

House Bill 211

By: Representative Williams of the 148th

A BILL TO BE ENTITLED

AN ACT

1 To provide a new charter for the Town of Arabi; to provide for incorporation, corporate
2 boundaries, powers, and construction; to provide for specific powers; to provide for the
3 exercise of powers; to provide for town council creation, number, and election; to provide
4 for terms and qualifications for office; to provide for vacancies; to provide for compensation
5 and expenses; to provide for conflicts of interest; to provide for inquiries and investigations;
6 to provide for general power and authority of the town council; to provide for eminent
7 domain; to provide for organizational meetings; to provide for regular and special meetings;
8 to provide for rules of procedure; to provide for a quorum and voting; to provide for
9 ordinances; to provide for action requiring ordinances; to provide for emergencies; to provide
10 for a code of technical regulations; to provide for signing, authenticating, recording,
11 codification, and signing of ordinances; to provide for a chief executive officer; to provide
12 for powers and duties of the mayor; to provide for a mayor pro tempore; to provide for
13 administrative and service departments; to provide for boards, commissions, and authorities;
14 to provide for a town attorney; to provide for a clerk; to provide for personnel policies; to
15 provide for the creation of a municipal court; to provide for a chief judge and associate judge;
16 to provide for the convening of the municipal court; to provide for jurisdiction and powers;
17 to provide for certiorari; to provide for rules of court; to provide for indigent defense and
18 prosecution; to provide for applicability of general law; to provide for regular elections and

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19 time for holding elections; to provide for nonpartisan elections; to provide for election by
20 plurality; to provide for special elections; to provide for removal of officers; to provide for
21 property tax; to provide for a millage rate and due dates and payment methods; to provide
22 for occupation and business taxes; to provide for regulatory fees and permits; to provide for
23 franchises; to provide for service charges; to provide for special assessments; to provide for
24 other taxes and fees; to provide for the collection of delinquent taxes and fees; to provide for
25 general obligation bonds; to provide for revenue bonds; to provide for short-term loans; to
26 provide for lease-purchase contracts; to provide for a fiscal year; to provide for preparation
27 of budgets; to provide for submission of the operating budget to the town council; to provide
28 for action by the town council on the budget; to provide for tax levies; to provide for changes
29 in appropriations; to provide for independent audits; to provide for contracting procedures;
30 to provide for centralized purchasing; to provide for sale and lease of town property; to
31 provide for bonds for officials; to provide for prior ordinances; to provide for existing
32 personnel and officers; to provide for pending matters; to provide for construction; to provide
33 for severability; to provide for other matters relative to the foregoing; to provide for a
34 specific repealer; to repeal conflicting laws; and for other purposes.

35 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

36 ARTICLE I
37 INCORPORATION AND POWERS

38 SECTION 1.10.

39 Name.

40 This town and the inhabitants thereof are reincorporated by the enactment of this charter and
41 are hereby constituted and declared a body politic and corporate under the name and style
42 Town of Arabi, Georgia, and by that name shall have perpetual existence.

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SECTION 1.11.

44

Corporate boundaries.

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

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

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SECTION 1.12.

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Powers and construction.

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

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

64 **SECTION 1.13.**

65 Specific powers.

66 The corporate powers of the Town of Arabi, to be exercised by the governing authority, may
67 include the following:

68 (1) Animal Regulations. To regulate and license, or to prohibit the keeping or running
69 of at-large of animals and fowl and to provide for the impoundment of the same, if in
70 violation of any ordinance or lawful order; to provide for the disposition by sale, gift, or
71 humane destruction of animals and fowl, when not redeemed as provided by ordinance;
72 and to provide punishment for violation of ordinances enacted hereunder;

73 (2) Appropriations and Expenditures. To make appropriations for the support of the
74 government of the town; to authorize the expenditure of money for any purposes
75 authorized by this charter and for any purpose for which a municipality is authorized
76 municipalities by the laws of the State of Georgia; and to provide for the payment of
77 expenses of the town;

78 (3) Building Regulation. To regulate and to license the erection and construction of
79 buildings and all other structures; to adopt building, housing, plumbing, electrical, gas,
80 and heating and air conditioning codes; and to regulate all housing and building trades;

81 (4) Business Regulation and Taxation. To levy and to provide for the collection of
82 regulatory fees and taxes on privileges, occupations, trades, and professions as authorized
83 by Title 48 of the O.C.G.A. or other such applicable laws as are or may hereafter be
84 enacted; to permit and regulate the same; to provide for the manner and method of
85 payment of such regulatory fees and taxes; and to revoke such permits after due process
86 for failure to pay any town taxes or fees;

87 (5) Condemnation. To condemn property inside or outside the corporate limits of the
88 town for present or future use and for any corporate purpose deemed necessary by the

- 89 governing authority, utilizing procedures enumerated in Title 22 of the O.C.G.A., or such
90 applicable laws as are or hereafter enacted;
- 91 (6) Contracts. To enter into contracts and agreements with other governmental entities
92 and with private persons, firms, and corporations;
- 93 (7) Emergencies. To establish procedures for determining and proclaiming that an
94 emergency situation exists within or without the town and to make and carry out all
95 reasonable provisions deemed necessary to deal with or meet such an emergency for the
96 protection, safety, health, or well-being of the citizens of the town;
- 97 (8) Environmental Protection. To protect and preserve the natural resources,
98 environment, and vital areas of the town through the preservation and improvement of
99 air quality, the restoration and maintenance of water resources, the control of erosion and
100 sedimentation, the management of solid and hazardous waste, and other necessary actions
101 for the protection of the environment;
- 102 (9) Fire Regulations. To fix and establish fire limits and from time to time to extend,
103 enlarge, or restrict the same; to prescribe fire safety regulations not inconsistent with
104 general law, relating to fire prevention and detection and to firefighting, and to prescribe
105 penalties and punishment for violations thereof;
- 106 (10) Garbage Fees. To levy, fix, assess, and collect a garbage, refuse, and trash
107 collection and disposal fee, and other sanitary service charge, as may be necessary in the
108 operation of the town from all individuals, firms, and corporations residing in or doing
109 business therein benefitting from such services, to enforce the payment of such charges
110 or fees; and to provide for the manner and method of collecting such service charges or
111 fees;
- 112 (11) General Health, Safety, and Welfare. To define, regulate, and prohibit any act,
113 practice, conduct, or use of property which is detrimental to health, sanitation,
114 cleanliness, welfare, and safety of the inhabitants of the town and to provide for the
115 enforcement of such standards;

- 116 (12) Gifts. To accept or refuse gifts, donations, bequests, or grants from any source for
117 any purpose related to powers and duties of the town and the general welfare of its
118 citizens, on such terms and conditions as the donor or grantor may impose;
- 119 (13) Health and Sanitation. To prescribe standards of health and sanitation and to
120 provide for the enforcement of such standards;
- 121 (14) Jail Sentences. To provide that persons given jail sentences in the municipal court
122 may work out such sentences in any public works or on the streets, roads, drains, and
123 other public property in the town; to provide for commitment of such persons to any jail,
124 or to provide for commitment of such persons to any county work camp or county jail by
125 agreement with the appropriate county officials;
- 126 (15) Motor Vehicles. To regulate the operation of motor vehicles and exercise control
127 over all traffic, including parking upon or across the streets, roads, alleys, and walkways
128 of the town;
- 129 (16) Municipal Agencies and Delegation of Power. To create, alter, or abolish
130 departments, boards, offices, commissions, and agencies of the town and to confer upon
131 such agencies the necessary and appropriate authority for carrying out all the powers
132 conferred upon or delegated to the same;
- 133 (17) Municipal Debts. To appropriate and borrow money for the payment of debts of the
134 town and to issue bonds for the purpose of raising revenue to carry out any project,
135 program, or venture authorized by this charter or the laws of the State of Georgia;
- 136 (18) Municipal Property Ownership. To acquire, dispose of, lease, option, and hold in
137 trust or otherwise accept or transfer an interest in any real, personal, or mixed property,
138 in fee simple or lesser interest, inside or outside the property limits of the town;
- 139 (19) Municipal Property Protection. To provide for the preservation and protection of
140 property and equipment of the town and the administration and use of same by the public,
141 and to prescribe penalties and punishment for violations thereof;

142 (20) Municipal Utilities. To acquire, lease, construct, operate, maintain, sell, and dispose
143 of public utilities, including, but not limited to, a system of waterworks, sewers and
144 drains, sewage disposal, gas works, electric light plants, cable television, and other
145 telecommunications, transportation facilities, public airports, and any other public utility;
146 and to fix the taxes, charges, rates, fares, fees, assessments, regulations, and penalties,
147 and to provide for the withdrawal of service for refusal or failure to pay the same;

148 (21) Nuisance. To define a nuisance and provide for its abatement whether on public or
149 private property;

150 (22) Penalties. To provide penalties for violation of any ordinances adopted pursuant to
151 the authority of this charter and the laws of the State of Georgia;

152 (23) Planning and Zoning. To provide comprehensive town planning for development
153 by zoning; and to provide subdivision regulation and the like as the town council deems
154 necessary and reasonable to ensure a safe, healthy, and aesthetically pleasing community;

155 (24) Police and Fire Protection. To exercise the power of arrest through duly appointed
156 police officers and to establish, operate, or contract for a police and firefighting agency;

157 (25) Public Hazards Removal. To provide for the destruction and removal of any
158 building or other structure which is or may become dangerous or detrimental to the
159 public;

160 (26) Public Improvements. To provide for the acquisition, construction, building,
161 operation, and maintenance of public ways, parks and playgrounds, recreational facilities,
162 cemeteries, markets and market houses, public buildings, libraries, public housing,
163 airports, hospitals, terminals, docks, parking facilities, or charitable, cultural, educational,
164 recreational, conservation, sport, curative, corrective, detention, penal, and medical
165 institutions, agencies, and facilities; to provide any other public improvements, inside or
166 outside the corporate limits of the town; to regulate the use of public improvements; and
167 for such purposes, property may be acquired by condemnation under Title 22 of the
168 O.C.G.A., or such other applicable laws as are or may hereinafter be enacted;

- 169 (27) Public Peace. To provide for the prevention and punishment of drunkenness, riots,
170 and public disturbances;
- 171 (28) Public Transportation. To organize and operate such public transportation systems
172 as are deemed beneficial;
- 173 (29) Public Utilities and Services. To grant franchises or make contracts for public
174 utilities and public service companies; and to prescribe the rates, fares, regulations,
175 standards, and conditions of service applicable to the service to be provided by the
176 franchise grantee or contractor, insofar as the same are not in conflict with valid
177 regulations of the Public Service Commission;
- 178 (30) Regulation of Roadside Areas. To prohibit or regulate and control the erection,
179 removal, and maintenance of signs, billboards, trees, shrubs, fences, buildings, and any
180 and all other structures or obstructions upon or adjacent to the rights-of-way of streets and
181 roads or within view thereof, within or abutting the corporate limits of the town; and to
182 prescribe penalties and punishment for violation of such ordinances;
- 183 (31) Retirement. To provide and maintain a retirement plan for officers and employees
184 of the town;
- 185 (32) Roadways. To lay out, open, extend, widen, narrow, establish, or change the grade
186 of, abandon or close, construct, pave, curb, gutter, provide drainage for, adorn with shade
187 trees or otherwise improve, maintain, repair, clean, prevent erosion of, and light the
188 roads, alleys, and walkways within the corporate limits of the town; to grant franchises
189 and rights-of-way throughout the streets and roads and over the bridges and viaducts for
190 the use of public utilities; and to require real estate owners to repair and maintain in a safe
191 condition the sidewalks adjoining their lots or lands, and to impose penalties for failure
192 to do so;
- 193 (33) Sewer Fees. To levy a fee or charge as necessary to assure the acquiring,
194 constructing, equipping, operating, maintaining, and extending of a sanitary sewage
195 disposal plant and sewerage system and to levy on those to whom sewers and sewerage

196 systems are made available a sewer service fee or charge for the availability or use of the
197 sewers; to provide for the manner and method of collecting such service charges and for
198 enforcing payment of the same; and to charge, impose, and collect a sewer connection fee
199 or fees to those connected with the system;

200 (34) Solid Waste Disposal. To provide for the collection and disposal of garbage,
201 rubbish, and refuse, and to regulate the collection and disposal of garbage, rubbish, and
202 refuse by others; and to provide for the separate collection of glass, tin, aluminum,
203 cardboard, paper, and other recyclable materials, and to provide for the sale of such
204 items;

205 (35) Special Areas of Public Regulation. To regulate or prohibit junk dealers, pawn
206 shops, and the manufacture, sale, or transportation of intoxicating liquors; to regulate the
207 transportation, storage, and use of combustible, explosive, and inflammable materials, the
208 use of lighting and hearing equipment, and any other business or situation which the town
209 may deem to be dangerous to persons or property; to regulate and control the conduct of
210 peddlers and itinerant traders and theatrical performances, exhibitions, and shows of any
211 kind; and to license, regulate, or prohibit professional fortunetelling, palmistry, adult
212 bookstores, and massage parlors;

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

215 (37) Taxes: Ad Valorem. To levy and provide for the assessment, valuation, revaluation,
216 and collection of taxes on all property subject to taxation;

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

219 (39) Taxicabs. To regulate and license vehicles operated for hire in the town; to limit the
220 number of such vehicles; to require the operators thereof to be licensed; to require public
221 liability insurance on such vehicles in the amounts to be prescribed by ordinance; and to
222 regulate the parking of such vehicles;

223 (40) Urban Redevelopment. To organize and operate an urban redevelopment program;
224 and
225 (41) Other Powers. To exercise and enjoy all other powers, functions, rights, privileges,
226 and immunities necessary or desirable to promote or protect the safety, health, peace,
227 security, good order, comfort, convenience, or general welfare of the town and its
228 inhabitants; to exercise all implied powers necessary or desirable to carry into execution
229 all powers granted in this charter as fully and completely as if such powers were fully
230 stated herein; and to exercise all powers now or in the future authorized to be exercised
231 by other municipal governments under other laws of the State of Georgia. No listing of
232 particular powers in this charter shall be held to be exclusive of others nor restrictive of
233 general words and phrases granting powers, but shall be held to be in addition to such
234 powers unless expressly prohibited to municipalities under the Constitution or applicable
235 laws of the State of Georgia.

236 **SECTION 1.14.**
237 Exercise of powers.

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

265 provided, however, that the office of mayor or councilmember shall become vacant upon the
266 unexcused absence of the holder of the office from four consecutive regularly scheduled
267 meetings of the town council. Excused absences shall be granted by a majority vote of the
268 remaining town councilmembers and the mayor as provided in Section 2.21 of this charter
269 and shall be entered upon the minutes of the council meeting.

270 (b) Filling of Vacancies. A vacancy in the office of mayor or councilmember shall be filled
271 for the remaining of the unexpired term, if any, by appointment of the remaining
272 councilmembers if less than six months remains in the unexpired term, otherwise by an
273 election, as provided in Section 5.14 of this charter and in accordance with Titles 21 and 45
274 of the O.C.G.A. or other such laws as are hereinafter enacted.

275 **SECTION 2.13.**

276 Compensation and expenses.

277 The mayor and councilmembers shall receive compensation and expenses for their services
278 as provided by ordinance.

279 **SECTION 2.14.**

280 Conflicts of interest.

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

283 (b) Neither the mayor nor any member of the town council shall vote upon, sign, or veto any
284 ordinance, resolution, contract, or other matter in which that person is financially interested.

285 (c) Except as authorized by law, neither the mayor nor any councilmember shall hold any
286 town office or town employment during the term for which that person was elected.

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SECTION 2.15.

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Inquiries and investigations.

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Following the adoption of an authorizing resolution, the town council may make inquiries and investigations into the affairs of the town 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 town council shall be punished as provided by ordinance.

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SECTION 2.16.

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General power and authority of the town council.

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

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SECTION 2.17.

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Eminent domain.

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The town council is hereby empowered to acquire, construct, operate, and maintain public ways, parks, public grounds, cemeteries, markets, market houses, public buildings, libraries, sewers, drains, sewage treatment, waterworks, electrical systems, gas systems, airports, hospitals, and charitable, educational, recreational, sport, curative, corrective, detention, penal, and medical institutions, agencies, and facilities, and any other public improvements inside or outside the town, and to regulate the use thereof; and for such purposes, property may be condemned under procedures established under general law applicable now or as provided in the future.

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SECTION 2.18.

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Organizational meetings.

311 The town council shall hold an organizational meeting on the first meeting in January
312 following the regular election, as provided in Section 5.11 of this charter. The meeting shall
313 be called to order by the town clerk, and the oath of office shall be administered to the
314 newly-elected members as follows:

315 "I _____ do solemnly swear or affirm that I will properly perform the duties of the
316 office of _____ in and for the Town of Arabi, to the best of my knowledge, skill,
317 and ability; that I am not the holder of any unaccounted for public money due to the State
318 of Georgia or any political subdivision or authority thereof; that I am not the holder of any
319 office of trust under the government of the United States, any other state, or any foreign
320 state, which I am by the laws of the State of Georgia prohibited from holding; that I am
321 qualified to hold the office which I am about to enter according to the Constitution and
322 laws of Georgia; that I will support the Constitutions of the United States and the State of
323 Georgia; that I have met the residential qualifications for the time required by the
324 Constitution and laws of the State of Georgia and the charter of the Town of Arabi, so help
325 me God."

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SECTION 2.19.

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Regular and special meetings.

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

330 (b) Special meetings of the town council may be held on call of the mayor or three members
331 of the town council. Notice of such special meetings shall be served on all other members
332 personally, or by telephone personally, at least 24 hours in advance of the meeting. Such

333 notice to councilmembers shall not be required if the mayor and all councilmembers are
334 present when the special meeting is called. Such notice of any special meeting may be
335 waived by a councilmember in writing before or after such a meeting, and attendance at the
336 meeting shall constitute a waiver of notice on any business transacted in such
337 councilmember's presence. Only the business stated in the call may be transacted at the
338 special meeting.

339 (c) All meetings of the town council shall be public to the extent required by law, and notice
340 to the public of special meetings shall be made fully as is reasonably possible as provided by
341 Code Section 50-14-1 of the O.C.G.A. or other such applicable laws as are or may hereafter
342 be enacted.

343 **SECTION 2.20.**

344 Rules of procedure.

345 (a) The town council shall adopt its rules of procedure and order of business consistent with
346 the provisions of this charter and shall provide for keeping a journal of its proceedings, which
347 shall be a public record.

348 (b) All committees and committee chairs and officers of the town council shall be appointed
349 by the mayor and shall serve at the pleasure of the mayor. The mayor shall have the power
350 to appoint new members to any committee at any time.

351 **SECTION 2.21.**

352 Quorum; voting.

353 Three councilmembers other than the mayor shall constitute a quorum and shall be
354 authorized to transact business of the town council. Voting on the adoption of ordinances
355 shall be by oral vote, and the vote shall be recorded in the journal. Any member of the town

356 council shall have the right to request a roll call vote, and such vote shall be recorded in the
357 journal. Except as otherwise provided in this charter, the affirmative vote of three
358 councilmembers shall be required for the adoption of any ordinance, resolution, or motion.
359 The mayor shall vote only in the event of a tie or when an affirmative or negative vote
360 constitutes a majority of three votes. An abstention shall not be counted as either an
361 affirmative or negative vote.

362 **SECTION 2.22.**

363 Ordinance form; procedures.

364 (a) Except as herein provided, every official action of the town council which is to become
365 law shall be by ordinance. Each proposed ordinance shall be introduced in writing and in the
366 form required for final adoption. No ordinance shall contain a subject which is not expressed
367 in its title. The enacting clause shall be "It is hereby ordained by the governing authority of
368 the Town of Arabi," and every ordinance shall so begin.

369 (b) An ordinance may be introduced by a councilmember and be read at a regular or special
370 meeting of the town council. Ordinances shall be considered and adopted or rejected by the
371 town council in accordance with the rules which it shall establish. All ordinances shall have
372 two separate readings; provided, however, that the town council may dispense with the
373 second reading with unanimous consent of the members present. Emergency ordinances, as
374 provided in Section 2.24 of this charter, may be adopted on the same day that they are
375 introduced without necessity of the second reading. Upon introduction of any ordinance, the
376 town clerk shall as soon as possible distribute a copy to the mayor and to each
377 councilmember and shall file a reasonable number of copies in the office of the town clerk
378 and at such other public places as the town council may designate.

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SECTION 2.23.

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Action requiring an ordinance.

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Actions of the town council which have the force and effect of law shall be enacted by

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ordinance.

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SECTION 2.24.

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Emergencies.

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(a) To meet a public emergency affecting life, health, property, or public peace, the town

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council may convene on call of the mayor or three councilmembers and promptly adopt an

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emergency ordinance, but such ordinance may not levy taxes; grant, renew, or extend a

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franchise; regulate the rate charged by any public utility for its services; or authorize the

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borrowing of money except for loans to be repaid within 30 days. An emergency ordinance

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shall be introduced in the form prescribed for ordinances generally, except that it shall be

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plainly designated as an emergency ordinance and shall contain, after the enacting clause,

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a declaration stating that an emergency exists and describing the emergency in clear and

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specific terms. An emergency ordinance may be adopted, with or without amendment, or

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rejected at the meeting at which it is introduced, but the affirmative vote of at least three

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councilmembers shall be required for adoption. It shall become effective upon adoption or

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at such later time as it may specify. Every emergency ordinance shall automatically stand

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repealed 30 days following the date upon which it was adopted, but this shall not prevent

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reenactment of the ordinance in the manner specified in this section if the emergency still

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exists. An emergency ordinance may also be repealed by adoption of a repealing ordinance

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in the same manner specified in this section for adoption of emergency ordinances.

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(b) Such meetings shall be open to the public to the extent required by law, and notice to the

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public of emergency meetings shall be made as fully as is reasonably possible in accordance

403 with Code Section 50-14-1 of the O.C.G.A., or such other applicable laws as are or may
404 hereafter be enacted.

405 **SECTION 2.25.**

406 Codes of technical regulations.

407 (a) The town council may adopt any standard code of technical regulations by reference
408 thereto in an adopting ordinance. The procedure and requirements governing such adopting
409 ordinance shall be as prescribed for ordinances generally except that: (1) the requirements
410 of Section 2.22(b) of this charter for distribution and filing of copies of the ordinance shall
411 be construed to include copies of any code of technical regulations, as well as the adopting
412 ordinance; and (2) a copy of each adopted code of technical regulations, as well as the
413 adopting ordinance, shall be authenticated and recorded by the town clerk pursuant to Section
414 2.26 of this charter.

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

417 **SECTION 2.26.**

418 Signing; authenticating; recording; codification; printing.

419 (a) The town clerk shall authenticate by the town clerk's signature and record in full, in a
420 properly indexed book kept for that purpose, all ordinances adopted by the council.

421 (b) The town council shall provide for the preparation of a general codification of all
422 ordinances of the town having the force and effect of law. The general codification shall be
423 adopted by the town council by ordinance and shall be published promptly, together with all
424 amendments thereto and such codes of technical regulations and other rules and regulations
425 as the town council may specify. This compilation shall be known and cited officially as

426 "The Code of the Town of Arabi, Georgia." Copies of the code shall be furnished to all
427 officers, departments, and agencies of the town and made available for purchase by the
428 public at a reasonable price as fixed by the town council.

429 (c) The town council shall cause each ordinance and each amendment to this charter to be
430 printed promptly following its adoption, and the printed ordinances and charter amendments
431 shall be made available for purchase by the public at reasonable prices to be fixed by the
432 town council. Following publication of the first code under this charter and at all times
433 thereafter, the ordinances and charter amendments shall be printed in substantially the same
434 style as the code currently in effect and shall be suitable in form for incorporation therein.
435 The town council shall make such further arrangements as deemed desirable with
436 reproduction and distribution of any current changes in or additions to codes of technical
437 regulations and other rules and regulations included in the code.

438 **SECTION 2.27.**

439 Chief executive officer.

440 The mayor shall be the chief executive of this town. The mayor shall possess all of the
441 executive and administrative power granted to the town under the Constitution and laws of
442 the State of Georgia and all the executive powers granted to the town in this charter.

443 **SECTION 2.28.**

444 Powers and duties of mayor.

445 As the chief executive of this town, the mayor shall:

446 (1) See that all laws and ordinances of the town are faithfully executed;

- 447 (2) Recommend to the town council such measures relative to the affairs of the town,
448 improvement of the government, and promotion of the welfare of its inhabitants as the
449 mayor may deem expedient;
- 450 (3) Call special meetings of the town council as provided for in Section 2.19(b) of this
451 charter;
- 452 (4) Preside at all meetings of the town council and vote only in the event of a tie or when
453 an affirmative or negative vote by the mayor constitutes a majority of three votes;
- 454 (5) Provide for an annual audit of all accounts of the town;
- 455 (6) Require any department or agency of the town to submit written reports whenever
456 the mayor and council deem it expedient; and
- 457 (7) Perform such other duties as may be required by law, this charter, or by ordinance.

458 **SECTION 2.29.**

459 Mayor pro tempore; selection; duties.

460 At the first meeting in January of each year, the town council shall elect a councilmember
461 to serve as mayor pro tempore. In the mayor's absence, the mayor pro tempore shall preside
462 at meetings of the town council and shall assume the duties and powers of the mayor upon
463 the mayor's physical or mental disability, provided that the mayor pro tempore shall vote as
464 a member of the town council at all times when serving as herein provided.

465

ARTICLE III

466

ADMINISTRATIVE AFFAIRS

467

SECTION 3.10.

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Administrative and service departments.

469 (a) Except as otherwise provided in this charter, the town council, by ordinance, shall
470 prescribe the functions and duties of and establish, abolish, alter, consolidate, or leave vacant
471 all nonelective offices, positions of employment, departments, and agencies of the town as
472 necessary for the proper administration of the affairs and government of this town.

473 (b) Except as otherwise provided by this charter or by law, the directors of departments and
474 other appointed officers of the town shall be appointed solely on the basis of their respective
475 administrative and professional qualifications.

476 (c) All appointed officers and directors of departments shall receive such compensation as
477 prescribed by ordinance.

478 (d) All appointed officers, directors, and department heads under the supervision of the
479 mayor and council shall be nominated by the mayor with confirmation of appointment by the
480 town council. All appointed officers, directors, and department heads shall be
481 employees-at-will and subject to removal or suspension at any time by the mayor and council
482 unless otherwise provided by law or ordinance.

483

SECTION 3.11.

484

Boards, commissions, and authorities.

485 (a) The town council shall create by ordinance such boards, commissions, and authorities
486 to fulfill any investigative, quasi-judicial, or quasi-legislative function the town council
487 deems necessary and shall by ordinance establish the composition, period of existence,
488 duties, and powers thereof.

489 (b) All members of boards, commissions, and authorities of the town shall be appointed by
490 the town council for such terms of office and in such manner as shall be provided by
491 ordinance, except where other appointing authority, terms of office, or manner of
492 appointment is prescribed by this charter or by law.

493 (c) The town council, by ordinance, may provide for the compensation and reimbursement
494 for actual and necessary expenses of the members of any board, commission, or authority.

495 (d) Any vacancy on a board, commission, or authority of the town shall be filled for the
496 unexpired term in the manner prescribed in this charter for the original appointment, except
497 as otherwise provided by this charter or by law.

498 (e) No member of a board, commission, or authority shall assume office until that person has
499 executed and filed with the town clerk an oath obligating himself or herself to faithfully and
500 impartially perform the duties of that member's office, such oath to be prescribed by
501 ordinance and administered by the mayor.

502 (f) All board members serve at-will and may be removed at any time by a vote of three
503 members of the town council unless otherwise provided by law.

504 (g) Except as otherwise provided by this charter or by law, each board, commission, or
505 authority of the town shall elect one of its members as chairperson and one member as vice
506 chairperson and may elect as its secretary one of its own members or may appoint as
507 secretary an employee of the town. Each board, commission, or authority of the town
508 government may establish such bylaws, rules, and regulations, not inconsistent with this
509 charter, ordinances of the town, or law, as it deems appropriate and necessary for the
510 fulfillment of its duties or the conduct of its affairs. Copies of such bylaws, rules, and
511 regulations shall be filed with the town clerk.

512 **SECTION 3.12.**

513 Town attorney.

514 The town council shall appoint a town attorney, together with such assistant town attorneys
515 as may be authorized, and shall provide for the payment of such attorney or attorneys for
516 services rendered to the town. The town attorney shall be responsible for providing for the
517 representation and defense of the town in all litigation in which the town is a party; may be
518 the prosecuting officer in the municipal court; shall attend the meetings of the town council
519 as directed; shall advise the town council, mayor, and other officers and employees of the
520 town concerning legal aspects of the town's affairs; and shall perform such other duties as
521 may be required by virtue of the person's position as town attorney.

522 **SECTION 3.13.**

523 Town clerk.

524 The town council shall appoint a town clerk who shall not be a councilmember. The town
525 clerk shall be custodian of the official town seal and town records; maintain town council
526 records required by this charter; and perform such other duties as may be required by the
527 town council.

528 **SECTION 3.14.**

529 Personnel policies.

530 All employees serve at will and may be removed from office at any time unless otherwise
531 provided by ordinance.

532 ARTICLE IV
533 JUDICIAL BRANCH
534 **SECTION 4.10.**
535 Municipal court creation.

536 There shall be a court to be known as the Municipal Court of the Town of Arabi.

537 **SECTION 4.11.**
538 Chief judge; associate judge.

539 (a) The municipal court shall be presided over by a chief judge and such part-time, full-time,
540 or stand-by judges as shall be provided by ordinance.

541 (b) No person shall be qualified or eligible to serve as a judge on the municipal court unless
542 that person shall possess all qualifications required by law. All judges shall be appointed by
543 the town council and shall serve until a successor is appointed and qualified.

544 (c) Compensation of the judges shall be fixed by ordinance.

545 (d) Judges may be removed from office in compliance with Code Section 36-32-2.1 of the
546 O.C.G.A.

547 (e) Before assuming office, each judge shall take an oath, given by the mayor, that the judge
548 will honestly and faithfully discharge the duties of the office to the best of that person's
549 ability and without fear, favor, or partiality. The oath shall be entered upon the minutes of
550 the town council journal required in Section 2.20 of this charter.

551 **SECTION 4.12.**
552 Convening.

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

554

SECTION 4.13.

555

Jurisdiction; powers.

556 (a) The municipal court shall try and punish violations of this charter, all town ordinances,
557 and such other violations as provided by law.

558 (b) The municipal court shall have authority to punish those in its presence for contempt,
559 provided that such punishment shall not exceed \$500.00 or ten days in jail.

560 (c) The municipal court may fix punishment for offenses within its jurisdiction not
561 exceeding a fine of \$1,000.00 or imprisonment for 180 days, or other such fine and
562 imprisonment, or may fix punishment by fine, imprisonment, or alternative sentencing as
563 now or hereafter provided by law.

564 (d) The municipal court shall have authority to establish a schedule of fees to defray the cost
565 of operation and shall be entitled to reimbursement of the cost of meals, transportation, and
566 care of prisoners bound over to superior courts for violations of state law.

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

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

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

585 (h) Each judge of the municipal court shall be authorized to issue warrants for the arrest of
586 persons charged with offenses against any ordinance of the town.

587 **SECTION 4.14.**

588 Certiorari.

589 The right of certiorari from the decision and judgment of the municipal court shall exist in
590 all criminal cases and ordinance violation cases, and such certiorari shall be obtained under
591 the sanction of a judge of the Superior Court of Crisp County under the laws of the State of
592 Georgia regulating the granting and issuance of writs of certiorari.

593 **SECTION 4.15.**

594 Rules for court.

595 With the approval of the town council, the judge of the municipal court shall have full power
596 and authority to make reasonable rules and regulations necessary and proper to secure the
597 efficient and successful administration of the municipal court; provided, however, that the
598 town council may adopt in part or in total the rules and regulations applicable to municipal
599 courts. The rules and regulations made or adopted shall be filed with the town clerk, shall
600 be available for public inspection, and, upon request, a copy shall be furnished to all
601 defendants in municipal court proceedings at least 48 hours prior to said proceedings.

602 **SECTION 4.16.**

603 Indigent defense and prosecutor.

604 The mayor and council shall have the power to provide for a system of defense for indigent
605 persons charged in the municipal court of the Town of Arabi with violations of ordinances
606 or state laws, and for the prosecution of such cases by a prosecutor. The town council is
607 further authorized to provide for the expense of indigent defense and prosecution by
608 prorating the estimated cost over all criminal cases disposed of by the court and bond
609 forfeitures in the criminal cases. A bond amount shall be imposed by the municipal court
610 judge and collected in all criminal cases. Bond forfeitures in such cases shall be collected
611 as costs in addition to fines, penalties, and all other costs.

612 **ARTICLE V**

613 **ELECTIONS AND REMOVAL**

614 **SECTION 5.10.**

615 Applicability of general law.

616 All primaries and elections shall be held and conducted in accordance with Chapter 2 of
617 Title 21 of the O.C.G.A., the "Georgia Election Code," as now or hereafter amended.

618 **SECTION 5.11.**

619 Regular elections; time for holding.

620 Beginning in 2021 and every four years thereafter, on the Tuesday following the first
621 Monday in November, there shall be an election for town councilmembers for Council Posts
622 1 and 2 and shall continue in office for the terms to which he or she was elected and until his
623 or her successor is elected and available as provided in this charter. Beginning in 2023, and

624 every four years thereafter, on the Tuesday following the first Monday in November, there
625 shall be an election for mayor and town councilmembers for Council Posts 3 and 4 and shall
626 continue in office for the terms to which he or she was elected and until his or her successor
627 is elected and qualified as provided in this charter. The terms of office shall begin at the
628 organizational meeting as provided for in Section 2.18 of this charter.

629 **SECTION 5.12.**

630 Nonpartisan elections.

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

633 **SECTION 5.13.**

634 Election by plurality.

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

636 **SECTION 5.14.**

637 Special elections; vacancies.

638 In the event that the office of mayor or councilmember becomes vacant as provided in
639 Section 2.12 of this charter, the town council or those remaining shall appoint a successor
640 for the remainder of the term if less than six months remain in the term. If more than six
641 months remain in the term, there shall be a special election held and conducted in accordance
642 with Chapter 2 of Title 21 of the O.C.G.A., the "Georgia Election Code," as now or hereafter
643 amended.

644 **SECTION 5.15.**

645 Other provisions.

646 Except as otherwise provided by this charter, the town council shall, by ordinance, prescribe
647 such rules and regulations it deems appropriate to fulfill any options and duties under the
648 Georgia Election Code.

649 **SECTION 5.16.**

650 Removal of officers.

651 (a) The mayor, councilmembers, or other appointed officers provided for in this charter shall
652 be removed from office for any one or more of the causes provided in Title 45 of the
653 O.C.G.A. or such other applicable laws as are or may hereafter be enacted.

654 (b) Removal of an officer pursuant to subsection (a) of this section shall be accomplished
655 by one of the following methods:

656 (1) By the vote of three members of the council after an investigative hearing. In the
657 event an elected officer is sought to be removed by the action of the town council, such
658 officer shall be entitled to a written notice specifying the ground or grounds for removal
659 and to a public hearing which shall be held not less than 10 days after the service of such
660 written notice. The town council shall provide by ordinance for the manner in which
661 such hearings shall be held. Any elected officer sought to be removed from office, as
662 provided in this paragraph, shall have the right of appeal from the decision of the town
663 council to the Superior Court of Crisp County. Such appeal shall be governed by the
664 same rules as govern appeals to the superior court from the probate court; or

665 (2) By an order of the Superior Court of Crisp County following a hearing on a
666 complaint seeking such removal brought by any resident of the Town of Arabi.

667 ARTICLE VI
668 FINANCE
669 **SECTION 6.10.**
670 Property tax.

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

677 **SECTION 6.11.**
678 Millage rate; due dates; payment methods.

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

683 **SECTION 6.12.**
684 Occupation and business taxes.

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

689

SECTION 6.13.

690

Regulatory fees; permits.

691 The town council, by ordinance, shall have the power to require businesses or practitioners
692 doing business within this town to obtain a permit for such activity from the town and pay
693 a reasonable regulatory fee for such permit as provided by general law. Such fees shall
694 reflect the total cost to the town for regulating the activity and, if unpaid, shall be collected
695 as provided in Section 6.18 of this charter.

696

SECTION 6.14.

697

Franchises.

698 (a) The town council shall have the power to grant franchises for the use of this town's
699 streets and alleys for the purposes of railroads, street railways, telephone companies, electric
700 companies, electric membership corporations, cable television, and other telecommunications
701 companies, gas companies, transportation companies, and other similar organizations. The
702 town council shall determine the duration, terms, whether the same shall be exclusive or
703 nonexclusive, and the consideration for such franchises; provided, however, that no franchise
704 shall be granted for a period in excess of 35 years, and no franchise shall be granted unless
705 the town receives just and adequate compensation therefor. The town council shall provide
706 for the registration of all franchises with the town clerk in a registration book kept by the
707 town clerk. The town council may provide, by ordinance, for the registration within a
708 reasonable time of all franchises previously granted.

709 (b) If no franchise agreement is in effect, the council has the authority to impose a tax on
710 gross receipts for the use of this town's streets and alleys for the purposes of railroads, street
711 railways, telephone companies, electric companies, electric membership corporations, cable

712 television, and other telecommunications companies, gas companies, transportation
713 companies, and other similar organizations.

714 **SECTION 6.15.**

715 Service charges.

716 The town council, by ordinance, shall have the power to assess and collect fees, charges, and
717 tolls for sewers, sanitary and health services, or any other services provided or made
718 available within and without the corporate limits of the town for the total cost to the town of
719 providing or making available such services. If unpaid, such fees, charges, and tolls shall be
720 collected as provided in Section 6.18 of this charter.

721 **SECTION 6.16.**

722 Special assessments.

723 The town council, by ordinance, shall have the power to assess and collect the cost of
724 constructing, reconstructing, widening, or improving any public way, street, sidewalk,
725 curbing, gutters, sewers, or other utility mains and appurtenances from the abutting property
726 owners under such terms and conditions as are reasonable. If unpaid, such charges shall be
727 collected as provided in Section 6.18 of this charter.

728 **SECTION 6.17.**

729 Construction; other taxes and fees.

730 The town shall be empowered to levy any other tax or fee allowed now or hereafter by law,
731 and the specific mention of any right, power, or authority in this article shall not be construed
732 as limiting in any way the general powers of this town to govern its local affairs.

733

SECTION 6.18.

734

Collection of delinquent taxes and fees.

735 (a) The town council shall have the power and authority to provide by ordinance for the
736 collection from delinquent taxes, fees, or other revenue due to the town under this charter,
737 in addition to all other sums, of the costs of collection and the costs of levy preparation and
738 execution procedures, and to add such sums to the amounts due on tax executions. The costs
739 of levy preparation and execution procedures shall include, but without limitation, the cost
740 of title searches, name and address verifications, legal fees, and all other levy and
741 enforcement costs of every kind.

742 (b) The town council shall have the power and authority to provide, by ordinance, for the
743 employment by the town clerk of agencies to assist in the collection of delinquent taxes and
744 in tax execution levy preparation and enforcement procedures, to provide for the payment
745 of the costs of such agencies by the delinquent taxpayer, and to provide for the costs of such
746 agencies to be added to the amounts due on tax executions.

747 (c) Executions for any and all taxes or licenses, or demands of any sort due the town or its
748 corporate authorities by any person, firm, or corporation, or against any property subject
749 thereto, shall be issued by the town clerk, be signed by him or her, bear teste in the name of
750 the mayor, and be directed to the chief of police of said town and his or her deputies and all
751 and singular the sheriffs, deputy sheriffs and constables of this state, commanding them that
752 of any property belonging to the defendant against whom said execution is issued, or of
753 certain property described in the execution, they make by levy and sell the amount due on
754 the execution with all costs.

755 (d) Except as otherwise provided by this charter, all executions issued by the town clerk for
756 taxes, license fees, special assessments, fines, or forfeitures due the town shall be governed
757 by the laws governing executions for state and county taxes, and shall be subject to all
758 presumptions of law and fact which apply to executions for state and county taxes.

759 **SECTION 6.19.**

760 General obligation bonds.

761 The town council shall have the power to issue bonds for the purpose of raising revenue to
762 carry out any project, program, or venture authorized under this charter or the laws of the
763 state. Such bonding authority shall be exercised in accordance with the laws governing bond
764 issuance by municipalities in effect at the time said issue is undertaken.

765 **SECTION 6.20.**

766 Revenue bonds.

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

770 **SECTION 6.21.**

771 Short-term loans.

772 The town may obtain short-term loans and must repay such loans not later than December
773 31 of each year, unless otherwise provided by law.

774 **SECTION 6.22.**

775 Lease-purchase contracts.

776 The town may enter into multi-year lease, purchase, or lease-purchase contracts for the
777 acquisition of goods, materials, real and personal property, services, and supplies provided
778 the contract terminates without further obligation on the part of the municipality at the close

779 of the calendar year in which it was executed and at the close of each succeeding calendar
780 year for which it may be renewed. Contracts must be executed in accordance with the
781 requirements of Code Section 36-60-13 of the O.C.G.A. or other such applicable laws as are
782 or may hereafter be enacted.

783 **SECTION 6.23.**

784 Fiscal year.

785 The town council shall set the fiscal year by ordinance. This fiscal year shall constitute the
786 budget year and the year for financial accounting the reporting of each and every office,
787 department, agency, and activity of the town government.

788 **SECTION 6.24.**

789 Preparation of budgets.

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

794 **SECTION 6.25.**

795 Submission of operating budget to town council.

796 On or before a date fixed by the town council, but not later than 60 days prior to the
797 beginning of each fiscal year, the mayor shall submit to the town council a proposed
798 operating budget for the ensuing fiscal year. The budget shall be accompanied by a message
799 from the mayor containing a statement of the general fiscal policies of the town, the

800 important features of the budget, explanations of major changes recommended for the next
801 fiscal year, a general summary of the budget, and such other pertinent comments and
802 information. The operating budget and the capital budget required by this article, the budget
803 message, and all supporting documents shall be filed in the office of the town clerk and shall
804 be open to public inspection.

805 **SECTION 6.26.**

806 Action by town council on budget.

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

812 (b) The town council, by ordinance, shall adopt the final operating budget for the ensuing
813 fiscal year not later than the first day of each fiscal year. If the town council fails to adopt
814 the budget by this date, the amounts appropriated for operation for the past fiscal year shall
815 be deemed adopted for the ensuing fiscal year on a month-to-month basis, with all items
816 prorated accordingly until such time as the town council adopts a budget for the ensuing
817 fiscal year. Adoption of the budget shall take the form of an appropriations ordinance setting
818 out the estimated revenues in detail by sources and making appropriations according to fund
819 and by organizational unit, purpose, or activity as set out in the budget preparation ordinance
820 adopted pursuant to Section 6.24 of this charter.

821 (c) The amount set out in the adopted operating budget for each organizational unit shall
822 constitute the annual appropriation for such unit, and no expenditure shall be made or
823 encumbrance created in excess of the otherwise unencumbered balance of the appropriations
824 or allotment thereof, to which it is chargeable.

825 **SECTION 6.27.**

826 Tax levies.

827 The town council shall levy by ordinance such taxes as are necessary. The taxes and tax
828 rates set by such ordinance shall be such that reasonable estimates of revenues from such
829 levy shall at least be sufficient, together with other anticipated revenues, fund balances, and
830 applicable reserves, to equal the total amount appropriated for each of the several funds set
831 forth in the annual operating budget for defraying the expenses of the general government
832 of this town.

833 **SECTION 6.28.**

834 Changes in appropriations.

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

839 **SECTION 6.29.**

840 Independent audit.

841 There shall be an annual independent audit of all town accounts, funds, and financial
842 transactions by a certified public accountant selected by the town council. The audit shall
843 be conducted according to generally accepted auditing principles. Any audit of any funds
844 by the state or federal governments may be accepted as satisfying the requirements of this
845 charter. Copies of annual audit reports shall be available at printing costs to the public.

846

SECTION 6.30.

847

Contracting procedures.

848 No contract with the town shall be binding on the town unless:

849 (1) It is in writing;

850 (2) It is drawn by or submitted and reviewed by the town attorney, and as a matter of
851 course, is signed by the town attorney to indicate such drafting or review; and852 (3) It is made or authorized by the town council, and such approval is entered in the town
853 council journal of proceedings pursuant to Section 2.20 of this charter.

854

SECTION 6.31.

855

Centralized purchasing.

856 The town council, by ordinance, shall prescribe procedures for a system of centralized
857 purchasing for the town.

858

SECTION 6.32.

859

Sale and lease of town property.

860 The town council may sell and convey or lease any real or personal property owned or held
861 by the town for government or other purposes as now or hereafter provided by law.

862

ARTICLE VII

863

GENERAL PROVISIONS

864

SECTION 7.10.

865

Bonds for officials.

866

The officers and employees of this town, both elective and appointive, shall execute such

867

surety or fidelity bonds in such amounts and upon such terms and conditions as the town

868

council shall from time to time require by ordinance or as may be provided by law.

869

SECTION 7.11.

870

Prior ordinances.

871

All ordinances, resolutions, rules, and regulations now in force in the town and not

872

inconsistent with this charter are hereby declared valid and of full effect and force until

873

amended or repealed by the town council.

874

SECTION 7.12.

875

Existing personnel and officers.

876

Except as specifically provided otherwise by this charter, all personnel and officers of the

877

town and their rights, privileges, and powers shall continue beyond the time this charter takes

878

effect for a period of 180 days before or during which the existing town council shall pass

879

a transition ordinance detailing the changes in personnel and appointive officers required or

880

desired and arranging such titles, rights, privileges, and powers as may be required or desired

881

to allow a reasonable transition.

882 **SECTION 7.13.**

883 Pending matters.

884 Except as specifically provided otherwise by this charter, all rights, claims, actions, orders,
885 contracts, and legal or administrative proceedings shall continue, and any such ongoing work
886 or cases shall be completed by such town agencies, personnel, or offices as may be provided
887 by the town council.

888 **SECTION 7.14.**

889 Construction.

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

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

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

895 **SECTION 7.15.**

896 Specific repealer.

897 (a) An Act incorporating the Town of Arabi in the County of Crisp, State of Georgia,
898 approved in August 20, 1917 (Ga. L. 1917, Volume 1, p. 496), and as amended, is hereby
899 repealed in its entirety; and all amendatory acts thereto are likewise repealed in their entirety.

900 (b) An Act to provide a new charter for the Town of Arabi, approved June 29, 2020
901 (Ga. L. 2020, p. 3524), is hereby repealed in its entirety.

902

SECTION 7.16.

903

General repealer.

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