

House Bill 1024 (AS PASSED HOUSE AND SENATE)

By: Representative Werkheiser of the 157th

A BILL TO BE ENTITLED
AN ACT

1 To provide a new charter for the City of Glennville; to provide for boundaries and powers
2 of the city; to provide for a governing authority of such city and the powers, duties, authority,
3 election, election management, terms, vacancies, compensation, expenses, qualifications,
4 prohibitions, conflicts of interest, and suspension and removal from office relative to
5 members of such governing authority; to provide for inquiries and investigations; to provide
6 for oaths, organization, meetings, quorum, voting, rules, and procedures; to provide for
7 ordinances and codes; to provide for a mayor and mayor pro tempore and certain duties,
8 powers, and other matters relative thereto; to provide for administrative affairs and
9 responsibilities; to provide for boards, commissions, and authorities; to provide for a city
10 manager, city attorney, a city clerk, and other personnel and duties, powers, and other matters
11 relating thereto; to provide for rules and regulations; to provide for a municipal court and the
12 judge or judges thereof and other matters relative to those judges; to provide for the court's
13 jurisdiction, powers, practices, and procedures; to provide for the right of certiorari; to
14 provide for elections; to provide for taxation, licenses, fees, and collection of delinquent
15 taxes and fees; to provide for franchises, service charges, and assessments; to provide for
16 bonded and other indebtedness; to provide for auditing, accounting, budgeting, and
17 appropriations; to provide for city contracts and purchasing; to provide for the conveyance
18 of property and interests therein; to provide for bonds for officials; to provide for prior
19 ordinances and rules, pending matters, and existing personnel; to provide for penalties; to
20 provide for definitions and construction; to provide for other matters relative to the
21 foregoing; to provide a specific repealer; to repeal conflicting laws; and for other purposes.

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

23

SECTION 1.

24

Name and corporate powers.

25 (a) The City of Glennville, heretofore incorporated under the laws of Georgia, shall, from
26 and after the passage of this Act, be known by the corporate name of the "City of
27 Glennville," and by that name be and is hereby invested with all the rights, powers, and
28 privileges incident to municipal corporations in this state.

29 (b) The city shall have all powers possible for a city to have under the present or future
30 Constitution and laws of this state as fully and completely as though they were specifically
31 enumerated in this charter.

32 (c) The powers of the city shall be construed liberally in favor of the city. The specific
33 mention or failure to mention particular powers shall not be construed as limiting in any way
34 the powers of the city.

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

39 (e) The powers of the city shall include, but not be limited to, the following:

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

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

49 (3) Building regulation. To regulate and to license the erection and construction of
50 buildings and all other structures; to adopt building, housing, plumbing, fire safety,
51 electrical, gas, and heating and air conditioning codes; and to regulate all housing and
52 building trades;

53 (4) Business regulation and taxation. To levy and to provide for the collection of
54 regulatory fees and taxes on privileges, occupations, trades, and professions as authorized
55 by Title 48 of the O.C.G.A. or such other applicable laws as are or may hereafter be
56 enacted; to permit and regulate the same; to provide for the manner and method of
57 payment of such regulatory fees and taxes; and to revoke such permits after due process
58 for failure to pay any city taxes or fees;

- 59 (5) Condemnation. To condemn property, inside or outside the corporate limits of the
60 city, for present or future use and for any corporate purpose deemed necessary by the
61 governing authority, utilizing procedures enumerated in Title 22 of the O.C.G.A. or such
62 other applicable laws as are or may hereafter be enacted;
- 63 (6) Contracts. To enter into contracts and agreements with other governmental entities
64 and with private persons, firms, and corporations;
- 65 (7) Emergencies. To establish procedures for determining and proclaiming that an
66 emergency situation exists within or without the city, and to make and carry out all
67 reasonable provisions deemed necessary to deal with or meet such an emergency for the
68 protection, safety health, or well-being of the citizens of the city;
- 69 (8) Environmental protection. To protect and preserve the natural resources,
70 environment, and vital areas of the city, the region, and the state through the preservation
71 and improvement of air quality, the restoration and maintenance of water resources, the
72 control of erosion and sedimentation, the management of storm water and establishment
73 of a storm-water utility, the management of solid and hazardous waste, and other
74 necessary actions for the protection of the environment;
- 75 (9) Fire regulations. To fix and establish fire limits and from time to time extend,
76 enlarge, or restrict the same; to prescribe fire safety regulations not inconsistent with
77 general law, relating to both fire prevention and detection and to fire fighting; and to
78 prescribe penalties and punishment for violations thereof;
- 79 (10) Garbage fees. To levy, fix, assess, and collect a garbage, refuse, trash collection and
80 disposal, and other sanitary service charge, tax, or fee for such services as may be
81 necessary in the operation of the city from all individuals, firms, and corporations
82 residing in or doing business therein benefiting from such services; to enforce the
83 payment of such charges, taxes, or fees; and to provide for the manner and method of
84 collecting such service charges;
- 85 (11) General health, safety, and welfare. To define, regulate, and prohibit any act,
86 practice, conduct, or use of property which is detrimental to health, sanitation,
87 cleanliness, welfare, and safety of the inhabitants of the city, and to provide for the
88 enforcement of such standards;
- 89 (12) Gifts. To accept or refuse gifts, donations, bequests, or grants from any source for
90 any purpose related to powers and duties of the city and the general welfare of its
91 citizens, on such terms and conditions as the donor or grantor may impose;
- 92 (13) Health and sanitation. To prescribe standards of health and sanitation and to
93 provide for the enforcement of such standards;

- 94 (14) Motor vehicles. To regulate the operation of motor vehicles and exercise control
95 over all traffic, including parking upon or across the streets, roads, alleys, and walkways
96 of the city;
- 97 (15) Municipal agencies and delegation of power. To create, alter, or abolish
98 departments, boards, offices, commissions, and agencies of the city, and to confer upon
99 such agencies the necessary and appropriate authority for carrying out all the powers
100 conferred upon or delegated to the same;
- 101 (16) Municipal debts. To appropriate and borrow money for the payment of debts of the
102 city and to issue bonds for the purpose of raising revenue to carry out any project,
103 program, or venture authorized by this charter or the laws of the State of Georgia;
- 104 (17) Municipal property ownership. To acquire, dispose of, lease, and hold in trust or
105 otherwise any real, personal, or mixed property, in fee simple or lesser interest, inside or
106 outside the property limits of the city;
- 107 (18) Municipal property protection. To provide for the preservation and protection of
108 property and equipment of the city and the administration and use of same by the public;
109 and to prescribe penalties and punishment for violations thereof;
- 110 (19) Municipal utilities. To acquire, lease, construct, operate, maintain, sell, and dispose
111 of public utilities, including, but not limited to, a system of waterworks, sewers and
112 drains, sewage disposal, storm-water management, gas works, electric light plants, cable
113 television and other telecommunications, transportation facilities, public airports, and any
114 other public utility; and to fix the taxes, charges, rates, fares, fees, assessments,
115 regulations, and penalties and to provide for the withdrawal of service for refusal or
116 failure to pay the same;
- 117 (20) Nuisance. To define a nuisance and provide for its abatement whether on public or
118 private property;
- 119 (21) Penalties. To provide penalties for violation of any ordinances adopted pursuant to
120 the authority of this charter and the laws of the State of Georgia;
- 121 (22) Planning and zoning. To provide comprehensive city planning for development by
122 zoning; and to provide subdivision regulation and the like as the council deems necessary
123 and reasonable to ensure a safe, healthy, and aesthetically pleasing community;
- 124 (23) Police and fire protection. To exercise the power of arrest through duly appointed
125 police officers, and to establish, operate, or contract for a police and a firefighting
126 agency;
- 127 (24) Public hazards: removal. To provide for the destruction and removal of any
128 building or other structure which is or may become dangerous or detrimental to the
129 public;

- 130 (25) Public improvements. To provide for the acquisition, construction, building,
131 operation, and maintenance of public ways, parks and playgrounds, recreational facilities,
132 cemeteries, markets and market houses, public buildings, libraries, public housing,
133 airports, hospitals, terminals, docks, parking facilities, or charitable, cultural, educational,
134 recreational, conservation, sport, curative, corrective, detentional, penal, and medical
135 institutions, agencies, and facilities; to provide any other public improvements, inside or
136 outside the corporate limits of the city; to regulate the use of public improvements, and
137 for such purposes, property may be acquired by condemnation under Title 22 of the
138 O.C.G.A., or such other applicable laws as are or may hereafter be enacted;
- 139 (26) Public peace. To provide for the prevention and punishment of loitering, disorderly
140 conduct, drunkenness, riots, and public disturbances;
- 141 (27) Public utilities and services. To grant franchises or make contracts for, or impose
142 taxes on, public utilities and public service companies; and to prescribe the rates, fares,
143 regulations, and standards and conditions of service applicable to the service to be
144 provided by the franchise grantee or contractor, insofar as not in conflict with valid
145 regulations of the Public Service Commission;
- 146 (28) Regulation of roadside areas. To prohibit or regulate and control the erection,
147 removal, and maintenance of signs, billboards, trees, shrubs, fences, buildings, and any
148 and all other structures or obstructions upon or adjacent to the rights-of-way of streets and
149 roads or within view thereof, within or abutting the corporate limits of the city; and to
150 prescribe penalties and punishment for violation of such ordinances;
- 151 (29) Retirement. To provide and maintain a retirement plan and other employee benefit
152 plans and programs for officers and employees of the city;
- 153 (30) Roadways. To lay out, open, extend, widen, narrow, establish or change the grade
154 of, abandon or close, construct, pave, curb, gutter, adorn with shade trees, or otherwise
155 improve, maintain, repair, clean, prevent erosion of, and light the roads, alleys, and
156 walkways within the corporate limits of the city; and to grant franchises and
157 rights-of-way throughout the streets and roads and over the bridges and viaducts for the
158 use of public utilities; and to require real estate owners to repair and maintain in a safe
159 condition the sidewalks adjoining their lots or lands and to impose penalties for failure
160 to do so;
- 161 (31) Solid waste disposal. To provide for the collection and disposal of garbage, rubbish,
162 and refuse and to regulate the collection and disposal of garbage, rubbish, and refuse by
163 others; and to provide for the separate collection of glass, tin, aluminum, cardboard,
164 paper, and other recyclable materials, and to provide for the sale of such items;
- 165 (32) Special areas of public regulation. To regulate or prohibit junk dealers and the
166 manufacture and sale of intoxicating liquors; to regulate the transportation, storage, and

167 use of combustible, explosive, and inflammable materials; the use of lighting and heating
168 equipment; and any other business or situation which may be dangerous to persons or
169 property; to regulate and control the conduct of peddlers and itinerant traders, theatrical
170 performances, exhibitions, and shows of any kind, by taxation or otherwise; to license
171 and tax professional fortunetelling, palmistry, and massage parlors; and to restrict adult
172 bookstores to certain areas;

173 (33) Special assessments. To levy and provide for the collection of special assessments
174 to cover the costs for any public improvements;

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

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

179 (36) Taxicabs. To regulate and license vehicles operated for hire in the city; to limit the
180 number of such vehicles; to require the operators thereof to be licensed, to require public
181 liability insurance on such vehicles in the amounts to be prescribed by ordinance; and to
182 regulate the parking of such vehicles;

183 (37) Urban redevelopment. To organize and operate an urban redevelopment program;

184 (38) Water and sewer fees. To levy a fee, charge, or sewer tax as necessary to assure the
185 acquiring, constructing, equipping, operating, maintaining, and extending of a sewage
186 disposal plant and sewerage system, and to levy on those to whom sewers and sewerage
187 systems are made available a sewer service fee, charge, or sewer tax for the availability
188 or use of the sewers; to provide for the manner and method of collecting such service
189 charges and for enforcing payment of the same; to charge, impose, and collect a sewer
190 connection fee or fees to those connected with the system; to levy a fee, charge, or water
191 tax as necessary to ensure the acquiring, constructing, equipping, operating, maintaining,
192 and extending of wells, storage tanks, and a water system and to levy on those to whom
193 water services are made available a water service fee, charge, or tax for the availability
194 or use of the water system; to provide for manner and method of collecting such service
195 charges and for enforcing payment of the same; and to charge, impose, and collect a
196 water connection fee; and

197 (39) Other powers. To exercise and enjoy all other powers, functions, rights, privileges,
198 and immunities necessary or desirable to promote or protect the safety, health, peace,
199 security, good order, comfort, convenience, or general welfare of the city and its
200 inhabitants; to exercise all implied powers necessary or desirable to carry into execution
201 all powers granted in this charter as fully and completely as if such powers were fully
202 stated herein; and to exercise all powers now or in the future authorized to be exercised
203 by other municipal governments under other laws of the State of Georgia; and no listing

204 of particular powers in this charter shall be held to be exclusive of others, nor restrictive
 205 of general words and phrases granting powers, but shall be held to be in addition to such
 206 powers unless expressly prohibited to municipalities under the Constitution or applicable
 207 laws of the State of Georgia.

208 **SECTION 2.**

209 Corporate limits.

210 The corporate limits of the City of Glennville shall be as follows: Beginning at the center of
 211 Barnard Street at the point where Caswell Street intersects said Barnard Street and extending
 212 three-fourths of one mile in every direction from said central point, making a complete circle.
 213 The map of the corporate limits of the City of Glennville shall be available for public view
 214 inside city hall.

215 **SECTION 2A.**

216 Added territory.

217 In addition to that territory presently embraced within the corporate limits of the City of
 218 Glennville pursuant to Section 2 of this charter, the limits of such city shall also embrace all
 219 that territory and land lying and being in the 1432nd G.M. District of Tattnall County,
 220 Georgia, same adjoining and completely surrounding, but not including, the land presently
 221 within the city limits of the City of Glennville, Georgia, and being more particularly
 222 described on the perimeter as follows: Beginning at a point 10,875.5 feet from a line N 57°
 223 21' W from the center of the intersection of Caswell and Barnard Streets in the City of
 224 Glennville, Georgia; thence running in a straight line N 84° 46' E 12,400 feet to a point;
 225 thence running in a straight line S 21° 19' E 12,753 to a point; thence running in a straight
 226 line S 77° 30' W 11,650 feet to a point; thence running in a straight line N 32° 30' W 11,137
 227 feet to a point; thence running in a straight line N 5° 30' E 3,897 feet to the point of
 228 beginning; the interior boundary lines of said territory to be annexed as described above
 229 being the present city limits of said City of Glennville; said territory and land being shown
 230 on a plat thereof prepared on January 29, 1970, by Joe P. Davis, Georgia Registered
 231 Surveyor No. 1436, for the City of Glennville, Georgia.

232 Notwithstanding any other provision of this charter to the contrary, the property and all
 233 owners thereof located within the territory added to the corporate limits of the City of
 234 Glennville by this section shall not be subject to any ad valorem taxation until the City of
 235 Glennville shall provide within said territory essentially equivalent services as are enjoyed
 236 by the residents and property owners of that territory set forth in Section 2 of this Act.

237

SECTION 2B.

238

Added territory (Recreation Park).

239 In addition to any other territory lying within the corporate limits of the City of Glennville,
 240 such corporate limits shall also include the following: All that certain tract or parcel of land,
 241 situate, lying and being in the 1432nd G. M. District of Tattnall County, Georgia,
 242 containing 53.6 acres of land and bounded as follows: North by lands of Carlyle Harrison,
 243 East by land of the City of Glennville, South by lands of T. K. F. Farms, Inc., and West by
 244 lands of T. K. F. Farms, Inc., and Carlyle Harrison. Survey begins at iron spike, run of
 245 branch (North end of property) at land that joins Carlyle Harrison. S72° 00' E, 445.0 feet;
 246 thence S 19° 00'E, 304.3 feet; NE 0° 00'E, 390.1 feet; thence N65° 00'E, 347.8 feet; thence
 247 SE 1° 35'E, 83.2 feet; thence S65° 37'W, 780.9 feet; thence S4° 36'E, 965.2 feet; thence
 248 W79° 44'W, 2525.0 feet; thence N 13° 26'E, 205.0 feet; thence N29° 13'E, 147.5 feet; thence
 249 N74° 13'E, 925.0 feet; thence N56° 32'E, 992.1 feet to beginning of survey.

250

SECTION 2C.

251

Added territory (Pond, Recreation Park).

252 In addition to any territory lying within the corporate limits of the City of Glennville, such
 253 corporate limits shall also include the following: All that certain tract or parcel of land,
 254 situate, lying and being in the 1432nd G. M. District of Tattnall County, Georgia,
 255 containing 9.48 acres, more or less, and bounded as follows: Northerly by lands of A.C.
 256 Harrison, Easterly and North-Easterly by lands of A. C. Harrison; Easterly and Southeasterly
 257 by lands of the City of Glennville, upon which is located Glennville Recreation Center and
 258 Westerly by a county unpaved road. Beginning at the run of a branch on the eastern edge of
 259 a county unpaved road where the Southern boundary line of the lands herein and the Western
 260 boundary line of the lands of the City of Glennville adjoin a county unpaved road, thence
 261 along the Eastern edge of said county unpaved road N 24° 49' E for a distance of 206 feet,
 262 thence N 16° 17' E for a distance of 195.8 feet, thence S 75° 13' E for a distance of 380.4
 263 feet, thence N 49 44' E for a distance of 621.4 feet, thence N 37° 36' E for a distance of 860.9
 264 feet, thence S 37° 53' E for a distance of 339 feet to the run of a creek, thence S 54° 25' W
 265 [for] a distance of 41.7 feet to the center of an earthen dam, thence S 49° 12' W for a distance
 266 of 1261.7 feet, thence N 26° 4' W for a distance of 21.6 feet, thence S 50° 40' W for a
 267 distance of 154.2 feet, thence N. 65° 20' W for a distance of 54.7 feet, thence S 70° 10' W
 268 for a distance of 78.3 feet, thence S 68° 39' W for a distance of 98.1 feet, thence S 62° 22'
 269 W for a distance of 171.9 feet, thence S 71° 57' W for a distance of 96.6 feet, thence S 42°

270 56' W for a distance of 32.3 feet, thence N 89° 4' W for a distance of 113 feet, to the point
271 of beginning.

272 **SECTION 2D.**

273 Added territory (Oak Ridge Subdivision).

274 In addition to any territory lying within the corporate limits of the City of Glennville, such
275 corporate limits shall also include the following: All that certain tract or parcel of land,
276 situate, lying, and being in the 1432nd G. M. District of Tattnall County, Georgia,
277 containing 22.99 acres, more or less, and bounded as follows: North by other lands of Jack
278 L. Rogers and City of Glennville; Southeast by lands of Burney An Mann Scales; and
279 Westerly by lands of Ms. Corene Smith and lands of N. R. Griffin Estate. Beginning at an
280 iron spike on East end of property along City of Glennville Limits and running S37° 23'W
281 for a distance of 1899.11 feet, thence N15° 40' W for a distance of 591.97 feet, thence N08°
282 33' W for a distance of 652.91 feet to City of Glennville Limits. Beginning back at point of
283 survey S78° 30'40" W for a distance of 1438.94 feet running along City of Glennville Limits
284 to an iron spike.

285 **SECTION 2E.**

286 Added territory (Smith State Prison).

287 In addition to any territory lying within the corporate limits of the City of Glennville, such
288 corporate limits shall also include the following: All that certain tract or parcel of land
289 situate, lying and being in the 1700th G.M. District of Tattnall County, Georgia,
290 containing 243.834 acres, more or less, and bounded as follows: North by lands of Dr. J.
291 Troy Rahn, lands of Larry Banks, and lands of the Luther Durrence Estate; East by the north
292 prong of Beards Creek which separates this tract of land from lands now or formerly of
293 Jimmy Rockmore and lands of the Wallace Knight Estate; South by the south prong of
294 Beards Creek, lands of Freddie Kicklighter, and by lands of ITT Rayonier; and West by lands
295 of Dr. J. Troy Rahn. BEGINNING on the eastern edge of U.S. Highway 301 where the
296 northwesterly boundary line of Freddie Kicklighter adjoins the land herein described, said
297 point being a distance of 5,650 feet along the eastern edge of U.S. Highway 301 from the
298 existing city limits of the City of Glennville; THENCE, S 70° 50.46' E a distance of 2,188.85
299 feet along the lands of Freddie Kicklighter; THENCE, S 3° 24' W a distance of 693 feet
300 along the lands of Freddie Kicklighter to the run of the south prong of Beards Creek;
301 THENCE, S 58° 46' E a distance of 392.48 feet in the south prong of Beards Creek;
302 THENCE S 76° 9.22' E a distance of 453.15 feet in the south prong of Beards Creek;

303 THENCE, N 9° 19' E a distance of 390.19 feet from the north prong of Beards Creek;
304 THENCE, N 48° 3' W a distance of 215.34 feet in the north prong of Beards Creek;
305 THENCE N 5° 20' E a distance of 357.21 feet in the north prong of Beards Creek; THENCE,
306 N 36° 27' W a distance of 549.37 feet in the north prong of Beards Creek; THENCE, N 3°
307 52' E a distance of 384.81 feet in the north prong of Beards Creek; THENCE, N 72° 17' E
308 a distance of 354.69 feet in the north prong of Beards Creek; THENCE N 68° 19' E a
309 distance of 719.76 feet in the north prong of Beards Creek; THENCE, N 3° 4' E a distance
310 of 223.35 feet in the north prong of Beards Creek; THENCE, N 12° 0' E a distance of 327.48
311 feet in the north prong of Beards Creek; THENCE N 23° 54' E a distance of 140.40 feet in
312 the north prong of Beards Creek; THENCE, N 16° 10' W a distance of 374.20 feet in the
313 north prong of Beards Creek; THENCE, N 32° 55' W a distance of 290 feet in the north
314 prong of Beards Creek; THENCE, N 56° 44' E a distance of 104.90 feet in the north prong
315 of Beards Creek; THENCE, N 36° 16' W a distance of 134.20 feet in the north prong of
316 Beards Creek; THENCE, N 30° 16' W a distance of 168.64 feet in the north prong of Beards
317 Creek; THENCE, S 67° 18' W a distance of 1,484 feet along the lands of the Luther Durrence
318 Estate; THENCE, N 7° 58.47' W a distance of 2,638.72 feet along the lands of the Luther
319 Durrence Estate; THENCE, S 79° 58.15' W a distance of 236.48 feet along the lands of Larry
320 Banks; THENCE S 4° 53.44' W a distance of 902.42 feet along the lands of Larry Banks;
321 THENCE, S 5° 32.25' W a distance of 828.79 feet along the lands of Larry Banks; THENCE,
322 N 83° 53.34' W a distance of 2,214.80 feet along the lands of Larry Banks; THENCE, S 31°
323 43.55' W a distance of 495.46 feet along the lands of Dr. J. Troy Rahn; THENCE, N 72°
324 50.52' W a distance of 1,578.34 feet along the lands of Dr. J. Troy Rahn; THENCE, S 32°
325 15' W a distance of 281.24 feet along the lands of Dr. J. Trov Rahn to the run of the south
326 prong of Beards Creek; THENCE, S 60° 31.52' W a distance of 206.27 feet in the run of the
327 south prong of Beards Creek; THENCE, S 83° 9.16' E a distance of 1,548.92 feet along the
328 lands of ITT Rayonier; THENCE, N 88° 54.56' E a distance of 385.88 feet along the lands
329 of ITT Rayonier; THENCE, S 49° 53.08' E a distance of 282.56 feet along the lands of ITT
330 Rayonier; THENCE, S 74° 21.31' E a distance of 225.47 feet along the lands of ITT
331 Rayonier; THENCE S 77° 36.07' E a distance of 251.30 feet along the lands of ITT
332 Rayonier; THENCE, S 49° 28.33' E a distance of 125.85 feet along the lands of ITT
333 Rayonier; THENCE S 14° 59.57' E a distance of 285.19 feet along the lands of ITT
334 Rayonier; THENCE, S 12° 34.22' W a distance of 123.15 feet along the lands of ITT
335 Rayonier, THENCE, S 63° 32.54' E a distance of 569.35 feet along the lands of ITT
336 Rayonier and traversing U.S. Highway 301 to the eastern edge of U.S. Highway 301;
337 THENCE, S 14° 10.01' W a distance of 693.16 feet along the eastern edge of U.S. Highway
338 301; THENCE, S 17° 34.31' W a distance of 191.56 feet along the eastern edge of U.S.
339 Highway 301 to the point of BEGINNING.

340

SECTION 2F.

341

Added territory (Veterans Cemetery).

342 In addition to any territory lying within the corporate limits of the City of Glennville, such
343 corporate limits shall also include the following: All that certain lot, tract or parcel of land
344 situate, lying and being in the 1432nd G. M. District of Tattnall County, Georgia, containing
345 42.621 acres, more or less, and being more particularly described on a plat of survey
346 prepared by John O. Parker, Georgia Registered Land Surveyor Number 1850, dated July 10,
347 2003 and recorded in Plat Book 22, Page 116 in the Office of the Clerk of Tattnall Superior
348 Court. Said plat is incorporated herein by reference for descriptive and all other purposes.
349 Said property is bounded now, or formerly, as follows: On the North by lands of Wayne
350 Durrence, lands of Kenneth Brian Nall, lands of Robert P. Hallman, lands of Timothy J.
351 Strickland, lands of Edgar Allen and Rose DeLoach, lands of Susan C. Linnander, lands of
352 Michael A. and Sandra L. Moody, lands of Delta Gamblin, lands of Mrs. P. Maloy Odum and
353 lands of Kenneth R. McDowell, Sr; On the Southeast by the right of way of U. S.
354 Highway 301 and lands of Ricky E. Wilson, et al.; On the Southwest by lands of Timothy
355 O. Bland and Larenda S. Bland; and On the West by lands of Weitzel E. Beck, lands of
356 Kathleen Fate, et al., and lands of Steven R. & Bertraud Harris. Said lands described
357 hereinabove are inclusive of the road bed that was formerly identified as County Road 405
358 and which traverses the lands described herein. Said road was closed by a resolution of the
359 Tattnall County Board of Commissioners dated September 13, 2004 subsequent to the
360 preparation of the plat referenced in this section. Said land is the same as that conveyed by
361 the Development Authority of the City of Glennville by General Warranty Deed to the State
362 of Georgia dated October 2, 2003 which deed is of record in the Office of the Clerk of
363 Tattnall Superior Court in Deed Book 466, Page 639.
364 Said property is more accurately depicted by a plat by Joe P. Davis, Georgia Registered
365 Surveyor 1436, dated February 5, 1990, reference being made hereto for descriptive and all
366 other purposes.

367

SECTION 2G.

368

Added territory (Waste-water Treatment Plant).

369 In addition to any territory lying within the corporate limits of the City of Glennville, such
370 corporate limits shall also include the following: All that certain tract or parcel of land,
371 situate, lying, and being in the 1432nd G. M. District of Tattnall County, Georgia,
372 containing 200.385 acres, more or less, being irregularly shaped and described by metes,
373 bounds, courses and distances as follows: Beginning at a point that is the southwest-most

374 corner of lands owned by Pinnacle Towers, Ind., where the same joins lands of Lyndal A.
375 Rogers, on the existing City Limits of the City of Glennville at a concrete marker, thence
376 running along a line S 54° 24' 29" E, a distance of 911.12 feet to a point; thence turning and
377 running along a line N 40° 29' 32" E, a distance of 887.81 feet to a point; thence turning and
378 running along a line S 24° 58' 49" E, a distance of 164.52 feet to a point; thence turning and
379 running along a line S 40° 22' 15" W, a distance of 239.37 feet to a point; thence turning and
380 running along a line S 35° 33' 42"E, a distance of 844.42 feet to a point; thence turning and
381 running along a line N39° 58' 44" E, a distance of 231.07 feet to a point; thence turning and
382 running along a line S71° 23' 34" a distance of 175.88 feet to a point; thence turning and
383 running along a line S 45° 35' 21" E. a distance of 156.47 feet; Thence turning and running
384 along a line S 27° 44' 16 E, a distance of 209.67 feet; thence turning and running along a line
385 S13° 31' 12", a distance of 145.17 feet to a point; thence turning and running along a line S
386 17° 02' 06" E. a distance of 135.40 feet to a point; thence turning and running along a line
387 S 29° 35' 55" E., a distance of 152.70 [feet] to a point; thence turning and running along] a
388 line S 11° 49' 19" E, a distance of 124.79 feet to a point; thence turning and running along
389 a line S 30° 00' 20" R, a distance of 187.73 feet to a point; thence turning and running along
390 a line S 05° 29' 46" E, a distance of 164.70 feet to a point; thence turning and running along
391 a line S 46° 27' 41 E, distance of 251.45 feet to a point; thence turning and running along a
392 line S 04° 09' 03" W, a distance of 138.20 feet to a point; thence turning and running along
393 a line S 14° 42' 07" W, a distance of 167.04 feet to a point, thence turning and running along
394 a line S 10° 38' 16" W, a distance of 123.15 feet to a point; thence turning and running along
395 a line S 33° 15' 01" E, a distance of 311.94 feet to a point; thence turning and running along
396 a line S24° 48' 47" E, a distance of 133.12 feet to a point; thence turning and running along
397 a line S 22° 29' 27"E. a distance of 304.14 feet to a point; thence turning and running along
398 a line S 09° 20' 47" E, a distance of 325.00 feet to a point; thence turning and running along
399 a line S 23° 15' 47" E, a distance of 316.59 feet to a point; thence turning and running along
400 a line S 16° 53' 47" E, a distance of 229.45 feet to a point; thence turning and running along
401 a line S 06° 44' 47" E, a distance of 281.85 feet to a point; thence turning and running along
402 a line S 36° 41' 47" E, a distance of 163.25 feet to a point; thence turning and running along
403 a line S 09° 08' 13" W, a distance of 153.15 feet to a point; thence turning and running along
404 a line S 86° 35' 13"W, a distance of 339.34 feet to point; thence turning and running along
405 a line S 84° 07' 13" W, a distance of 943.50 feet to a point; thence turning and running along
406 a line N 01° 28' 27" W, a distance of 91.60 feet to a point; thence turning and running along
407 a line S 84° 38' 37" W, a distance of 640.82 feet to a point; thence turning and running along
408 a line S 03° 10' 51" E, a distance of 91.60 feet to a point; thence turning and running along
409 a line S 84° 37' 52" W, a distance of 517.36 feet to a point thence turning and running along
410 a line N 04° 42' 16" E, a distance of 735.72 feet to a point; thence turning and running along

411 a line N 88° 40' 29" w, a distance of 175.02 feet to a point; thence turning and running along
 412 a line N 79° 08' 29" W, a distance of 125.66 feet; thence turning and running along a line N
 413 69° 39' 10", W, a distance of 264.26 feet; thence turning and running along a line N 30° 01'
 414 26" E, a distance of 240.81 feet to a point; thence turning and running along a line N 55° 48'
 415 16" E, a distance of 1416.72 feet to a point; thence turning and running along a line N 81°
 416 54' 59 E, a distance of 300.79 feet to a point; thence turning and running along a line N 82°
 417 26' 36" E, a distance of 114.83 feet to a point; thence turning and running along a line N 56°
 418 12' 58" W. a distance of 1803.27 feet to a point; thence turning and running along a line N
 419 33° 47' 02" E. a distance of 250.92 feet to a point; thence turning and running along a line
 420 N 56° 12' 58" W a distance of 250.00 feet to a point; thence turning and running along a line
 421 S 44° 33' 07" W for a distance of 256.95 feet to a point; thence turning and running along a
 422 line S 66° 19' 08 W, for a distance of 80 feet to a point; thence turning and running along a
 423 line N 38° 07' 42" W, for a distance of 268.77 feet to a point; thence turning and running
 424 along a line N 52° 34' 32" W, a distance of 940.32 feet to a point; thence turning and running
 425 along a line N 49° 51' 40" W, a distance of 58.08 feet to a point; thence turning and running
 426 along a line N 35° 45' 42" E, a distance of 1116.50 feet to the point of beginning.

427

SECTION 2H.

428

Added territory (Industrial Development Authority).

429 In addition to any territory lying within the corporate limits of the City of Glennville, such
 430 corporate limits shall also include the following: All that certain tract or parcel of land,
 431 situate, lying and being in the 1432nd G. M. District of Tattnall County, Georgia,
 432 containing 93.79 acres, more or less, being irregularly shaped and described by metes,
 433 bounds, courses and distances as follows: Beginning at a point marked by a PK nail that is
 434 driven into the center line of Georgia highway 144 at the point where the centerline of
 435 County Road No. 321 intersects the centerline of Georgia Highway No. 144 and travels
 436 generally southeasterly direction along a line that is S 05E 09' 38" E for a distance
 437 of 1,331.76 feet to a spike set in the center line of County Road No. 321 which is THE
 438 POINT OF BEGINNING; thence turning in a easterly direction and running along a line that
 439 is S 79E 49' 21" E a distance of 1,972.47 feet to a point; thence turning in a northwesterly
 440 direction and running along a line N 42E 20' 11" W a distance of 251.81 feet to a point;
 441 thence turning northerly and running along a line N 28E 54' 52" W a distance of 390.76 feet
 442 to a point; thence turning and running along a line N 21E 31' 54" W a distance of 377.97 feet
 443 to a point; thence turning and running along a line N 43 E 04' 52" E a distance of 31.03 feet
 444 to a point; thence turning and running to a point marked by rebar; thence continuing along
 445 a line N 43E 04' 52" B a distance of 133.30 feet to a point where said line intersects with the

446 Glennville City Limits; thence turning in a south easterly direction and running along a line
 447 S 35E 36' 16" E a distance of 2,768.05 feet to a point; thence turning in a westerly direction
 448 and running along a line N 78E 42' 14" W a distance of 481.99 feet to a point; thence turning
 449 in a westerly direction and running along [a] line N 77E 04' 14" W a distance of 384.12 feet
 450 to a point; thence turning and running westerly and running along a line N 81E 08 14" W a
 451 distance of 97.68 feet to a point; thence turning westerly and running along a line N 77E 19'
 452 14" W a distance of 352.44 feet to a point; thence turning northwesterly and running along
 453 a line N 70 E 17' 14" W a distance of 290.40 feet to a point; thence turning westerly and
 454 running along a line N 71 E 42' 31" W a distance of 85 feet to a concrete monument; thence
 455 turning and running in a southerly direction and running along a line S 29E 23' 50" W a
 456 distance of 10,040.41 feet to a concrete monument; thence turning and running in a westerly
 457 direction along a line N 85E 58' 33"W a distance of 355.07 feet to a point; thence turning
 458 westerly running along a line N 72E 06' 19" W a distance of 102.53 feet to a point; thence
 459 turning in a southwesterly direction and running along a line W 65E 29' 20"W a distance
 460 of 130.48 feet to a point; thence turning westerly and running along a line N 82E 15' 26" W
 461 a distance of 304.45 feet to a metal spike set in the centerline of County Road No. 321;
 462 thence turning in a northerly direction and running along] a line N 02E 21' 02" W a distance
 463 of 880.24 feet to a spike set in the center line of County Road 321; thence running in a
 464 northerly direction along a line N 05E 43' 38" W a distance of 155.58 feet to a point; thence
 465 turning northerly running along a line N 07E 42' 58" W a distance of 280.48 feet to a spike
 466 set in the center line of County Road No. 321; thence turning in a northerly direction and
 467 running along a line N 04E 07' 39W a distance of 754.75 feet to THE POINT OF
 468 BEGINNING.

469

SECTION 3.

470

Mayor and council; operations.

471 (a) The government of the City of Glennville shall be vested in a mayor and four council
 472 members, one council member to be elected from and live in each of the wards of such city.

473 (b) The city council shall, at the first meeting after election and qualification, elect one of
 474 their members as mayor pro tem, who shall, in the absence of the mayor and in case of his
 475 or her disqualification, be the presiding officer of the city council, and shall be allowed to
 476 vote on all questions, and who, in the absence or disqualification of the mayor, may and shall
 477 exercise all the duties, powers, rights, and privileges conferred by this charter upon the
 478 mayor, in the absence of the major or when the mayor, from sickness or from other reasons,
 479 is unable to act.

- 480 (c) The mayor and councilmembers shall receive compensation and expenses for their
 481 service as provided by the pay scale and compensation plan approved by resolution.
 482 (d) The City of Glennville shall operate as a city manager form of government.

483 **SECTION 4.**

484 Elections; qualifications for office; terms.

- 485 (a) There shall be a municipal election biennially in the odd-numbered years on the Tuesday
 486 following the first Monday in November.
- 487 (b) There shall be elected the mayor and two councilmembers from Wards 1 and 2 at one
 488 election and at every other regular election thereafter. The remaining city council seats,
 489 Wards 3 and 4, shall be filled at the election alternating, in the year following a presidential
 490 election, so that a continuing body is created.
- 491 (c) Terms shall be for four years and until a successor is elected and qualified.
- 492 (d) The city shall be divided into four wards within boundaries of this city, existing on the
 493 effective date of the adoption of this charter with such alterations as may be made from time
 494 to time in the manner provided by law:
- 495 (1) The wards of this city at all times shall be shown on a map, a written description, or
 496 any combination thereof, to be retained permanently in the office of the city clerk and to
 497 be designated, as the case may be: "Official Ward Map of the corporate limits of the City
 498 of Glennville, Georgia";
- 499 (2) Photographic, typed, or other copies of such map or description certified by the city
 500 clerk shall be admitted as evidence in all courts and shall have the same force and effect
 501 as with the original map or description; and
- 502 (3) The city council may provide for the redrawing of any such map, by ordinance, to
 503 reflect lawful changes in the ward boundaries, and a redrawn map shall supersede for all
 504 purposes the entire map, or maps, which it is designated to replace.
- 505 (e)(1) For the purpose of electing members of the council, the City of Glennville shall
 506 be divided into four wards which shall be and correspond to those four numbered districts
 507 described in and attached to and made a part of this Act and further identified as
 508 'Plan: glennville-import-2013 Plan Type: local Administrator: glennville User: bak'.
 509 (2) For the purposes of such plan:
- 510 (A) The term "VTD" shall mean and describe the same geographical boundaries as
 511 provided in the report of the Bureau of the Census for the United States decennial
 512 census of 2010 for the State of Georgia. The separate numeric designations in a district
 513 description which are underneath a VTD heading shall mean and describe individual

514 blocks within a VTD as provided in the report of the Bureau of the Census for the
515 United States decennial census of 2010 for the State of Georgia; and

516 (B) Except as otherwise provided in the description of any district, whenever the
517 description of any district refers to a named city, it shall mean the geographical
518 boundaries of that city as shown on the census maps for the United States decennial
519 census of 2010 for the State of Georgia.

520 (3) Any part of the City of Glennville which is not included in any district described in
521 paragraph (1) of this subsection shall be included within that district contiguous to such
522 part which contains the least population according to the United States decennial census
523 of 2010 for the State of Georgia.

524 (4) Any part of the City of Glennville which is described in paragraph (1) of this
525 subsection as being included in a particular district shall nevertheless not be included
526 within such district if such part is not contiguous to such district. Such noncontiguous
527 part shall instead be included within that district contiguous to such part which contains
528 the least population according to the United States decennial census of 2010 for the State
529 of Georgia.

530 (f) The mayor shall be elected by a plurality of the consolidated vote of the qualified electors
531 of the entire city.

532 (g) The councilmembers shall be elected by a plurality of the consolidated vote of the
533 qualified electors voting within their respective wards.

534 (h) In cases where two or more candidates for any city office shall receive the same number
535 of votes, thereby resulting in a tie, a runoff shall be held by the Tattnall County Board of
536 Elections in accordance with the election laws of this state.

537 (i)(1) No person shall be eligible to serve as mayor unless said person has been a resident
538 of the City of Glennville for 12 months immediately preceding the mayoral election. The
539 mayor shall continue to reside within the City of Glennville during the period of service.

540 (2) No person shall be eligible to serve as a councilmember unless such person has been
541 a resident of the City of Glennville for 12 months immediately preceding the election of
542 the councilmember. A councilmember shall reside within his or her respective council
543 ward for a minimum of 12 months immediately preceding the election and for the
544 duration of the period of service.

545 (3) No person's name shall be listed as a candidate on the ballot for election for either
546 mayor or councilmember unless such person shall file a written notice with the Tattnall
547 County Board of Elections that he or she desires his or her name to be placed on said
548 ballot as a candidate, either for mayor or councilmember.

549 (j) Candidates for office shall be at least 21 years of age.

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

553 (l) All municipal elections shall be nonpartisan and without primaries.

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

558 (n) Persons elected to municipal office shall take office on the day of the first council
 559 meeting in January following their election.

560 (o) The mayor and council shall meet in the city hall or council chamber and there severally
 561 take before some officer of this state authorized to administer oaths the following oath of
 562 office:

563 "I do solemnly swear that I will well and truly demean myself as mayor (or
 564 councilmember, as the case may be) of the City of Glennville for the ensuing term and
 565 faithfully enforce the charter and ordinances of the city to the best of my skill and
 566 knowledge without fear or favor, so help me God."

567 (p) Should any councilmember-elect or mayor-elect be absent from such meeting, the oath
 568 of office shall be taken as soon as possible thereafter.

569 SECTION 5.

570 Election management.

571 All elections held under the provisions of this charter and all elections in which a subject or
 572 question submitted to the qualified voters of the City of Glennville shall be superintended
 573 and managed, pursuant to the authorities of state law, by the Tattnall County Board of
 574 Elections. The Tattnall County Board of Elections shall be responsible for furnishing all
 575 personnel who are required by law or deemed necessary for the efficient and lawful conduct
 576 of such elections. Such election personnel shall open the polls at all elections held in the city
 577 at the place named and designated by the mayor and council, and such polls shall be open
 578 from 7:00 a.m. to 7:00 p.m., at which time they shall be closed; and such personnel shall
 579 proceed to tally the balance, consolidate the returns of such election, and certify the same.
 580 All election personnel shall take and prescribe an oath before some officer of such city and
 581 county qualified to administer oaths substantially as follows:

582 "We, and each of us, do solemnly swear that we will faithfully and impartially conduct this
 583 election, and prevent all illegal voting to the best of our skill and power, so help us God."

584

SECTION 6.

585

Vacancies; filling.

586 (a) In case of a vacancy in the office of mayor, caused by death, resignation, removal from
 587 the city, a change in residency outside of the city, or otherwise, the city council shall proceed
 588 at once to call a special election for the purpose of electing a mayor to fill the unexpired term
 589 if the remaining period of the term is 12 months or more, under the same rules in which
 590 general city elections are held.

591 (b) During the time such vacancy may exist, the mayor pro-tem shall discharge the duties
 592 incumbent upon the office of mayor.

593 (c) In case of a vacancy in the office of councilmembers, caused by death, resignation,
 594 removal from the city, a change in residency outside a councilmember's respective ward, a
 595 change in residency outside of the city, removal from office, or otherwise, such vacancies
 596 shall be filled for the unexpired terms by special election if the vacancy occurs more than 12
 597 months before the expiration of the councilmember's term and by appointment of the mayor
 598 and council if the vacancy occurs less than 12 months before the expiration of the
 599 councilmember's term. No person shall be appointed to serve on the council without meeting
 600 residency and ward requirements as set forth in this charter.

601

SECTION 7.

602

Removal of mayor and councilmembers for cause.

603 (a) The mayor or councilmembers may be removed from office for any one or more of the
 604 following causes:

605 (1) Declared medical incompetence or misfeasance or malfeasance in office;

606 (2) Conviction of a felony or conviction of a misdemeanor involving moral turpitude;

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

609 (4) Knowingly violating any expressed prohibition of this charter;

610 (5) Abandonment of office or neglect to perform the duties thereof; or

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

613 (b) Removal of an officer pursuant to subsection (a) shall be accomplished by one of the
 614 following methods:

615 (1) Following a hearing at which an impartial panel shall render a decision.

616 (A) In the event an elected official is sought to be removed by the action of the city
 617 council, such officer shall be entitled to a written notice specifying the ground or

618 grounds for removal and to a public hearing which shall be held not less than ten days
619 after the service of such written notice;

620 (B) The city council shall provide by ordinance the manner in which such hearings
621 shall be held; and

622 (C) Any elected officer sought to be removed from office herein provided shall have
623 the right of appeal from the decision of the city council to the Superior Court of Tattnall
624 County. Such appeal shall be governed by the same rules as govern appeals to the
625 superior court from the probate court.

626 (2) By an order of the Superior Court of Tattnall County following a hearing on a
627 complaint seeking such removal brought by any resident of the city of Glennville.

628 (A) A resident seeking removal of the mayor must be a resident of the City of
629 Glennville; or

630 (B) A resident seeking removal of a councilmember must be a resident of the
631 respective ward of the councilmember for which removal is sought.

632 SECTION 8.

633 Meetings of council.

634 (a) The city council shall be presided over at its meetings by the mayor or, in the absence
635 of the mayor, the mayor pro tem and a majority of the council shall be necessary to constitute
636 a quorum for the transaction of business:

637 (1) A quorum shall be defined as three councilmembers and shall be authorized to
638 transact business of the city council;

639 (2) Except as otherwise provided in this charter, the affirmative vote of three
640 councilmembers shall be required for the adoption of any ordinance, resolution, or
641 motion; and

642 (3) In the event of a tie, the affirmative vote of two council members and the mayor shall
643 be required for the adoption of any ordinance, resolution, or motion.

644 (b) The city council shall hold regular meetings at such times and places as shall be
645 prescribed by ordinance or resolution passed by the council. The council shall cause to be
646 kept in a well-bound book an accurate record of all its proceedings, bylaws, acts, orders,
647 ordinances, and resolutions, which shall be open for public inspection. At such meetings of
648 the city council, the proceedings of the last meeting shall be read and corrected, signed, and
649 approved as corrected, and declared to be the official minutes of the meeting.

650 (c) Special meetings of the city council may be held on call of the mayor or at least three
651 members of the city council.

- 652 (1) Notice of special meetings shall be served on all other members by personal service,
653 by telephone service, or by e-mail, at least 24 hours in advance of the meeting.
- 654 (2) Such notice shall state the purpose of the special called meeting.
- 655 (3) Such notice to councilmembers shall not be required if the mayor and all
656 councilmembers are present when the special meeting is called.
- 657 (4) Only the business stated for the special meeting may be transacted.
- 658 (5) Presence of the mayor and council at the special called meeting shall be deemed a
659 waiver of any defect in the notice.
- 660 (d) Voting on the adoption of ordinances shall be by voice vote and the vote shall be
661 recorded in the journal.
- 662 (e) Any member of the city council shall have the right to request a roll call vote and such
663 vote shall be recorded in the journal.
- 664 (f) No member of the city council shall abstain from voting on any matter properly brought
665 before the council for official action except when such councilmember has a conflict of
666 interest which is disclosed in writing prior to or at the meeting and made a part of the
667 minutes. Any member of the city council present and eligible to vote on a matter and
668 refusing to do so for any reason other than a properly disclosed and recorded conflict of
669 interest shall be deemed to have acquiesced or concurred with the members of the majority
670 who did vote on the question involved.
- 671 (g) Executive sessions of the council may be held for the purpose of conducting business
672 excepted from public access requirements as authorized by applicable state law. Where a
673 meeting of the council is devoted in part to matters within the authorized exceptions to public
674 access requirements, any portion of the meeting not subject to any such exceptions shall be
675 open to the public.
- 676 (1) No executive session shall be held except pursuant to a majority affirmative vote of
677 the city council taken in a public meeting;
- 678 (2) The minutes of the public meeting shall reflect the names of councilmembers present,
679 those voting for the executive session, and the specific reasons for the executive session;
- 680 (3) Minutes of the executive session may be maintained by the clerk of the city council
681 upon a majority vote of the council; and
- 682 (4) Any such minutes shall be maintained in a confidential file and shall not be subject
683 to disclosure, except that disclosures of such portions of minutes identifying real estate
684 to be acquired by the council may be delayed only until such time as the acquisition of
685 the real estate has been completed, terminated, or abandoned or court proceedings have
686 been initiated.

687 **SECTION 9.**

688 Duties of mayor.

689 The mayor shall be the chief executive officer of the city and:

- 690 (1) Preside at all meetings of the city council;
- 691 (2) Be the head of the city for the purpose of service of process and for ceremonial
692 purposes and be the official spokesman for the city and the chief advocate of policy;
- 693 (3) Sign as a matter of course on behalf of the city all written and approved contracts,
694 ordinances, and other instruments executed by the city which by law are required to be
695 in writing;
- 696 (4) Vote on matters before the city council in the event of a tie vote and not be counted
697 toward a quorum as any other councilmember; and
- 698 (5) Have the authority to appoint a designee for the signing of other documents related
699 to departments within the city.

700 **SECTION 10.**

701 Appointed officials.

702 (a) The city council shall have power to appoint a city attorney, city clerk, city manager, city
703 fire chief, city police chief, public works director, municipal judge, and such other officers
704 as to the council may seem necessary and proper. The terms of office of such officers shall
705 be for one year, and each appointed official shall serve at the pleasure of the mayor and
706 council:

- 707 (1) The mayor or a councilmember may recommend the removal from office for cause
708 of any appointed official;
- 709 (2) The appointed official shall continue to receive his or her respective salary until the
710 effective date of a final resolution or removal; and
- 711 (3) For purposes of this section, all elected and appointed city officials are not city
712 employees.
- 713 (b)(1) The city manager shall supervise and discipline the other appointed officials, with
714 the exception of the city attorney and the municipal judge, but shall not have the authority
715 to hire or fire any appointed official.
- 716 (2) The city manager shall have the authority to hire and fire any other city employees
717 not considered appointed officials.
- 718 (3) The city manager shall report to the mayor.
- 719 (4) The city manager shall be responsible for the preparation of a position classification
720 and pay plan which shall be submitted to the city council for approval. Such plan may

721 apply to all employees of the city and any of its agencies, departments, boards,
722 commissions, or authorities. When a pay plan has been adopted, the city council shall not
723 increase or decrease the salary range applicable to any position except by amendment of
724 such pay plan.

725 (c)(1) The mayor and council shall appoint a city clerk who shall not be a
726 councilmember.

727 (2) The city clerk shall be custodian of the official city seal and city records, shall
728 maintain city council records required by this charter and shall perform such other duties
729 as may be required by the city council, the city manager, and the job description.

730 (d)(1) The mayor and council may appoint a city attorney and shall provide for the
731 payment of such attorney for services rendered to the city.

732 (2) The city attorney shall be responsible for representing and defending the city in all
733 litigation in which the city is a party; may be the prosecuting officer in the municipal
734 court; shall attend the meetings of the council as directed; shall advise the city council,
735 mayor, and other officers and employees of the city concerning legal aspects of the city's
736 affairs; and shall perform such other duties as may be required by virtue of the position
737 as city attorney.

738 (e)(1) The mayor and council shall appoint a municipal judge and shall provide for the
739 payment of such judge for services rendered to the city.

740 (2) The municipal judge shall meet the qualifications provided in Code Section 36-32-1.1
741 of the O.C.G.A.

742 (3) The judge shall have full power and authority to make reasonable rules and
743 regulations necessary and proper to secure the efficient and successful administration of
744 the municipal court.

745 (4) The municipal court shall be convened at regular intervals as provided by ordinance.

746 (5) Fees and fines shall be set by the judge in accordance with state law.

747 SECTION 11.

748 Arrests.

749 It shall be lawful for the chief of police of the city, or any regular or special policeman, to
750 arrest without a warrant any and all persons within the corporate limits of said city who are
751 at the time of such arrest or before that time have been guilty, in such limits, of any violation
752 of the ordinances or laws of the city and to hold such persons so arrested until a hearing of
753 the charge can be had before a proper officer; and to this end, the arresting officers are
754 authorized to imprison and confine any person arrested by them in the Tattnall County Jail.
755 To effect an arrest, in case it may be necessary, the police or any arresting officer shall have

756 authority to call to his or her assistance the sheriff of Tattnall County within the parameters
757 of the intergovernmental agreement with the Tattnall County Sheriff's Office.

758 **SECTION 12.**

759 Taxation.

760 The city council may have power and authority each year to act as tax assessors. It shall be
761 the duty of such tax assessors, when they are not satisfied that all returns of property have
762 been made at a fair valuation thereof, to value the real estate and personalty in such city for
763 taxation and to scrutinize carefully each return of property, real and personal, by any
764 taxpayer of the city; and if, in their judgment, they shall find the property embraced in any
765 return to have been returned below its true value, they shall assess the value thereof within
766 60 days after the time for making tax returns has expired; and whenever they shall raise the
767 valuation at which the taxpayer has returned his property, they shall give him or her notice
768 in writing of their assessment. Then, it shall be the taxpayer's privilege, if dissatisfied with
769 the assessment, to have the matter submitted to three disinterested persons, all residents of
770 the city, of whom one shall be selected by the taxpayer and one by the tax assessors and the
771 other by these two selected; and the majority of these shall fix the assessment, which shall
772 be final. All tax assessors shall be a freeholder in the city. The city council of the City of
773 Glennville is authorized to enter into contracts with firms, individuals, or corporations for
774 the employment of persons, firms, or corporations to assist and make recommendations in
775 the mapping, platting, cataloging, indexing, and appraising of all the taxable property, both
776 real and personal, within the city; to make recommendations of the evaluation of such taxable
777 property to the city council; and to search out and appraise unreturned properties in the city,
778 subject to approval of the city council. The city council may hire persons, firms, or
779 corporations to aid and assist in making a cadastral survey and a field book system for real
780 property identification and evaluation.

781 **SECTION 13.**

782 Property tax.

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

789 **SECTION 14.**

790 Sales tax.

791 The city council, in its discretion, shall have the power and authority to levy and collect a tax
792 upon the gross sales of every merchant or other vendor of goods, wares, merchandise, etc.,
793 in the city.

794 **SECTION 15.**

795 Business tax and occupational tax.

796 The city council, by ordinance, shall have the power to levy such occupation or business
797 taxes as are not denied by law.

798 (1) Such taxes may be levied on both individuals and corporations who transact business
799 in this city or who practice or offer to practice any profession or calling therein to the
800 extent such persons have a constitutionally sufficient nexus to this city to be so taxed; and

801 (2) The city council may classify businesses, occupations, professions, or callings for the
802 purpose of such taxation in any way which may be lawful and may compel the payment
803 of such taxes.

804 **SECTION 16.**

805 Business licenses.

806 The city council, by ordinance, shall have the power to require any individuals or
807 corporations who transact business in the city or who practice or offer to practice any
808 profession or calling therein to obtain a license or permit for such activity from the city and
809 to pay a reasonable fee for such license or permit where such activities are not now regulated
810 by general law in such a way as to preclude city regulations. Such fees may reflect the total
811 cost to the city of regulating the activity and, if unpaid, shall be collected. The city council
812 by ordinance may establish reasonable requirements for obtaining or keeping such licenses
813 as the public health, safety, and welfare necessitates.

814 **SECTION 17.**

815 Fiscal year.

816 The city council shall set the fiscal year as determined by the city financial policy approved
817 by the mayor and council. This fiscal year shall constitute the budget year and the year for

818 financial accounting and reporting of each and every office, department, agency, and activity
819 of the city government, unless otherwise provided by general state or federal law.

820 **SECTION 18.**

821 Collection of delinquent taxes and fees.

822 The mayor and city council, by ordinance, may provide generally for the collection of
823 delinquent taxes, fees, or other revenue due to the city by whatever reasonable means not
824 precluded by law. This shall include providing for the dates when taxes or fees are due; late
825 penalties or interest; issuance and execution of fi.fa's; creation and priority of liens; making
826 delinquent taxes and fees personal debts of the persons required to pay the taxes or fees
827 imposed; revoking city permits for failure to pay any city taxes or fees; and providing for the
828 assignment or transfer of tax executions.

829 **SECTION 19.**

830 Millage rate.

831 The city council, by ordinance, shall establish a millage rate for the city property tax, a due
832 date, and the time at which these taxes must be paid. The city council, by ordinance, may
833 provide for the payment of these taxes by installments or in one lump sum, as well as to
834 authorize the voluntary payment of taxes prior to the due date. The schedule shall run
835 concurrent with the millage rate cycle of Tattnall County.

836 **SECTION 20.**

837 Municipal bonds.

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

841 **SECTION 21.**

842 Eminent domain.

843 The city council is hereby empowered to acquire, construct, operate, and maintain public
844 ways; parks; public grounds; cemeteries; markets; market houses; public buildings; libraries;
845 sewers; drains; sewage treatment; water works; electrical systems; gas systems; airports;
846 hospitals; and charitable, educational, recreational, sport, curative, corrective, detentional,
847 penal, and medical institutions, agencies, and facilities; and any other public improvements,

848 inside or outside the city; and to regulate the use thereof; and for such purposes, property
849 may be taken under applicable state law, as now or as may be provided in the future.

850 **SECTION 22.**

851 Regulations concerning use of streets.

852 The city council shall have the right and power to regulate the use of all sidewalks,
853 crosswalks, and bridges, over or under the same, to require the owners or occupants of any
854 premises to keep the sidewalks in front of or along the same free from obstruction of any
855 kind, to regulate and prevent the throwing of ashes, filth, dirt, offal, garbage, or any offensive
856 matter into any street, lane, alley, sidewalk, or public place, within the city limits, or into any
857 stream of water adjacent to the city, and to prevent any injury to the streets, sidewalks, lanes,
858 or avenues or to any of the public grounds or buildings of the city. In addition, the council
859 shall have the right and power to regulate or prohibit the use of the streets and public grounds
860 for signs, signposts, awnings, and posting of advertisements; to prohibit the scattering on and
861 over the streets and sidewalks of waste, and the like; and to regulate and provide for curbs
862 and gutters that flow into the streets or on the sidewalks of the city.

863 **SECTION 23.**

864 Fire limits.

865 The city council may by ordinance establish fire limits and enlarge or reduce the same as the
866 safety of the city requires. When fire limits are established, it shall be lawful to prohibit the
867 erection of any structure therein of any substance except incombustible material, or such as
868 may be allowed by ordinance.

869 **SECTION 24.**

870 Utilities.

871 The city council by ordinance shall have the power to assess and collect fees, charges, and
872 tolls for sewers, sanitary and health services, or any other services provided or made
873 available inside or outside the corporate limits of the city for the total cost to the city of
874 providing or making available such services.

875 **SECTION 25.**

876 Service charges.

877 The city council by ordinance shall have the power to assess and collect fees, charges,
878 assessments, and tolls for sewers, sanitary and health services, or any other services provided
879 or made available within and without the corporate limits of the city.

880 **SECTION 26.**

881 Franchises.

882 (a) The mayor and city council shall have the power to grant franchises for the use of the
883 city's streets and alleys and for the purpose of railroads, street railways, telephone companies,
884 electric companies, cable television, gas companies, transportation companies, and other
885 similar organizations.

886 (b) The mayor and city council shall determine the duration, provisions, terms, whether the
887 same shall be exclusive or nonexclusive, and the consideration for such franchises; provided,
888 however, no franchise shall be granted for a period in excess of 35 years, and no franchise
889 shall be granted unless the city receives just and adequate compensation therefor.

890 (c) The mayor and city council shall provide for the registration of all franchises with the
891 city clerk in a registration book to be kept by the clerk.

892 (d) The mayor and city council may provide by ordinance for the registration within a
893 reasonable time of all franchises previously granted.

894 **SECTION 27.**

895 Churches and cemeteries.

896 (a) The city council shall have power to protect places of divine worship and all other lawful
897 assemblages. They shall have the right to control and exercise supervision of cemeteries, and
898 to that end may acquire, by purchase or gift, lands either within or without the city limits for
899 the purpose of establishing a place for the burial of the dead.

900 (b) They may by ordinance prevent the burial of the dead at any place in the city that they
901 so desire. They may prescribe where the dead shall or shall not be buried.

902 (c) Should any cemetery be established under this section, either within or without the city
903 limits, the city council shall have the right to keep up a street or streets to such cemetery, or
904 walks, lawns, or roads within the same, and to regulate the method of burial therein, and to
905 do all and everything necessary for the health and safety of the citizens.

906 **SECTION 28.**

907 Licenses revocable.

908 The mayor, council, city manager, city clerk, police chief, or another designee of the mayor
 909 and council shall have the right to revoke any license at any time that may be or may have
 910 been granted by them under provisions of this charter whenever it is sufficiently shown to
 911 them that the person or persons to whom said license was granted is abusing the same, or
 912 when it is to the best interest of the city to do so.

913 **SECTION 29.**

914 Salaries of officers and employees.

915 The salary of all officers and employees of the City of Glennville shall be fixed by the mayor
 916 and council according to the position classification and pay plan approved by the mayor and
 917 council.

918 **SECTION 30.**

919 Mayor and councilmembers not to be interested in any municipal contracts.

920 (a) It shall be unlawful for the mayor or any member of the city council to be interested,
 921 either directly or indirectly, in any contract with the City of Glennville having for its object
 922 the public improvement of the city, or any part thereof, or the expenditure of its money. Any
 923 violation of this section by any member of the council, or the mayor, shall subject such
 924 person to removal from office, and such person shall be punished in the courts of competent
 925 jurisdiction as for a misdemeanor.

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

928 (1) Engage in any business or transaction or have a financial or other personal interest,
 929 direct or indirect, which is incompatible with the proper discharge of his or her official
 930 duties or which would tend to impair his or her independence of judgment or action in the
 931 performance of his or her official duties;

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

936 (3) Disclose confidential information concerning the property, government, or affairs of
 937 the governmental body by which he or she is engaged without proper legal authorization,

938 or use such information to advance his or her financial or other private interest or that of
939 others;

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

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

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

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

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

964 (e) Any violation of this section which occurs with the knowledge, express or implied, of
965 another party to a contract or sale shall render such contract or sale voidable as to that party,
966 at the option of the city council.

967 (f) Except where authorized by law, neither the mayor nor any councilmember shall hold
968 any other elective or compensated appointive office in the city or otherwise be employed by
969 such government or any agency thereof during the term for which he or she was elected.

970 (g) No appointive officer or employee of the city shall continue in such employment upon
971 qualifying as a candidate for nomination or election to any public office for the City of
972 Glennville.

973 (h) Any city officer or employee who knowingly conceals such financial interest or
 974 knowingly violates any of the requirements of this section shall be guilty of malfeasance in
 975 office or position and shall be deemed to have forfeited his or her office or position.

976 (i) Any officer or employee of the city who shall forfeit his or her office or position as
 977 described in subsection (h) of this section shall be ineligible for appointment or election to,
 978 or employment in, a position in the city government for a period of three years thereafter.

979 **SECTION 31.**

980 Audits.

981 There shall be an annual independent audit of all city accounts, funds, and financial
 982 transactions by a certified public accountant selected by the city council. The audit shall be
 983 conducted according to generally accepted accounting principles. Any audit of any funds by
 984 the state or federal government may be accepted as satisfying the requirements of this
 985 charter. Copies of all audit reports shall be available at printing costs to the public.

986 **SECTION 32.**

987 Inquiries and investigations.

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

994 **SECTION 33.**

995 Emergencies.

996 (a) To meet a public emergency affecting life, health, property, or public peace, the city
 997 council may convene on call of the mayor or two councilmembers and may promptly adopt
 998 an emergency ordinance, but such ordinance shall not levy taxes; grant, renew, or extend a
 999 franchise; regulate the rate charged by any public utility for its services; or authorize the
 1000 borrowing of money except for loans to be repaid within 30 days.

1001 (b) An emergency ordinance shall be introduced in the form prescribed for ordinances
 1002 generally, except that it shall be plainly designated as an emergency ordinance and shall

1003 contain, after the enacting clause, a declaration stating that an emergency exists and
1004 describing the emergency in clear and specific terms.

1005 (c) An emergency ordinance may be adopted, with or without amendment, or rejected at the
1006 meeting at which it is introduced, but the affirmative vote of a majority of the
1007 councilmembers present shall be required for adoption.

1008 (d) Such emergency ordinance shall become effective upon adoption or at such later time
1009 as it may specify.

1010 (e) Every emergency ordinance shall automatically stand repealed 30 days following the
1011 date upon which it was adopted, but this shall not prevent reenactment of the ordinance in
1012 the manner specified in this section if the emergency continues to exist.

1013 (f) An emergency ordinance may also be repealed in less than 30 days by adoption of a
1014 repealing ordinance in the same manner specified in this section for adoption of emergency
1015 ordinances.

1016 **SECTION 34.**

1017 **Contracts, rights and liabilities, properties.**

1018 All legal contracts heretofore entered into by the City of Glennville or the corporate
1019 authorities thereof, shall be good and valid for or against the City of Glennville incorporated
1020 under this charter, to the same extent as if this charter had not passed. All the rights and
1021 liabilities of the City of Glennville under the former acts shall accrue and survive to and
1022 against the City of Glennville incorporated under this charter. All property and rights thereof
1023 now held and owned by the City of Glennville under former acts shall be and become the
1024 right and property of the City of Glennville incorporated under this charter. Contracts not
1025 specifically outlined in this charter shall be governed according to the city financial policy.

1026 **SECTION 35.**

1027 **Specific repealer.**

1028 An Act incorporating the City of Glennville in the County of Tattnall, approved August 21,
1029 1911 (Ga. L. 1911, p. 1228), is repealed in its entirety, and all amendatory acts thereto are
1030 likewise repealed in their entirety.

1031 **SECTION 36.**

1032 **General repealer.**

1033 All other laws and parts of laws in conflict with this charter are repealed.