

House Bill 666 (AS PASSED HOUSE AND SENATE)

By: Representative Jenkins of the 136<sup>th</sup>

A BILL TO BE ENTITLED

AN ACT

1 To provide a new charter for the Town of Lone Oak; to provide for incorporation and  
2 boundaries; to provide for compensation of government; to provide for vesting of rights,  
3 assumption of debts, and existing ordinances; to provide for continuation of mayor and  
4 council; to provide for removal from office; to provide of conflict of interest; to provide for  
5 composition and qualifications for mayor and council; to provide for organization, meetings  
6 and oaths; to provide for a mayor pro tempore; to provide for compelled attendance and rules  
7 of procedure; to provide for quorum and voting; to provide for compensation; to provide for  
8 filling of vacancies; to provide for inquiries and investigations; to provide for the powers of  
9 the mayor; to provide for the enactment and enrollment of ordinances; to provide for boards;  
10 to provide for powers of the town; to provide for the election of the mayor and council; to  
11 provide for administration of the town; to provide for a town clerk and town attorney; to  
12 provide for personnel policies; to provide for the creation, jurisdiction, and powers of the  
13 municipal court; to provide for fiscal policies; to provide for taxation and budgeting; to  
14 authorize town depositories; to provide for contract powers; to authorize general obligation  
15 and revenue bonds; to authorize short term loans; to provide for special assessments; to  
16 authorize extraterritorial utility services; to provide for definitions and construction; to repeal  
17 specific Acts; to provide for related matters; to repeal conflicting laws; and for other  
18 purposes.

H. B. 666

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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

20 **ARTICLE I.**  
21 **INCORPORATION AND POWERS**

22 **SECTION 1.01.**

23 Incorporation; name; style; designation; authority as body politic and corporate.

24 The Town of Lone Oak, in Meriwether County, heretofore made a body politic and corporate  
25 by Acts of the General Assembly, shall continue as a body politic and corporate, known by  
26 the corporate name of the "Town of Lone Oak," hereinafter also referred to as "the town."  
27 As a body politic and corporate, the town shall have authority to govern itself and its  
28 inhabitants by such ordinances, resolutions, rules, regulations, and bylaws for municipal  
29 purposes as may be adopted and promulgated under the terms and provisions of this charter,  
30 not in conflict with the Constitution or laws of this state or of the United States, with  
31 authority in and by its corporate name to sue and be sued, plead and be impleaded in all  
32 courts, and have and use a common seal, buy, hold, exchange, sell, and convey property,  
33 make all necessary and lawful contracts, transact all of its business, and do all other things  
34 necessary to promote the municipal corporate purposes of said town. Said corporation,  
35 through its town council, shall have all of the authority, powers, and privileges incident to  
36 municipal corporations under the laws of the State of Georgia, and all other authority  
37 necessary and proper to make, regulate, maintain, and preserve a proper and legal  
38 government for said town.

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**SECTION 1.02.**

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Corporate boundaries.

41 (a) The boundaries of the town shall be those existing on the effective date of the adoption  
42 of this charter with such alterations as may be made from time to time in the manner  
43 provided by law. The boundaries of this town at all times shall be shown on a map, a written  
44 description or any combination thereof, to be retained permanently in the office of the town  
45 clerk and to be designated, as the case may be: "Official Map of the Corporate Limits of the  
46 Town of Lone Oak, Georgia." Photographic, typed, or other copies of such map or  
47 description certified by the town clerk shall be admitted as evidence in all courts and shall  
48 have the same force and effect as with the original map or description.

49 (b) The town council may provide for the redrawing of any such map to reflect lawful  
50 changes in the corporate boundaries. The redrawn map shall supersede for all purposes the  
51 entire map or maps which it is designated to replace.

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**SECTION 1.03.**

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Government composition and election.

54 The governing authority of the government of the Town of Lone Oak shall be vested in a  
55 mayor and four town council members, who shall be elected in the manner provided by  
56 Article IV of this charter.

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**SECTION 1.04.**

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Vesting of rights.

59 All properties, titles, easements, hereditaments, privileges, and related rights and powers  
60 belonging or in any way appertaining to the Town of Lone Oak as heretofore incorporated,

61 are hereby vested absolutely in the Town of Lone Oak, incorporated under this Act in the  
62 same manner and to the same extent as they were had by said former town.

63 **SECTION 1.05.**

64 Assumption of debts.

65 The Town of Lone Oak, created by this Act, is hereby made responsible as a corporate body  
66 for all legal debts, liabilities, and undertakings of said town as heretofore incorporated.

67 **SECTION 1.06.**

68 Existing ordinances.

69 All ordinances, bylaws, rules, and regulations, now in force in the town, not inconsistent with  
70 this charter, are hereby declared valid and of force and effect until amended or repealed by  
71 the town council.

72 **SECTION 1.07.**

73 Continuation in office of mayor, council members, and other officers.

74 The mayor and council members who are serving in these offices of the town at the time of  
75 the approval of this charter shall continue to serve in their respective offices for and during  
76 the full terms for which they were elected. All elected officers shall continue in office until  
77 their successors are elected and qualified.

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**SECTION 1.08.**

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Vacancy in office on moving from town.

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The removal of the mayor or any council member from within the limits of the town shall automatically vacate the office he or she may hold and said vacancy shall be filled as provided for in this charter.

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**SECTION 1.09.**

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Conflict of interests.

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(a) No elected official of the town shall have any interest in any contract, either directly or indirectly, to which the town is a party; neither shall any member of the council be allowed to vote upon any question that he or she has any personal interest in whatever, but this section shall not be construed to prevent the council from voting a member reasonable compensation for expense incurred by such member in performing the duties required as a member of council.

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(b) No person holding any office in the town shall, during the time for which he or she was elected or appointed, be capable of contracting with the town or its fully constituted officers, for the performance of any work or services or the sale of any goods, which is to be paid for out of the treasury, nor shall any such person be capable of holding or having any interest in such contract, either by himself or herself or by another, directly or indirectly.

96 **ARTICLE II.**  
97 **TOWN COUNCIL AND MAYOR**

98 **SECTION 2.01.**  
99 **Composition.**

100 The governing body of the town shall be the mayor and four council members, in which is  
101 vested all corporate, legislative, and other powers of the town, except as otherwise provided  
102 in this charter.

103 **SECTION 2.02.**  
104 **Qualifications of mayor and council member.**

105 To be eligible for the office of mayor or council member, a person shall be at least 21 years  
106 of age, shall be registered and qualified to vote in municipal elections of the town, shall meet  
107 the requirements of the laws of the State of Georgia to hold civil office, and shall have been  
108 a bona fide resident of the town for at least one year next preceding the election in which he  
109 or she offers as a candidate and shall continue to reside therein during the term of office.

110 **SECTION 2.03.**  
111 **Holding other office; voting when personally interested.**

112 (a) Except as authorized by law, no member of the council shall hold any other elective town  
113 office or town employment during the term for which such member was elected.

114 (b) Neither the mayor nor any other member of the council shall vote upon any question in  
115 which he or she is personally interested.

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**SECTION 2.04.**

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Organization meeting; official oaths; mayor pro tempore.

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The mayor and council shall meet and hold an organizational meeting at the first regular

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meeting in January. The meeting shall be called to order by the town clerk and the oath of

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office shall be administered by the town attorney to the newly elected members as follows:

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"I do solemnly swear that I will well and truly perform the duties of the town and that I will

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support and defend the charter thereof as well as the Constitution and laws of the State of

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Georgia and of the United States of America." Following the induction of members, the

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council by majority vote of all the members thereof shall elect one of their number to be

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mayor pro tempore, who shall serve for a term of one year and until his or her successor is

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elected and qualified.

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**SECTION 2.05.**

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Meetings, regular and special.

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

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ordinance. The council may recess any regular meeting and continue such meetings on any

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weekday or hour it may fix prior to recess of said regular meeting, and may transact any

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business at such continued meeting as may be transacted at any regular meeting.

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(b) Special meetings of the council may be held on call of the mayor or three members of

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the council. Notice of such special meetings shall be served on all other members personally,

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or by telephone personally, or shall be left at their residence at least eight hours in advance

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of the meeting. Such notice shall not be required if the mayor and all council members are

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present when the special meeting is called. Notice of any special meeting may be waived in

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writing before or after such meeting, and attendance at the meeting shall also constitute a

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waiver of notice of any special meeting. Only the business stated in the call may be

140 transacted at the special meeting, except by unanimous consent of all members present. With  
141 such consent any business which may be transacted in a regular meeting may be conducted  
142 at the special meeting, excluding the final passage of an ordinance previously introduced.

143 **SECTION 2.06.**

144 Compelling attendance.

145 The council may adopt procedures and penalties for compelling the attendance of absent  
146 members.

147 **SECTION 2.07.**

148 Rules of procedure; journal.

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

152 **SECTION 2.08.**

153 Quorum; voting.

154 Three council members shall constitute a quorum and shall be authorized to transact business  
155 of the council. Voting on the adoption of ordinances shall be taken by voice vote, electronic  
156 vote recording, or show of hands, and the ayes and nays shall be recorded in the journal, but  
157 any member of the council shall have the right to request a roll call vote. The affirmative  
158 vote of three council members shall be required for the adoption of any ordinance, resolution,  
159 or motion except as otherwise provided in this charter. In the absence of the mayor, the

160 presence of the mayor pro tempore shall count for the purposes of both quorum and number  
161 of votes required for action.

162 **SECTION 2.09.**

163 Salaries; reimbursement of expenses.

164 The salaries of the mayor and each council member shall be as prescribed by ordinance,  
165 subject to any limitations on the taking effect of same as prescribed by law. The council may  
166 also provide by ordinance for the reimbursement of expenses incurred in the performance of  
167 their official duties as mayor and council members.

168 **SECTION 2.10.**

169 Removal from office; procedure.

170 (a) The mayor or any council member shall be subject to removal from office for any one  
171 or more of the following causes:

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

173 (2) Conviction of a crime involving moral turpitude;

174 (3) Failure at any time to possess any of the qualifications of office as provided by this  
175 charter or by law;

176 (4) Willful violation of any express prohibition of this charter;

177 (5) Abandonment of office or neglect to perform therein; or

178 (6) Failure for any other cause to perform the duties of office as required by this charter  
179 or by law.

180 (b) Removal of an elected officer from office may be accomplished by one of the following  
181 methods:

- 182 (1) By action of a two-thirds' vote of the entire membership of the council. In the event  
 183 an elected officer is sought to be removed by the action of the council, such officer shall  
 184 be entitled to a written notice specifying the ground for removal and to a public hearing  
 185 which shall be held no less than ten days after the service of such written notice. Any  
 186 elected officer sought to be removed from office as herein provided shall have the right  
 187 of appeal from the decision of the council to the Superior Court of Meriwether County.  
 188 Such appeal shall be governed by the same rules as govern appeals to the superior court  
 189 from the probate court; or
- 190 (2) By an order of the Superior Court of Meriwether County following a hearing on a  
 191 complaint seeking such removal brought by any resident of the town.

192 **SECTION 2.11.**

193 Vacancy; forfeiture of office; filling of vacancies.

- 194 (a) The office of mayor or council member shall become vacant upon the incumbent's death,  
 195 resignation, forfeiture of office or removal from office in any manner authorized by this  
 196 charter or the laws of this state.
- 197 (b) The mayor or any council member shall forfeit his or her office if he or she:
- 198 (1) Lacks at any time during his or her term of office any qualifications of the office as  
 199 prescribed by this charter or the laws of this state; or
- 200 (2) Is convicted of a felony involving moral turpitude.
- 201 (c) A vacancy in the office of mayor or council member shall be filled for the remainder of  
 202 the unexpired term, if any, as follows:
- 203 (1) If the vacancy occurs more than 27 months prior to the expiration of the term of  
 204 office of the seat vacated, then such vacancy shall be filled for the unexpired term of  
 205 office at a special election to be held on the same date as the next general municipal  
 206 election; and in this case the remaining members of the council shall, by majority vote

207 of those present and voting, select a qualified person to fill the vacancy until the person  
208 elected at such special election takes office; or  
209 (2) If the vacancy does not occur more than 27 months prior to the date of the general  
210 municipal election at which a successor to the office will be elected to a new full term of  
211 office, then the remaining members of the town council shall, by majority vote of those  
212 present and voting, select a qualified person to serve for the remainder of the unexpired  
213 term.

214 **SECTION 2.12.**  
215 Duties generally.

216 The members of the town council shall meet at each of the regular meetings and at all special  
217 or called meetings, unless providentially prevented from attending, and shall devote as much  
218 time as may be necessary to the legislative matters of the town and attend to legislative  
219 affairs of the town, and shall perform such other duties as are now required of them by law  
220 or ordinances or by this charter.

221 **SECTION 2.13.**  
222 Inquiries and investigations.

223 The council may make inquiries and investigations into the affairs of the town and the  
224 conduct of any department, office, or agency thereof and for this purpose may subpoena  
225 witnesses, administer oaths, take testimony, and require the production of evidence.  
226 Enforcement of issues regarding subpoenas or production of evidence shall be by the judge  
227 of the State Court of Meriwether County, Georgia, upon petition by the town or any other  
228 party in interest.

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**SECTION 2.14.**

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Powers and duties of the mayor.

231 The mayor shall be the chief executive officer of the town government, presiding officer of  
232 the town council, and responsible for the enforcement of laws, rules, regulations, ordinances,  
233 and franchises in the town. The mayor shall have such powers and duties as may be provided  
234 by ordinance not inconsistent with this charter. The mayor shall vote on matters before the  
235 town council only in case of a tie, and shall have the right to veto any ordinance or resolution  
236 if, in the mayor's judgment, such is not in the best interest of the town. The mayor shall have  
237 the authority to appoint committees of the council, to investigate the various departments,  
238 and to supervise the policy formulation of the various departments, if he or she so elects.

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**SECTION 2.15.**

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Town legislation; general authority.

241 In addition to all other powers conferred upon it by law, the council shall have the authority  
242 to adopt and provide for the execution of such ordinances, resolutions, rules, and regulations,  
243 not inconsistent with this charter, or the Constitution and the laws of this state, which it shall  
244 deem necessary, expedient, or helpful for the peace, good order, protection of life and  
245 property, health, welfare, sanitation, comfort, convenience, prosperity, or well-being of the  
246 inhabitants of the town, and may enforce the same by imposing penalties for violation  
247 thereof.

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**SECTION 2.16.**

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Ordinances; enactment and enrollment of measures.

250 (a) Except as herein provided, every official action of the council which is to become law  
251 shall be introduced in writing and in the form required for final adoption and approved in  
252 form by the town attorney. No ordinance shall contain a subject which is not expressed in  
253 its title, except that an ordinance adopting a code of ordinances or a published code may do  
254 so by reference, and this requirement shall be deemed to have been met without enumerating  
255 the various matters contained in such codes. The enacting clause shall be "The Council of  
256 the Town of Lone Oak hereby ordains . . .".

257 (b) An ordinance may be introduced by any member of the council and read at a regular or  
258 special meeting of the council. Ordinances shall be considered and adopted or rejected by  
259 the council in accordance with the rules which it shall establish; provided, however, that  
260 ordinances, except emergency ordinances, shall not be adopted until the next regular meeting  
261 of the council following the meeting of their initial introduction. No ordinance shall be  
262 considered for final adoption unless two weeks have elapsed since the introduction of the  
263 ordinance. Upon the introduction of any ordinance, the town clerk shall distribute a copy to  
264 the mayor, and to each council member, and shall file a reasonable number of copies in the  
265 office of the town clerk and at such other public places as the council may designate.

266 (c) To meet a public emergency affecting life, health, property, or public peace, the council  
267 may adopt one or more emergency ordinances, but such ordinances may not levy taxes,  
268 grant, renew, or extend a franchise, regulate the rate charged by any public utility for its  
269 services, or authorize the borrowing of money except as provided by law. An emergency  
270 ordinance shall be introduced in the form and manner prescribed for ordinances generally  
271 except that it shall be plainly designated as an emergency ordinance and shall contain, after  
272 the enacting clause, a declaration stating that an emergency exists and describing it in clear  
273 and specific terms. An emergency ordinance may be adopted with or without amendment

274 or rejected at the meeting at which it is introduced, but the affirmative vote of at least three  
275 council members shall be required for adoption. It shall become effective upon adoption or  
276 at such later time as it may specify. Every emergency ordinance shall automatically stand  
277 repealed 60 days following the date upon which it was adopted, but this shall not prevent  
278 reenactment of the ordinance in the manner specified in this section for adoption of  
279 emergency ordinances.

280 (d) Signing, authenticating, recording, codification, printing.

281 (1) The town clerk shall authenticate by signature and record in a properly indexed book  
282 kept for the purpose of all ordinances adopted by council. Every ordinance shall be  
283 signed by the mayor as a matter of course after adoption.

284 (2) The council shall provide for the preparation of a general codification of all of the  
285 ordinances of the town having the force and effect of law. The general codification shall  
286 be adopted by the council and shall be published promptly, together with this charter and  
287 any amendment thereto, and such codes of technical regulations and other rules and  
288 regulations as the town council may specify. This compilation shall be known as and  
289 cited officially as "The Code of the Town of Lone Oak, Georgia." Copies of the Code  
290 shall be furnished or access thereto provided to all officers, departments, and agencies of  
291 the town and made available for purchase by the public.

292 (e) The mayor, within seven calendar days of receipt of an ordinance, shall return it to the  
293 town clerk with or without the mayor's approval, or with the mayor's disapproval. If the  
294 ordinance has been approved by the mayor, it shall become law upon its return to the town  
295 clerk; if the ordinance is neither approved nor disapproved, it shall become law at 12:00  
296 Noon on the seventh calendar day after its adoption; if the ordinance is disapproved, the  
297 mayor shall submit to the council through the town clerk a written statement of the reasons  
298 for the mayor's veto. The town clerk shall record upon the ordinance the date and time of its  
299 delivery to and receipt from the mayor. Ordinances vetoed by the mayor shall be presented  
300 by the town clerk to the council at its next regular meeting and should the council then or at

301 its next regular meeting adopt the ordinance by affirmative vote of four members, or three  
302 members if any member of the council abstains or is absent, it shall become law.

303 **SECTION 2.17.**

304 **Boards.**

305 The town council shall have the power and authority to establish, appoint, and maintain such  
306 boards, commissions, and committees as in its judgment the needs of the town require. For  
307 all instances in which the mayor alone, or the mayor and council, have the authority to  
308 appoint a member to a board, agency, authority, or other instrumentality or committee, the  
309 mayor alone, or mayor and council, may remove any such member from said office at their  
310 pleasure, with or without cause.

311 **ARTICLE III.**

312 **CORPORATE POWERS**

313 **SECTION 3.01.**

314 **Powers and construction.**

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

319 (b) The powers of this town shall be construed liberally in favor of the town. The specific  
320 mention or failure to mention particular powers shall not be construed as limiting in any way  
321 the powers of this town.

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**SECTION 3.02.**

Examples of powers.

324 The powers of the government of the Town of Lone Oak to be exercised by the town council  
325 shall include, but not be limited to, the following:

326 (1) Air and water pollution. To regulate the emission of smoke or other exhaust which  
327 pollutes the air and to prevent the pollution of natural streams which flow within the  
328 corporate limits of the town;

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

334 (3) Appropriations and expenditures. To make appropriations for the support of the  
335 government of the town in performing its duties as charged; to authorize the expenditure  
336 of money for any purposes authorized by this charter and for any purpose for which a  
337 municipality is authorized by the laws of the State of Georgia; and to provide for the  
338 payment of expenses of the town;

339 (4) Building regulation. To regulate and to license the erection and construction of  
340 buildings and all other structures; to adopt building, housing, plumbing, electrical, gas,  
341 and heating and air conditioning codes; and to regulate all housing and building trades;

342 (5) Business regulation and taxation. To levy and to provide for collection of license  
343 fees and taxes on privileges, occupations, trades, and professions; to license and regulate  
344 the same; to provide for the manner and method of payment of such licenses and taxes;  
345 and to revoke such licenses after due process for failure to pay any town taxes or fees;

346 (6) Condemnation. To condemn property, inside or outside the corporate limits of the  
347 town, for present or future use and for any corporate purpose deemed necessary by the

348 governing authority, utilizing procedures enumerated in Title 22 of the O.C.G.A., or such  
349 other applicable laws as are or may hereafter be enacted;

350 (7) Contracts. To enter into contracts and agreements with other governmental entities  
351 and with private persons, firms, and corporations;

352 (8) Emergencies. To establish procedures for determining and proclaiming that an  
353 emergency situation exists within or without the town and to make and carry out all  
354 reasonable provisions deemed necessary to deal with or meet such an emergency for the  
355 protection, safety, health, or well-being of the citizens of the town;

356 (9) Environmental protection. To protect and preserve the natural resources,  
357 environment, and vital areas of the state through the preservation and improvement of air  
358 quality, the restoration and maintenance of water resources, the control of erosion and  
359 sedimentation, the management of solid and hazardous waste, and other necessary actions  
360 for the protection of the environment;

361 (10) Ethics. To adopt ethics ordinances and regulations governing such things including,  
362 but not limited to, the conduct of municipal elected officials, appointed officials,  
363 contractors, vendors, and employees; establishing procedures for ethics complaints; and  
364 setting forth penalties for violations of such rules and procedures;

365 (11) Fees. To establish fees and assessments of special districts for purposes of business  
366 improvement districts;

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

371 (13) Garbage fees. To levy, fix, assess, and collect a garbage, refuse, and trash collection  
372 and disposal and other sanitary service charge, tax, or fee for such services as may be  
373 necessary in the operation of the town from all individuals, firms, and corporations  
374 residing in or doing business therein benefiting from such services; to enforce the

375 payment of such charges, taxes, or fees; and to provide for the manner and method of  
376 collecting such service charges, taxes, or fees;

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

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

384 (16) Health and sanitation. To prescribe standards of health and sanitation and to  
385 provide for the enforcement of such standards;

386 (17) Homestead exemption. To the maximum extent permitted by the Georgia  
387 Constitution, to establish and maintain procedures for offering homestead exemptions to  
388 residents of the town and maintaining current homestead exemptions of residents of the  
389 town as authorized by Acts of the General Assembly;

390 (18) Jail sentences. To provide that persons given jail sentences by the town's court may  
391 work out such sentences in any public works or on the streets, roads, drains, and squares  
392 in the town; to provide for commitment of such persons to any jail; or to provide for  
393 commitment of such persons to any county work camp or county jail by agreement with  
394 the appropriate county officials;

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

398 (20) Municipal agencies and delegation of power. To create, alter, or abolish  
399 departments, boards, offices, commissions, and agencies of the town and to confer upon  
400 such agencies the necessary and appropriate authority for carrying out all the powers  
401 conferred upon or delegated to the same;

- 402 (21) Municipal debts. To appropriate and borrow money for the payment of debts of the  
403 town and to issue bonds for the purpose of raising revenue to carry out any project,  
404 program, or venture authorized by this charter or the laws of the State of Georgia;
- 405 (22) Municipal property ownership. To acquire, dispose of, and hold in trust or  
406 otherwise any real, personal, or mixed property, in fee simple or lesser interest, inside or  
407 outside the property limits of the town;
- 408 (23) Municipal property protection. To provide for the preservation and protection of  
409 property and equipment of the town and the administration and use of same by the public;  
410 and to prescribe penalties and punishment for violations thereof;
- 411 (24) Municipal utilities. To acquire, lease, construct, operate, maintain, sell, and dispose  
412 of public utilities, including, but not limited to, a system of waterworks, sewers and  
413 drains, sewage disposal, gas works, electric light plants, telecommunications,  
414 transportation facilities, public airports, and any other public utility; to fix the taxes,  
415 charges, rates, fares, fees, assessments, regulations, and penalties; to provide for the  
416 withdrawal of service for refusal or failure to pay the same; and to authorize the extension  
417 of water, sewerage, and electrical distribution systems, and all necessary appurtenances  
418 by which said utilities are distributed, inside and outside the corporate limits of the town  
419 as provided by ordinance;
- 420 (25) Nuisance. To define a nuisance and provide for its abatement whether on public or  
421 private property;
- 422 (26) Ordinances. To make, establish, and adopt such bylaws, ordinances, policies, and  
423 rules and regulations as shall appear necessary for the security, welfare, convenience, and  
424 interest of the town and the inhabitants thereof and for preserving the health, peace, order,  
425 and good government of the town;
- 426 (27) Penalties. To provide penalties for violation of any ordinances adopted pursuant to  
427 the authority of this charter and the laws of the State of Georgia;

- 428 (28) Planning and zoning. To provide comprehensive town planning for development  
429 by zoning; and to provide subdivision regulation and the like as the town council deems  
430 necessary and reasonable to ensure a safe, healthy, and aesthetically pleasing community;
- 431 (29) Police and fire protection. To exercise the power of arrest through duly appointed  
432 police officers and to establish, operate, contract, or consolidate for a police department  
433 and a fire-fighting agency;
- 434 (30) Public hazards: Removal. To provide for the destruction and removal of any  
435 building or other structure which is or may become dangerous or detrimental to the  
436 public;
- 437 (31) Public improvements. To provide for the acquisition, construction, building,  
438 operation, and maintenance of public ways, parks and playgrounds, recreational facilities,  
439 cemeteries, markets, public buildings, libraries, public housing, airports, heliports,  
440 hospitals, terminals, docks, parking facilities, or charitable, cultural, educational,  
441 recreational, conservation, sport, curative, corrective, detentional, penal, and medical  
442 institutions, agencies, and facilities; to provide any other public improvements inside or  
443 outside the corporate limits of the town; to regulate the use of public improvements; and  
444 for such purposes, property may be acquired by condemnation under Title 22 of the  
445 O.C.G.A., or such other applicable laws as are or may hereafter be enacted;
- 446 (32) Public peace. To provide for the enforcement of the public peace and punishment  
447 of drunkenness, riots, and public disturbances;
- 448 (33) Public transportation. To organize and operate such public transportation systems  
449 as are deemed beneficial;
- 450 (34) Public utilities and services. To grant franchises or make contracts for public  
451 utilities and public services; and to prescribe the rates, fares, regulations, and standards  
452 and conditions of service applicable to the service to be provided by the franchise grantee  
453 or contractor, insofar as not in conflict with valid regulations of the Public Service  
454 Commission;

455 (35) Regulation of roadside areas. To prohibit or regulate and control the erection,  
456 removal, and maintenance of signs, billboards, trees, shrubs, fences, buildings, and any  
457 and all other structures or obstructions upon or adjacent to the rights of way of streets and  
458 roads or within view thereof, within or abutting the corporate limits of the town; and to  
459 prescribe penalties and punishment for violation of such ordinances;

460 (36) Retirement. To provide and maintain a retirement plan for officers and employees  
461 of the town;

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

477 (38) Sewer fees. To levy a fee, charge, or sewer tax as necessary to assure the acquiring,  
478 constructing, equipping, operating, maintaining, and extending of a sewage disposal plant  
479 and sewerage system; to levy on those to whom sewers and sewerage systems are made  
480 available a sewer service fee, charge, or sewer tax for the availability or use of the  
481 sewers; to provide for the manner and method of collecting such service charges and for

482 enforcing payment of the same; and to charge, impose, and collect a sewer connection fee  
483 or fees to those connected with the system;

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

488 (40) Special areas of public regulation. To regulate or prohibit junk dealers, pawnshops,  
489 the illegal manufacture, sale, or transportation of intoxicating liquors, and the discharge  
490 of firearms; to regulate the transportation, storage, and use of combustible, explosive, and  
491 inflammable materials, body piercing and tattooing, and any other business or situation  
492 which may be dangerous to persons or property; to regulate and control the conduct of  
493 peddlers and itinerant traders, theatrical performances, exhibitions, and shows of any  
494 kind, by taxation or otherwise; and to license, tax, regulate, or prohibit professional  
495 fortunetelling, palmistry, adult bookstores, and massage parlors;

496 (41) Special assessments. To levy and provide for the collection of special assessments  
497 to cover the costs for any public improvements;

498 (42) Taxes: Ad valorem. To levy and provide for assessment, valuation, revaluation, and  
499 collection of taxes on all property subject to taxation;

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

502 (44) Taxicabs and vehicles for hire. To regulate and license vehicles operated for hire  
503 in the town; to limit the number of such vehicles; to require the operators thereof to be  
504 licensed; to require public liability insurance on such vehicles in amounts to be prescribed  
505 by ordinance; and to regulate the parking of such vehicles;

506 (45) Urban redevelopment. To organize and operate an urban redevelopment program;  
507 and

508 (46) Other powers. To exercise and enjoy all other powers, functions, rights, privileges,  
509 and immunities necessary or desirable to promote or protect the safety, health, peace,  
510 security, good order, comfort, convenience, or general welfare of the town and its  
511 inhabitants; to exercise all implied powers necessary to carry into execution all powers  
512 granted in this charter as fully and completely as if such powers were fully stated herein;  
513 to exercise all powers now or in the future authorized to be exercised by other municipal  
514 governments under other laws of the State of Georgia; and no listing of particular powers  
515 in this charter shall be held to be exclusive of others, nor restrictive of general words and  
516 phrases granting powers, but shall be held to be in addition to such powers unless  
517 expressly prohibited to municipalities under the Constitution or applicable laws of the  
518 State of Georgia.

519 **SECTION 3.03.**

520 Construction.

521 The powers of the town shall be construed liberally and in favor of the town. The specific  
522 mention or failure to mention particular powers in this charter shall not be construed as  
523 limiting in any way the general power of the town as stated in this charter. It is the intention  
524 hereof to grant the town full power and right to exercise all governmental authority necessary  
525 for the effective operation and conduct of the town and all of its affairs.

526 **SECTION 3.04.**

527 Exercise of powers.

528 All powers, functions, rights, privileges, and immunities of the town, its officers, agencies,  
529 or employees shall be carried into execution as provided by this charter. If this charter makes  
530 no provisions therefor, such powers, functions, rights, privileges, and immunities shall be

531 carried into execution as provided by ordinance of the governing authority and as provided  
532 by pertinent laws of this state.

533 **ARTICLE IV.**  
534 **ELECTIONS**

535 **SECTION 4.01.**

536 Election of mayor and town council.

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

539 (b) The mayor and those members of the town council who are serving as such on the  
540 effective date of this charter and any person selected to fill a vacancy in any such offices  
541 shall continue to serve as provided for in this section.

542 (c) There shall be elected the mayor and the council members for Post 1 and Post 2 at  
543 the 2025 municipal general election. There shall be elected council members for Post 3 and  
544 Post 4 at the 2023 municipal general election, so that a continuing body is created. Terms  
545 shall be for four years.

546 **SECTION 4.02.**

547 Nonpartisan elections.

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

550 **SECTION 4.03.**

551 Election by plurality.

552 The person receiving a plurality of the votes cast for any town office shall be elected.

553 **SECTION 4.04.**

554 Conduct of elections generally.

555 Town elections shall be conducted as provided for in Chapter 2 of Title 21 of the O.C.G.A.,  
556 the Election Code.

557 **ARTICLE V.**

558 **ADMINISTRATION**

559 **SECTION 5.01.**

560 Continuation of existing organization.

561 The administrative service of the town shall continue as presently organized, except as  
562 otherwise provided in this charter, and except as otherwise provided hereafter by ordinance.

563 **SECTION 5.02.**

564 Establishing administrative and service departments.

565 (a) The council by ordinance may establish, abolish, merge, or consolidate offices, positions  
566 of employment, departments, and agencies of the town, as it shall deem necessary for the  
567 proper administration of the affairs and government of the town. The council shall prescribe  
568 the functions and duties of existing departments, offices, and agencies or of any departments,

569 offices, and agencies herein or hereafter created or established, may provide that the same  
570 person shall fill any number of offices and positions of employment, and may transfer or  
571 change the function or duties of offices, positions of employment, departments, and agencies  
572 of the town.

573 (b) The operations and responsibilities of each department now or hereafter established in  
574 the town shall be distributed among such divisions or bureaus as may be provided by  
575 ordinance of the council. Each department shall consist of such officer, employees, and  
576 positions as may be provided by this charter or by ordinance, and shall be subject to the  
577 general supervision and guidance of the mayor and council.

578 **SECTION 5.03.**

579 Town clerk.

580 The town council shall appoint a town clerk who shall serve at the pleasure of the council  
581 and be under the direct supervision and control of the mayor who shall direct and supervise  
582 the day to day activities of the town clerk. The town clerk shall be responsible for keeping  
583 and preserving the town seal and all records of the council; attending meetings of the council  
584 and keeping a journal of the proceedings at such meetings, including the names of members  
585 present and absent, the vote of each member on each question, each motion considered, and  
586 the text of each resolution or ordinance considered; preparing and certifying copies of official  
587 records in his or her office, for which fees may be prescribed by ordinance; and performing  
588 such other duties as may be required by the council or the mayor.

589 **SECTION 5.04.**

590 Town attorney.

591 The town council shall appoint a town attorney and assistant town attorneys if necessary,  
592 who shall serve at the pleasure of the council. The town attorney may be responsible for  
593 representing and defending the town in all litigation in which the town is a party; may at the  
594 discretion of the council be the prosecuting officer in the municipal court; shall attend the  
595 meetings of the council as directed; shall advise the council, other officers and employees  
596 of the town, concerning legal aspects of the town's affairs; and shall perform such other  
597 duties as provided by the council.

598 **SECTION 5.05.**

599 Personnel policies.

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

601 (1) The method of employee selection and probationary periods of employment;

602 (2) The administration of the position classification and pay plan, methods of promotion  
603 and application of service ratings thereto, and transfer of employees within the  
604 classification plan;

605 (3) Hours of work, vacation, sick leave, and other leaves of absence, overtime pay, and  
606 the order and manner in which layoff shall be effected; and

607 (4) Such other personnel policies as may be necessary to provide for adequate and  
608 systematic handling of the personnel affairs of the town.

609

**ARTICLE VI.**

610

**MUNICIPAL COURT**

611

**SECTION 6.01.**

612

Creation; name.

613 There shall be a court to be known as the Municipal Court of the Town of Lone Oak.

614

**SECTION 6.02.**

615

Chief judge; associate judge.

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

619 (b) No person shall be qualified or eligible to serve as a judge on the municipal court unless  
620 he or she shall be a member of the State Bar of Georgia. All judges shall be appointed by  
621 the town council.

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

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

624 (e) Before assuming office, each judge shall take an oath, given by the mayor, as provided  
625 in this charter. The oath shall be entered upon the minutes of the town council journal.

626

**SECTION 6.03.**

627

Convening.

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

629

**SECTION 6.04.**

630

Jurisdiction; powers.

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

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

635 (c) The municipal court may fix punishment for offenses within its jurisdiction not  
636 exceeding a fine of \$500.00 or imprisonment for 60 days or both such fine and imprisonment  
637 or may fix punishment by fine, imprisonment, or alternative sentencing as now, or hereafter,  
638 provided by law.

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

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

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

657 (g) Each judge of the municipal court shall be authorized to issue warrants for the arrest of  
658 persons charged with offenses against any ordinance of the town, and each judge of the  
659 municipal court shall have the same authority as a magistrate of this state to issue warrants  
660 for offenses against state laws committed within the town.

661 **SECTION 6.05.**

662 Appeals.

663 The orders, verdicts, judgments, and sentences of the municipal court shall be subject to  
664 appellate review by the Superior Court of Meriwether County in accordance with state law.

665 **SECTION 6.06.**

666 Rules for court.

667 With the approval of the town council, the judge shall have full power and authority to make  
668 reasonable rules and regulations necessary and proper to secure the efficient and successful  
669 administration of the municipal court; provided, however, that the town council may adopt  
670 in part or in toto the rules and regulations applicable to municipal courts. The rules and  
671 regulations made or adopted shall be filed with the town clerk, shall be available for public  
672 inspection, and, upon request, a copy shall be furnished to all defendants in municipal court.

673

**ARTICLE VII.**

674

**FINANCE AND TAXATION**

675

**SECTION 7.01.**

676

Fiscal year.

677 The council shall set the fiscal year by ordinance. Said fiscal year shall constitute the budget

678 year and the year for financial accounting and reporting of each office, department, or

679 institution, agency, and activity of the town government, unless otherwise provided by state

680 or federal law.

681

**SECTION 7.02.**

682

Official bonds.

683 The officers and employees of the town, both elected and appointed, shall execute such

684 official bonds in such amounts and upon such terms and conditions as the council may from

685 time to time require.

686

**SECTION 7.03.**

687

Submission of operating budget to town council.

688 On or before a date fixed by the town council, the mayor shall submit to the town council a

689 proposed operating budget for the ensuing fiscal year. The budget shall be accompanied by

690 a message from the mayor containing a statement of the general fiscal policies of the town,

691 the important features of the budget, explanations of major changes recommended for the

692 next fiscal year, a general summary of the budget, and such other pertinent comments and

693 information. The operating budget and the capital budget hereinafter provided for, the budget

694 message, and all supporting documents shall be filed in the office of the town clerk and shall  
695 be open to public inspection.

696

**SECTION 7.04.**

697

Action by council on a budget.

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

703 (b) The town council shall adopt the final operating budget for the ensuing fiscal year not  
704 later than the 30th day of June of each year, or as otherwise required by Georgia law. If the  
705 town council fails to adopt the budget by this date, the amounts appropriated for operation  
706 for the current fiscal year shall be deemed adopted for the ensuing fiscal year on a  
707 month-to-month basis, with all items prorated accordingly until such time as the town council  
708 adopts a budget for the ensuing fiscal year. Adoption of the budget shall take the form of an  
709 appropriations ordinance or resolution setting out the estimated revenues in detail by sources  
710 and making appropriations according to fund and by organizational unit, purpose, or activity.

711 (c) The amount set out in the adopted operating budget, as may be amended from time to  
712 time, for each organizational unit shall constitute the annual appropriation for such, and no  
713 expenditure shall be made or encumbrance created in excess of the otherwise unencumbered  
714 balance of the appropriations or allotment thereof, to which it is chargeable.

715 **SECTION 7.05.**

716 Town depositories.

717 The town council, in its discretion, may, from time to time, name and appoint as town  
718 depositories of town funds any bank or trust company which has its deposits insured by the  
719 Federal Deposit Insurance Corporation. At such time as an act becomes effective providing  
720 that banks and savings and loan associations shall be taxed in the same manner as other  
721 corporations are taxed, the town council may also name and appoint as town depositories of  
722 town funds any building and loan association or federal savings and loan association which  
723 has its deposits insured by the Federal Savings and Loan Insurance Corporation.

724 **SECTION 7.06.**

725 Contracting procedures.

726 All formal contracts shall be made or authorized by the council, and no contracts shall bind  
727 the town unless reduced to writing and approved by the council. All contracts, and all  
728 ordinances or resolutions making contracts or authorizing the same, shall be drawn by the  
729 town attorney or shall be submitted to him or her before authorization by council.

730 **SECTION 7.07.**

731 Ad valorem taxes; authority to levy.

732 The council shall be authorized to levy an ad valorem tax not to exceed 15 mills on all real  
733 and personal property within the corporate limits of the town for the purpose of raising  
734 revenue to pay the cost of ordinary current expenses and for any other purpose now or  
735 hereafter authorized by the Constitution and laws of this state, but not including principal and  
736 interest on general obligation bonds.

737 **SECTION 7.08.**

738 Tax assessment.

739 All property subject to taxation for state or county purposes, assessed as of January first in  
740 each year, shall be subject to the property tax levied by the town. The council may elect to  
741 use the county assessment for the year in which the town taxes are to be levied and shall  
742 request the county to furnish appropriate information for such purpose.

743 **SECTION 7.09.**

744 Tax due dates and bills.

745 The council shall provide when the taxes of the town shall be paid, and when, how, and upon  
746 what terms such taxes shall be due and payable, as well as authorizing the voluntary payment  
747 of taxes prior to the time when due. The council may contract with the Meriwether County  
748 Tax Commissioner to undertake such reasonable duties as are required in the collection of  
749 taxes.

750 **SECTION 7.10.**

751 Collection of delinquent taxes and fees.

752 The town council, by ordinance, may provide generally for the collection of delinquent taxes,  
753 fees, or other revenue due the town under Sections 7.8 through 7.10 by whatever reasonable  
754 means as are not precluded by law. This shall include providing for the dates when the taxes  
755 or fees are due; late penalties or interest; issuance and execution of fi.fa.'s; creation and  
756 priority of liens; making delinquent taxes and fees personal debts of the persons required to  
757 pay the taxes or fees imposed; revoking town permits for failure to pay any town taxes or  
758 fees; and providing for the assignment or transfer of tax executions.

759 **SECTION 7.11.**

760 Payment of taxes.

761 The council shall have the power and authority to provide by ordinance when the taxes of the  
762 town shall fall due, and in what length of time said taxes may be paid, when tax executions  
763 shall be issued against all persons who have not paid their taxes by the time fixed by  
764 ordinance, and to fix a penalty for the nonpayment of taxes when due, and to charge lawful  
765 interest from due date until said taxes are paid. The council shall have authority to provide  
766 by ordinance for the payment of taxes due to the town and to provide when and how and  
767 upon what terms such taxes shall be due and payable; and to authorize the payment of taxes  
768 prior to the time when due and allow discounts upon anticipated payments, and in general  
769 to fix the terms and methods of payment, and collection of town taxes, in such manner as the  
770 council may determine.

771 **SECTION 7.12.**

772 Cost of issuing summonses; executions; processes; subpoenas.

773 The cost of issuing, serving, or executing all summonses, executions, processes, writs, or  
774 subpoenas shall be the same as now allowed sheriffs for like service and where they are  
775 issued shall be paid into the town treasury.

776 **SECTION 7.13.**

777 General obligation bonds.

778 The council shall have the power to issue bonds for purpose of raising revenue to carry out  
779 any project, program, or venture authorized under this charter or the general laws of this

780 state. Such bonding authority shall be exercised in accordance with the laws governing bond  
781 issuances by municipalities in effect at the time said issue is undertaken.

782 **SECTION 7.14.**

783 Revenue bonds.

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

787 **SECTION 7.15.**

788 Failure of bonds to carry; new election.

789 If the election provided for shall be against the issue of bonds, the council may at any time  
790 after expiration of six months from the date of the first election order another election on the  
791 issuance of said bonds.

792 **SECTION 7.16.**

793 Short-term loans.

794 The town may obtain short-term loans and must repay such loans not later than December  
795 31 of each year, unless otherwise provided by law.

796 **SECTION 7.17.**

797 Lease-purchase contracts.

798 The town may enter into multiyear lease, purchase, or lease-purchase contracts for the  
799 acquisition of goods, materials, real and personal property, services, and supplies provided  
800 the contract terminates without further obligation on the part of the municipality at the close  
801 of the calendar year in which it was executed and at the close of each succeeding calendar  
802 year for which it may be renewed. Contracts must be executed in accordance with the  
803 requirements of O.C.G.A. Section 36-60-13, or other such applicable laws as are or may  
804 hereafter be enacted.

805 **ARTICLE VIII.**

806 **PUBLIC IMPROVEMENTS; UTILITIES; SERVICES**

807 **SECTION 8.01.**

808 Paving; railroad crossings; performing and assessing cost.

809 The council shall have power and authority to pave or provide for the paving of railroad  
810 crossings within the town and other portions of any street therein, and to assess the cost  
811 therefor, or any part thereof, against the owner of the roadbed and the adjoining property, and  
812 issue executions to enforce the payment of the same.

813 **SECTION 8.02.**

814 Extension of utilities beyond town.

815 For the purpose of the preservation of the health and comfort of the people, and of the  
816 inhabitants of the town, the council is empowered to extend the town system of sewerage,

817 lights, water, and gas, beyond the limits of the town, and prescribe provisions as to the  
818 construction of and maintenance of such systems, and shall have the right to obtain by  
819 purchase, gift, or condemnation such rights-of-way and easements as may be necessary for  
820 that purpose as is provided in this charter. All rights, powers, and authority previously  
821 granted to the town with reference to the system of water works, sewerage, electric lights,  
822 power, and gas shall be and remain in force unless in conflict with the terms of this charter.

823

**ARTICLE IX.**

824

**LEGAL PROVISIONS**

825

**SECTION 9.01.**

826

**Construction.**

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

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

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

832

**SECTION 9.02.**

833

**Severability.**

834 If any article, section, subsection, paragraph, sentence, or part thereof of this charter shall be  
835 held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect  
836 or impair other parts of this charter unless it clearly appears that such other parts are wholly  
837 and necessarily dependent upon the part held to be invalid or unconstitutional, it being the

838 legislative intent in enacting this charter that each article, section, subsection, paragraph,  
839 sentence, or part thereof be enacted separately and independent of each other.

840 **SECTION 9.03.**

841 Specific repealer.

842 An Act to incorporate the town of Lone Oak, Meriwether county, Georgia, approved  
843 November 15, 1901 (Ga. L. 1901, p. 520), is hereby repealed in its entirety and all  
844 amendatory acts thereto are likewise repealed in their entirety.

845 **SECTION 9.04.**

846 General repealer.

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