House Bill 839 (AS PASSED HOUSE AND SENATE)
By: Representatives Thomas of the 39th, Anulewicz of the 42nd, Dollar of the 45th, Ehrhart of the 36th, and Setzler of the 35th

A BILL TO BE ENTITLED

AN ACT

To incorporate the City of Mableton; to provide a charter for the City of Mableton; to provide for incorporation, boundaries, and powers of the city; to provide for a governing authority of such city and the powers, duties, authority, election, terms, method of filling vacancies, compensation, qualifications, prohibitions, and removal from office relative to members of such governing authority; to provide for inquiries and investigations; to provide for organization and procedures; to provide for ordinances and codes; to provide for the offices of mayor and city manager and certain duties and powers relative to those offices; to provide for administrative responsibilities; to provide for boards, commissions, and authorities; to provide for a city attorney and a city clerk; to provide for rules and regulations; to provide for a municipal court and the judge or judges thereof; to provide for practices and procedures; to provide for taxation 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 purchases; to provide for the sale of property; to provide for bonds for officials; to provide for definitions and construction; to provide for other matters relative to the foregoing; to provide for a referendum; to provide effective dates; to provide for transition of powers and duties; to provide for community improvement districts; to provide for directory nature of dates; to provide for related matters; to repeal conflicting laws; and for other purposes.

H. B. 839
- 1 -
BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

ARTICLE I
INCORPORATION AND POWERS

SECTION 1.10.
Name.

This city and the inhabitants thereof are incorporated by the enactment of this charter and are hereby constituted and declared a body politic and corporate under the name and style Mableton, Georgia, and by that name shall have perpetual succession.

SECTION 1.11.
Corporate boundaries.

(a) The corporate boundaries of this city shall be as described and set forth in Appendix A of this charter, and said Appendix A is incorporated into and made a part of this charter.

(b) The city council shall maintain a current map and written legal description of the corporate boundaries of the city, and such map and description shall incorporate any changes which may hereafter be made in such corporate boundaries.

SECTION 1.12.
Powers and construction.

(a) This city shall have all powers possible for a city 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.

H. B. 839
- 2 -
(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. Such particular powers shall include those enumerated in Section 1.13 of this charter.

SECTION 1.13.
Examples of powers.

(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 hereunder;

(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 the city;

(3) Building regulation. To regulate and to license the erection and construction of buildings and all other structures; to adopt building, housing, plumbing, fire safety, electrical, gas, and heating and air conditioning codes; and to regulate all housing and building trades to the extent permitted by general law;

(4) Business regulation and taxation. To levy and to provide for the collection of regulatory fees and taxes on privileges, occupations, trades, and professions as authorized by Title 48 of the O.C.G.A., or other such applicable laws as are or may hereafter be enacted; to permit and regulate the same; to provide for the manner and method of payment of such regulatory fees and taxes; and to revoke such permits after due process for failure to pay any city taxes or fees;
(5) Condemnation. To condemn property, inside or outside the corporate limits of the city, for present or future use and for any corporate purpose deemed necessary by the governing authority for governmental uses, utilizing procedures enumerated in Title 22 or 32 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 governmental entities and with private persons, firms, and corporations;

(7) Emergencies. To establish procedures for determining and proclaiming that an emergency situation exists within or without 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 and preserve the natural resources, environment, and vital areas of the city, the region, and the state through the preservation and improvement of air quality; the restoration and maintenance of water resources; the control of erosion and sedimentation; the control, regulation, and management of stormwater and establishment of a stormwater utility; the management of solid and hazardous waste; and other necessary actions for the protection of the environment;

(9) Fire regulations. To fix and establish fire limits and from time to time to 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 fire fighting; 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 therein 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, taxes, or fees;
(11) General health, safety, and welfare. To define, regulate, and prohibit any act, practice, conduct, or use of property which is detrimental to 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 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 and to provide for the enforcement of such standards;

(14) Jail sentences. To provide that persons given jail sentences in the city's court may fulfill such sentences in any public works or on the streets, roads, drains, and other public property in the city; to provide for commitment of such persons to any jail; and to provide for the use of pretrial diversion and any alternative sentencing allowed by law, or to provide for commitment of such persons to any county work camp or county jail by agreement with the appropriate county officials;

(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, authorities, and agencies of the city, and to confer upon such agencies the necessary and appropriate authority for carrying out all the powers conferred 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 property 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, stormwater management, gas works, electric generating and light plants, cable television and other telecommunications, transportation facilities, public airports, and any other public utility; to fix the taxes, charges, rates, fares, fees, assessments, regulations, and penalties relative to such utilities, and to provide for the withdrawal of service for refusal or failure to pay the same;

(21) Nuisance. 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 land use, signage, outside advertising, and 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 aesthetically 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 a 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, maintenance, and abandonment of public ways, parks and playgrounds, cemeteries, markets and market houses, public buildings, libraries, public housing, airports, hospitals, terminals, docks, and charitable, cultural, educational, recreational, parking, conservation, sport, curative, corrective, detentional, penal, and medical institutions, agencies, and facilities; to provide any 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 or Title 32 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 loitering, disorderly conduct, drunkenness, riots, and public disturbances;

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

(29) Public utilities and services. To grant franchises or make contracts for or impose taxes on public utilities and public service companies and to prescribe the rates, fares, regulations, and standards and conditions of service applicable to the service to be provided by the franchise grantee or contractor, insofar as not in conflict with valid regulations of the 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, within or abutting the corporate limits of the city and to prescribe penalties and punishment for violation of such ordinances;

(31) Retirement; employment benefits. To provide and maintain a retirement plan and other employee benefit plans and programs for appointed 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 grant franchises and rights-of-way
throughout the streets and roads, and over the bridges and viaducts for the use of public
utilities; 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 and water fees. To assess fees, charges, or taxes as necessary to assure the
acquiring, constructing, equipping, operating, maintaining, and extending of a sewerage
system and one or more sewage treatment plants, on those to whom sewer systems are
made available; to provide for the manner and method of collecting such fees, charges,
or taxes and for enforcing payment of the same, including by lien; and to charge, impose,
and collect a sewer connection fee or fees to those connecting to the system;
(34) Solid waste disposal. To provide for the collection and disposal of garbage, rubbish,
and refuse; to regulate the collection and disposal of garbage, rubbish, and refuse by
others; and to provide for the separate collection of glass, tin, aluminum, cardboard,
paper, and other recyclable materials and to provide for the sale of such items;
(35) Special areas of public regulation. To regulate or prohibit junk dealers, the
manufacture and sale of intoxicating liquors; 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 the conduct of peddlers and itinerant traders, theatrical
performances, exhibitions, and shows of any kind, by taxation or otherwise; to license
and tax professional fortunetelling, palmistry, and massage parlors; and to restrict adult
bookstores to certain areas;
(36) Special assessments. To levy and provide for the collection of special assessments
to cover the costs for any public improvements, subject to a referendum;
(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. 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;

(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 or desirable to carry into execution all powers granted in this charter as fully and completely as if such powers were fully stated herein; 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.

SECTION 1.14.

Exercise of powers.

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

ARTICLE II
GOVERNMENT STRUCTURE
SECTION 2.10.
City council creation; number; election.

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 six councilmembers. The mayor and councilmembers shall be elected in the manner provided by general law and this charter.

SECTION 2.11.
City council terms and qualifications for office.

(a) The mayor and members of the city council 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 that person is at least 21 years of age or older on the date of qualification, and shall have been a resident of the area encompassed by the corporate boundaries of the city for at least 12 months immediately prior to the date of his or her election. Additionally, no person shall be eligible to serve as councilmember unless that person shall have been a resident of the district for which he or she seeks election for a period of at least 12 months immediately prior to his or her election. The mayor and each councilmember shall continue to reside within such corporate boundaries during their respective periods of service and to be registered and qualified to vote in municipal elections.
of the city. Additionally, councilmembers shall continue to reside in the district for which they were elected during their respective periods of service.

(b) Upon serving three complete consecutive terms as a member of the city council, any such member shall be ineligible to seek reelection to such office. Upon serving three complete consecutive terms as mayor, such individual shall be ineligible to seek reelection to such office. A member of the city council who becomes ineligible to serve another consecutive term in such office pursuant to this subsection shall nevertheless be eligible to seek the office of mayor, and a mayor who becomes ineligible to serve another consecutive term in such office pursuant to this subsection shall nevertheless be eligible to seek election as a member of the city council. Partial terms of office or initial terms of office of less than four years under Section 5.11 of this charter shall not be counted in determining the number of terms served.

SECTION 2.12.
Vacancy; filling of vacancies.

(a) The office of mayor or councilmember shall become vacant upon the incumbent's death, resignation, forfeiture of office, failure to maintain the residency requirements of Section 2.11 of this charter, or occurrence of any event specified by the Constitution of the State of Georgia, Title 45 of the O.C.G.A., or such other applicable laws as are or may hereafter be enacted.

(b) A vacancy in the office of mayor or councilmember shall be filled for the remainder of the unexpired term, if any, by appointment by the city council or those members remaining if less than 12 months remains in the unexpired term. If such vacancy occurs 12 months or more prior to the expiration of the term of that office, it shall be filled for the remainder of the unexpired term by a special election, as provided for in Section 5.14 of this charter and
in accordance with Titles 21 and 45 of the O.C.G.A., or other such laws as are or may hereafter be enacted.

(c) This provision shall also apply to a temporary vacancy created by the suspension from office of the mayor or any councilmember.

SECTION 2.13.

Compensation and expenses.

(a) The initial annual salary of the mayor shall be $30,000.00, and the initial annual salary of each councilmember shall be $20,000.00.

(b) Thereafter, such salaries may be adjusted by the governing authority in accordance with Code Section 36-35-4 of the O.C.G.A.

(c) Such salaries shall be paid from municipal funds in equal monthly installments.

(d) The city council may provide for an allowance for expenses actually and necessarily incurred by the mayor and councilmembers in carrying out their official duties; provided, however, that the annual total of such allowance shall not exceed $5,000.00 for the mayor and $3,000.00 for any councilmember. Such allowances shall not include the costs associated with any state mandated or sponsored training which has been preapproved by the city council.

SECTION 2.14.

Conflicts of interest; holding other offices.

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

(b) No elected official, appointed officer, or employee of the city or any agency or political entity to which this charter applies shall knowingly:

H. B. 839

- 12 -
(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 that person's official duties or which would tend to impair the independence of the official's judgment or action in the performance of those 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 that person's official duties or would tend to impair the independence of the official's judgment or action in the performance of those official duties;

(3) Disclose confidential information, including information obtained at meetings which are closed pursuant to Chapter 14 of Title 50 of the O.C.G.A., concerning the property, government, or affairs of the governmental body by which the official is engaged without proper legal authorization; or use such information to advance the financial or other private interest of the official or others;

(4) Accept any valuable gift, whether in the form of service, loan, thing, or promise, from any person, firm, or corporation which to the official's knowledge is interested, directly or indirectly, in any manner whatsoever, in business dealings with the governmental body by which the official 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 the official has a financial interest.

(c) Any elected official, appointed officer, or employee who shall have any financial interest, directly or indirectly, in any contract or matter pending before or within any department of the city shall disclose such interest to the city council. The mayor or any councilmember who has a financial interest in any matter pending before the city council
shall disclose such interest and such disclosure shall be entered on the records of the city
council, and that official shall disqualify himself or herself from participating in any
discussion, 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
financial interest, directly or indirectly, in any contract or matter pending before or within
such entity shall disclose such interest to the governing body of such agency or entity.
(d) 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 or profit but shall use such property only in their capacity as an officer or employee
of the city.
(e) 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.
(f) Except where authorized by law, neither the mayor nor any councilmember shall hold
any other elective or appointive office in the city or otherwise be employed by such
government or any agency thereof during the term for which that official was elected. No
former mayor and no former councilmember shall hold any appointive office in the city until
one year after the expiration of the term for which that official was elected.
(g) No appointive officer of the city shall continue in such employment upon qualifying as
a candidate for nomination or election to any public office. No employee of the city shall
continue in such employment upon qualifying for or election to any public office in this city
or any other public office which is inconsistent, incompatible, or in conflict with the duties
of the city employee. Such determination shall be made by the mayor and council either
immediately upon election or at any time such conflict may arise.
(h)(1) Any city officer or employee who knowingly conceals such financial interest or
knowingly violates any of the requirements of this section shall be guilty of malfeasance
in office or position and shall be deemed to have forfeited that person's office or position.
(2) Any officer or employee of the city who shall forfeit an office or position as
described in paragraph (1) of this subsection shall be ineligible for appointment or
election to or employment in a position in the city government for a period of three years
thereafter.

SECTION 2.15.
Inquiries and investigations.

Following the adoption of an authorizing resolution, the city council 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 these powers by the city council shall be punished as provided by
ordinance.

SECTION 2.16.
General power and authority of the city council.

(a) Except as otherwise provided by law or this charter, the city council shall be vested with
all the powers of government of this city.

(b) In addition to all other powers conferred upon it by law, the city council shall have the
authority to adopt and provide for the execution of such ordinances, resolutions, rules, and
regulations, not inconsistent with this charter and the Constitution and the laws of the State
of Georgia, which it shall deem necessary, expedient, or helpful for the peace, good order,
protection of life and property, health, welfare, sanitation, comfort, convenience, prosperity,
or well-being of the inhabitants of the City of Mableton and may enforce such ordinances by
imposing penalties for violation thereof.
(c) The city council shall have the power to discipline, suspend, and remove all appointed
officials and employees of the city as set forth in this charter or in such resolutions and
ordinances as may be adopted by the governing authority.

(d) Unless otherwise provided by law, appeals of decisions of the city council shall be by
certiorari to the Superior Court of Cobb County.

SECTION 2.17.
Eminent domain.

The city council is hereby empowered to acquire, construct, operate, and maintain public
ways, parks and playgrounds, public grounds, cemeteries, markets and market houses, public
buildings, libraries, public housing, airports, hospitals, terminals, docks, sewers, drains,
sewage treatment, waterworks, electrical systems, gas systems, and charitable, cultural,
educational, recreational, parking, conservation, sport, curative, corrective, detentional,
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 under procedures established under general law applicable now or as
provided in the future.

SECTION 2.18.
Organizational meetings.

The city council shall hold an organizational meeting on the first Tuesday in January of each
year unless otherwise prescribed by ordinance, provided that if such date falls on a legal
holiday, then the organizational meeting shall be held on the next business day. The meeting
shall be called to order by the city clerk and the oath of office shall be administered to the
newly elected members by a judicial officer authorized to administer oaths and shall, to the extent that it comports with federal and state law, be as follows:

"I do solemnly (swear)(affirm) that I will faithfully perform the duties of (mayor)(councilmember) of this city and that I will support and defend the charter thereof as well as the Constitution and laws of the State of Georgia and of the United States of America. I am not the holder of any unaccounted for public money due this state or any political subdivision or authority thereof. 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, by the laws of the State of Georgia, am prohibited from holding. I am otherwise qualified to hold said office according to the Constitution and laws of the State of Georgia. I have been a resident of my district and the City of Mableton for the time required by the Constitution and laws of this state and by the municipal charter. I will perform the duties of my office in the best interest of the City of Mableton to the best of my ability without fear, favor, affection, reward, or expectation thereof."

SECTION 2.19.

Regular and special meetings.

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

(b) Special meetings of the city council may be held on call of the mayor or four members of the city council. Notice of such special meetings shall be served on all other members personally, or by telephone personally, at least 48 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
councilmembers 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 made fully as is reasonably possible as provided by Code Section 50-14-1 of the O.C.G.A., or other such applicable laws as are or may hereafter be enacted.

SECTION 2.20.

Rules of procedure.

(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 of the city council shall be appointed in a manner determined by the city council. The city council may elect to directly appoint members of some committees while delegating appointments of other committees. The city council may also opt to allow each elected official to appoint an equal number of members to a committee.

SECTION 2.21.

Quorum: voting

(a) Four councilmembers, including the mayor, shall constitute a quorum and shall be authorized to transact business of the city council. Voting on the adoption of ordinances, resolutions, or motions shall be by roll call vote and such vote shall be recorded in the journal. Roll call vote may be obtained via electronic voting in which the votes are immediately visible to the public. Except as otherwise provided in this charter, the affirmative vote of the majority of the quorum shall be required for the adoption of any
ordinance, resolution, or motion. In the case of a tie vote, the item will be reconsidered at the next appropriate upcoming council meeting, unless the item is withdrawn or a substitute motion is approved.

(b) No member of the city council shall abstain from voting on any matter properly brought before the council for official action except when such councilmember has a conflict of interest which is disclosed in writing prior to or at the meeting and made a part of the minutes. Any member of the city council present and eligible to vote on a matter and refusing to do so for any reason other than a properly disclosed and recorded conflict of interest shall be deemed to have acquiesced or concurred with the members of the majority who did vote on the question involved.

SECTION 2.22.

Ordinance form; procedures.

(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 "It is hereby ordained by the governing authority of the City of Mableton ..." and every ordinance shall so begin.

(b) An ordinance may be introduced by any 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; provided, however, an ordinance shall not be adopted the same day it is introduced, except for emergency ordinances provided in Section 2.24. 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 2.23.

Action requiring an ordinance.

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

SECTION 2.24.

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 two councilmembers and promptly adopt an emergency ordinance, but such ordinance may 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, but this shall not prevent reenactment of the ordinance in the manner specified in this section if the emergency still exists. 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) Such 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 is 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 2.25.

Codes of technical regulations.

(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:

(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

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

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

SECTION 2.26.

Signing; authenticating; recording; codification; printing.

(a) The city 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 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 Mableton, Georgia." Copies of the code shall be furnished to all officers, departments, and agencies of the city, and made available for purchase by the public at a reasonable price as fixed by the city council.

(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 currently in effect and shall be suitable in form for incorporation therein. The city council shall make such further arrangements as deemed desirable with reproduction and distribution of any current changes in or additions to codes of technical regulations and other rules and regulations included in the code.

SECTION 2.27.

City manager; appointment; qualifications; compensation.

The city council may appoint a city manager to serve at the pleasure of the city council and, if so appointed, shall fix the city manager's compensation. The city manager shall be appointed solely on the basis of executive and administrative qualifications.

SECTION 2.28.

Removal of city manager.

If a city manager is appointed by the city council, then the city council may establish procedures for the removal of the manager from office.
SECTION 2.29.
Acting city manager.

When a city manager has been appointed by the city council, and in the event of absence or disability, the city manager may, by a letter filed with the city clerk, designate, subject to approval of the city council, a qualified city administrative officer to exercise the powers and perform the duties of city manager during the city manager's temporary absence or physical or mental disability. During such absence or disability, the city council may revoke such designation at any time and appoint another officer of the city to serve until the city manager shall return or the city manager's absence or disability shall cease.

SECTION 2.30.
Powers and duties of the city manager.

When a city manager has been appointed by the city council, the city manager shall be the chief executive and administrative officer of the city. The city manager shall be responsible to the city council for the administration of all city affairs placed in the city manager's charge by the city council or this charter. As the chief executive and administrative officer, the city manager shall:

(1) Other than appointments reserved to the mayor in this charter, suspend, discipline, or remove any city employee or administrative officer that the city manager appoints, when the city manager deems it necessary for the good of the city, except as otherwise provided by law or personnel ordinances adopted pursuant to this charter. The city manager may authorize any administrative officer who is subject to the city manager's direction and supervision to exercise these powers with respect to subordinates in that officer's department, office or agency;
(2) Direct and supervise the administration of all departments, offices, and agencies of
the city, except as otherwise provided by this charter or by law;
(3) Attend all city council meetings except for closed meetings held for the purposes of
deliberating on the appointment, discipline, or removal of the city manager and have the
right to take part in discussion but not vote;
(4) See that all laws, provisions of this charter, and acts of the city council, subject to
enforcement by the city manager or by officers subject to the city manager's direction and
supervision, are faithfully executed;
(5) Prepare and submit the annual operating budget and capital budget to the city
council;
(6) Submit to the city council and make available to the public a complete report on the
finances and administrative activities of the city as of the end of each fiscal year;
(7) Issue such other reports as the city council may require concerning the operations of
city departments, offices, and agencies subject to the city manager's direction and
supervision;
(8) Keep the city council fully advised as to the financial condition and future needs of
the city, and make such recommendations to the city council concerning the affairs of the
city as the city manager deems desirable; and
(9) Perform other such duties as are specified in this charter or as may be required by the
city council.

SECTION 2.31.

Council interference with administration.

When a city manager has been appointed by the city council, except for the purpose of
inquiries and investigations under Section 2.15 of this charter, the city council or its members
shall not give orders to or in any way direct or interfere with any officer or employee, either
publicly or privately. All orders and directives shall solely be given to the city manager. The city council or its members shall have the ability to contact any officer or employee to report an issue, obtain a status update, or seek other information. If an officer or employee deems a request to be outside purely information sharing, such officer or employee may direct that such request be made through the city manager. Neither the city council nor its members shall contact, discuss, make inquiries to, or seek to influence any officer or employee, including the city manager, with regard to a potential or pending zoning or land use permit matter prior to the staff publishing their recommendations to the public, unless such potential matter involves land wholly owned by the city.

SECTION 2.32.

Election of mayor; forfeiture; compensation.

The mayor shall be elected and serve for a term of four years and until a successor is elected and qualified. The mayor shall be a qualified elector of this city and shall have been a resident of the city for at least 12 months immediately prior to his or her election. The mayor shall continue to reside in this city during the period of service. The mayor shall forfeit the office on the same grounds and under the same procedure as for councilmembers. The compensation of the mayor shall be established in the same manner as for councilmembers.

SECTION 2.33.

Mayor pro tempore.

By a majority vote at the first meeting of the city council in January of each year, the city council shall elect a councilmember to serve as mayor pro tempore until the first regular meeting of the city council in the following calendar year. The mayor pro tempore shall assume the duties and powers of the mayor during the mayor's physical or mental disability,
suspension from office, or absence. Any such disability or absence shall be declared by a majority vote of the city council. The mayor pro tempore shall sign all contracts and ordinances in which the mayor has a disqualifying financial interest as provided in Section 2.14 of this charter. When acting as mayor, the mayor pro tempore shall continue to have only one vote as a member of the council and shall exercise that power notwithstanding paragraph (5) of Section 2.34 of this charter. A vacancy in the position of mayor pro tempore resulting from the mayor pro tempore ceasing to serve as a councilmember, or from any other cause, shall be filled for the remainder of the unexpired term in the same manner as the original election.

SECTION 2.34.

Powers and duties of mayor.

The mayor shall:

1. Preside at all meetings of the city council;
2. Be the head of the city for the purpose of service of process and for ceremonial purposes, and be the official spokesperson for the city and the chief advocate of policy adopted by the city council;
3. Have the power to administer oaths and to take affidavits;
4. Sign as a matter of course on behalf of the city all written and approved contracts, ordinances, and other instruments executed by the city which by law are required to be in writing;
5. Be a full member of the city council and vote on matters before the city council;
6. If no city manager has been appointed, prepare and submit to the city council a recommended annual operating budget and recommended capital budget; and
7. Fulfill such other executive and administrative duties as the city council shall by ordinance establish.
ARTICLE III
ADMINISTRATIVE AFFAIRS

SECTION 3.10.

Administrative and service departments.

(a) Except as otherwise provided in this charter, the city council, by ordinance, shall prescribe the functions or duties, 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 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.

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

(d) There shall be a director of each department or agency who shall be its principal officer. Each director shall, subject to the direction and supervision of the mayor or, in the case where the city council has appointed a city manager, the city manager, be responsible for the administration and direction of the affairs and operations of that director's department or agency.

(e) All appointive officers and directors shall be nominated by the mayor with confirmation of appointment by at least three of the other members of the city council. If the other members of the city council reject an officer or director nominated by the mayor, such other members of the city council shall then proceed to fill such appointment by majority vote of the city council. Appointments by the city council shall be subject to veto by the mayor, which may be overridden by the vote of four members of the city council. All appointive officers and directors other than the city manager and municipal court judges shall be employees at-will and subject to removal, suspension, or other discipline at any time by the
city council. In the case when the city council has appointed a city manager, the city manager, unless otherwise provided by law or ordinance, may remove, suspend, or discipline at any time any appointed officers, directors, or employees of the city, except for the city clerk, judges of the municipal court, and the city attorney.

SECTION 3.11.

Boards, commissions, and authorities.

(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 a majority vote of the city council, except where otherwise prescribed by this charter or by law. Except as otherwise provided by this charter or by law, each board, commission, or authority shall consist of seven members with one member being appointed by each member of the city council and the mayor. Members appointed by the mayor may reside anywhere within the corporate limits of the city, but a member appointed by a councilmember shall reside within the district of the councilmember who appointed such member.

(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 board, commission, or authority shall hold any elective office in the city, county or state.

(e) Any vacancy on a board, commission, or authority of the city shall be filled for the unexpired term in the manner prescribed herein for 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 that person has executed and filed with the clerk of the city an oath obligating himself to faithfully and impartially perform the duties of that member's office, such oath to be prescribed by ordinance and administered by the mayor.

(g) All board, commission, or authority members serve at-will and may be removed at any time by a vote of four members of the city council unless otherwise provided by law.

(h) Except as otherwise provided by this charter or by law, each board, commission, or authority of the city shall elect one of its members as chair and one member as vice-chair, and may elect as its secretary one of its own members or may appoint as secretary an employee of the city. Each board, commission, or authority of the city government may establish such bylaws, rules, and regulations, not inconsistent with this charter, ordinances of the city, or law, as it deems appropriate and necessary for the fulfillment of its duties or the conduct of its affairs. Copies of such bylaws, rules, and regulations shall be filed with the clerk of the city.

SECTION 3.12.

City attorney.

The city council shall appoint a city attorney, together with such assistant city attorneys as may be authorized, and shall provide for the payment of such attorney or attorneys for services rendered to the city. The city attorney shall be responsible for providing for the representation and defense of the city in all litigation in which the city is a party; may be the prosecuting officer in the municipal court; shall attend the meetings of the council as directed; 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 other duties as may be required by virtue of the person's position as city attorney. The city attorney shall not be a public official of the city and shall not take an oath of office. The city attorney shall at all
times be an independent contractor. A law firm, rather than an individual, may be designated as the city attorney. The city attorney shall serve at the pleasure of the city council.

**SECTION 3.13.**

City clerk.

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 and city records; maintain city council records required by this charter; and perform such other duties as may be required by the city council. The city clerk shall serve at the pleasure of the city council.

**SECTION 3.14.**

Position classification and pay plans.

The mayor or, in the case where the city council has appointed a city manager, the city manager, shall be responsible for the preparation of a position classification and pay plan which shall be submitted to the city council for approval. Such plan may apply to all employees of the city and any of its agencies, departments, boards, commissions, or authorities. When a pay plan has been adopted, the city council shall not increase or decrease the salary range applicable to any position except by amendment of such pay plan. For purposes of this section, all elected and appointed city officials are not city employees.

**SECTION 3.15.**

Personnel policies.

All employees shall serve at-will and may be removed from office at any time unless otherwise provided by ordinance.
ARTICLE IV

JUDICIAL BRANCH

SECTION 4.10.

Creation; name.

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

SECTION 4.11.

Chief judge; associate judge.

(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.
(b) No person shall be qualified or eligible to serve as a judge on the municipal court unless
    that person shall have attained the age of 21 years and meets the qualifications provided in
    general law for municipal court judges. All judges shall be appointed by the city council and
    shall serve until a successor is appointed and qualified.
(c) Compensation of the judges shall be fixed by ordinance.
(d) Judges may be removed from office in accordance with state law.
(e) Before assuming office, each judge shall take an oath, given by the mayor, that the judge
    will honestly and faithfully discharge the duties of the office to the best of that person's
    ability and without fear, favor or partiality. The oath shall be entered upon the minutes of
    the city council journal required in Section 2.20 of this charter.

SECTION 4.12.

Convening.

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

H. B. 839
- 31 -
SECTION 4.13.
Jurisdiction; powers.

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

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

(c) The municipal court may fix punishment for offenses within its jurisdiction not exceeding a fine of $1,000.00 or imprisonment for 180 days 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 authority to establish a schedule of fees to defray the cost of operation, and shall be entitled to reimbursement of the cost of meals, transportation, and caretaking of prisoners bound over to superior courts for violations of state law.

(e) The municipal court shall have authority to establish bail and recognizances to ensure the presence of those charged with violations before such court, and shall have discretionary authority to accept cash or personal or real property as surety for the appearance of persons charged with violations. Whenever any person shall give bail for that person's appearance and shall fail to appear at the time fixed for trial, the bond shall be forfeited by the judge presiding at such time, and an execution issued thereon by serving the defendant and the defendant's sureties with a rule nisi, at least two days before a hearing on the rule nisi. In the event that cash or property is accepted in lieu of bond for security for the appearance of a defendant at trial, and if such defendant fails to appear at the time and place fixed for trial, the cash so deposited shall be on order of the judge declared forfeited to the city, or the property so deposited shall have a lien against it for the value forfeited which lien shall be enforceable in the same manner and to the same extent as a lien for city property taxes.
(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 are necessary.

(g) 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.

(h) 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.

SECTION 4.14.

Certiorari.

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 Cobb County under the laws of the State of Georgia regulating the granting and issuance of writs of certiorari.

SECTION 4.15.

Rules for court.

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 toto the rules and regulations applicable to municipal courts. The rules and regulations made or adopted shall be filed with the city clerk, shall be available for public
inspection, and, upon request, a copy shall be furnished to all defendants in municipal court proceedings at least 48 hours prior to said proceedings.

ARTICLE V
ELECTIONS AND REMOVAL

SECTION 5.10.
Applicability of general law.

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," as now or hereafter amended.

SECTION 5.11.
Election of the city council and mayor.

(a) There shall be a municipal general election biennially in the odd years on the Tuesday next following the first Monday in November.
(b) There shall be elected the mayor and councilmembers from Council Districts 1, 3, and 5 at one election and at every other regular election thereafter. The remaining city council seats from Council Districts 2, 4, and 6 shall be filled at the election alternating with the first election so that a continuing body is created.
(c) Each councilmember shall be elected by a majority vote of the qualified electors of his or her respective council district voting at the elections of the city. For the purpose of electing members of the council, the City of Mableton shall consist of six council districts as described in Appendix B of this charter, which is attached and incorporated into this charter by reference. Each candidate for election to the council other than the mayor shall reside in the council district he or she seeks to represent.
(d) If the city is formed as a result of the referendum held in the 2022 general primary, the first election for mayor and councilmembers shall be a special election held in conjunction with the 2022 November general election. At such election, the mayor and councilmembers elected from Council Districts 1, 3, and 5 shall be elected for initial terms of office beginning immediately after their election and expiring upon the election and qualification of their respective successors in 2027. The councilmembers elected from Council Districts 2, 4, and 6 shall be elected for initial terms of office beginning immediately after their election and expiring upon the election and qualification of their respective successors in 2025. Thereafter, successors to the mayor and councilmembers shall be elected at the November general election immediately preceding the end of their respective terms of office, and such successors shall take office in accordance with subsection (g) of this section for terms of four years and until their respective successors are elected and qualified.

(e) If the city is formed as a result of a referendum held in a special election in conjunction with the 2022 November general election, then the first election for mayor and councilmembers shall be a special election to be held on the first special election date pursuant to Code Section 21-2-540 of the O.C.G.A. in 2023. At such special election, the mayor and councilmembers elected from Council Districts 1, 3, and 5 shall be elected for initial terms of office beginning immediately after their election and expiring upon the election and qualification of their respective successors in 2027. The councilmembers from Council Districts 2, 4, and 6 shall be elected for initial terms of office beginning immediately after their election and expiring upon the election and qualification of their respective successors in 2025. Thereafter, successors to the mayor and councilmembers shall be elected at the November general election immediately preceding the end of their respective terms of office, and such successors shall take office in accordance with subsection (g) of this section for terms of four years and until their respective successors are elected and qualified.

(f) The mayor, for the special election and each subsequent election for mayor, shall be elected by the qualified electors of the city at large voting in such elections of the city.
(g) Except for the initial election of the mayor and city council, the terms of office of the
mayor and councilmembers shall begin on the Monday following such person's election
which is at least five days following the certification of the results of such person's election
to such office unless a petition to contest the results of such person's election to such office
is filed pursuant to Article 13 of Chapter 2 of Title 21 of the O.C.G.A. If a petition to contest
the election results is filed, such person shall not be sworn in until a judgment has been
entered pursuant to Code Section 21-2-527 of the O.C.G.A. or such petition has been
withdrawn or dismissed. In such case, the person's term of office shall begin on the Monday
following the entry of such judgment or the withdrawal or dismissal of such petition. Such
officeholder shall be sworn in at the next meeting of the governing authority, which shall be
held not later than two weeks following the beginning of such person's term of office and
shall hold office until his or her successor's term begins in accordance with this subsection.

SECTION 5.12.
Nonpartisan elections.

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

SECTION 5.13.
Election by majority.

The person receiving a majority of the votes cast for any city office shall be elected.
SECTION 5.14.

Special elections; vacancies.

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

SECTION 5.15.

Other provisions.

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 the Georgia Election Code.

SECTION 5.16.

Removal of officers.

(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.

(b) Removal of an officer pursuant to subsection (a) of this section shall be accomplished one of the following methods:
(1) Following a hearing at which an impartial panel shall render a decision. 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 herein provided shall have the right of appeal from the decision of the city council to the Superior Court of Cobb County. Such appeal shall be governed by the same rules as govern appeals to the superior court from the probate court; or

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

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 rate; due dates; payment methods.

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

SECTION 6.12.

Occupation and business taxes.

The city council by ordinance shall have the power to levy such occupation or business taxes as are not denied by law. The city council may classify businesses, occupations or professions for the purpose of such taxation in any way which may be lawful and may compel the payment of such taxes as provided in Section 6.18 of this charter.

SECTION 6.13.

Regulatory fees; permits.

The city council by ordinance shall have the power to require businesses or practitioners doing business within this city to obtain a permit for such activity from the city and pay a reasonable regulatory fee for such permit as provided by general law. Such fees shall 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.
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 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, no franchise shall be granted for a period in excess of 35 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 kept by the clerk. 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 this city's streets and alleys for the purposes of railroads, street railways, telephone companies, electric companies, electric membership corporations, cable television and other telecommunications companies, gas companies, transportation companies, and other similar organizations.  

SECTION 6.15.  
Service charges.  

The city council by ordinance shall have the power to assess and collect fees, charges, assessments, and tolls for sewers, sanitary and health services, or any other services provided or made available within and without the corporate limits of the city. If unpaid, such charges shall be collected as provided in Section 6.18 of this charter.
SECTION 6.16.
Special assessments.

The city council by ordinance shall have the power to assess and collect the cost 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. If unpaid, such charges shall be collected as provided in Section 6.18 of this charter.

SECTION 6.17.
Construction; other taxes and fees.

This city shall be empowered to levy any other tax or fee 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 and fees.

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.f.a.; 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 permits for failure to pay any city taxes or fees; and providing for the assignment or transfer of tax executions.
SECTION 6.19.  
General obligation bonds.

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. 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.

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

SECTION 6.22.  
Lease-purchase contracts.

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 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 6.23.
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 unless otherwise provided by state
or federal law.

SECTION 6.24.
Preparation of budgets.

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

SECTION 6.25.
Submission of operating budget to city council.

On or before a date fixed by the city council but not later than 30 days prior to the beginning
of each fiscal year, the mayor or, in the case where the city council has appointed a city
manager, the city manager, 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 mayor or city manager, as the case may be, 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 pertinent comments and information. The operating budget and the capital budget hereinafter provided for, 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 6.26.

Action by city council on budget.

(a) The city council may amend the operating budget proposed by the mayor or the city manager, as the case may be; 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, and the total appropriations from any fund shall not exceed the estimated fund balance, reserves, and revenues.

(b) The city council by ordinance shall adopt the final operating budget for the ensuing fiscal year not later than 15 days prior to the beginning of such fiscal year. If the city council fails to adopt the budget by this date, the amounts appropriated for operation for the 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 6.24 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 allotment thereof, to which it is chargeable.

SECTION 6.27.
Tax levies.

The city council shall levy by ordinance such taxes as are necessary. The taxes and tax rates set by such ordinances 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 expenses of the general government of this city.

SECTION 6.28.
Changes in appropriations.

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

SECTION 6.29.
Capital budget.

(a) On or before the date fixed by the city council but no later than 30 days prior to the beginning of each fiscal year, the mayor or, in the case where the city council has appointed a city manager, the city manager, shall submit to the city council a proposed capital
improvements plan with a recommended capital budget containing the means of financing the improvements proposed for the ensuing fiscal year. The city council shall have power to accept, with or without amendments, or reject the proposed plan and proposed budget. 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 budget, except to meet a public emergency as provided in Section 2.24 of this charter.

(b) The city council shall adopt by ordinance the final capital budget for the ensuing fiscal year not later than 15 days prior to the beginning of such fiscal year. No appropriation provided for in a prior capital budget shall lapse until the purpose for which the appropriation was made shall have been accomplished or abandoned; provided, however, the mayor or the city manager, as the case may be, may submit amendments to the capital budget at any time during the fiscal year, accompanied by recommendations. Any such amendments to the capital budget shall become effective only upon adoption by ordinance.

SECTION 6.30.
Independent audit.

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 auditing principles. Any audit of any funds by the state or federal governments may be accepted as satisfying the requirements of this charter. Copies of annual audit reports shall be available at printing costs to the public.
SECTION 6.31.
Contracting procedures.

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

(1) It is in writing;
(2) It is drawn by or submitted to and reviewed by the city attorney, and as a matter of course, is signed by the city attorney to indicate such drafting or review; and
(3) It is made or authorized by the city council and such approval is entered in the city council journal of proceedings pursuant to Section 2.21 of this charter.

SECTION 6.32.
Centralized purchasing.

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

SECTION 6.33.
Sale and lease of city property.

The city council may sell and convey, or lease any real or personal property owned or held by the city for governmental or other purposes as now or hereafter provided by law.
ARTICLE VII

GENERAL PROVISIONS

SECTION 7.10.

Bonds for officials.

The officers and employees of this city, both elective and appointive, 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.

SECTION 7.11.

Construction.

(a) Section captions in this charter are informative only and are not to 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.

SECTION 7.12.

Qualified electors.

(a) For the purposes of the referendum election provided for in Section 7.13 of this charter and for the purposes of the special election to be held in conjunction with the 2022 general primary, the qualified electors of the City of Mableton shall be those qualified electors of Cobb County residing within the proposed corporate boundaries of the City of Mableton as described by Appendix A of this charter. At subsequent municipal elections, the qualified
electors of the City of Mableton shall be determined pursuant to the authority of Chapter 2
of Title 21 of the O.C.G.A., the "Georgia Election Code."

(b) Only for the purpose of holding and conducting the referendum election provided for by
Section 7.13 of this charter and only for the purpose of holding and conducting the special
election of the City of Mableton to be held in conjunction with the 2022 general primary, the
election superintendent of Cobb County is vested with the powers and duties of the election
superintendent of the City of Mableton and the powers and duties of the governing authority
of the City of Mableton.

SECTION 7.13.
Referendum.

The election superintendent of Cobb County shall call a special election for the purpose of
.submitting this Act to the qualified voters of the proposed City of Mableton, as provided in
Section 7.12 of this charter, for approval or rejection. The superintendent shall set the date
of such election for no later than the Tuesday next following the first Monday in
November, 2022. The superintendent shall issue the call for such election at least 30 days
prior to the date thereof. The superintendent shall cause the date and purpose of the election
to be published once a week for two weeks immediately preceding the date thereof in the
official organ of Cobb County. The ballot shall have written or printed thereon the words:

"( ) YES Shall the Act incorporating the City of Mableton in Cobb County, imposing
( ) NO term limits, prohibiting conflicts of interest, and creating community
improvement districts be approved?"

All persons desiring to vote for approval of the Act shall vote "Yes," and those persons
desiring to vote for rejection of the Act shall vote "No." If more than one-half of the votes
cast on such question are for approval of the Act, it shall become of full force and effect;
otherwise, it shall thereafter be void and of no force and effect. The expense of the special
election set forth in this section shall be borne by Cobb County. It shall be the duty of the superintendent to hold and conduct such election. It shall be his or her further duty to certify the result thereof to the Secretary of State.

SECTION 7.14.

Effective dates.

(a) Those provisions of this charter necessary for the special election provided for in Section 7.13 of this charter shall become effective immediately upon this Act's approval by the Governor or upon its becoming law without such approval.

(b) Those provisions of this Act necessary for the special election to elect the initial mayor and city council shall be effective upon the certification of the results of the referendum election provided for by Section 7.13 of this charter, if this Act is approved at such referendum election.

(c) The remaining provisions of this Act shall become of full force and effect for all purposes on the first day of the second month following the month in which the certification of the results of the special election provided for by subsection (d) or (e) of Section 5.11 of this charter occurs, if this Act is approved at the referendum election provided for in Section 7.13 of this charter, except that the initial mayor and councilmembers shall take office immediately following their election and by action of a quorum may, prior to such effective date, meet and take actions binding on the city.

SECTION 7.15.

Transition.

(a) A period of time will be needed for an orderly transition of various government functions from Cobb County to the City of Mableton. Accordingly, there shall be a transition period
beginning on the effective date provided for in subsection (c) of Section 7.14 of this charter, and ending at midnight on the last day of the twenty-fourth month following such date. During such transition period, all provisions of this charter shall be effective as law, but not all provisions of this charter shall be implemented.

(b) During such transition period, Cobb County shall provide within the territorial limits of the City of Mableton all government services and functions which Cobb County provided in such area which is now within the corporate limits of the City of Mableton during 2022 and at the same actual cost, except to the extent otherwise provided in this section; provided, however, that upon at least 30 days' prior written notice to Cobb County by the City of Mableton, responsibility for any such service or function shall be transferred to the City of Mableton. Beginning on the effective date provided for in subsection (c) of Section 7.14 of this charter, the City of Mableton shall collect taxes, fees, assessments, fines and forfeitures, and other moneys within the territorial limits of the City of Mableton; provided, however, that upon at least 30 days' prior written notice to Cobb County by the City of Mableton, the authority to collect any tax, fee, assessment, fine or forfeiture, or other moneys shall remain with Cobb County after the effective date provided for in subsection (c) of Section 7.14 of this charter, until such time as Cobb County receives subsequent notice from the City of Mableton that such authority shall be transferred to the City of Mableton.

(c) During the transition period, the governing authority of the City of Mableton:

(1) Shall hold regular meetings and may hold special meetings as provided in this charter;

(2) May enact ordinances and resolutions as provided in this charter;

(3) May amend this charter by home rule action as provided by general law;

(4) May accept gifts and grants;

(5) May borrow money and incur indebtedness to the extent authorized by this charter and general law;

(6) May levy and collect an ad valorem tax for calendar years 2023 and 2024;
(7) May establish a fiscal year and budget;

(8) May create, alter, or abolish departments, boards, offices, commissions, and agencies of the city; appoint and remove officers and employees; and exercise all necessary or appropriate personnel and management functions; and

(9) May generally exercise any power granted by this charter or general law, except to the extent that a power is specifically and integrally related to the provision of a governmental service, function, or responsibility not yet provided or carried out by the city.

(d) Except as otherwise provided in this section, during the transition period, the Municipal Court of the City of Mableton shall not exercise its jurisdiction. During the transition period, all ordinances of Cobb County shall be applicable within the territorial limits of the City of Mableton and the appropriate court or courts of Cobb County shall retain jurisdiction to enforce such ordinances. However, by appropriate agreement (and concurrent resolutions and ordinances if needed) Cobb County and the City of Mableton may during the transition period transfer all or part of such regulatory authority and the appropriate court jurisdiction to the City of Mableton. Any transfer of jurisdiction to the City of Mableton during or at the end of the transition period shall not in and of itself abate any judicial proceeding pending in Cobb County or the pending prosecution of any violation of any ordinance of Cobb County.

(e) During the transition period, the governing authority of the City of Mableton may at any time, without the necessity of any agreement by Cobb County, commence to exercise its planning and zoning powers; provided, however, that the city shall give the county notice of the date on which the city will assume the exercise of such powers. Upon the governing authority of the City of Mableton commencing to exercise its planning and zoning powers, the Municipal Court of the City of Mableton shall immediately have jurisdiction to enforce the planning and zoning ordinances of the city. The provisions of this subsection shall control over any conflicting provisions of any other subsection of this section.
(f) During the transition period, all business licenses and permits which were previously issued by Cobb County shall continue to be effective for the term for which such licenses and permits were originally issued.

(g) Effective upon the termination of the transition period, subsections (b) through (f) of this section shall cease to apply except for the last sentence of subsection (d) which shall remain effective. Effective upon the termination of the transition period, the City of Mableton shall be a full-functioning municipal corporation and subject to all general laws of this state.

(h) The City of Mableton shall be a successor in interest to all intergovernmental agreements which affect the territory contained within the corporate limits of the city which are in existence at the time the city is created.

(i) During the transition period, all existing zoning and land use provisions shall remain in effect, and all valid, existing licenses issued previously to businesses operating in the corporate limits of the City of Mableton by Cobb County shall continue in force and effect until their expiration.

SECTION 7.16.

Directory nature of dates.

It is the intention of the General Assembly that this Act be construed as directory rather than mandatory with respect to any date prescribed in this Act. If it is necessary to delay any action called for in this Act for providential cause or any other reason, it is the intention of the General Assembly that the action be delayed rather than abandoned. Any delay in performing any action under this Act, whether for cause or otherwise, shall not operate to frustrate the overall intent of this Act. Without limiting the generality of the foregoing it is specifically provided that:
(1) If it is not possible to hold the referendum election provided for in Section 7.13 of this Act on the date specified in that section, then such referendum shall be held as soon thereafter as is reasonably practicable; and
(2) If it is not possible to hold the first municipal election provided for in this Act on the date specified in that section, then there shall be a special election for the initial members of the governing authority to be held as soon thereafter as is reasonably practicable, and the commencement of the initial terms of office shall be delayed accordingly.

ARTICLE VIII
COMMUNITY IMPROVEMENT DISTRICTS
SECTION 8.10.

Purpose.

The purpose of this article shall be to provide enabling legislation for the creation of one or more community improvement districts within the City of Mableton, and such district or districts may be created for the provision of some or all of the following governmental services and facilities as provided and authorized by Article IX, Section VII of the Constitution of the State of Georgia and the resolution activating each district as it now exists or hereafter amended or supplemented as provided for by law, including, but not limited to:
(1) Street and road construction and maintenance, including curbs, sidewalks, street lights, and devices and services to control the flow of traffic on streets and roads;
(2) Parks and recreational areas and facilities;
(3) Public transportation;
(4) Terminal and dock facilities and parking facilities; and
(5) Such other services and facilities as may be provided for by general law.
SECTION 8.11.
Definitions.

As used in this article, the term:

(1) "Agricultural" means the growing of crops for sale or the raising of animals for sale or use, including the growing of field crops, fruit or nut trees, the raising of livestock or poultry, and the operation of dairies, horse boarding facilities, and riding stables.

(2) "Board" means the governing body created for the governance of a community improvement district herein authorized.

(3) "Caucus of electors" or "caucus" means the meeting of electors hereinafter provided for at which the elected board members of the district are elected. A quorum at such caucus shall consist of those electors present, and a majority of those present and voting is necessary to elect board members. No proxy votes shall be cast.

(4) "City council" means the city council of the City of Mableton.

(5) "City governing authority or body" means the city council and the mayor.

(6) "District" means the geographical area designated as such by the resolution of the governing body of the City of Mableton consenting to the creation of the community improvement district or districts or as thereafter modified by any subsequent resolution of the governing body or bodies within which the district is or is to be located, or a body corporate and politic being a community improvement district created and activated pursuant hereto, as the context requires or permits.

(7) "Electors" means the owners of real property within the given district which is subject to taxes, fees, and assessments levied by the board, as they appear on the most recent ad valorem real property tax return records of Cobb County, or one officer or director of a corporate elector, one trustee of a trust which is an elector, one partner of a partnership elector, or one designated representative of an elector whose designation is made in writing to the respective county tax commissioner and the city clerk of the City.
of Mableton at least ten days prior to an election. An owner of property that is subject
to taxes, fees, or assessments levied by the board shall have one vote for an election based
on numerical majority. An owner of multiple parcels shall have one vote, not one vote
per parcel, for an election based on numerical majority. Multiple owners of one parcel
shall have one vote for an election based on numerical majority which must be cast by
one of their number who is designated in writing.

(8) "Equity electors" means electors who cast votes equal to each $1,000.00 value of all
owned real property within the given district which is then subject to taxes, fees, and
assessments levied by the board. Value of real property shall be the assessed value.

(9) "Forestry" means the planting and growing of trees for sale in a program which
includes reforestation of harvested trees, regular underbrush and undesirable growth
clearing, fertilizing, pruning, thinning, cruising, and marking which indicate an active tree
farming operation. The term does not include the casual growing of trees on land
otherwise idle or held for investment, even though some harvesting of trees may occur
thereon.

(10) "Hereby," "herein," "hereunder," and "herewith" mean under this Act.

(11) "Mayor" means the mayor of the City of Mableton.

(12) "Project" means the acquisition, construction, installation, modification, renovation,
or rehabilitation of land, interests in land, buildings, structures, facilities, or other
improvements, including operation of facilities or other improvements, located or to be
located within or otherwise providing service to the district and the acquisition,
installation, modification, renovation, rehabilitation, or furnishing of fixtures, machinery,
equipment, furniture, or other property of any nature whatsoever used on, in, or in
connection with any such land, interest in land, building, structure, facility, or other
improvements for the purposes set forth in Section 8.10 of this article.

(13) "Property owner" or "owner of real property" means any entity or person shown as
a taxpayer for one or more parcels of real estate on the most recent ad valorem tax

H. B. 839
- 56 -
records of Cobb County within the district as certified by the Cobb County Tax Commissioner.

(14) "Property used nonresidentially" means property or any portion thereof used for neighborhood shopping, planned shopping centers, general commercial, transient lodging facilities, tourist services, office or institutional, office services, light industry, heavy industry, central business district, parking, or other commercial or business use or vacant land zoned or approved for any of the aforementioned uses which do not include residential.

(15) "Residential" means a specific structure, work, or improvement undertaken primarily to provide either single family or multifamily dwelling accommodations for persons and families of four units or less, and for which an application for homestead exemption has been filed and accepted.

(16) "Taxpayer" means an entity or person paying ad valorem taxes on real property, whether on one or more parcels of property within the district. Multiple owners of one parcel shall constitute one taxpayer and shall designate in writing one of their number to represent the whole.

(17) "Value" or "assessed value" of property means the values established in the most recent ad valorem tax reassessment of such properties certified by the Cobb County Board of Tax Assessors.

SECTION 8.12.
Creation.

Pursuant to Article IX, Section VII of the Constitution of the State of Georgia, there is created one or more community improvement districts to be located in the City of Mableton, Georgia, wholly within the incorporated area thereof, which shall be activated upon compliance with the conditions set forth in this section. Each district, if more than one are
implemented, shall be governed as directed by this article. The conditions for such activation shall be:

(1) The adoption of a resolution consenting to the creation of the community improvement district or districts by the governing authority for the City of Mableton and imposing such conditions on the projects and activities which may be undertaken as will ensure their compatibility with adopted city policies and planning for the area; and

(2) The written consent to the creation of the community improvement district by:

(A) A majority of the owners of real property within the given district which will be subject to taxes, fees, and assessments levied by the board of the given district; and

(B) The owners of real property within the given district which constitutes at least 75 percent by value of all real property within the district which will be subject to taxes, fees, and assessments levied by the board. For this purpose, value shall be determined by the most recent approved county ad valorem tax digest.

The written consent provided for in this paragraph shall be submitted to the Cobb County tax commissioner, who shall certify whether subparagraphs (A) and (B) of this paragraph have been satisfied with respect to such proposed district. The district or districts or respective board or boards created under this article shall not transact any business or exercise any powers under this article until the foregoing conditions are met. A copy of such resolutions shall be filed with the Secretary of State and with the city clerk of the City of Mableton, who shall each maintain a record of the district activated under this article. Nothing contained herein shall limit the ability of the governing authority of the City of Mableton to implement more than one community improvement district so long as the requirements hereof and of the Constitution of the State of Georgia are satisfied.

The provisions of this article shall be construed so as to provide for the independent application and exercise of all powers for each district contained herein including the ability to levy taxes as outlined herein as separately and independently authorizing and empowering such separate community improvement districts created hereby. Nothing
contained herein shall require the governing authority of the City of Mableton to create more than one community improvement district, or to require the creation of a new district if the district boundaries of an existing district are changed, added to, supplemented, or modified.

SECTION 8.13.
Administration, appointment, and election of board members.

Each district created pursuant hereto shall be administered either by the governing authority or by a board as prescribed under this article. In the event that a district is to be governed by such a board, the board shall be composed of a minimum of seven board members to be appointed and elected as hereinafter provided:

(1) Two board members shall be appointed by the Mayor of the City of Mableton, and confirmed by a majority of the city council, one of whom shall be a member of the city council, to serve in Posts 6 and 7. Two board members shall be elected by the vote of electors, and three members shall be elected by the vote of equity electors. The members representing the electors and equity electors shall be elected to serve in post positions 1 through 5, respectively. Each elected board member shall receive a majority of the votes cast for the post for which he or she is a candidate. Votes for Posts 1 and 2 shall be cast by electors, and votes for Posts 3, 4, and 5 shall be cast by the equity electors. The initial term of office for the members representing Posts 1 and 3 shall be one year. The initial term of office for the members representing Posts 2 and 5 shall be two years, and the initial term of office of the members representing Post 3 shall be three years. Thereafter, all terms of office shall be for four years, except the appointed board members who shall serve at the pleasure of the appointing body which appointed him or her. Elected board members shall be subject to recall in the same manner as elected.
(2) The initial board members to be elected as provided in paragraph (1) of this section shall be elected in a caucus of electors which shall be held within 120 days after the adoption of the resolution by the City of Mableton consenting to the creation of the district, and the obtaining of the written consents herein provided at such time and place within the district as the City of Mableton shall designate after notice thereof shall have been given to said electors by publishing same in the legal organ of Cobb County as hereinafter provided. Thereafter, there shall be conducted annually, not later than 120 days following the last day for filing ad valorem real property tax returns in Cobb County, a caucus of said electors at such time and place within the district as the board shall designate in such notice for the purpose of electing board members to those board member positions whose terms expire or are vacant. If a vacancy occurs in an elected position on the board, the board shall, within 60 days thereof, call a special election to fill the same to be held within 60 days of the call unless such vacancy occurs within 180 days of the next regularly scheduled election, in which case a special election may, but need not, be called. For any election held hereunder, notice thereof shall be given to said electors by publishing notice thereof in the legal organ of Cobb County at least once each week for four weeks prior to such election.

(3) Board members shall receive no compensation for their services, but shall be reimbursed for actual expenses reasonably incurred in the performance of their duties. They shall elect one of their number as chairperson and another as vice chairperson. They shall also elect a secretary and a treasurer, or a secretary/treasurer, either of whom may, but need not, be a member of the board or an elector.

(4) If the boundaries of a district are subsequently changed after creation of the district to include land within the unincorporated area of the county or a municipality which was not a party to the creation of the district, or if a municipality's boundaries are changed to include land within an existing district, the governing authority of the municipality shall acquire the right to appoint a member to the board of the district upon entering into the
cooperation agreement provided for in Section 8.17 of this article. If, by municipal
annexation or by deannexation of land from a district, the district no longer includes land
within the incorporated area of the City of Mableton or within a municipality,
respectively, then the board member of the district appointed by such governing authority
in which the district is no longer located shall cease to be a board member.

(5) Chapter 2 of Title 21 of the O.C.G.A., the "Georgia Election Code," shall not apply
to the election of district board members. Should a vacancy in office of a district board
member occur, and the regular caucus of electors is more than six months in the future,
a special election shall be called to fill such vacancy, unless it is filled by appointment
as hereinabove required. The district board may adopt such bylaws not inconsistent
herewith to provide for any matter concerning such elections.

SECTION 8.14.
Taxes, fees, and assessments.

(a) The board may levy taxes, fees, and assessments within the district only on real property
used nonresidentially, specifically excluding all property exempt from ad valorem taxation
under the Constitution or laws of the State of Georgia; all property used for residential,
agricultural, or forestry purposes; and all tangible personal property and intangible property.
Any tax, fee, or assessment so levied shall not exceed 2.5 percent of the aggregate assessed
value of all such real property, subject to such limitations as the governing authority for the
City of Mableton may implement with the adoption of the resolution consenting to the
creation of said district. The taxes, fees, and assessments levied by the board shall be
equitably apportioned among the properties subject to such taxes, fees, and assessments
according to the need for governmental services and facilities created by the degree of
density of development of each such property. The proceeds of taxes, fees, and assessments
levied by the board shall be used only for the purpose of providing those governmental
services and facilities set forth in Section 8.10 of this article which are specially required by
the degree of density of development within the district and not for the purpose of providing
those governmental services and facilities provided to the municipality as a whole. Any tax,
fee, or assessment so levied shall be collected by the City of Mableton in the same manner
as taxes, fees, and assessments are levied by the City of Mableton. Delinquent taxes shall
bear the same interest and penalties as City of Mableton ad valorem taxes and may be
enforced and collected in the same manner. The proceeds of taxes, fees, and assessments so
levied, less a fee to cover the costs of collection of 0.25 percent thereof, but not more
than $10,000.00 in any one calendar year, shall be transmitted as soon as they are acquired
by the City of Mableton to the board, and shall be expended by the board only for the
purposes authorized hereby.

(b) The board shall levy the taxes provided for in subsection (a) of this section subsequent
to the report of the assessed taxable values for the current calendar year and notify in writing
the collecting governing bodies so they may include the levy on their regular ad valorem tax
bills, if possible.

(c) There shall be a segregation of all funds from the levy of taxes, fees, and assessments as
described hereunder for the district, and neither the City of Mableton nor the respective
county tax commissioner shall expend for any purpose not authorized by the board of this
district any such taxes, fees, or charges assessed and collected hereunder except for such
costs as may be attributed to the billing and collection of such fees, levies, and assessments.

(d) If, but for this provision, a parcel of real property is removed from a district or otherwise
would become nontaxable, it shall continue to bear the tax millage levied by the district then
extant upon such parcel for indebtedness of the district then outstanding until said
indebtedness is paid or refunded.
SECTION 8.15.
Boundaries of the district.

(a) The boundaries of the district or districts shall be as designated as such by the City of Mableton as set forth in the resolution required in Section 8.12 of this article, or as may thereafter be added as hereinafter provided.

(b) The boundaries of the district or districts may be increased after the initial creation of a district if:

1. Written consent of the owners of any real property sought to be annexed is first obtained;
2. The board of the district adopts a resolution consenting to the annexation; and
3. A resolution is adopted which grants consent to the annexation by the governing authority of such municipalities as may have area within the district before or after the annexation.

SECTION 8.16.
Debt.

Except as otherwise provided in this section, the district may incur debt without regard to the requirements of Article IX, Section V of the Constitution of the State of Georgia, which debt shall be backed by the full faith and credit and taxing power of the district but shall not be an obligation of the State of Georgia or any other unit of government of the State of Georgia other than the district; provided, however, that the board and the district may not issue bonds validated under or in accordance with Article 3 of Chapter 82 of Title 36 of the O.C.G.A., known as the "Revenue Bond Law," or in accordance with such other successor provisions governing bond validation generally or as may be provided by law.
SECTION 8.17.
Cooperation with local governments.

The services and facilities provided pursuant hereto may be provided for in a cooperation agreement executed jointly by the board, the governing body of the City of Mableton, and any municipalities and other governmental authorities or agencies within which the district is partially located. The provisions of this section shall in no way limit the authority of the City of Mableton or any such municipality or any such authority to provide services or facilities within the district; and the City of Mableton or such municipalities shall retain full and complete authority and control over any of its facilities located within its respective areas of any district. Said control shall include, but not be limited to, the modification of, access to, and degree and type of services provided through or by facilities of the municipality or county. Nothing contained in this section shall be construed to limit or preempt the application of any governmental laws, ordinances, resolutions, or regulations to the district or the services or facilities provided therein.

SECTION 8.18.
Powers.

(a) The district and the board created pursuant hereto shall have all of the powers necessary or convenient to carry out and effectuate the purposes and provisions hereof, including, without limiting the generality of the foregoing, the power to:

(1) Bring and defend actions;
(2) Adopt and amend a corporate seal;
(3) Make and execute contracts, agreements, and other instruments necessary or convenient to exercise the powers of the board or to further the public purposes for which the district is created including, but not limited to, contracts for construction of projects,
leases of projects, contracts for sale of projects, agreements for loans to finance projects, contracts with respect to the use of projects, and agreements with other jurisdictions or community improvement districts regarding multijurisdictional projects or services or for other cooperative endeavors to further the public purposes of the district;

(4) Acquire by purchase, lease, or otherwise and to hold, lease, and dispose of real and personal property of every kind and character, or any interest therein, in furtherance of the public purposes of the district;

(5) Finance by loan, private grant, lease, or otherwise, construct, erect, assemble, purchase, acquire, own, repair, remodel, renovate, rehabilitate, modify, maintain, extend, improve, install, sell, equip, expand, add to, operate, or manage projects and to pay the cost of any project from the proceeds of the district or any other funds of the district, or from any contributions or loans by persons, corporations, partnerships, whether limited or general, or other entities, all of which the board is authorized to receive, accept, and use;

(6) Borrow money to further or carry out its public purposes and to execute bonds, notes, other obligations, leases, trust indentures, trust agreements, agreements for the sale of its notes, or other obligations, loan agreements, security agreements, assignments, and such other agreements or instruments as may be necessary or desirable, in the judgment of the board, to evidence and to provide security for such borrowing;

(7) Issue notes or other obligations of the district and use the proceeds thereof for the purpose of paying all or any part of the cost of any project and otherwise to further or carry out the public purposes of the district and to pay all reasonably incurred costs of the board incidental to, or necessary and appropriate to, furthering or carrying out such purposes; provided, however, that the board and the district may not issue bonds validated under or in accordance with Article 3 of Chapter 82 of Title 36 of the O.C.G.A., known as the "Revenue Bond Law," or in accordance with such other successor provisions governing bond validation generally or as may be provided by law;
(8) Make application directly or indirectly to any private source for loans, grants, guarantees, or other financial assistance in furtherance of the district's public purposes and to accept and use the same upon such terms and conditions as are prescribed by such private source; provided, however, that the district and the board shall not have the power to apply for, receive, administer, or utilize grants from federal, state, county, or municipal governments or agencies or any other public sources;

(9) Enter into agreements with the federal government or any agency thereof to use the facilities or services of the federal government or any agency thereof in order to further or carry out the public purposes of the district;

(10) Contract for any period, not exceeding 50 years, with the State of Georgia, state institutions, or any municipal corporation, county, or political subdivision of this state for the use by the district of any facilities or services of the state or any such state institution, municipal corporation, county, or political subdivision of this state, or for the use by any state institution or any municipal corporation, county, or political subdivision of this state of any facilities or services of the district, provided that such contracts shall deal with such activities and transactions as the district and any such political subdivision with which the district contracts are authorized by law to undertake;

(11) Grant, mortgage, convey, assign, or pledge its property, revenues or taxes, or fees or assessments to be received as security for its notes, or other indebtedness and obligations;

(12) Receive and use the proceeds of any tax levied by any county or any municipal corporation to pay the costs of any project or for any other purpose for which the board may use its own funds pursuant hereto;

(13) Receive and administer gifts, private grants, and devises of money and property of any kind and to administer trusts;

(14) Use any real property, personal property, or fixtures or any interest therein or to rent or lease such property to or from others or make contracts with respect to the use thereof.
or to sell, lease, exchange, transfer, assign, pledge, or otherwise dispose of or grant options for any such property in any manner as it deems to be the best advantage of the district and the public purposes thereof;

(15) Appoint, select, and employ engineers, surveyors, architects, urban or city planners, fiscal agents, attorneys, and others and to fix their compensation and pay their expenses;

(16) Encourage and promote the improvement and development of the district and to make, contract for, or otherwise cause to be made long range plans or proposals for the district in cooperation with the City of Mableton and any municipal corporations in which the district is wholly or partially located;

(17) Invest its funds, whether derived from the issuance of its bonds or otherwise, in such manner as it may deem prudent and appropriate, without further restriction;

(18) Adopt bylaws governing the conduct of business by the board, the election and duties of officers of the board, and other matters which the board determines to deal within its bylaws;

(19) Exercise any power granted by the laws of this state to public or private corporations which is not in conflict with the public purposes of the district; and

(20) Do all things necessary or convenient to carry out the powers conferred hereby.

(b) The powers enumerated in subsection (a) of this section are cumulative of and in addition to those powers enumerated herein and elsewhere in this article, and no such power limits or restricts any other power of the board except where expressly noted.

**SECTION 8.19.**

Construction; notice, proceeding, publication, referendum.

This article shall be liberally construed to effect the purposes hereof. No notice, proceeding, or publication except those required hereby shall be necessary to the performance of any act authorized hereby, nor shall any such act be subject to referendum.
SECTION 8.20.
Applicability of Chapter 5 of Title 10 of the O.C.G.A.,
the "Georgia Securities Act of 1973."

The offer, sale, or issuance of notes or other obligations by the district shall not be subject
to regulation under Chapter 5 of Title 10 of the O.C.G.A., the "Georgia Securities Act of
1973."

SECTION 8.21.
Dissolution.

(a) A district activated under the provisions of this article may be dissolved upon the
occurrence of any of the following:

1. The adoption of a resolution approving of the dissolution of the community
improvement district by the City of Mableton and such other municipalities, as
applicable, if partially within one or more municipalities; or

2. The written consent to the dissolution of the community improvement district by:
   (A) A majority of the owners of real property within the district subject to taxes, fees,
       and assessments levied by the board of the district; or
   (B) The owners of real property constituting at least 75 percent by value of all real
       property within the district subject to taxes, fees, and assessments levied by the board.
       For this purpose, value shall be determined by the most recent approved county ad
       valorem tax digest.

The written consent provided for in this paragraph shall be submitted to the Cobb County
tax commissioner, who shall certify whether subparagraphs (A) and (B) of this paragraph
have been satisfied with respect to the proposed district dissolution.
(b) In the event that successful action is taken pursuant to this section to dissolve the district, the dissolution shall become effective at such time as all debt obligations of the district have been satisfied. Following a successful dissolution action and until the dissolution becomes effective, no new projects may be undertaken, obligations or debts incurred, or property acquired.

(c) Upon a successful dissolution action, all noncash assets of the district other than public facilities or land or easements to be used for such public facilities, as described in Section 8.10 of this article, shall be reduced to cash and, along with all other cash on hand, shall be applied to the repayment of any debt obligation of the district. Any cash remaining after all outstanding obligations are satisfied shall be refunded to each property owner in direct proportion to the total amount in taxes, fees, or assessments paid by the property owner relative to the total revenues paid by all properties in the district.

(d) When a dissolution becomes effective, the municipal governing authority shall take title to all property previously in the ownership of the district and all taxes, fees, and assessments of the district shall cease to be levied and collected.

(e) A district may be reactivated in the same manner as an original activation.
APPENDIX A

Corporate Boundaries of the City of Mableton

The City of Mableton shall include all the territory embraced within the following census blocks based upon the 2020 United States decennial census:

User: H039
Plan Name: Mableton-Corp-2022
Plan Type: Local

District MABLETON
County Cobb GA
VTD Austell 1A
Block 031306:
2035
Block 031323:
1007
Block 031417:
1001
VTD Birney 02
Block 031117:
2009 2010 2011
Block 031120:
1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011
1012 1013 1014 1015 1016 2001 2002 2003 2004 2005 2006 2007
2008 2009 2010 3000 3001 3002 3003 3004 3005 3006 3007 3008
1650 VTD Bryant 02
1651 VTD Cooper 01
1652 Block 031409:
1653 4000 4001
1654 Block 031411:
1655 3004 3005 3006 3007 3008 3009 3014 3015 3017
1656 Block 031413:
1657 1000 1001 1002 1003 1004 1005 1006 2000 2001 2002 2003 2004
1658 2005 2006 3000 3001 3002 3003 3004
1659 Block 031415:
1660 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011
1661 1012 1013
1662 Block 031507:
1663 2002 2003 2019
1664 VTD Harmony-Leland 01
1665 VTD Lindley 01
1666 Block 031221:
1667 1024
1668 Block 031314:
1669 1000 1002 1003 1004 1005 1006 1007 1008 1010 1011 1012 1013
1671 2017 2018 2019 2020 2024 2025 2026 2028 2029 2030 2034 2041
1672 3000 3001 3002 3003 3005 3008 3009 3010 3011 3012 3013 3014
1673 3015 3016 3017 3018 3019 3020
1674 Block 031315:
1675 1008 1011 2000 2001 2002 2003 2004 2005 2006 2007 3006 3007
For the purposes of this description, the term "VTD" shall mean and describe the same geographical boundaries as provided in the report of the Bureau of the Census for the United States decennial census of 2020 for the State of Georgia. The separate numeric designations in the description which are underneath a VTD heading shall mean and describe individual
blocks within a VTD as provided in the report of the Bureau of the Census for the United States decennial census of 2020 for the State of Georgia.
APPENDIX B

City Council Districts

User: H039
Plan Name: Mableton-Dist-2022
Plan Type: Local

District 001
County Cobb GA
VTD Bryant 01
VTD Bryant 02

Block 031318:
1007

Block 031320:
1000 1001 1002 1003 1004 2005 2006 2008 2009 3001 3002 3003

Block 031321:
1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011
1012 1013 1014 1015 1016 1017 1018 1019

VTD Pebblebrook 01

Block 031322:
1002 1003 1004 2000 3000 3001 3002 3003 3004 3005 3006 3007
3008 3009 3010 3011 3012

Block 031323:
2007 2008 2009 2010 2011 2012 2013 2014

District 002
County Cobb GA
1727  VTD Bryant 02
1728  Block 031318:
1729  1000 1001 1002 1003 1004 1005 1006 1008 2000 2001 2002 2003
1730  2004 2005 2006 2007 2008 3000 3001 3002 3003 3004 3005 3006
1731  Block 031319:
1732  4008 4009 4010
1733  Block 031320:
1734  2000 2001 2002 2003 2004
1735  VTD Harmony-Leland 01
1736  Block 031316:
1737  1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1013
1739  2026
1740  Block 031317:
1741  3007 3008 3009 3010
1742  VTD Riverside 01
1743  Block 031316:
1744  1011 1012
1745  Block 031317:
1746  3011 3012 3013
1747  Block 031319:
1748  1000 1001 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009
1749  2010 2011 2012 2013 4000 4001 4002 4003 4004 4005 4006 4007
1750  District 003
1751  County Cobb GA
1752  VTD Harmony-Leland 01
<table>
<thead>
<tr>
<th>Year</th>
<th>Block 031316:</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>2019 2020 3000 3001 3002 3003 3004 3005 3006 3007 3008</td>
</tr>
<tr>
<td>2009</td>
<td>3009 3010 3011 3012 3013 3014 3015 3016 3017 3018 3019 3020</td>
</tr>
<tr>
<td>3021</td>
<td>3022</td>
</tr>
<tr>
<td>Block 031317:</td>
<td></td>
</tr>
<tr>
<td>1000</td>
<td>1012 1016 1017 1018 1019 1020 1021 1022 1023 1024 1025</td>
</tr>
<tr>
<td>2008</td>
<td>2009 2010 2011 2012 3000 3001 3002 3003 3004 3005 3006</td>
</tr>
<tr>
<td>3016</td>
<td>3017 3018 3021</td>
</tr>
<tr>
<td>VTD Mableton 02</td>
<td></td>
</tr>
<tr>
<td>Block 031306:</td>
<td></td>
</tr>
<tr>
<td>1026</td>
<td>1027 2015 2017</td>
</tr>
<tr>
<td>Block 031308:</td>
<td></td>
</tr>
<tr>
<td>1000</td>
<td>1001 1002 1003 1004 1005 1006 1007 1008 2000 2001 2002</td>
</tr>
<tr>
<td>2015</td>
<td>2016 2017</td>
</tr>
<tr>
<td>Block 031317:</td>
<td></td>
</tr>
<tr>
<td>1001</td>
<td>1002 1003 1004 1005 1006 1007 1008 1009 1010 1011 1013</td>
</tr>
<tr>
<td>1014</td>
<td>1015</td>
</tr>
<tr>
<td>VTD Pebblebrook 01</td>
<td></td>
</tr>
<tr>
<td>Block 031308:</td>
<td></td>
</tr>
<tr>
<td>1009</td>
<td>1010 1011 1012 1013 1014 1015 1016 1017 1018 1019 3000</td>
</tr>
<tr>
<td>3001</td>
<td>3002 3003 3004 3005 3006 3007 3008 3009 3010 4000 4001</td>
</tr>
<tr>
<td>4002</td>
<td>4003 4004 4005 4006 4007 4008 4009</td>
</tr>
<tr>
<td>Block 031323:</td>
<td></td>
</tr>
<tr>
<td>2015</td>
<td></td>
</tr>
<tr>
<td>Line</td>
<td>Location</td>
</tr>
<tr>
<td>------</td>
<td>-------------------</td>
</tr>
<tr>
<td>1780</td>
<td>VTD Riverside 01</td>
</tr>
<tr>
<td>1781</td>
<td></td>
</tr>
<tr>
<td>1782</td>
<td>District 004</td>
</tr>
<tr>
<td>1783</td>
<td>County Cobb GA</td>
</tr>
<tr>
<td>1784</td>
<td>VTD Birney 02</td>
</tr>
<tr>
<td>1785</td>
<td></td>
</tr>
<tr>
<td>1786</td>
<td></td>
</tr>
<tr>
<td>1787</td>
<td>VTD Lindley 01</td>
</tr>
<tr>
<td>1788</td>
<td></td>
</tr>
<tr>
<td>1789</td>
<td></td>
</tr>
<tr>
<td>1790</td>
<td></td>
</tr>
<tr>
<td>1791</td>
<td></td>
</tr>
<tr>
<td>1793</td>
<td></td>
</tr>
<tr>
<td>1794</td>
<td></td>
</tr>
<tr>
<td>1795</td>
<td></td>
</tr>
<tr>
<td>1796</td>
<td></td>
</tr>
<tr>
<td>1797</td>
<td></td>
</tr>
<tr>
<td>1798</td>
<td></td>
</tr>
<tr>
<td>1799</td>
<td>VTD Mableton 01</td>
</tr>
<tr>
<td>1800</td>
<td></td>
</tr>
<tr>
<td>1801</td>
<td></td>
</tr>
<tr>
<td>1802</td>
<td>VTD Mableton 03</td>
</tr>
<tr>
<td>1803</td>
<td></td>
</tr>
<tr>
<td>1804</td>
<td></td>
</tr>
</tbody>
</table>

H. B. 839
- 77 -
<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1806</td>
<td>Block 031120:</td>
<td></td>
</tr>
<tr>
<td>1807</td>
<td>2000</td>
<td></td>
</tr>
<tr>
<td>1808</td>
<td>VTD Smyrna 7A</td>
<td></td>
</tr>
<tr>
<td>1809</td>
<td>Block 031314:</td>
<td></td>
</tr>
<tr>
<td>1810</td>
<td>2031</td>
<td></td>
</tr>
<tr>
<td>1811</td>
<td>Block 031315:</td>
<td></td>
</tr>
<tr>
<td>1812</td>
<td>1007</td>
<td></td>
</tr>
<tr>
<td>1813</td>
<td>District 005</td>
<td></td>
</tr>
<tr>
<td>1814</td>
<td>County Cobb GA</td>
<td></td>
</tr>
<tr>
<td>1815</td>
<td>VTD Austell 1A</td>
<td></td>
</tr>
<tr>
<td>1816</td>
<td>Block 031306:</td>
<td></td>
</tr>
<tr>
<td>1817</td>
<td>2035</td>
<td></td>
</tr>
<tr>
<td>1818</td>
<td>Block 031323:</td>
<td></td>
</tr>
<tr>
<td>1819</td>
<td>1007</td>
<td></td>
</tr>
<tr>
<td>1820</td>
<td>Block 031417:</td>
<td></td>
</tr>
<tr>
<td>1821</td>
<td>1001</td>
<td></td>
</tr>
<tr>
<td>1822</td>
<td>VTD Cooper 01</td>
<td></td>
</tr>
<tr>
<td>1823</td>
<td>Block 031413:</td>
<td></td>
</tr>
<tr>
<td>1824</td>
<td>1000 1001 1002 1003 1004 1005 1006</td>
<td></td>
</tr>
<tr>
<td>1825</td>
<td>Block 031415:</td>
<td></td>
</tr>
<tr>
<td>1826</td>
<td>1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011</td>
<td></td>
</tr>
<tr>
<td>1827</td>
<td>1012 1013</td>
<td></td>
</tr>
<tr>
<td>1828</td>
<td>VTD Mableton 01</td>
<td></td>
</tr>
<tr>
<td>1829</td>
<td>Block 031306:</td>
<td></td>
</tr>
<tr>
<td>1830</td>
<td>1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011</td>
<td></td>
</tr>
<tr>
<td>1831</td>
<td>1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023</td>
<td></td>
</tr>
</tbody>
</table>

H. B. 839
- 78 -
<table>
<thead>
<tr>
<th>Year Range</th>
<th>Reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>2000-2020</td>
<td>Block 031409</td>
</tr>
<tr>
<td>2001</td>
<td>1003</td>
</tr>
<tr>
<td>2019-2021</td>
<td>Block 031414</td>
</tr>
<tr>
<td>2020-2021</td>
<td>Block 031415</td>
</tr>
<tr>
<td>2022</td>
<td>2021 2022 2024 2029</td>
</tr>
<tr>
<td>2023</td>
<td>VTD Mableton 02</td>
</tr>
<tr>
<td>2024</td>
<td>Block 031306</td>
</tr>
<tr>
<td>2030-2033</td>
<td>2027 2029 2030 2032 2033 2037 2038 2040 2044 2045</td>
</tr>
<tr>
<td>2034</td>
<td>Block 031323</td>
</tr>
<tr>
<td>2037-2038</td>
<td>1000 1003 1004 1005 1009 1011 1012 1013 1014 1015 1016 1017</td>
</tr>
<tr>
<td>2040</td>
<td>1018 1021 2000 2001 2002 2003 2004 2005 2006</td>
</tr>
<tr>
<td>2045</td>
<td>Block 031414</td>
</tr>
<tr>
<td>2049</td>
<td>2025</td>
</tr>
<tr>
<td>2050</td>
<td>Block 031417</td>
</tr>
<tr>
<td>2054</td>
<td>1002 1003 1004 1005 1006 1007 1009 1011 1013 1017 1018 1020</td>
</tr>
<tr>
<td>2055</td>
<td>1024 1049</td>
</tr>
<tr>
<td>2056</td>
<td>VTD Sweetwater 02</td>
</tr>
<tr>
<td>2057</td>
<td>Block 031414</td>
</tr>
<tr>
<td>3000-3002</td>
<td>3000 3001 3002</td>
</tr>
</tbody>
</table>
1858  District 006
1859  County Cobb GA
1860  VTD Birney 02
1861  Block 031117:
1862  2009 2010 2011
1863  Block 031120:
1864  1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011
1865  1012 1013 1014 1015 1016 2006 2009 2010 3000 3001 3002 3003
1866  3004 3005 3006 3007 3008
1867  VTD Cooper 01
1868  Block 031409:
1869  4000 4001
1870  Block 031411:
1871  3004 3005 3006 3007 3008 3009 3014 3015 3017
1872  Block 031413:
1873  2000 2001 2002 2003 2004 2005 2006 3000 3001 3002 3003 3004
1874  Block 031507:
1875  2002 2003 2019
1876  VTD Norton Park 01
1877  Block 031117:
1878  1021 1026 3010 3011
1879  VTD Oregon 02
1880  Block 031411:
1881  3000 3001 3002 3003
1882  VTD Sweetwater 02
1883  Block 031119:
1884  2004
For the purposes of this plan (Mableton-Dist-2022):

1. The term "VTD" shall mean and describe the same geographical boundaries as provided in the report of the Bureau of the Census for the United States decennial census of 2020 for the State of Georgia. The separate numeric designations in a district description which are underneath a VTD heading shall mean and describe individual blocks within a VTD as provided in the report of the Bureau of the Census for the United States decennial census of 2020 for the State of Georgia;

2. Except as otherwise provided in the description of any district, whenever the description of any district refers to a named city, it shall mean the geographical boundaries of that city as shown on the census maps for the United States decennial census of 2020 for the State of Georgia;

3. Any part of the City of Mableton which is not included in any district described in this plan (Mableton-Dist-2022) shall be included within that district contiguous to such part which contains the least population according to the United States decennial census of 2020 for the State of Georgia; and

4. Any part of the City of Mableton which is described in this plan (Mableton-Dist-2022) as being included in a particular district shall nevertheless not be included within such district if such part is not contiguous to such district. Such
noncontiguous part shall instead be included within that district contiguous to such part which contains the least population according to the United States decennial census of 2020 for the State of Georgia.
APPENDIX C

CERTIFICATE AS TO MINIMUM STANDARDS

FOR INCORPORATION OF A NEW MUNICIPAL CORPORATION

I, Representative Erica Thomas, Georgia State Representative from the 39th District and the author of this bill introduced at the 2021 session of the General Assembly of Georgia, which grants an original municipal charter to the City of Mableton, do hereby certify that this bill is in compliance with the minimum standards required by Chapter 31 of Title 36 of the O.C.G.A. in that the area embraced within the original incorporation in this bill is in all respects in compliance with the minimum standards required by Chapter 31 of Title 36 of the O.C.G.A. This certificate is executed to conform to the requirements of Code Section 36-31-5 of the O.C.G.A.

So certified, this _____ day of ____________________, _____.

_________________________________
Honorable Erica Thomas
Representative, 39th District
Georgia State House of Representatives