

House Bill 164 (AS PASSED HOUSE AND SENATE)

By: Representative Smith of the 18<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend an Act to provide a new charter for the City of Mount Zion, approved May 12,  
2 2015 (Ga. L. 2015, p. 3862), so as to provide that members of the city council shall be  
3 elected from districts instead of at large; to provide district residency requirements for  
4 councilmembers; to revise election procedures to provide for district elections; to provide the  
5 description of council districts; to provide for definitions and inclusions; to provide for  
6 continuation in office of current councilmembers; to provide for related matters; to repeal  
7 conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 An Act to provide a new charter for the City of Mount Zion, approved May 12, 2015 (Ga.  
11 L. 2015, p. 3862), is amended by revising Sections 2.10 and 2.11 as follows:

12 "SECTION 2.10.

13 City council creation, composition, number, election.

14 The legislative authority of the government of this city, except as otherwise specifically  
15 provided in this charter, shall be vested in a city council to be composed of a mayor and  
16 four councilmembers. The mayor and council members shall be elected in a manner  
17 provided in Article V of this charter.

18 SECTION 2.11.

19 City council terms and qualifications for office.

20 The mayor of the city shall serve for a term of four years consecutive and until his or her  
21 successor is elected and qualified. The members of the city council shall serve for terms  
22 of four years consecutive and until their respective successors are elected and qualified.  
23 No person shall be eligible to serve as mayor or councilmember unless he or she is a  
24 qualified municipal voter and shall have been a resident of the city for one year  
25 immediately prior to the date of his or her qualifying for said position. No person shall be  
26 eligible to serve as a councilmember unless he or she has been a resident of the district he  
27 or she is elected from for six months immediately prior to the date of his or her qualifying  
28 for said position. The mayor and each councilmember shall continue to reside within the  
29 city limits proper during his or her period of service, and each councilmember shall  
30 continue to reside within the district from which he or she was elected during his or her  
31 period of service."

32 SECTION 2.

33 Said Act is further amended by revising subsection (a) of Section 2.17 as follows:

34 "(a) The office of mayor and councilmember shall become vacant upon the incumbent's  
35 death, resignation, forfeiture of office, relocation of residency outside the city limits proper,  
36 or removal from office in any manner authorized by this charter or the general laws of the  
37 State of Georgia. The office of councilmember shall become vacant upon the incumbent's  
38 relocation of residency outside the district from which he or she was elected."

39 **SECTION 3.**

40 Said Act is further amended by revising subsections (c), (d), and (e) and adding a new  
41 subsection to Section 5.11 as follows:

42 "(c) The mayor shall be elected by the voters of the city at large. The mayor in office on  
43 the effective date of this Act shall remain in office until his or her successor is elected and  
44 takes office as provided for in this charter.

45 (d) The councilmembers from District 1 and District 2 shall be elected in 2023 and every  
46 four years thereafter.

47 (e) The councilmembers from District 3 and District 4 shall be elected in 2025 and every  
48 four years thereafter.

49 (f) The four councilmembers to be elected as provided in this section shall be elected from  
50 the districts provided for in Section 5.14. Only electors who are residents of a particular  
51 district may vote for a councilmember from that district. At the time of qualifying for  
52 election as a councilmember, each candidate for such office shall specify the district for  
53 which that person is a candidate."

54 **SECTION 4.**

55 Said Act is further amended by adding a new section to read as follows:

56 "SECTION 5.14.

57 (a) For the purpose of electing councilmembers the City of Mount Zion shall be divided  
58 into four council districts. Districts 1, 2, 3, and 4 shall be and correspond to those four  
59 numbered districts described in Appendix A attached to and made a part of this Act and  
60 further identified as 'User: Mt Zion Plan Name: mtzioncc-2023 Plan Type: Local'.

61 (b) For the purposes of such plan:

62 (1) The term 'VTD' shall mean and describe the same geographical boundaries as  
63 provided in the report of the Bureau of the Census for the United States decennial census  
64 of 2020 for the State of Georgia. The separate numeric designations in a district  
65 description which are underneath a VTD heading shall mean and describe individual  
66 Blocks within a VTD as provided in the report of the Bureau of the Census for the United  
67 States decennial census of 2020 for the State of Georgia; and

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

72 (c) Any part of the City of Mount Zion which is not included in any district described in  
73 subsection (a) of this section shall be included within that district contiguous to such part  
74 which contains the least population according to the United States decennial census of 2020  
75 for the State of Georgia.

76 (d) Any part of the City of Mount Zion which is described in subsection (a) of this section  
77 as being included in a particular district shall nevertheless not be included within such  
78 district if such part is not contiguous to such district. Such noncontiguous part shall instead  
79 be included within that district contiguous to such part which contains the least population  
80 according to the United States decennial census of 2020 for the State of Georgia.

81 (e) Any territory purportedly described in a district in subsection (a) of this section that  
82 is not within the corporate limits of the City of Mount Zion shall not be part of any such  
83 district.

84 (f) Those councilmembers who are serving as such on the effective date of this Act and  
85 any person selected to fill a vacancy in any such office shall continue to serve as such  
86 councilmembers until the regular expiration of their respective terms of office and upon the  
87 election and qualification of their respective successors.

88 (g) City Council Posts 1, 2, 3, and 4, as they exist immediately prior to the effective date  
89 of this Act, shall be designated as Districts 1, 2, 3, and 4, respectively, as newly described  
90 under this Act, and on and after the effective date of this Act, such councilmembers from  
91 those former posts shall be deemed to be serving from and representing their respective  
92 districts as newly described under this Act."

93

#### **SECTION 5.**

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

## 95 APPENDIX A

96 User: Mt Zion

97 Plan Name: mtzioncc-2023

98 Plan Type: Local

99 District 001

100 County Carroll GA

101 VTD MT ZION

102 Block 910302

103 2028 2029 2033 2034 2042 2043 2044 2054 2055 2058 2061 2062

104 2063 2072

105 District 002

106 County Carroll GA

107 VTD MT ZION

108 Block 910301

109 2015 2016

110 Block 910302

111 2059 2060

112 District 003

113 County Carroll GA

114 VTD MT ZION

115 Block 910301

116 2012 2020 2021 3000 3001 3002 3003

117 Block 910302

118 1034 1035 1036 1045 1047 2066 2068 2069

119 District 004

120 County Carroll GA

121 VTD MT ZION

122 Block 910302

123 1028 1029 1030 2032 2036 2037 2052 2053 2064 2065 2067