent, then the office shall become vacant and shall be filled as provided in subsection (c) of this section.

(c) In the event that the office of councilmember shall become vacant for any cause whatsoever, and the unexpired term shall exceed one year and 11 months, then said vacancy shall be filled by a special election. If, however said vacancy does not exceed one year and 11 months, then said vacancy in office shall be filled for the unexpired term by appointment by the remaining councilmembers and the mayor, provided that, if the vacancy does not exceed six months then no appointment shall be made and the remaining members of council shall constitute the entire council for the remaining unexpired term. In the event that the office of the mayor shall become vacant, the mayor pro tempore and council shall appoint from among its members a mayor to serve out the expired term. If
the mayor pro tempore is chosen, the council will appoint another councilmember to hold
the office of mayor pro tempore. The resulting vacancy on the council will be filled as
provided for in this subsection.

Section 2.13.
Nonpartisan elections.

Political parties shall not conduct primaries for city offices and all names of candidates for
city offices shall be listed without party labels.

Section 2.14.
Election by simple majority.

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

Section 2.15.
Compensation and expenses.

The mayor and councilmembers shall receive compensation and expenses for their services
as provided by ordinance and in accordance with Chapter 35 of Title 36 of the O.C.G.A.

Section 2.16.
Prohibitions.

(a) No elected official, appointed officer, or employee of the city or any agency or political
entity to which this charter applies shall knowingly:
(1) Engage in any business or transaction or have a financial or other personal interest, direct or indirect, which is incompatible with the proper discharge of his or her official duties or which would tend to impair the independence of his or her judgment or action in the performance of his or her official duties;

(2) Engage in or accept private employment or render services for private interests when such employment or service is incompatible with the proper discharge of his or her official duties or would tend to impair the independence of his or her judgment or action in the performance of his or her official duties;

(3) Disclose confidential information concerning the property, government, or affairs of the governmental body by which he or she is engaged without proper legal authorization or use such information to advance the financial or other private interest of himself or herself or others;

(4) Accept any valuable gift, whether in the form of service, loan, object, or promise from any person, firm, or corporation which to his or her knowledge is interested, directly or indirectly, in any manner whatsoever, in business dealings with the governmental body by which he or she is engaged; provided, however, that an elected official who is a candidate for public office may accept campaign contributions and services in connection with any such campaign;

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

(6) Vote or otherwise participate in the negotiation or in the making of any contract with any business or entity in which he or she has a financial interest.

(b) Any elected official, appointed officer, or employee who has any private financial interest, directly or indirectly, in any contract or matter pending before or within any department of the city shall disclose such private interest to the city council. The mayor or any councilmember who has a private financial interest in any matter pending before the city council shall disclose such private interest and such disclosure shall be entered on the
records of the city council, and he or she shall disqualify himself or herself from participating in any decision or vote relating thereto. Any elected official, appointed officer, or employee of any agency or political entity to which this charter applies who shall have any private financial interest, directly or indirectly, in any contract or matter pending before or within such agency or entity shall disclose such private interest to the governing body of such agency or entity.

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

(d) Any violation of this section which occurs with the knowledge, express or implied, of a party to a contract or sale shall render said contract or sale voidable at the option of the city council.

(e) Except as authorized by law, no member of the council shall hold any other elective city office or other city employment during the term for which he or she was elected. Except as authorized by law, no employee of the city or any agency or political entity to which this charter applies shall hold any other elective city office or other city employment during the term of such employment. The provisions of this subsection shall not apply to any person holding employment on the effective date of this charter.

Section 2.17.
Removal of officers.

(a) The mayor, a councilmember, or other appointed officers provided for in this charter may be removed for any one or more of the following causes:

(1) Incompetence, misfeasance, or malfeasance in office;

H. B. 546
- 15 -
(2) Upon indictment or presentation of charges for any felony, regardless of whether such charge relates to the performance of the activities of office;
(3) Upon conviction for any misdemeanor involving moral turpitude;
(4) Failure at any time to possess any qualifications of office as provided by this charter;
(5) Abandonment of office or neglect to perform the duties thereof. This shall include, but shall not be limited to, willful failure to attend more than three city council meetings in succession without prior written notice of the absence that shall also include grounds for absence. This does not apply to absences approved by council or excused by operation of law; or
(6) Failure for any other cause to perform the duties of office as required by this charter or by state law.

(b) Removal of any officer pursuant to subsection (a) of this section shall be accomplished by a vote of all remaining 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 service of such written notice. Any elected officer sought to be removed from office as provided in this section shall have the right to call and cross-examine witnesses and to put up a defense at such public hearing. Additionally, any elected officer sought to be removed from office as provided in this section shall have the right to appeal the decision of the city council to the Superior Court of Bryan County. Such appeal shall be governed by the same rules that govern appeals to the superior court from the probate court.
ARTICLE III.  
ORGANIZATION OF GOVERNMENT, GENERAL AUTHORITY, AND 
ORDINANCES  

Section 3.10.  
General power and authority.  

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

Section 3.11.  
Organization.  

(a) The city council shall hold an organizational meeting at the first regular meeting in January following an election. The meeting shall be called to order by the city clerk. The oath of office shall be administered to the newly elected members as follows: "I do solemnly swear (or affirm) that I will support the Constitution of the United States and the laws of the State of Georgia; I am qualified to hold the office of (mayor) (councilmember) of the City of Richmond Hill according to the Constitution and laws of the State of Georgia; I am not the holder of any office of trust under the government of the United States, any other state, or any foreign state which I am prohibited from holding by the laws of the State of Georgia; I am not the holder of any unaccounted for public money due this state or any political subdivision or authority thereof; and that I will well and truly perform the duties of (mayor) (councilmember) of the City of Richmond Hill to the best of my skill and ability, without favor or affection, so help me God."

(b) The city council shall elect a mayor pro tempore. In the event this councilmember refuses to serve or resigns as mayor pro tempore or councilmember, the council shall elect
by majority vote another councilmember as mayor pro tempore. During any disability or
absence of the mayor, the mayor pro tempore shall preside at all meetings of the city
council and shall assume the duties and powers of the mayor. Any such disability or
absence shall be declared by a majority vote of the city council. The city council shall elect
by majority vote a presiding officer from its number for any period in which the mayor pro
tempore is disabled, absent, or acting as mayor. Such absence or disability shall be
declared by majority vote of the city council, in accordance with Section 2.12 of this
charter.

Section 3.12.
Inquiries and investigations.

The city council or mayor may make inquiries and investigations into the affairs of the city
and the conduct of any department, office, or agency thereof and for this purpose may
subpoena witnesses, administer oaths, take testimony, and require the production of
evidence. Any person who fails or refuses to obey a lawful order issued in the exercise of
those powers by the council or mayor shall be punished as provided by ordinance.

Section 3.13.
Meetings.

(a) The city council shall hold regular meetings at such times and places as prescribed by
ordinance.
(b) Special meetings of the city council may be held on call of the mayor or not less than
three councilmembers. Notice of such special meetings shall be served on all other
members personally, or by telephone personally, at least 24 hours in advance of the
meeting. Such notice to councilmembers shall not be required if the mayor and all
councilmembers are present when the special meeting is called. Such notice of any special
meeting may be waived by a councilmember in writing before or after such a meeting and
attendance at the meeting shall also constitute a waiver of notice on any business transacted
in such councilmember's presence. Only the business stated in the call may be transacted
at the special meeting.

(c) All meetings of the city council shall be public to the extent required by law, and notice
to the public of special meetings shall be given as required by law.

Section 3.14.
Procedures.

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

(b) All committees and committee chairpersons and officers of the city council shall be
appointed by the mayor and shall serve at the pleasure of the mayor. The mayor shall have
the power to appoint new members or designate new chairpersons and officers to any
committee at any time, with or without cause; all of said members and chairpersons serving
solely at the pleasure of the mayor.

Section 3.15.
Voting.

(a) Except as otherwise provided in subsection (b) of this section, four councilmembers
or three councilmembers and mayor shall constitute a quorum and shall be authorized to
transact the business of the city council. Voting on the adoption of ordinances shall be by
voice vote and the vote shall be recorded in the journal, but any member of the city council
shall have the right to request a roll-call vote and such vote shall be recorded in the journal.
(b) In the event vacancies in office result in less than a quorum of councilmembers holding office, then the remaining councilmembers in office shall constitute a quorum and shall be authorized to transact business of the city council. A vote of a majority of the remaining councilmembers shall be required for the adoption of any ordinance, resolution, or motion.

Section 3.16.
Ordinances.

(a) Every 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 "The City Council of the City of Richmond Hill hereby ordains..." and every ordinance shall so begin.

(b) An ordinance may be introduced by any councilmember and 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; provided, however, an ordinance shall not be adopted the same day it is introduced, except for emergency ordinances provided for in Section 3.18 of this charter. Upon introduction of any ordinance, the 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 clerk and at such other public places as the city council may designate.

Section 3.17.
Effect of ordinances.

Acts of the city council which have the force and effect of law shall be enacted by ordinance.
Section 3.18.

Emergencies.

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

(b) Emergency meetings shall be open to the public to the extent required by law and notice to the public of emergency meetings shall be made as fully as reasonably possible in accordance with Code Section 50-14-1 of the O.C.G.A. or such other applicable laws as are, or may hereafter, be enacted.
Section 3.19.
Codes.

(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 prescribed for ordinances generally except that:

(1) The requirements of subsection (b) of Section 3.16 of this charter for filing and distribution of copies of the ordinance shall be construed to include copies of any standard code of technical regulations, as well as the adopting ordinance; and

(2) A copy of each adopted standard code of technical regulations, as well as the adopting ordinance, shall be authenticated and recorded by the clerk pursuant to Section 3.20 of this charter, or, in the alternative, the clerk may, with the approval of council, make arrangements for reproduction and distribution of such technical regulations by electronic or other means.

(b) Copies of any adopted code of technical regulations shall be made available by the clerk for distribution or for purchase at a reasonable price to be fixed by the city council.

Section 3.20.
Codification of ordinances.

(a) The clerk shall authenticate by his or her signature and record in full in a properly indexed book kept for that purpose all ordinances adopted by the council.

(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 may contain such standard codes of technical regulations and other rules and regulations as the city council may specify, which may be incorporated into
the city code by reference thereto. This compilation shall be known and shall be cited officially as "Code of Ordinances, City of Richmond Hill, Georgia." Copies of the code shall be furnished to all officers, departments, and agencies of the city.

(c) The city council shall cause each ordinance and each amendment to this charter to be printed promptly following its adoption, and the printed ordinances and charter amendments shall be made available for purchase by the public at reasonable prices to be fixed by the city council. Following publication of the first code under this charter and at all times thereafter, the ordinances and charter amendments shall be printed in substantially the same style as the code then in effect and shall be suitable in form for incorporation within the code. The city council shall make such further arrangements as deemed desirable for reproduction and distribution of any such adopted technical regulations or any changes in or additions to standard codes of technical regulations and other rules and regulations included in the code, specifically, but not limited to, arrangements for electronic or internet access and distribution.

Section 3.21.

City manager; appointment; qualifications; compensation.

(a) The city council may, when it deems appropriate, appoint a city manager for an indefinite term and shall fix his or her compensation, and define the powers and duties of said office.

(b) The city manager shall be removed or suspended from duty only by a vote of four councilmembers. If permanently removed from duty, the city manager shall be paid forthwith the salary and accumulated annual leave due and unless otherwise provided by contract, the city manager's salary for the next three months following the adoption of a resolution for removal. If the city manager is removed for malfeasance, misfeasance, or
nonfeasance in the office, the salary of the city manager for the next three months shall not be paid.

Section 3.22.
Chief executive officer; delegation of powers.

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

Section 3.23.
Powers and duties of mayor.

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

(1) See that all laws and ordinances of the city are faithfully executed;
(2) Except otherwise provided herein, appoint and remove, with the advice and consent of council, all officers, department heads, and employees of the city, except as otherwise provided in this charter;
(3) Except otherwise provided herein, the mayor may suspend or remove directors and appointive officers, or confirm the suspension or removal of employees by department directors, and any such actions shall be effective immediately upon the mayor's decision; provided, however, that such director, officer, or employee shall have a right to appeal such action to the city council, which, after a hearing, may override the mayor's action by a vote of three councilmembers.
(4) Exercise supervision over all executive and administrative work of the city and provide for the coordination of administrative activities;
(5) Prepare and submit to the city council a recommended operating budget and capital budget;

(6) Submit to the city council at least once a year a statement covering the financial conditions of the city, and from time to time, such other information as the city council may request;

(7) Recommend to the city council such measures relative to the affairs of the city, improvement of the government, and promotion of the welfare of its inhabitants as the mayor deems expedient;

(8) Call special meetings of the city council as provided for in subsection (b) of Section 3.13 of this charter;

(9) Veto any matter passed by the council, provided that within four days of any such veto, the mayor shall produce his or her reasons for the veto to writing and shall furnish the same to the clerk, who shall promptly distribute the same to all councilmembers, who at the next regular or called meeting at which a quorum is present, shall read said reasons into the minutes and again vote on the same question, and should as many as four councilmen again vote to pass the vetoed measure, the vetoed measure shall stand affirmed over the veto of the mayor;

(10) Provide for an annual audit of all accounts of the city;

(11) Require any department or agency of the city to submit written reports whenever the mayor deems it expedient;

(12) See that all funds of the city are properly accounted for and that all revenues are properly and promptly collected;

(13) Hold and attend meetings and participate in negotiations on behalf of the city and city council with the advice and consent of the city council;

(14) Preside at meetings of the city council and conduct other such meetings as may be necessary;
(15) See that all meetings are conducted in a parliamentary manner and preserve order and decorum;

(16) Appoint and be an ex officio member of all standing committees and special committees of the city council;

(17) Bind the city by signing any contract, obligation, or other matter entered into and authorized by ordinance or resolution of the city council properly passed in accordance with the provisions of this charter;

(18) Vote on matters before the city council in cases when the vote of the city council is evenly divided; in such cases, the mayor shall be counted toward a quorum as any councilmember;

(19) Be and serve as an ex officio member of all committees, boards, agencies, or political entities to which this charter applies; and

(20) Perform such other duties as may be required by law, this charter, or ordinance.

ARTICLE IV.
ADMINISTRATIVE AFFAIRS

Section 4.10.
Department heads.

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

(b) Except as otherwise provided by this charter or by law, the directors of departments and other appointed officers of the city shall be appointed solely on the basis of their respective administrative and professional qualifications.
Section 4.11.

Boards.

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

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

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

(d) Except as otherwise provided by charter or by law, no member of any city board, commission, or authority shall hold any elective office in the city nor shall any such member be a city employee during the tenure of such service.

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

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

(g) Any member of a board, commission, or authority may be removed from office for cause by a vote of a majority of the members of the city council.

(h) Except as otherwise provided by this charter or by law, at least one member of each board, commission, or authority of the city, as selected by the mayor with the advice and
consent of council, shall serve as chairperson of such board, commission, or authority, which service shall be at the pleasure of the mayor.

Section 4.12.
City attorney.

(a) The city council shall appoint a city attorney who shall be a member of the State Bar of Georgia and shall have actively practiced law for at least five years. The city attorney shall serve at the pleasure of the city council. The city attorney shall be responsible for representing and defending the city in all litigation in which the city is a party; may be the prosecuting officer in the municipal court; shall advise the city council, mayor, and other officers and employees of the city concerning legal aspects of the city's affairs; and shall perform such duties as may be required of him or her by virtue of his or her position as city attorney. The city council shall provide for the compensation of the city attorney.

(b) The city attorney shall be removed or suspended from duty only by a vote of four councilmembers. If permanently removed from duty, the city attorney shall be paid forthwith the salary and accumulated annual leave due and city attorney's salary for the next three months following the adoption of a resolution for removal. If the city attorney is removed for malfeasance, misfeasance, or nonfeasance in the office, the salary of the city attorney for the next three months shall not be paid.

Section 4.13.
City clerk.

(a) The city council shall appoint a city clerk who shall not be a councilmember. The city clerk shall be custodian of the official city seal, maintain city council records required by this charter, and perform such other duties as may be required by the city council. The city
council shall provide for the compensation of the city clerk. Before assuming office, the
city clerk shall take an oath, given by the mayor, as provided in Section 3.11 of this charter.
(b) The city clerk shall be removed or suspended from duty only by a vote of four
councilmembers. If permanently removed from duty, the city clerk shall be paid forthwith
the salary and accumulated annual leave due and the city clerk's salary for the next three
months following the adoption of a resolution for removal. If the city clerk is removed for
malfeasance, misfeasance, or nonfeasance in the office, the salary of the city clerk for the
next three months shall not be paid.

Section 4.14.
City finance officer.

(a) The city council shall appoint a city finance officer to collect all taxes, licenses, fees,
and other moneys belonging to the city subject to the provisions of this charter and the
ordinances of the city and to enforce all laws of Georgia relating to the collection of
delinquent taxes and sale or foreclosure for nonpayment of taxes to the city. The finance
officer shall also be responsible for the general duties of a treasurer and fiscal officer. The
city council shall provide for the compensation of the city finance officer.
(b) The city finance officer shall be removed or suspended from duty only by a vote of
four councilmembers. If permanently removed from duty, the city finance officer shall be
paid forthwith the salary and accumulated annual leave due and the city finance officer's
salary for the next three months following the adoption of a resolution for removal. If the
city finance officer is removed for malfeasance, misfeasance, or nonfeasance in the office,
the salary of the city finance officer for the next three months shall not be paid.
Section 4.15.695
Rules and regulations.

The city council shall adopt rules and regulations consistent with this charter concerning:

(1) The method of employee selection and probationary periods of employment;
(2) The administration of a position classification and pay plan, methods of promotion and applications of service ratings thereto, and transfer of employees within the classification plan;
(3) Hours of work, vacation, sick leave, and other leaves of absence; overtime pay; and the order and manner in which layoffs shall be affected;
(4) Such dismissal hearings as due process may require; and
(5) Such other personnel notices as may be necessary to provide for adequate and systematic handling of personnel affairs.

ARTICLE V.
JUDICIAL BRANCH

Section 5.10.
Municipal court.

There shall be a court to be known as the Municipal Court of the City of Richmond Hill.

Section 5.11.
Judges.

(a) The municipal court shall be presided over by a chief judge and such part-time, full-time, or stand-by judges as shall be provided by ordinance. The method of selection
and terms of such judges shall be provided by Chapter 32 of Title 36 of the O.C.G.A. or ordinance.

(b) No person shall be qualified or eligible to serve as a judge on the municipal court unless he or she shall be a member of the State Bar of Georgia. All judges shall be appointed by the mayor with the approval of a majority of the city council.

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

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

(e) Before assuming office, each judge shall take an oath, given by the mayor, as provided in Section 3.11 of this charter. The oath shall be entered upon the minutes of the city council journal required in Section 3.14 of this charter.

Section 5.12.
Convening of court.

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

Section 5.13.
Powers.

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

(b) The municipal court shall have the authority to punish those in its presence for contempt, provided that such punishment shall not exceed a fine of $200.00 or ten days in jail, or both.

(c) The municipal court may fix punishment for offenses within its jurisdiction not exceeding a fine of $1,000.00 or imprisonment for not more than six months, or both such
fine and imprisonment, or may fix punishment by fine, imprisonment, or alternative
sentencing as now or hereafter provided by law.

d) The municipal court shall have the authority to establish a schedule of fees to defray
the cost of operation and shall be entitled to reimbursement of the actual cost of meals,
transportation, and caretaking of prisoners bound over to superior courts for violation of
state law.

e) The municipal court shall have the authority to establish bail and recognizances to
ensure the presence of those charged with violations before said court and shall have
discretionary authority to accept cash or personal or real property as surety bond for the
appearance of persons charged with violations. Whenever any person shall give bail for
his or her appearance and shall fail to appear at the time fixed for trial, his or her surety
bond shall be forfeited by the judge presiding at such time and an execution shall be issued
thereon by serving the defendant and his or her sureties with a rule nisi at least ten days
before a hearing on the rule nisi.

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

g) The municipal court shall have the authority to bind prisoners over to the appropriate
court when it appears by probable cause that state law has been violated.

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

i) Each judge of the municipal court shall be authorized to issue warrants for the arrest
of persons charged with offenses against any ordinance of the city, and each judge of the
municipal court shall have the same authority as a magistrate of the state to issue warrants
for offenses against state laws committed within the city.
(j) The municipal court is specifically vested with all the jurisdiction and powers throughout the geographic area of this city granted by law to municipal courts and particularly by such laws as authorize the abatement of nuisances and prosecution of traffic violations.

Section 5.14.
Certiorari and appeal.

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

(b) The orders, verdicts, judgments, and sentences of the municipal court shall be subject to appellate review in accordance with state law.

Section 5.15.
Rules.

With the approval of the city council, the judge shall have full power and authority to make reasonable rules and regulations necessary and proper to secure the efficient and successful administration of the municipal court; provided, however, that the city council may adopt in part or in total the rules and regulations applicable to superior courts. The rules and regulations made or adopted shall be filed with the court clerk, shall be available for public inspection, and, upon request, shall be furnished to the public for the reasonable cost of copying and printing the same.
ARTICLE VI.
FINANCE

Section 6.10.
Property tax.

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

Section 6.11.
Millage.

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

Section 6.12.
Occupation taxes and business license fees.

The city council by ordinance shall have the power to levy such occupation or business taxes as are not denied by law. Such taxes may be levied on both individuals and corporations that transact business in this city or that practice or offer to practice any profession or calling
within the city to the extent such persons have a constitutionally sufficient nexus to this city
to be so taxed. The city council may classify businesses, occupations, professions, or
callings for the purpose of such taxation in any way which may be lawful and, if unpaid, may
compel the payment of such taxes as provided in Section 6.18 of this charter.

Section 6.13.
Licenses.

The city council by ordinance shall have the power to require any individual or corporation
that transacts business in this city or that practices or offers to practice any profession or
calling within the city to obtain a license or permit for such activity from the city and pay a
reasonable fee for such license or permit where such activities are not now regulated by
general law in such a way as to preclude city regulations. Such fees may reflect the total cost
to the city of regulating the activity and, if unpaid, shall be collected as provided in
Section 6.18 of this charter. The city council by ordinance may establish reasonable
requirements for obtaining or keeping such licenses as the public health, safety, and welfare
may necessitate.
Section 6.14.
Franchises.

(a) The city council shall have the power to grant franchises for the use of this city's streets and alleys for the purposes of railroads, street railways, telephone companies, electric companies, electric membership corporations, cable television companies and other telecommunications companies, gas companies, transportation companies, and other similar organizations. The city council shall determine the duration, terms, whether the same shall be exclusive or nonexclusive, and the consideration for such franchises; provided, however, that no franchises shall be granted for a period in excess of 25 years and no franchise shall be granted unless the city receives just and adequate compensation therefor. The city council shall provide for the registration of all franchises with the city clerk in a registration book or electronic registry kept for that purpose. The city council may provide by ordinance for the registration within a reasonable time of all franchises previously granted.

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

Section 6.15.
Service fees.

The city council by ordinance shall have the power to assess and collect fees, charges, and tolls for sewers, sanitary and health services, or any other services provided or made available inside or outside the corporate limits of the city for the total cost to the city of
providing or making available such services. If unpaid, such charges shall be collected as provided in Section 6.18 of this charter. No landowner shall be assessed any fee, charge, or toll for any service which does not benefit him or her or his or her property directly, and provided that any ordinance making any such assessment shall require at least two readings at two regular meetings prior to passage and shall further require that between said first and second readings, a notice of such proposed assessment shall be published one time by the clerk in the official organ of Bryan County, said publication to appear not less than eight days before the final passage of said ordinance. Said notice shall state that such ordinance has been introduced before the council and shall include a general description of the improvement, its location, and estimated cost and shall further state that the actual cost or whatever part thereof as the ordinance provides will be assessed against the affected real estate and the owners thereof and that any person wishing to be heard on the matter may appear at the next regular meeting of the council, stating the specific date of such meeting. The council may, in its discretion, permit the payment of any such fee, charge, or toll in installments.

Section 6.16.
Special assessments.

The city council by ordinance shall have the power to assess, charge, and collect the costs of constructing, reconstructing, widening, or improving any public way, street, sidewalk, curbing, gutters, sewers, or other utility mains and appurtenances from the abutting property owners under such terms and conditions as are reasonable. If unpaid, such charges shall be collected as provided in Section 6.18 of this charter. No landowner shall be assessed any fee, charge, or toll for any service which does not benefit him or her or his or her property directly, and provided that any ordinance making any such assessment shall require at least two readings at two regular meetings prior to passage and shall further require that between
said first and second readings, a notice of such proposed assessment shall be published one time by the clerk in the official organ of Bryan County, said publication to appear not less than eight days before the final passage of said ordinance. Said notice shall state that such ordinance has been introduced before the council and shall include a general description of the improvement, its location, and estimated cost and shall further state that the actual cost or whatever part thereof as the ordinance provides will be assessed against the affected real estate and the owners thereof and that any person wishing to be heard on the matter may appear at the next regular meeting of the council, stating the specific date of such meeting. The council may, in its discretion, permit the payment of any such fee, charge, or toll in installments.

Section 6.17.
Other taxes.

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

Section 6.18.
Collection of delinquent taxes.

The city council by ordinance may provide generally for the collection of delinquent taxes, fees, or other revenue due the city under Sections 6.10 through 6.17 of this charter by whatever reasonable means as are not precluded by law. This shall include providing for the dates when the taxes or fees are due, late penalties or interest, issuance and execution of fi. fac., creation and priority of liens, making delinquent taxes and fees personal debts of the
persons required to pay the taxes or fees imposed, revoking city licenses for failure to pay any city taxes or fees, and providing for the assignment or transfer of tax executions.

Section 6.19.
Borrowing.

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

Section 6.20.
Revenue bonds.

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

Section 6.21.
Short-term loans and lease purchase contracts.

(a) The city may obtain short-term loans and must repay such loans not later than one year from the date of such obligations, unless otherwise provided by law.
(b) The city may enter into multiyear lease, purchase, or lease purchase contracts for the acquisition of goods, materials, real and personal property, services, and supplies, provided the contract terminates without further obligation on the part of the municipality at the close of the calendar year in which it was executed and at the close of each succeeding calendar year.
calendar year for which it may be renewed. Contracts must be executed in accordance with
the requirements of Code Section 36-60-13 of the O.C.G.A. or other such applicable laws
as are, or may hereafter, be enacted.

Section 6.22.

Fiscal year.

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

Section 6.23.

Budget ordinance.

The city council shall provide an ordinance on the procedures and requirements for the
preparation and execution of an annual operating budget, a capital improvements program,
and a capital improvements budget, including requirements as to the scope, content, and form
of such budgets and programs. The city council shall comply with the provisions of Chapter
81 of Title 36 of the O.C.G.A.

Section 6.24.

Operating budget.

On or before a date fixed by the city council but not later than 60 days prior to the beginning
of each fiscal year, the city finance officer, with the advice and consent of the mayor, shall
submit to the city council a proposed operating budget for the ensuing fiscal year. The
budget shall be accompanied by a message from the city finance officer, with the advice and
consent of the mayor, containing a statement of the general fiscal policies of the city, the
important features of the budget, explanations of major changes recommended for the next
fiscal year, a general summary of the budget, and such other comments and information as
he or she may deem pertinent. The operating budget, the capital improvements budget, the
budget message, and all supporting documents shall be filed in the office of the city clerk and
shall be open to public inspection.

Section 6.25.
Adoption.

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

(b) After the conducting of a budget hearing, the city council shall adopt the final
operating budget for the ensuing fiscal year not later than the end of the current fiscal year.
If the city council fails to adopt the budget by said date, the amounts appropriated for
operation for the then current fiscal year shall be deemed adopted for the ensuing fiscal
year on a month-to-month basis, with all items prorated accordingly, until such time as the
city council adopts a budget for the ensuing fiscal year. Adoption of the budget shall take
the form of an appropriations ordinance setting out the estimated revenues in detail by
sources and making appropriations according to fund and by organizational unit, purpose,
or activity as set out in the budget preparation ordinance adopted pursuant to Section 6.23
of this charter.

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

Section 6.26.

Levy of taxes.

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

Section 6.27.

Changes in budget.

The city council by majority vote may make changes in the appropriations contained in the current operating budget at any regular meeting or special or emergency meeting called for such purposes.

Section 6.28.

Capital improvements.

(a) On or before the date fixed by the city council, but not later than 60 days prior to the beginning of each fiscal year, the city finance officer, with the advice and consent of the mayor, shall submit to the city council a proposed capital improvements budget with his or her recommendations as to the means of financing the improvements proposed for the
ensuing year. The city council shall have the power to accept, with or without
amendments, or reject the proposed program and proposed means of financing. The city
council shall not authorize an expenditure for the construction of any building, structure,
work, or improvement, unless the appropriations for such project are included in the capital
improvements budget, except to meet a public emergency as provided in Section 3.18 of
this charter.
(b) After the conducting of a public hearing, the city council shall adopt by ordinance the
final capital improvements budget for the ensuing fiscal year not later than the end of the
current fiscal year. No appropriations provided for in a prior capital improvements budget
shall lapse until the purpose for which the appropriations were made shall have been
accomplished or abandoned; provided, however, the mayor may submit amendments to the
capital improvements budget at any time during the fiscal year, accompanied by his or her
recommendations. Any such amendments to the capital improvements budget shall
become effective only upon adoption by majority vote of the city council.

Section 6.29.
Audits.

There shall be an annual independent audit of all city accounts, funds, and financial
transactions by a certified public accountant selected by the city council. The audit shall be
conducted according to generally accepted accounting principles. Any audit of any funds by
the state or federal government may be accepted as satisfying the requirements of this
charter. Copies of all audit reports shall be available at printing costs to the public.
No contract with the city shall be binding on the city unless:

(1) It is in writing; and
(2) It is made or authorized by the city council and such approval is entered in the city council journal of proceedings pursuant to Section 3.14 of this charter.

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

(a) The city council may sell and convey any real or personal property owned or held by the city for governmental or other purposes as now or hereafter provided by law.
(b) The city council may quitclaim any rights it may have in property not needed for public purposes upon request 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.
(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 execute and deliver in the name of the city a deed conveying said cut-off or separated
parcel or tract of land to an abutting or adjoining property owner or owners in exchange for rights of way of said street, avenue, alley, or public place and such other consideration as may be required by law when such exchange is deemed to be in the best interest of this city. 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.

ARTICLE VII.

GENERAL PROVISIONS

Section 7.10.
Bonds for officials.

The officers and employees of this city, both elected and appointed, shall execute such surety or fidelity bonds in such amounts and upon such terms and conditions as the city council shall from time to time require by ordinance or as may be provided by law. Nothing in this section shall be construed to require council to impose any such bond conditions upon any city employee. What city employees shall be bonded and in what amounts shall be determined by city council who shall provide for the same by ordinance.

Section 7.11.
Rules and regulations.

All ordinances, resolutions, rules, and regulations now in force in the city not inconsistent with this charter are declared valid and of full effect and force until amended or repealed by the city council.
Section 7.12. Charter language on other general matters.

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

Section 7.13. Definitions and construction.

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

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

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


The city council is empowered to acquire, construct, operate, and maintain public ways, parks, public grounds, cemeteries, markets, market houses, public buildings, libraries, sewers, drains, sewage treatment, waterworks, electrical systems, gas systems, airports, hospitals, and charitable, educational, recreational, sport, curative, corrective, detential, penal, and medical institutions, agencies, and facilities, and any other public improvements inside or outside the city and to regulate the use thereof; and for such purposes, property may
be condemned as provided in paragraph (5) of subsection (b) of Section 1.12 and under procedures established under general law applicable now or as provided in the future.

Section 7.15.
Specific repealer.

An Act to provide a new charter for the City of Richmond Hill, approved April 11, 2012 (Ga. L. 2012, p. 5301), is repealed in its entirety and all amendatory Acts thereto are likewise repealed in their entirety.

Section 7.16.
General repealer.

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