

Section 34: All laws and parts of laws in conflict with this Act are repealed.

Notice of Intention to Introduce Local Legislation.

Notice is hereby given that there will be introduced at the regular 1984 session of the General Assembly of Georgia a bill to create the Cobb County Stadium Authority; to provide for the membership, powers, duties, and operation of the authority; to authorize the authority to incur debt, to authorize the authority to contract with other units of government; to provide that the purpose of the authority shall be the acquisition, construction, equipping, maintaining, and operating of one or more athletic stadium type facilities; to provide for all matters related to the foregoing; and for other purposes.

This 24th day of January 1984.

Georgia, Fulton County.

Personally appeared before me, the undersigned authority, duly authorized to administer oaths, Steve Thompson, who, on oath, deposes and says that he is Representative from the 20th District, and that the attached copy of Notice of Intention to Introduce Local Legislation was published in the Marietta Daily Journal which is the official organ of Cobb County, on the following date: January 27, 1984.

/s/ Steve Thompson
Representative,
20th District

Sworn to and subscribed before me,
this 30th day of January, 1984.

/s/ Cathy Ann Walls
Notary Public, Georgia State at Large.
My Commission Expires Jan. 4, 1985.
(Seal).

Approved March 28, 1984.

CHARTER FOR THE CITY OF ADRIAN.

No. 1079 (House Bill No. 1563).

AN ACT

To create and incorporate the City of Adrian in the Counties of Emanuel and Johnson and grant a charter to that municipality under that corporate name and style; to prescribe and define the corporate limits thereof; to provide a municipal government for said city and to declare the rights, powers, privileges, and liabilities of said corporation; to authorize said city to issue bonds and other evidences of debt for public purposes, such as for school buildings and equipments for same, sewers, electric lights, and water works; to declare and define the police powers of said city; to declare and define the duties and powers of the officers of said city; to provide for other matters of municipal regulations, concern, and welfare; to provide for related matters; to repeal a specific Act; to repeal conflicting laws; and for other purposes.

Be it enacted by the General Assembly of Georgia:

ARTICLE I
CHARTER, INCORPORATION, POWERS

Section 1.10. Incorporation. The City of Adrian, Georgia, in the Counties of Emanuel and Johnson, and the inhabitants thereof shall continue to be a body politic and corporate under the same name and style of the City of Adrian, Georgia. Under that name, said city shall continue to be vested with all of the property and rights of property which now belong to the corporation; shall have perpetual succession; may sue and be sued; may contract and be contracted with; may acquire and hold such property, real and personal, as may be devised, bequeathed, sold, or in any manner conveyed or dedicated to or otherwise acquired by it, and from time to time may hold or invest, sell, or dispose of the same; may have a common seal and later may renew the same at will; and may exercise in conformity with this charter all municipal powers, functions, rights, privileges, and immunities of every name and nature whatsoever.

Section 1.11. Corporate limits. The corporate limits of the City of Adrian shall be as follows: Five-eighths (5/8) of one mile or 3300 feet in every direction from a point where the Old Wadley Southern Railroad and the Old Central of Georgia Railroad used to intersect in said city. Said point being marked by an iron stake.

In addition, the corporate limits of said city shall include and embrace the following areas:

(a) That certain territory embraced within the area which is measured as follows: BEGINNING at a point on the radius of the arc formed at 3300 feet from the center of said city where it intersects with U.S. Highway #80 and Georgia Highway #26 and running thence westerly along the northern right of way edge of said U.S. Highway #80 and Georgia Highway #26 a distance of 1980 feet to a point; thence turning and running along an arc, parallel to an arc of 3300 feet from the center of said city in a southeasterly direction to the Old Settlement Road; thence turning and running along the Old Settlement Road to a point where the same intersects with Elly Street; thence turning and running at a 90° angle Southeasterly to a point on the arc created by measuring from the center of the City 3300 feet.

(b) That certain territory embraced within the area which is measured as follows: BEGINNING at a point on the radius of the

arc formed at 3300 feet from the center of said city, where it intersects with Georgia Highway #78 and #15 and running thence in a southerly direction along the western right of way edge of said highways, a distance of 100 feet to a point; thence turning and running along the radius of an arc which is parallel to an arc of 3300 feet from the center of said city in a northeasterly direction to Morris Avenue; thence turning and running in a northwesterly direction a distance of 100 feet to a point on the arc created by measuring from the center of said city 3300 feet.

Section 1.12. Jurisdiction and venue. (a) The jurisdiction of the City of Adrian shall extend throughout the entire corporate limits of the city.

(b) Unless otherwise provided by general law, venue in all actions involving the City of Adrian shall be Emanuel County, Georgia.

Section 1.13. Specific powers. In conformity with and subject to the requirements of the general laws of this state, the corporate powers of the government of the City of Adrian, to be exercised by the governing authority, may include the following:

(1) To levy and to provide for the assessment, valuation, revaluation, and collection of taxes on all property subject to taxation;

(2) To levy and to provide for the collection of license fees and taxes on privileges, occupations, trades, and professions; to license and regulate such privileges, occupations, trades, and professions; and to provide for the manner and method of payment of such licenses and taxes;

(3) 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;

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

(5) To acquire, dispose of, 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;

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

(7) To condemn 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 under Title 22 of the O.C.G.A. or under other applicable public Acts as are or may be enacted;

(8) To acquire, lease, construct, operate, maintain, sell, and dispose of public utilities, including, but not limited to, a system of waterworks, sewers and drains, sewage disposal, gas works, electric light plants, transportation facilities, public airports, and any other public utility; to fix the taxes, charges, rates, fees, fares, assessments, regulations, penalties, and withdrawal of service for refusal or failure to pay same; and to fix the manner in which such remedies shall be enforced;

(9) To grant franchises or make contracts for public utilities and public services not to exceed periods of 35 years; to prescribe the rates, fares, regulations, standards, and conditions of service applicable to the service to be provided by the franchise grantee or contractor insofar as not to conflict with such regulations by the Public Service Commission; and to grant franchises and rights of way throughout the streets and roads and over the bridges and viaducts for the use of public utilities;

(10) To lay out, open, extend, widen, narrow, establish, change the grade of, abandon, close, construct, pave, curb, gutter, adorn with shade trees, improve, maintain, repair, clean, prevent erosion of, and light roads, alleys, and walkways within the corporate limits of the city;

(11) To grant franchises and rights of way throughout the streets and roads and over the bridges and viaducts for the use of public utilities;

(12) To provide for the acquisition, construction, building, operation, and maintenance of public ways, parks, playgrounds, recreational facilities, cemeteries, markets and market houses, public buildings, libraries, sewers, drains, sewerage treatment, airports, hospitals, and charitable, cultural, educational, recreational, conservation, sport, curative, corrective, detentional, penal, and medical institutions, agencies, and facilities and to make other public improvements inside or outside the corporate limits of the city and regulate the use thereof; and, for such purposes, property may be acquired by condemnation under Title 22 of the O.C.G.A. or other applicable public Acts as are or may be enacted;

(13) To require real-estate owners to repair and maintain in a safe condition the sidewalks adjoining their lots or lands and to enact ordinances establishing the terms and conditions under which such repairs and maintenance shall be effected, including the penalties to be imposed for failure to do so;

(14) To regulate the erection and construction of buildings and all other structures; to adopt building, housing, plumbing, electrical, gas, and heating and air-conditioning codes; to regulate all housing, building, and building trades; to license all building trades; and to license the construction and erection of buildings and all other structures;

(15) To adopt ordinances and regulations for the prevention of loitering, disorderly conduct, and disturbing the peace in the corporate limits of the city; to prohibit the playing of lotteries therein; to provide for the prevention and punishment of riots and public disturbances; to regulate public meetings and public speaking in the streets of said city by preventing the obstruction of the streets or the gathering of disorderly crowds; and to prohibit or regulate by ordinance such other conduct and activities within the City of Adrian which, while not constituting offenses against the laws of this state are, nevertheless, deemed by the governing authority to be detrimental and offensive to the peace and good order of the city or to the welfare of the citizens thereof;

(16) To regulate or prohibit junk dealers; pawnshops; the manufacture, sale, or transportation of intoxicating liquors and liquors; the use and sale of firearms; 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;

(17) To regulate and control the conduct of peddlers, itinerant trades, theatrical performances, exhibitions, and shows of any kind whatever by taxation or otherwise;

(18) To license, tax, regulate, or prohibit professional fortunetelling or palmistry;

(19) 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 and within view thereof, within or abutting the corporate limits of the city and to prescribe penalties and punishment for violation of such ordinances;

(20) To prescribe standards of health and sanitation and to provide for the enforcement of such standards;

(21) To regulate the emission of smoke or other exhaust which pollutes the air and to prevent the pollution of natural streams which flow within the corporate limits of the city;

(22) To fix and establish fire limits and from time to time to extend, enlarge, or restrict 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 violation thereof;

(23) To provide for the destruction and removal of any building or other structure which may or might become dangerous or detrimental to the public;

(24) 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 for the sale of such items; to levy, fix, assess, and collect a service charge, tax, or fee for such services as may be necessary in the operation of the city from all individuals, firms, and corporations residing in or doing business within

the city and benefiting from such services; and to provide for the collection of and to enforce the payment of such charges, taxes, and fees;

(25) To levy a fee, charge, or tax as necessary to ensure the acquiring, constructing, equipping, maintaining, and extending of a sewage disposal plant and sewerage system; to levy on the users of sewers and the sewerage system a sewer connection fee or fees or a sewer service charge, fee, or tax for the use of sewers, or both; and to provide for the manner and method of collecting such charges and for enforcing payment of same;

(26) To levy a fee, charge, or tax as necessary to ensure the acquiring, constructing, equipping, maintaining, and extending of a waterworks system; to levy on the users of the waterworks system a connection fee, service charge, fee, or tax for the use of the waterworks system; and to provide for the manner and method of collecting such charges and for enforcing payment of same;

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

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

(29) 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;

(30) To establish minimum standards for and to regulate building construction and repair, electrical wiring and equipment, gas installation and equipment, plumbing, and housing for the health, sanitation, cleanliness, welfare, and safety of inhabitants of the city and to provide for the enforcement of such standards;

(31) To provide that persons given jail sentences in the recorder's court shall work out such sentence in any public works or on the streets, roads, drains, and squares in the city or to provide for commitment of such persons to any county correc-

tional institution or jail by agreement with the appropriate county officials;

(32) To regulate and license or prohibit the keeping or running at large of animals and fowls; to provide for the impounding of same if in violation of any ordinance or lawful order; to provide for their disposition by sale, gift, or humane destruction when not redeemed as provided by ordinance; and to provide punishment for violation of ordinance enacted hereunder;

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

(34) 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 and rent parking spaces in public ways for the use of such vehicles;

(35) To provide and maintain a system of pensions and retirement for officers and employees of the city;

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

(37) To enter into contracts and agreements with other government entities and with private persons, firms, and corporations providing for services to be furnished and payments to be made therefor;

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

(39) To make, ordain, and establish such bylaws, ordinances, rules, and regulations as shall appear necessary for the security, welfare, convenience, and interest of the city and the inhabitants thereof and for preserving the health, peace, order, and good government of the city;

(40) To provide penalties for violations of any ordinance adopted pursuant to the authority of this charter and the laws of the State of Georgia;

(41) To exercise the power of arrest through duly appointed policemen;

(42) 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; and

(43) To exercise and enjoy all other powers, functions, rights, privileges, and immunities necessary or desirable to promote or protect the safety, health, peace, security, good order, comfort, convenience, or general welfare of the city and its inhabitants; to exercise all implied powers necessary to carry into execution all powers granted in this charter as fully and completely as if such powers were fully enumerated 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. No enumeration 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. General powers. In addition to all other powers herein granted, the city shall be vested with any and all powers which municipal corporations are, or may hereafter be, authorized or required to exercise under the Constitution and laws of the State of Georgia as fully and completely as though such powers were specifically enumerated herein and any and all powers which the city was heretofore authorized to exercise upon the effective date of this charter.

Section 1.15. Construction. The powers of the city shall be construed liberally and in favor of the city. The specific mention or failure to mention particular powers in this charter shall not be construed as limiting in any way the general power of the city as stated in this charter. It is the intention hereof to grant the City of Adrian full power and right to exercise all governmental authority

necessary for the effective operation and conduct of the city and all of its affairs.

Section 1.16. 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 powers, functions, rights, privileges, and immunities shall be carried into execution as provided by ordinance of the governing authority and as provided by pertinent laws of the State of Georgia.

ARTICLE II GOVERNING BODY

Section 2.10. Creation. The legislative authority of the City of Adrian, except as otherwise specifically provided in this charter, shall be vested in a city council to be composed of a mayor and five council members. The mayor and council members shall be elected in the manner provided by Article V of this charter.

Section 2.11. Terms and qualifications of office. The members of the council shall serve for terms of two years and until their respective successors are elected and qualified. No person shall be eligible to serve as mayor or council member unless he shall have been a resident of the city for a period of one year immediately prior to the date of the election of mayor or members of the council, shall continue to reside therein during his period of service, shall be registered and qualified to vote in municipal elections of the City of Adrian, and shall have attained the age of 21 years at the beginning of the term.

Section 2.12. Vacancy; forfeiture of office; filling of vacancies. (a) The office of mayor or council member shall become vacant upon the incumbent's death, resignation, forfeiture of office, or removal from office in any manner authorized by this charter of the laws of the State of Georgia.

(b) The mayor or any council member shall forfeit his office if he:

- (1) Lacks at any time during his term of office any qualifications of the office as prescribed by this charter or the laws of the State of Georgia;

(2) Willfully and knowingly violates any express prohibition of this charter; or

(3) Is convicted of a crime involving moral turpitude.

(c) A vacancy in the office of mayor or council member shall be filled for the remainder of the unexpired term, if any, as provided for in Article V of this charter.

Section 2.13. Compensation and expenses. The mayor and council members shall receive compensation for their services in an amount set by ordinance. The mayor and council members shall be entitled to receive their actual and necessary expenses incurred in the performance of their duties.

Section 2.14. Prohibitions. (a) Except as authorized by law, no member of the council shall hold any other elective city office or other city employment during the term for which he was elected. The provisions of this section shall not apply to any person holding employment on the effective date of this Act.

(b) Neither the mayor nor any council member shall vote upon any question in which he is personally interested.

Section 2.15. Inquiries and investigations. The 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 council shall be punished as provided by ordinance.

Section 2.16. General power and authority of the council. (a) Except as otherwise provided by law or by this charter, the council shall be vested with all the powers of government of the City of Adrian as provided by Article I of this charter.

(b) In addition to all other powers conferred upon it by law, the council shall have the authority to adopt and provide for the execution of such ordinances, resolutions, rules, and regulations, not inconsistent with this charter, 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 Adrian and may enforce such ordinances by imposing penalties for violation thereof.

(c) The council may by ordinance change, create, alter, abolish, or consolidate offices, agencies, and departments of the city and may assign additional functions to any of the offices, agencies, and departments expressly provided for by this charter.

Section 2.17. Regular and special meetings. (a) The council shall hold regular meetings at such times and places as prescribed by ordinance. The council may recess any regular meeting and continue such meetings on any weekday or hour it may fix and may transact any business at such continued meeting as may be transacted at any regular meeting.

(b) Special meetings of the council may be held on call of the mayor or three members of the council. Notice of such special meetings shall be served on all other members personally, or shall be telephoned personally, or shall be left at their residences at least 24 hours in advance of the meeting. Such notice shall not be required if the mayor and all council members are present when the special meeting is called. Notice of any special meeting may be waived in writing before or after such meetings, and attendance at the meeting shall also constitute a waiver of notice of any special meeting. Only the business stated in the call may be transacted at the special meeting, except by unanimous consent of all members present. With such consent any business which may be transacted in a regular meeting may be conducted at the special meeting.

(c) All meetings of the council shall be public.

Section 2.18. Rules of procedure. The council shall adopt its rules of procedure and order of business consistent with the provisions of this charter and shall provide for the keeping of a journal of its proceedings, which journal shall be a public record.

Section 2.19. Quorum, voting. The mayor or mayor pro tempore and three council members shall constitute a quorum for the transaction of any business before the body, and a majority of the votes cast shall determine questions before them.

Section 2.20. Ordinance forms; procedure. (a) Every proposed ordinance shall be introduced in writing and in the form required for final adoption. No ordinance shall contain a subject unrelated to its title. The enacting clause shall be "The mayor and council of the City of Adrian hereby ordains..." and every ordinance shall so begin.

(b) An ordinance may be introduced by any member of the council and read at a regular or special meeting of the council. Ordinances shall be considered and adopted or rejected by the 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 2.22 of this charter. Upon introduction of any ordinance, the clerk shall, as soon as reasonable, distribute a copy to the mayor and to each council member and shall file a reasonable number of copies in the office of the clerk and at such other public places as the council may designate.

Section 2.21. Action requiring an ordinance. (a) Except as herein provided, every official action of the council which is to become law shall be by ordinance. Each proposed ordinance or resolution shall be introduced in writing and in the form required for final adoption. No ordinance shall contain a subject which is not expressed in its title. The enacting clause shall be "The council of the City of Adrian hereby ordains..."

(b) An ordinance may be introduced by any member of the council and read at a regular or special meeting of the council. Ordinances shall be considered and adopted or rejected by the council in accordance with the rules which it shall establish.

Section 2.22. Emergency ordinances. To meet a public emergency affecting life, health, property, or public peace, the council may adopt one or more emergency ordinances but such ordinances 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 as provided by law. An emergency ordinance shall be introduced in the form and manner prescribed for ordinances generally except that it 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 council members 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 60 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.

Section 2.23. Codes of technical regulations. The 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.

Section 2.24. Codification of ordinances. All ordinances passed by the mayor and council having the force and effect of law shall be codified in a compilation known and cited officially as "The Code of the City of Adrian, Georgia, as amended." All ordinances contained therein shall be deemed to have been duly passed by the mayor and council and duly signed, authenticated, and recorded by the city clerk.

Section 2.25. Organization meeting. (a) The council shall meet for organization on the date and at the time of the first regular meeting in January following the city elections. Prior to entering upon office, the oath of office shall be administered to the newly elected members by the mayor, mayor pro tempore, or anyone authorized to administer oaths as follows:

"I do solemnly swear that I will well and truly perform the duties of mayor (or member of council as the case may be) of the City of Adrian, and that I will support and defend the charter thereof as well as the Constitution and laws of the State of Georgia and the United States of America."

(b) The council shall have the right to elect one of its members to serve as mayor pro tempore for a two-year term of office.

Section 2.26. Signing, authenticating, recording, and printing. (a) The clerk shall authenticate by his signature and record in full in a properly indexed book kept for the purpose all ordinances adopted by the council. Every ordinance shall be signed by the mayor as a matter of course after adoption.

(b) The council shall cause each ordinance and each amendment in this charter to be printed promptly following its adoption. Following publication of the first Code of the City of Adrian 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 council shall make such further arrangements as deemed desirable with respect to 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. Chief executive officer. The mayor shall be the chief executive of the City of Adrian. He shall possess, have, and exercise all of the executive and administrative powers granted to the city under the Constitution and laws of the State of Georgia and all the executive and administrative powers contained in this charter.

Section 2.28. Term, qualifications. The mayor shall be elected for a term of two years and until his successor is elected and qualified. He shall be a qualified elector of the City of Adrian, shall have attained the age of 21 years before the beginning of his term, and shall have been a resident of the City of Adrian for a period of one year immediately preceding his election. He shall continue to reside in the City of Adrian during the period of his service.

Section 2.29. Duties of mayor. As the chief executive officer of the City of Adrian the mayor shall:

- (1) Preside at all meetings of the city council;
- (2) Be the official head of the city for the service of process and for ceremonial purposes;
- (3) Have power to administer oaths and take affidavits;
- (4) Sign all written contracts entered into by the council on behalf of the city and all other contracts and instruments executed by the city which by law are required to be in writing;
- (5) See that all laws and ordinances of the city are faithfully executed;

- (6) Exercise supervision over all executive and administrative work of the city and provide for the coordination of administrative activities;
- (7) Recommend to the council such measures relative to the affairs of the city, improvement of the government, and promotion of the welfare of its inhabitants as he may deem expedient;
- (8) Call special meetings of the council as provided for in Section 2.19 of this charter;
- (9) Examine and audit all accounts of the city before payment;
- (10) Require any department or agency of the city to submit written reports in connection with the affairs thereof whenever he deems it expedient;
- (11) Suspend any appointed city employee or officer for cause, said suspension to be in effect until the next meeting of the council wherein the question of the employer or officer's capability shall be decided by the council;
- (12) Prepare and submit to the city council a recommended annual operating budget and recommended capital budget;
- (13) Break a tie vote of the council members; and
- (14) Perform other duties as may be required by law, this charter, or ordinance.

Section 2.30. Mayor pro tempore. During the absence or disability of the mayor for any cause, the mayor pro tempore, or, in his absence or disability for any cause, one of the council members chosen by the council shall be clothed with all the rights and privileges of the mayor and shall perform the duties of the office of mayor so long as such absence or disability shall continue.

ARTICLE III ADMINISTRATION

Section 3.10. Administrative and service departments. (a) The council by ordinance may establish, abolish, merge, or consolidate

offices, positions of employment, departments, and agencies of the city as it shall deem necessary for the proper administration of the affairs and government of the city. The council shall prescribe the functions and duties of existing departments, offices, and agencies or of any departments, offices, and agencies hereinafter created or established. The council may provide that the same person shall fill any number of offices and positions of employment and may transfer or change the functions or duties of offices, positions of employment, departments, and agencies of the city.

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

(c) Except as otherwise provided by this charter, the directors of departments and other appointed officers of the city shall serve at the pleasure of the appointing authority. Vacancies occurring in an appointive office shall be filled in the same manner as prescribed by this charter for original appointment.

(d) Except as otherwise provided 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.

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

Section 3.1.1. 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 shall be appointed by the council for such terms of office and such manner of appointment as provided by ordinance except where other appointing authority, terms of office, or manner of appointment is prescribed by this charter or by applicable state law.

(c) Any vacancy in office of any member of 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 any applicable state law.

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

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

(f) Members of boards, commissions, or authorities may receive such compensation and expenses in the performance of their official duties as prescribed by ordinance.

(g) The qualifications required of members of boards, commissions, or authorities shall be as prescribed by the council.

(h) Except as otherwise provided by this charter or by applicable state law, each board, commission, or authority of the city government shall elect one of its members as chairman and one of its members as vice-chairman for terms of one year. 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 applicable state law, as it deems appropriate and necessary for the conduct of its affairs, copies of which shall be filed with the city clerk.

Section 3.12. City manager. The council may appoint a city manager. The duties and authority of the city manager shall be established by ordinance and, in so doing, the council may specifically delegate to the city manager any of the administrative or budgetary duties of the mayor.

Section 3.13. City attorney. The council shall appoint a city attorney together with such assistant city attorneys as may be authorized by ordinance and shall provide for the payment of such attorney or attorneys for services rendered to the city. The city attorney shall be responsible for representing and defending the city in all litigation

in which the city is a party; may be the prosecuting officer in the recorder's court; shall attend the meetings of the council as directed; shall advise the 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 of him by virtue of his position as city attorney.

Section 3.14. City clerk. The council may appoint a city clerk to keep a journal of the proceedings of the city council, to maintain in a safe place all records and documents pertaining to the affairs of the city, and to perform such other duties as may be required by law or as the council may direct.

Section 3.15. City tax collector. The council may appoint a city tax collector to collect all taxes, licenses, fees, and other money belonging to the city subject to the provisions of this charter and the ordinances of the city. The city tax collector shall diligently comply with and enforce all general laws of Georgia relating to the collection, sale, or foreclosure of taxes by municipalities.

Section 3.16. City accountant. The council may appoint a city accountant to perform the duties of an accountant.

Section 3.17. Consolidation of functions. The council may consolidate any two or more of the positions of city clerk, city tax collector, and city accountant, or any other positions, or may assign the functions of any one or more of such positions to the holder or holders of any other positions.

Section 3.18. Position classification and pay plans. The mayor may be responsible for the preparation of position classification and pay plans which shall be submitted to the council for approval. Said plans may apply to all employees of the City of Adnan and of any of its agencies and offices. When a pay plan has been adopted, the council shall not increase or decrease the salaries of individual employees except by amendment of said pay plan.

Section 3.19. Personnel policies. The council shall adopt rules and regulations consistent with this charter concerning:

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

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

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

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

ARTICLE IV MUNICIPAL COURT

Section 4.10. Municipal court; creation. There is established a court to be known as the Municipal Court of the City of Adrian which shall have jurisdiction and authority to try offenses against the laws and ordinances of said city and to punish for a violation of the same. Such court shall have the power and authority to enforce its judgments by the imposition of such penalties as may be provided by law; to punish witnesses for nonattendance and to punish also any person who may counsel or advise, aid, encourage, or persuade another whose testimony is desired or material in any proceeding before said court to go or move beyond the reach of the process of the court; and to try all offenses within the territorial limits of the city constituting traffic cases which, under the laws of Georgia, are placed within the jurisdiction of municipal or police courts to the extent of and in accordance with the provisions of such laws and all laws subsequently enacted amendatory thereof. Said court shall be presided over by the judge of said court and the mayor and the mayor pro tempore may serve as the judge and the judge pro tempore, respectively. In the absence or disqualification of the judge, the judge pro tempore shall preside and shall exercise the same powers and duties as the judge when so acting.

Section 4.1.1. Judge. (a) No person shall be qualified or eligible to serve as judge unless he shall have attained the age of 21 years. Such person shall serve at the discretion of the council and his compensation shall be fixed by the council.

(b) The judge pro tempore shall serve in the absence of the judge, shall be appointed by the council, and shall take the same oath as the judge.

(c) Before entering on the duties of his office, the judge shall take an oath before an officer duly authorized to administer oaths in this state that he will truly, honestly, and faithfully discharge the duties of his office to the best of his ability without fear, favor, or partiality. The oath shall be entered upon the minutes of the council.

Section 4.1.2. Convening. Said court shall be convened at such times as designated by ordinance or at such times as deemed necessary to keep current the dockets thereof.

Section 4.1.3. Jurisdiction; powers. (a) The municipal court shall try and punish for crimes against the City of Adrian and for violation of its ordinances. The municipal court shall have authority to punish those in its presence for contempt, provided that such punishment shall not exceed \$25.00 or five days in jail. The municipal court may fix punishment for offenses within its jurisdiction not exceeding a fine of \$1,000.00 or imprisonment for 60 days, or both, and, as an alternative to fine or imprisonment, to sentence any offender upon conviction to labor in a city work gang or on the streets, sidewalks, squares, or other public works for a period not exceeding 60 days.

(b) 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 violation of state law.

(c) The municipal court shall have authority to establish bail and recognizances to ensure the presence of those charged with violations before said court and shall have discretionary authority to accept cash or personal or real property as surety for the appearance of persons charged with violations. Whenever any person shall give bail for his appearance and shall fail to appear at the time fixed for trial, his bond shall be forfeited by the judge presiding at such time and execution issued thereon by serving the defendant and his 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 of Adrian 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.

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

(e) The municipal court shall have the authority to administer oaths and to perform all other acts necessary or proper to the conduct of said court.

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

(g) The municipal court is specifically vested with all of the jurisdiction and powers throughout the entire area of the City of Adrian granted by state laws generally to mayor's, recorder's, and police courts and particularly by such laws as authorize the abatement of nuisances.

Section 4.14. Appeal. The right of appeal and any bond as may be required to secure the costs on appeal to the Superior Court of Emanuel County from the municipal court shall lie in the same manner and under the same procedure as generally prescribed for appeals and appeal bonds from the probate court; provided, however, that any person who fails to file his appeal within ten days of the date of his conviction shall be deemed to have waived any such right. An appeal to the superior court shall be a de novo proceeding.

Section 4.15. Rules for court. With the approval of 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 council may adopt in part or in toto the rules and regulations relative to the procedure of the operation of the municipal court under the general laws of the State of Georgia. The rules and regulations made or adopted for said court shall be filed with the city clerk and 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

Section 5.10. Election of mayor and council. (a) On the second Tuesday in November, 1984, and on that day annually thereafter, the general municipal election for mayor and council of the City of Adrian shall be conducted as provided in this article.

(b) For purposes of electing members of the council under this charter, there shall be five council posts-designated as Post 1, Post 2, Post 3, Post 4, and Post 5. Any person offering for membership on the council shall designate at the time of qualifying for election that post for which such person is offering. Notwithstanding these post delegations, each member of the council, as well as the mayor, shall be elected by the qualified voters voting in the entire city.

(c) For purposes of this section, those persons named in this subsection who are serving as members of the council of the city on the first day of January, 1984, shall be deemed to be serving in designated posts, under subsection (b) of this section, as follows:

Mr. Ben Womack - Post 1
Mr. Lewis Martin - Post 2
Mr. Jack Drake - Post 3
Mr. Curtis Whittington - Post 4
Mr. Carlton Willis - Post 5

(d) The two members of the council representing Posts 4 and 5 who were elected at the city election in 1982 shall serve out their respective terms of office, which shall expire the first regular meeting night of January, 1985. Their successors shall be elected at the general municipal election in 1984, shall take office on the first regular meeting night of January, 1985, and shall serve until the first regular meeting night of January, 1987, and until the election and qualification of their respective successors.

(e) The mayor and the three members of the council representing Posts 1, 2, and 3 who were elected at the city election in 1983 shall serve out their respective terms of office, which shall expire on the first regular meeting night of January, 1986. Their successors shall be elected at the general municipal election in 1985, shall take office on the first regular meeting night of January, 1986, and shall serve until the first regular meeting night of January, 1988, and until the election and qualification of their respective successors.

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(f) Successors to the mayor and members of the council elected under subsections (d) and (e) of this section shall be elected at the general municipal election immediately preceding the expiration of the incumbent's term of office, shall take office on the first regular meeting night of January following their election, and shall serve for a term of two years and until the election and qualification of their respective successors.

(g) For the period beginning on the effective date of this charter and ending on the first regular meeting night of January, 1985, the council shall consist of the incumbent mayor and incumbent members of the council elected under that city charter existing immediately prior to the effective date of this charter. For the period beginning on the first regular meeting night of January, 1985, and ending on the first regular meeting night of January, 1986, the council shall consist of the two members of the council from Posts 4 and 5 elected pursuant to subsection (d) of this section and the incumbent mayor and the three incumbent members of the council from Posts 1, 2, and 3. Thereafter, the council shall consist of a mayor and five members of the council elected pursuant to this charter.

(h) The mayor and each member of the council shall be elected by majority vote.

Section 5.1.1. Qualifying, voting procedures. The council may by ordinance, prescribe rules and regulations governing qualifying fees, nomination of candidates, absentee ballots, write-in votes, challenge of votes, and such other rules and regulations as may be necessary for the conduct of the elections in the City of Adrian.

Section 5.1.2. Applicability of general laws. The procedures and requirements for election of all elected officials for the City of Adrian as to primary, special, or general elections shall be in conformity with the provisions of the Georgia Municipal Election Code (Chapter 3 of Title 21 of the O.C.G.A.) as now or hereafter amended.

Section 5.1.3. Special elections; vacancies. In the event that the office of mayor or council member shall become vacant for any cause whatsoever, the council or those remaining shall order a special election to fill the balance of the unexpired term of such office; provided, however, that if such vacancy occurs within six months of the expiration of the term of office, said vacancy in office shall be filled by appointment by the remaining members of the council. Both

special elections and qualifications of candidates therefor shall conform to the applicable provisions of this charter and the Georgia Municipal Election Code as now or hereafter amended.

Section 5.1.4. Election of mayor and council members by majority vote. The candidate receiving a majority of the votes cast for the office of mayor shall be declared elected as mayor. The candidates for council posts receiving a majority of the votes cast for respective council post shall be declared elected as council members for the particular post for which they qualified.

Section 5.1.5. Grounds for removal of elected officers. The mayor or any council member shall be subject to removal from office for any one or more of the following causes:

- (1) Incompetence, misfeasance, or malfeasance in office;
- (2) Conviction of a crime involving moral turpitude;
- (3) Failure at any time to possess any of the qualifications office as provided by this charter or by law;
- (4) Willful violation of any express prohibition of this charter;
- (5) Abandonment of office or neglect to perform the duties thereof; or
- (6) Failure for any other cause to perform the duties office as required by this charter or by law.

Section 5.1.6. Procedure for removal. Removal of an elected officer from office may be accomplished by either of the following methods:

- (1) By action of unanimous vote of the entire members of the council; provided, however, that if the person sought to be removed is a member of the council, then he shall not vote. In such case, the officer shall be entitled to a written notice specifying the ground for removal and to a public hearing which shall be held not less than ten days after the service of such written notice. A council member sought to be removed from office as herein provided shall have the right of appeal from the decision of the council.

the Superior Court of Emanuel County. Such appeal shall be governed by the same rules as govern appeals to the superior court from the probate court; or

(2) By information filed with the Superior Court of Emanuel County as provided by law.

ARTICLE VI FINANCE

Section 6.10. Property taxes. All property subject to taxation for state or county purposes, assessed as of January 1 in each year, shall be subject to the property tax levied by the City of Adrian. The council shall use the county assessment for the year in which the city taxes are to be levied and shall request the county to furnish appropriate information for such purpose.

Section 6.11. Tax levy. The council shall be authorized to levy an ad valorem tax on all real and personal property within the corporate limits of the city for the purpose of raising revenue to defray the costs of operating the city government, providing governmental services, and for any other public purpose as determined by the council. The council is authorized to provide for sufficient levy to pay principal and interest on general obligations.

Section 6.12. Tax due dates and tax bills. The council shall provide by ordinance when the taxes of the city shall fall due, when such taxes shall be paid, whether they may be paid in installments or in one lump sum, and when, how, and upon what terms such taxes shall be due and payable. The council may also authorize the voluntary payment of taxes prior to the time when due.

Section 6.13. Licenses, occupational taxes, excise taxes. The council shall have full power to levy by ordinance such license or specific or occupation taxes upon the residents of Adrian, both individual and corporate, and on all those who transact or offer to transact business therein, or who practice or offer to practice any profession or calling therein; as the council may deem expedient for the public health, safety, benefit, convenience, or advantage of the city; to classify business, occupations, professions, or callings for the purpose of such taxation in any lawful way; to compel the payment of such licenses by execution or any other lawful manner; to make laws and regulations necessary or proper to carry out the powers herein

conferred; and to prescribe penalties for the violation thereof. The council shall have full power and authority to levy any excise tax not prohibited by general law.

Section 6.14. Sewer service charge. The council may provide by ordinance for the assessment and collection of fees, charges, and tolls for sewer services rendered both within and without the corporate limits of the city, said fees to provide for the cost and expense of collecting and disposing of sewage through the sewerage facilities of the city. If unpaid, said sewer charge shall constitute a lien against any property served which lien shall be second in priority only to liens for county and city property taxes and enforceable in the same manner and under the same procedures as a lien for the city property taxes.

Section 6.15. Sanitary and health service charge. The council shall have the authority to levy and collect by ordinance the cost of sanitary and health services necessary in the operation of the city from all individuals, firms, and corporations residing in or doing business in the city and benefiting from such service. Such authority shall include the power to assess, levy, and collect annual or monthly sanitary taxes or fees in such classification of property and sanitary service or services provided, as may be fixed by ordinance. Said sanitary taxes and the assessment thereof shall be a charge and lien against the real estate in respect to which said taxes are assessed and the owner or owners thereof, superior to all other liens except liens for county and city property taxes. Said lien shall be enforceable in the same manner and under the same remedies as a lien for city property taxes.

Section 6.16. Special assessments. The council shall have power and authority to assess all or part of the cost of constructing, reconstructing, widening, or improving any public way, street, sidewalk, curbing, gutters, sewers, or other utility mains and appurtenances under such terms and conditions as may be prescribed by ordinance. Such special assessments shall become delinquent 30 days after their due dates. They shall thereupon be subject, in addition to the penalties provided by law, to a penalty of 10 percent and shall thereafter be subject to interest at the rate of 12 percent per annum from date due until paid. A lien shall exist against the abutting property superior to all other liens except that it shall be of equal dignity with liens for county and city property taxes. Said lien shall be enforceable in the same manner and under the same remedies as a lien for city property taxes.

Section 6.17. Collection of delinquent taxes. The council may provide by ordinance for the collection of delinquent taxes by *fi. fa.* issued by the city clerk or mayor and executed by any police officer of the city under the same procedure provided by the laws governing execution of such process from the superior court or by the use of any other available legal processes and remedies. A lien shall exist against all property upon which city property taxes are levied, as of the assessment date of each year, which lien shall be superior to all other liens except that it shall have equal dignity with those of federal, state, or county taxes. In cases of hardship, the council shall have discretionary authority to waive any and all penalties imposed by this charter on delinquent taxes, fees, assessments, or on other amounts due to the city.

Section 6.18. Transfer of executions. The city clerk shall be authorized to assign or transfer any *fi. fa.* or execution issued for any tax or for any street, sewer, or other assessment in the same manner and to the same extent as provided by Georgia law governing sales and transfers of tax *fi. fas.* Such transfer or assignment, when made, shall vest the purchaser or transferee with all right, title, and interest as provided by Georgia law governing sales and transfers of tax *fi. fas.*; provided, however, that upon levy of execution and sale of property pursuant to such tax *fi. fa.*, whether assigned, transferred, or executed by the city, the owner of such property in fee simple or lesser interest shall not lose his right to redeem the property in accordance with the requirements of redemption of property sold under state or county *ad valorem tax fi. fas.*, as said requirements now exist or as may be hereinafter provided by law.

Section 6.19. Construction, other taxes. This city shall be empowered to levy any other tax allowed now or hereafter by state 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 6.20. General obligation bonds. The council shall have the power to issue bonds to raise revenue for any project, program, or venture authorized under this charter or the general laws of this state. Such bonding authority shall be exercised in accordance with the laws governing bond issuances by municipalities in effect at the time said issue is undertaken.

Section 6.21. Revenue bonds. Revenue bonds may be issued by the council as provided by an Act of the General Assembly, approved March 31, 1937, known as the Revenue Bond Law (Ga. L. 1937, p. 761), as now or hereafter amended or by any other Georgia law as now or hereafter provided.

Section 6.22. Short-term notes. Pursuant to applicable state law, the city may obtain temporary loans between January 1 and December 31 of each year.

Section 6.23. Fiscal year. The council shall set the fiscal year by ordinance. Said fiscal year shall constitute the budget year and the year for financial accounting for every office, department, institution, agency, and activity of the city government unless otherwise provided by state or federal law.

Section 6.24. Preparation of budgets. The council may provide by ordinance the procedures and requirements for the preparation and execution of an annual operating budget, a capital improvements program, and a capital budget including requirements as to scope, content, and form of any such budgets and programs.

Section 6.25. Additional appropriations. The council may make appropriations in addition to those contained in the current operating budget at any regular meeting or at any special meeting called for such purpose; provided, however, that any such additional appropriations may be made only from existing unappropriated surplus in the fund to which it applies.

Section 6.26. Capital improvements budget. (a) On or before the date fixed by the city council but not later than 30 days prior to the beginning of each fiscal year, the mayor shall submit to the council a proposed capital improvements budget with his recommendations as to the means of financing the improvements proposed for the ensuing fiscal year. The council shall have power to accept with or without amendments or reject the proposed program and proposed means of financing. The council shall not authorize an expenditure for the construction of any building, structure, work, or improvement unless the appropriations for such project are included in the capital improvements budget except to meet a public emergency threatening the lives, health, or property of the inhabitants and when passed by a two-thirds' vote of the membership of the council.

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(b) The council shall adopt the final capital improvements budget for the ensuing fiscal year not later than the first Monday in July of each year. No appropriation provided for in the capital improvements budget shall elapse until the purpose for which the appropriation was made shall have been accomplished or abandoned; provided, however, the mayor may submit amendments to the capital improvements budget at any time during the fiscal year, accompanied by his recommendations thereon. Any such amendments to the capital improvements budget shall become effective only upon adoption by a vote of the council.

Section 6.27. Contracting procedures. All contracts shall be made or authorized by the council and no contracts shall bind the city unless reduced to writing and approved by the council.

Section 6.28. Centralized purchasing. (a) The council may by ordinance prescribe procedures for a system of centralized purchasing for the City of Adrian.

(b) The council may sell and convey any real or personal property owned or held by the City of Adrian for governmental or other purposes at a public or private sale, with or without advertisement, for such consideration as the council shall deem equitable and just for the city.

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

(d) Whenever in opening, extending, or widening any street, avenue, alley, or public place of the city a small parcel or tract of land is cut off or separated by such work from a larger tract or boundary of land owned by the city, the council may authorize the mayor to execute and deliver in the name of the city a deed conveying said cutoff or separated parcel or tract of land to an abutting or adjoining property owner or owners in exchange for rights-of-way of said street, avenue, alley, or public place or in settlement of any alleged damages sustained by said abutting or adjoining property owner. All deeds and conveyances heretofore and hereafter so executed and delivered shall convey all title and interest the city has in such property notwithstanding the fact that no public sale after advertisement was or is hereafter made.

ARTICLE VII
GENERAL PROVISIONS

Section 7.10. Official bonds. The officers and employees both elected and appointed of the City of Adrian shall execute such official bonds in such amounts and upon such terms and conditions as the council may from time to time require.

Section 7.11. Existing ordinances and regulations. Existing ordinances and regulations of the City of Adrian not inconsistent with the provisions of this charter shall continue in effect until they have been repealed, modified, or amended by the council. Existing rules and regulations or departments or agencies of the City of Adrian not inconsistent with the provisions of this charter shall continue in effect until they have been repealed, modified, or amended.

Section 7.12. Pending matters. Except as specifically provided otherwise by this charter, all rights, claims, actions, orders, contracts, and legal or administrative proceedings initiated under the former charter of the City of Adrian shall continue, and any such ongoing work or cases shall be dealt with by such city agencies, personnel, or office as may be provided by the city council.

Section 7.13. 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 intended to be mandatory and the word "may" is not.

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

Section 7.14. Penalties. The violation of any provision of this charter for which a penalty is not specifically provided herein is declared to be a misdemeanor and shall be punishable by a fine of not more than \$1,000.00 or by imprisonment not to exceed three months or both such fine and imprisonment.

Section 7.15. Continuance in office. The mayor and council members serving as such on the effective date of this charter shall continue to serve as such for the terms of office to which they were elected and until their successors shall be elected as herein provided. Such successors shall be elected in the municipal general election

which is conducted immediately prior to the expiration of the respective term of office.

Section 7.16. Severability. In the event any section, subsection, sentence, clause, or phrase of this Act shall be declared or adjudged invalid or unconstitutional, such adjudication shall in no manner affect the other sections, subsections, sentences, clauses, or phrases of this Act, which shall remain of full force and effect, as if the section, subsection, sentence, clause, or phrase so declared or adjudged invalid or unconstitutional were not originally a part hereof. The General Assembly hereby declares that it would have passed the remaining parts of this Act if it had known that such part or parts hereof would be declared or adjudged invalid or unconstitutional.

Section 7.17. Specific repealer. An Act incorporating the City of Adrian in the Counties of Emanuel and Johnson, approved August 10, 1920 (Ga. L. 1920, p. 662) and all amendatory Acts thereto are repealed in their entirety.

Section 7.18. Repealer. All laws and parts of laws in conflict with this Act are repealed.

Notice of Intention to Introduce Local Legislation.

Notice is given that there will be introduced at the Regular 1984 Session of the General Assembly of Georgia, an Act to reincorporate and provide a new Charter for the City of Adrian, in Emanuel and Johnson Counties, to provide for the corporate limits and government of the City; to provide for all related matters; to repeal an Act incorporating the City of Adrian in Emanuel and Johnson Counties approved August 10, 1920 (Ga. L. 1920, p. 662) as amended and for other purposes.

This 31 day of December, 1983.

Von Kersey, Mayor
City of Adrian

Georgia, Emanuel County.

Personally appeared before me, the undersigned officer, duly authorized to administer oaths came William C. Roger, Sr., who on oath deposes that he or she is either the Publisher, or a duly designated employee of The Blade, the official organ of Emanuel County, and states that the attached copy of Notice of "Intention to Introduce Local Legislation" was published in The Blade on January 11, 1984.

/s/ William C. Roger, Sr.
Publisher or Duly
Authorized Employee
of The Blade

Sworn to and subscribed before me,
this 12th day of January, 1984.

/s/ Ruby Fagler
Notary Public.
(Seal).

Notice of Intention to Introduce Local Legislation.

Notice is given that there will be introduced at the Regular 1984 Session of the General Assembly of Georgia, an Act to reincorporate and provide a new Charter for the City of Adrian, in Emanuel and Johnson Counties, to provide for the corporate limits and government of the City; to provide for all related matters; to repeal an Act incorporating the City of Adrian in Emanuel and Johnson Counties approved August 10, 1920 (Ga. L. 1920, p. 662) as amended and for other purposes.

This 31st day of December, 1983.

Von Kersey, Mayor
City of Adrian

Georgia, Johnson County.

Personally appeared before me, the undersigned officer, duly authorized to administer oaths came Robert L. Garrett, who on oath deposes that he or she is either the Publisher, or a duly designated employee of The Wrightsville Headlight the official organ of Johnson County, and states that the attached copy of Notice of "Intention to Introduce Local Legislation" was published in The Wrightsville Headlight on January 12, 1984.

/s/ Robert L. Garrett, Editor
Publisher or Duly
Authorized Employee of
The Wrightsville Headlight

Sworn to and subscribed before me,
this 26 day of January, 1984.

/s/ Elizabeth W. Knight
Notary Public Washington Co., Georgia.
My Commission Expires August 1, 1984.
(Seal).

Approved March 28, 1984.

ETOWAH-FORSYTH WATER AUTHORITY ACT.

No. 1080 (House Bill No. 1609).

AN ACT

To create the Etowah-Forsyth Water-Authority; to authorize the authority to acquire, construct, add to, extend, improve, equip, operate, and maintain projects embracing sources of water supply and the distribution and sale of water and related facilities to individuals, private concerns, municipal corporations, the State of Georgia, its political subdivisions and instrumentalities thereof; to confer powers and impose duties on the authority; to provide for the membership and the appointment of members of the authority and their terms of office, qualifications, duties, powers, method of filling vacancies, compensation, and expenses; to authorize the authority to contract with others pertaining to water utilities and facilities and to contract with others pertaining to the use of the utilities and facilities of the authority and to execute leases and do all things necessary or convenient for the operation of such undertakings or projects; to authorize the issuance of revenue bonds of the authority payable from the revenues, tolls, fees, charges, and earnings of the authority and to pay the cost of such undertaking or project and authorize the collection and pledging of the revenues and earnings of the authority for the payment of such bonds; to authorize the execution of resolutions and trust indentures to secure the payment thereof and to define the rights of the holders of such obligations; to provide that no debt of Forsyth County shall be incurred in the exercise of any other powers granted by this Act; to make the bonds of the authority exempt from taxation; to authorize the authority to condemn property of every kind; to authorize the issuance of funding and refunding bonds; to fix and provide the venue and jurisdiction of actions relating to any provisions of this Act; to provide for the validation of bonds; to provide for the separate enactment of each provision of this Act; to provide for other matters relative to the foregoing; to provide an effective date; to repeal conflicting laws; and for other purposes.

Be it enacted by the General Assembly of Georgia:

Section 1. Short title. This Act shall be known and may be cited as the "Etowah-Forsyth Water Authority Act."