

House Bill 826 (COMMITTEE SUBSTITUTE)

By: Representatives Ehrhart of the 36th, Reeves of the 34th, Setzler of the 35th, Seabaugh of the 34th, and Dollar of the 45th

A BILL TO BE ENTITLED

AN ACT

1 To incorporate the City of Lost Mountain; to provide a charter; to provide for boundaries and
2 powers of the city; to provide for a governing authority of such city and the powers, duties,
3 authority, election, terms, vacancies, compensation, expenses, qualifications, prohibitions,
4 conflicts of interest, and suspension and removal from office relative to members of such
5 governing authority; to provide for inquiries and investigations; to provide for oaths,
6 organization, meetings, quorum, voting, rules, and procedures; to provide for ordinances and
7 codes; to provide additional notice and hearing requirements; to provide for a mayor and
8 mayor pro tempore and certain duties, powers, and other matters relative thereto; to provide
9 for the office of city manager, appointment, removal, powers, and duties thereof; to prohibit
10 council interference with administration; to provide for administrative affairs and
11 responsibilities; to provide for boards, commissions, and authorities; to provide for a city
12 attorney, a city clerk, and other personnel and matters relating thereto; to provide for rules
13 and regulations; to provide for a municipal court and the judge or judges thereof and other
14 matters relative to those judges; to provide for the court's jurisdiction, powers, practices, and
15 procedures; to provide for the right of certiorari; to provide for elections; to provide for
16 taxation, licenses, and fees; to provide for franchises, service charges, and assessments; to
17 provide for bonded and other indebtedness; to provide for auditing, accounting, budgeting,
18 and appropriations; to provide for city contracts and purchasing; to provide for the

H. B. 826 (SUB)

19 conveyance of property and interests therein; to provide for bonds for officials; to provide
20 for prior ordinances and rules, pending matters, and existing personnel; to provide for
21 penalties; to provide for definitions and construction; to provide for other matters relative to
22 the foregoing; to provide for a referendum; to provide effective dates and transitional
23 provisions governing the transfer of various functions and responsibilities from Cobb County
24 to the City of Lost Mountain; to provide for severability; to provide for effective dates; to
25 repeal conflicting laws; and for other purposes.

26 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

27 ARTICLE I.
28 INCORPORATION AND POWERS

29 SECTION 1.10.

30 Name.

31 This Act shall constitute the charter of the City of Lost Mountain. The city and the
32 inhabitants thereof are constituted and declared a body politic and corporate under the name
33 and style "City of Lost Mountain, Georgia," and by that name shall have perpetual
34 succession.

35 SECTION 1.11.

36 Corporate boundaries.

37 (a) The boundaries of this city shall be those set forth and described in Appendix A of this
38 charter, and said Appendix A is incorporated into and made a part of this charter. The
39 boundaries of this city at all times shall be shown on a map, a written description, or any

40 combination thereof, to be retained permanently in the office of the city clerk and to be
41 designated, as the case may be: "Official Map (or Description) of the corporate limits of
42 the City of Lost Mountain, Georgia." Photographic, typed, or other copies of such map or
43 description certified by the city clerk shall be admitted as evidence in all courts and shall
44 have the same force and effect as with the original map or description.

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

48 SECTION 1.12.

49 Powers and construction.

50 (a) Except as provided in subsection (b) of this section, this city shall have the following
51 powers:

52 (1) Animal regulations. To regulate and license or to prohibit the keeping or running at
53 large of animals and fowl and to provide for the impoundment of same if in violation of
54 any ordinance or lawful order; to provide for the disposition by sale, gift, or humane
55 destruction of animals and fowl when not redeemed as provided by ordinance; and to
56 provide punishment for violation of ordinances enacted under this charter;

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

61 (3) Building regulation. To regulate and to license the erection and construction of
62 buildings and all other structures; to adopt building, housing, plumbing, electrical, gas,
63 and heating and air-conditioning codes; and to regulate all housing and building trades;

- 64 (4) Contracts. To enter into contracts and agreements with other governmental entities
65 and with private persons, firms, and corporations;
- 66 (5) Emergencies. To establish procedures for determining and proclaiming that an
67 emergency situation exists within or outside the city and to make and carry out all
68 reasonable provisions deemed necessary to deal with or meet such an emergency for the
69 protection, safety, health, or well-being of the citizens of the city;
- 70 (6) Environmental protection. To protect and preserve the natural resources,
71 environment, and vital areas of the state through the preservation and improvement of air
72 quality, the restoration and maintenance of water resources, the control of erosion and
73 sedimentation, the management of solid and hazardous waste, and other necessary actions
74 for the protection of the environment;
- 75 (7) Fire regulations. To fix and establish fire limits and from time to time to 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 (8) General health, safety, and welfare. To define, regulate, and prohibit any act,
80 practice, conduct, or use of property which is detrimental to health, sanitation,
81 cleanliness, welfare, and safety of the inhabitants of the city and to provide for the
82 enforcement of such standards;
- 83 (9) Gifts. To accept or refuse gifts, donations, bequests, or grants from any source for
84 any purpose related to powers and duties of the city and the general welfare of its
85 citizens, on such terms and conditions as the donor or grantor may impose;
- 86 (10) Health and sanitation. To prescribe standards of health and sanitation and to
87 provide for the enforcement of such standards;
- 88 (11) Jail sentences. To provide that persons given jail sentences in the municipal court
89 may work out such sentences in any public works or on the streets, roads, drains, and
90 other public property in the city; to provide for commitment of such persons to any jail;

- 91 or to provide for commitment of such persons to any county work camp or county jail by
92 agreement with the appropriate county officials;
- 93 (12) Municipal agencies and delegation of power. To create, alter, or abolish
94 departments, boards, offices, commissions, and agencies of the city and to confer upon
95 such agencies the necessary and appropriate authority for carrying out all the powers
96 conferred upon or delegated to the same;
- 97 (13) Municipal debts. To appropriate and borrow money for the payment of debts of the
98 city and to issue bonds for the purpose of raising revenue to carry out any project,
99 program, or venture authorized by this charter or the laws of the State of Georgia;
- 100 (14) Municipal property ownership. To acquire, dispose of, lease, and hold in trust or
101 otherwise any real, personal, or mixed property, in fee simple or lesser interest, inside or
102 outside the property limits of the city;
- 103 (15) Municipal property protection. To provide for the preservation and protection of
104 property and equipment of the city and the administration and use of same by the public;
105 and to prescribe penalties and punishment for violations thereof;
- 106 (16) Nuisance. To define a nuisance and provide for its abatement whether on public or
107 private property;
- 108 (17) Penalties. To provide penalties for violation of any ordinances adopted pursuant to
109 the authority of this charter and the laws of the State of Georgia;
- 110 (18) Planning and zoning. To provide comprehensive city planning for development by
111 zoning; and to provide subdivision regulation and the like as the city council deems
112 necessary and reasonable to ensure a safe, healthy, and esthetically pleasing community;
- 113 (19) Public hazards; removal. To provide for the destruction and removal of any
114 building or other structure which is or may become dangerous or detrimental to the
115 public;
- 116 (20) Public improvements. To provide for the acquisition, construction, building,
117 operation, and maintenance of parks and playgrounds, public grounds, recreational

118 facilities, public buildings, and charitable, cultural, educational, recreational,
119 conservation, and sport institutions, agencies, and facilities; and to regulate the use of
120 public improvements;

121 (21) Public utilities and services. To grant franchises or make contracts for or impose
122 taxes on public utilities and public service companies and to prescribe the rates, fares,
123 regulations, and standards and conditions of service applicable to the service to be
124 provided by the franchise grantee or contractor, insofar as not in conflict with valid
125 regulations of the Georgia Public Service Commission;

126 (22) Regulation of roadside areas. To prohibit or regulate and control the erection,
127 removal, and maintenance of signs, billboards, trees, shrubs, fences, buildings, and any
128 and all other structures or obstructions upon or adjacent to the rights of way of streets and
129 roads or within view thereof, within or abutting the corporate limits of the city; and to
130 prescribe penalties and punishment for violation of such ordinances;

131 (23) Retirement. To provide and maintain a retirement plan for officers and employees
132 of the city;

133 (24) Roadways. To grant franchises and rights of way throughout the streets and roads
134 and over the bridges and viaducts for the use of public utilities; and to require real estate
135 owners to repair and maintain in a safe condition the sidewalks adjoining their lots or
136 lands and to impose penalties for failure to do so;

137 (25) Special areas of public regulation. To regulate or prohibit junk dealers, pawn shops,
138 the manufacture, sale, or transportation of any intoxicating liquors, alcoholic beverages,
139 and the use of firearms; to regulate the transportation, storage, and use of combustible,
140 explosive, and inflammable materials, the use of lighting and heating equipment, and any
141 other business or situation which may be dangerous to persons or property; to regulate
142 and control the conduct of peddlers and itinerant traders, theatrical performances,
143 exhibitions, and shows of any kind, by taxation or otherwise; and to license, tax, regulate,
144 or prohibit professional fortunetelling, palmistry, adult bookstores, and massage parlors;

145 (26) Special assessments. To levy and provide for the collection of special assessments
146 to cover the costs for any public improvements;

147 (27) Taxes: ad valorem. To levy and provide for the assessment, valuation, revaluation,
148 and collection of taxes on all property subject to taxation subject to a maximum of 1 mill;

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

151 (29) Taxicabs. To regulate and license vehicles operated for hire in the city; to limit the
152 number of such vehicles; to require the operators thereof to be licensed; to require public
153 liability insurance on such vehicles in the amounts to be prescribed by ordinance; and to
154 regulate the parking of such vehicles.

155 (b) Except as provided in subsection (c) of this section, the city shall exercise the powers
156 enumerated in subsection (a) of this section only for the purposes of planning and zoning,
157 code adoption and enforcement, parks and recreation, and solid waste management services
158 and those items directly related to the provision of such services and for the general
159 administration of the city in providing such services.

160 (c) In the event that the city desires to provide services in addition to those services
161 enumerated in subsection (b) of this section, the city council shall pass a resolution
162 specifically stating the services sought to be offered by the city and shall submit the
163 approval of such resolution for ratification by the electors of the city in a referendum. If
164 the electors of the city vote in favor of ratifying such resolution, then the city shall be
165 authorized to exercise the powers enumerated in subsection (a) of this section for the
166 purpose of providing such services stated in such resolution and those items directly related
167 to the provision of such services and for the general administration of the city in providing
168 such services. If the electors of the city disapprove such resolution, it shall immediately
169 be null and void and of no force and effect.

170 SECTION 1.13.

171 Exercise of powers.

172 All powers, functions, rights, privileges, and immunities of the city, its officers, agencies, or
173 employees shall be carried into execution as provided by this charter. If this charter makes
174 no provision, such shall be carried into execution as provided by ordinance or as provided
175 by pertinent laws of the State of Georgia.

176 ARTICLE II.

177 GOVERNMENT STRUCTURE

178 SECTION 2.10.

179 City council creation; number; election.

180 The governing authority of the city, except as otherwise specifically provided in this charter,
181 shall be vested in a city council to be composed of six councilmembers. The
182 councilmembers shall be elected in the manner provided by this charter.

183 SECTION 2.11.

184 City councilmembers;

185 terms and qualifications for office.

186 (a) Except as otherwise provided in Article VIII of this charter for the initial terms of
187 office, the members of the city council shall serve for terms of four years and until their
188 respective successors are elected and qualified. The term of office of each member of the
189 city council shall begin on the first day of January immediately following the election of
190 such member unless general law authorizes or requires the term to begin at the first

191 organizational meeting in January or upon some other date. No person shall be eligible to
192 serve as councilmember unless that person shall have been a resident of the city for 12
193 months prior to the date of the election of members of the city council; each shall continue
194 to reside therein during that person's period of service and to be registered and qualified to
195 vote in municipal elections of this city.

196 (b) The city council seats shall be designated Post 1, Post 2, Post 3, Post 4, Post 5, and
197 Post 6. Candidates shall designate the post for which they are offering for election when
198 qualifying for election.

199 (c) For the purposes of electing members of the city council, the city is divided into three
200 districts. Each district shall be represented by two posts. One member of the board shall
201 be elected from each post. Post 1 and Post 2 shall represent District 1. Post 3 and Post 4
202 shall represent District 2. Post 5 and Post 6 shall represent District 3. The three numbered
203 districts as described in the districting plan attached to and made a part of this Act and
204 further identified as "User: HD36 Plan Name: LostMtn-cc-2022 Plan Type: Local".

205 (d)(1) For the purposes of such plan:

206 (A) The term "VTD" shall mean and describe the same geographical boundaries as
207 provided in the report of the Bureau of the Census for the United States decennial
208 census of 2020 for the State of Georgia. The separate numeric designations in a district
209 description which are underneath a VTD heading shall mean and describe individual
210 Blocks within a VTD as provided in the report of the Bureau of the Census for the
211 United States decennial census of 2020 for the State of Georgia; and

212 (B) Except as otherwise provided in the description of any district, whenever the
213 description of any district refers to a named city, it shall mean the geographical
214 boundaries of that city as shown on the census maps for the United States decennial
215 census of 2020 for the State of Georgia.

216 (2) Any part of the City of Lost Mountain as described in Appendix B which is not
217 included in any district described in this plan shall be included within that district

218 contiguous to such part which contains the least population according to the United States
219 decennial census of 2020 for the State of Georgia.

220 (3) Any part of the City of Lost Mountain as described in Appendix B as being included
221 in a particular district shall nevertheless not be included within such district if such part
222 is not contiguous to such district. Such noncontiguous part shall instead be included
223 within that district contiguous to such part which contains the least population according
224 to the United States decennial census of 2020 for the State of Georgia.

225 (4) If any area included within the descriptions of District 1, District 2, or District 3 is
226 on the effective date of this Act within the municipal boundaries of another municipality
227 or within a county other than Cobb County, such area shall not be included within the
228 district descriptions of such districts.

229 SECTION 2.12.

230 Vacancy; filling of vacancies; suspensions.

231 (a) Vacancies. The office of councilmember shall become vacant upon such person's
232 failing or ceasing to reside in the city or upon the occurrence of any event specified by the
233 Constitution, Title 45 of the O.C.G.A., or such other applicable laws as are or may
234 hereafter be enacted.

235 (b) Filling of vacancies. A vacancy in the office of councilmember shall be filled for the
236 remainder of the unexpired term, if any, by appointment if less than 12 months remain in
237 the unexpired term, otherwise by an election as provided for in Section 5.14 of this charter
238 and Titles 21 and 45 of the O.C.G.A. or such other laws as are or may hereafter be enacted.

239 (c) Suspension. Upon the suspension from office of councilmember in any manner
240 authorized by the general laws of the State of Georgia, the city council or those remaining
241 shall appoint a successor for the duration of the suspension. If the suspension becomes

242 permanent, then the office shall become vacant and shall be filled for the remainder of the
243 unexpired term, if any, as provided for in this charter.

244 SECTION 2.13.

245 Compensation and expenses.

246 (a) The mayor shall receive an initial salary of \$9,000.00 per year, paid in equal monthly
247 installments from the funds of the municipality. Each councilmember shall receive an
248 initial salary of \$8,000.00 per year, paid in equal monthly installments from the funds of
249 the municipality.

250 (b) The mayor and councilmembers may alter such compensation for their services as
251 provided by law.

252 SECTION 2.14.

253 Conflicts of interest; holding other offices.

254 (a) Elected and appointed officers of the city are trustees and servants of the residents of
255 the city and shall act in a fiduciary capacity for the benefit of such residents.

256 (b) Conflict of interest. No elected official, appointed officer, or employee of the city or
257 any agency or political entity to which this charter applies shall knowingly:

258 (1) Engage in any business or transaction or have a financial or other personal interest,
259 direct or indirect, which is incompatible with the proper discharge of that person's official
260 duties or which would tend to impair the independence of that person's judgment or
261 action in the performance of that person's official duties;

262 (2) Engage in or accept private employment or render services for private interests when
263 such employment or service is incompatible with the proper discharge of that person's

264 official duties or would tend to impair the independence of that person's judgment or
265 action in the performance of that person's official duties;

266 (3) Disclose confidential information, including information obtained at meetings which
267 are closed pursuant to Chapter 14 of Title 50 of the O.C.G.A., concerning the property,
268 government, or affairs of the governmental body by which that person is engaged without
269 proper legal authorization or use such information to advance the financial or other
270 private interest of that person or others;

271 (4) Accept any valuable gift, whether in the form of service, loan, thing, or promise,
272 from any person, firm, or corporation which to that person's knowledge is interested,
273 directly or indirectly, in any manner whatsoever, in business dealings with the
274 governmental body by which that person is engaged; provided, however, that an elected
275 official who is a candidate for public office may accept campaign contributions and
276 services in connection with any such campaign;

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

279 (6) Vote or otherwise participate in the negotiation or in the making of any contract with
280 any business or entity in which that person has a financial interest.

281 (c) Disclosure. Any elected official, appointed officer, or employee who shall have any
282 financial interest, directly or indirectly, in any contract or matter pending before or within
283 any department of the city shall disclose such interest to the city council. The mayor or any
284 councilmember who has a financial interest in any matter pending before the city council
285 shall disclose such interest and such disclosure shall be entered on the records of the city
286 council, and that person shall disqualify himself or herself from participating in any
287 decision or vote relating thereto. Any elected official, appointed officer, or employee of
288 any agency or political entity to which this charter applies who shall have any financial
289 interest, directly or indirectly, in any contract or matter pending before or within such
290 entity shall disclose such interest to the governing body of such agency or entity.

291 (d) Use of public property. No elected official, appointed officer, or employee of the city
292 or any agency or entity to which this charter applies shall use property owned by such
293 governmental entity for personal benefit, convenience, or profit except in accordance with
294 policies promulgated by the city council or the governing body of such agency or entity.

295 (e) Contracts voidable and rescindable. Any violation of this section which occurs with
296 the knowledge, express or implied, of a party to a contract or sale shall render such contract
297 or sale voidable at the option of the city council.

298 (f) Ineligibility of elected official. Except where authorized by law, neither the mayor nor
299 any councilmember shall hold any other elective or compensated appointive office in the
300 city or otherwise be employed by said government or any agency thereof during the term
301 for which that person was elected. No former councilmember and no former mayor shall
302 hold any compensated appointive office in the city until one year after the expiration of the
303 term for which that person was elected.

304 (g) Political activities of certain officers and employees. No appointed officer and no
305 employee of the city shall continue in such employment upon qualifying as a candidate for
306 nomination or election to any public office. No employee of the city shall continue in such
307 employment upon election to any public office in this city or any other public office which
308 is inconsistent, incompatible, or in conflict with the duties of the city employee. Such
309 determination shall be made by the mayor and city council either immediately upon
310 election or at any time such conflict may arise.

311 (h) Penalties for violation.

312 (1) Any city officer or employee who knowingly conceals such financial interest or
313 knowingly violates any of the requirements of this section shall be guilty of malfeasance
314 in office or position and shall be deemed to have forfeited that person's office or position.

315 (2) Any officer or employee of the city who shall forfeit that person's office or position
316 as described in paragraph (1) of this subsection shall be ineligible for appointment or

317 election to or employment in a position in the city government for a period of three years
318 thereafter.

319 SECTION 2.15.

320 Inquiries and investigations.

321 Following the adoption of an authorizing resolution, the city council may make inquiries and
322 investigations into the affairs of the city and conduct of any department, office, or agency
323 thereof and for this purpose may subpoena witnesses, administer oaths, take testimony, and
324 require the production of evidence. Any person who fails or refuses to obey a lawful order
325 issued in the exercise of these powers by the city council shall be punished as may be
326 provided by ordinance.

327 SECTION 2.16.

328 General power and authority of the city council.

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

331 SECTION 2.17.

332 Organizational meetings.

333 Unless otherwise provided by ordinance, the city council shall hold an organizational
334 meeting on the first Tuesday in January of each even-numbered year. The meeting shall be
335 called to order by the city clerk and the oath of office shall be administered to the newly
336 elected members as follows:

337 "I do solemnly (swear) (affirm) that I will faithfully perform the duties of councilmember
338 of this city and that I will support and defend the charter thereof as well as the Constitution
339 and laws of the State of Georgia and the United States of America."

340 SECTION 2.18.

341 Meetings.

342 (a) The city council shall hold regular meetings at such times and places as shall be
343 prescribed by ordinance.

344 (b) Special meetings of the city council may be held on call of the mayor or three members
345 of the city council. Notice of such special meeting shall be served on all other members
346 personally, or by telephone personally, at least 48 hours in advance of the meeting. Such
347 notice to councilmembers shall not be required if the mayor and all councilmembers are
348 present when the special meeting is called. Such notice of any special meeting may be
349 waived by a councilmember in writing before or after such a meeting and attendance at the
350 meeting shall also constitute a waiver of notice on any business transacted in such
351 councilmember's presence. Only the business stated in the call may be transacted at the
352 special meeting.

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

357 SECTION 2.19.

358 Rules of procedure.

359 (a) The city council shall adopt its rules of procedure and order of business consistent with
360 the provisions of this charter and shall provide for keeping of a journal of its proceedings,
361 which shall be a public record.

362 (b) All committees and committee chairpersons and officers of the city council shall be
363 appointed by the mayor and shall serve at the pleasure of the mayor. The mayor shall have
364 the power to appoint new members to any committee at any time.

365 SECTION 2.20.

366 Quorum; voting.

367 Four councilmembers shall constitute a quorum and shall be authorized to transact business
368 of the city council. Voting on the adoption of ordinances shall be by voice vote and the vote
369 shall be recorded in the journal, but any councilmember shall have the right to request a
370 roll-call vote and such vote shall be recorded in the journal. Except as otherwise provided
371 in this charter, the affirmative vote of four councilmembers shall be required for the adoption
372 of any ordinance, resolution, or motion. An abstention shall be counted as an affirmative
373 vote.

374 SECTION 2.21.

375 Ordinance form; procedures.

376 (a) Every proposed ordinance should be introduced in writing and in the form required for
377 final adoption. No ordinance shall contain a subject which is not expressed in its title. The

378 enacting clause shall be "It is hereby ordained by the governing authority of the City of
379 Lost Mountain..." and every ordinance shall so begin.

380 (b) An ordinance may be introduced by any councilmember and be read at a regular or
381 special meeting of the city council. Ordinances shall be considered and adopted or rejected
382 by the city council in accordance with the rules which it shall establish; provided, however,
383 that an ordinance shall not be adopted the same day it is introduced, except for emergency
384 ordinances provided for in Section 2.23 of this charter. Upon introduction of any
385 ordinance, the clerk shall as soon as possible distribute a copy to the mayor and to each
386 councilmember and shall file a reasonable number of copies in the office of the clerk and
387 at such other public places as the city council may designate.

388 SECTION 2.22.

389 Action requiring an ordinance.

390 (a) Acts of the city council which have the force and effect of law shall be enacted by
391 ordinance.

392 (b) In addition to any other notice or hearing provision of state law, prior to the adoption
393 of any ordinance or resolution changing any rate of taxation, amending the city's land use
394 plan, or approving the issuance of a general obligation or revenue bond the city shall:

395 (1) Publish notice of such proposed action for two consecutive weeks in the legal organ
396 of the county;

397 (2) Publish notice of such proposed action of any and all websites and social media
398 accounts maintained by the city; and

399 (3) Conduct two public hearings on the proposed actions.

400 SECTION 2.23.
401 Emergencies.

402 (a) To meet a public emergency affecting life, health, property, or public peace, the city
403 council may convene on call of the mayor or three councilmembers and may promptly
404 adopt an emergency ordinance, but such ordinance may not levy taxes; grant, renew, or
405 extend a franchise; regulate the rate charged by any public utility for its services; or
406 authorize the borrowing of money except for loans to be repaid within 30 days. An
407 emergency ordinance shall be introduced in the form prescribed for ordinances generally,
408 except that it shall be plainly designated as an emergency ordinance and shall contain, after
409 the enacting clause, a declaration stating that an emergency exists and describing the
410 emergency in clear and specific terms. An emergency ordinance may be adopted, with or
411 without amendment, or rejected at the meeting at which it is introduced, but the affirmative
412 vote of at least three councilmembers shall be required for adoption. It shall become
413 effective upon adoption or at such later time as it may specify. Every emergency ordinance
414 shall automatically stand repealed 30 days following the date upon which it was adopted,
415 but this shall not prevent reenactment of the ordinance in the manner specified in this
416 section if the emergency still exists. An emergency ordinance may also be repealed by
417 adoption of a repealing ordinance in the same manner specified in this section for adoption
418 of emergency ordinances.

419 (b) Such meetings shall be open to the public to the extent required by law and notice to
420 the public of emergency meetings shall be made as fully as is reasonably possible in
421 accordance with Code Section 50-14-1 of the O.C.G.A. or such other applicable laws as
422 are or may hereafter be enacted.

423 SECTION 2.24.
424 Codes of technical regulations.

425 (a) The city council may adopt any standard code of technical regulations by reference
426 thereto in an adopting ordinance. The procedure and requirements governing such
427 adopting ordinance shall be as prescribed for ordinances generally except that: (1) the
428 requirements of subsection (b) of Section 2.21 of this charter for distribution and filing of
429 copies of the ordinance shall be construed to include copies of any code of technical
430 regulations, as well as the adopting ordinance; and (2) a copy of each adopted code of
431 technical regulations, as well as the adopting ordinance, shall be authenticated and recorded
432 by the clerk pursuant to Section 2.25 of this charter.

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

435 SECTION 2.25.
436 Signing; authenticating;
437 recording; codification; printing.

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

440 (b) The city council shall provide for the preparation of a general codification of all the
441 ordinances of the city having the force and effect of law. The general codification shall be
442 adopted by the city council by ordinance and shall be published promptly, together with
443 all amendments thereto and such codes of technical regulations and other rules and
444 regulations as the city council may specify. This compilation shall be known and cited
445 officially as "The Code of the City of Lost Mountain, Georgia." Copies of the code shall

446 be furnished to all officers, departments, and agencies of the city and made available for
447 purchase by the public at a reasonable price as fixed by the city council.

448 (c) The city council shall cause each ordinance and each amendment to this charter to be
449 printed promptly following its adoption, and the printed ordinances and charter
450 amendments shall be made available for purchase by the public at reasonable prices to be
451 fixed by the city council. Following publication of the first code under this charter and at
452 all times thereafter, the ordinances and charter amendments shall be printed in substantially
453 the same style as the code currently in effect and shall be suitable in form for incorporation
454 therein. The city council shall make such further arrangements as deemed desirable with
455 reproduction and distribution of any current changes in or additions to codes of technical
456 regulations and other rules and regulations included in the code.

457 SECTION 2.26.

458 Election of mayor; forfeiture; compensation.

459 By a majority vote, the councilmembers shall elect a councilmember to serve as mayor. The
460 mayor shall serve a two-year term of office. The mayor shall forfeit the office of mayor on
461 the same grounds and under the same procedure as for councilmembers. The compensation
462 of the mayor shall be established in the same manner as for councilmembers.

463 SECTION 2.27.

464 Mayor pro tempore.

465 By a majority vote, the councilmembers shall elect a councilmember to serve as mayor pro
466 tempore. The mayor pro tempore shall serve a two-year term of office. The mayor pro
467 tempore shall assume the duties and powers of the mayor during the mayor's physical or
468 mental disability or absence. Any such disability or absence shall be declared by a majority

469 vote of the councilmembers. The mayor pro tempore shall sign all contracts and ordinances
470 in which the mayor has a disqualifying financial interest as provided in Section 2.14 of this
471 charter.

472 SECTION 2.28.

473 Powers and duties of mayor.

474 The mayor shall:

- 475 (1) Preside at all meetings of the city council;
- 476 (2) Be the head of the city for the purpose of service of process and for ceremonial
477 purposes and be the official spokesperson for the city and the chief advocate of policy;
- 478 (3) Have the power to administer oaths and to take affidavits;
- 479 (4) Sign as a matter of course on behalf of the city all written and approved contracts,
480 ordinances, and other instruments executed by the city which by law are required to be
481 in writing;
- 482 (5) Prepare and submit to the city council a recommended annual operating budget and
483 recommended capital budget; and
- 484 (6) Fulfill such other executive and administrative duties as the city council shall by
485 ordinance establish.

486 SECTION 2.29.

487 Mayor and mayor pro tempore term limits.

- 488 (a) The mayor shall be limited to two consecutive terms of office as mayor. After being
489 out of the office of mayor for at least four years, a councilmember shall again be eligible
490 to serve as mayor.

491 (b) The mayor pro tempore shall be limited to two consecutive terms of office as mayor
492 pro tempore. After being out of the office of mayor pro tempore for at least four years, a
493 councilmember shall again be eligible to serve as mayor pro tempore.

494 (c) After a councilmember has served two consecutive terms as mayor, such
495 councilmember shall be ineligible to serve as mayor pro tempore until being out of office
496 as either mayor or mayor pro tempore for at least two years.

497 SECTION 2.30.

498 City manager; appointment; qualifications; compensation.

499 The city council shall appoint a city manager, also known as "the manager," for an indefinite
500 term and shall fix the manager's compensation. The city manager shall be appointed solely
501 on the basis of that person's executive and administrative qualifications.

502 SECTION 2.31.

503 Removal of city manager.

504 (a) The city council may remove the manager from office in accordance with the following
505 procedures:

506 (1) The city council shall adopt by affirmative vote of a majority of all its members a
507 preliminary resolution which must state the reasons for removal and may suspend the
508 manager from duty for a period not to exceed 45 days. A copy of the resolution shall be
509 delivered promptly to the manager;

510 (2) Within five days after a copy of the resolution is delivered to the manager, the
511 manager may file with the city council a written request for a public hearing. This
512 hearing shall be held within 30 days after the request is filed. The manager may file with
513 the council a written reply not later than five days before the hearing; and

514 (3) If the manager has not requested a public hearing within the time specified in
515 paragraph (2) of this subsection, the city council may adopt a final resolution for removal,
516 which may be made effective immediately, by an affirmative vote of a majority of all its
517 members. If the manager has requested a public hearing, the city council may adopt a
518 final resolution for removal, which may be made effective immediately, by an affirmative
519 vote of a majority of all its members at any time after the public hearing.

520 (b) The manager may continue to receive a salary until the effective date of a final
521 resolution of removal.

522 SECTION 2.32.

523 Acting city manager.

524 By letter filed with the city clerk, the city manager shall designate, subject to approval of the
525 city council, a qualified city administrative officer to exercise the powers and perform the
526 duties of city manager during the city manager's temporary absence or physical or mental
527 disability. During such absence or disability, the city council may revoke such designation
528 at any time and appoint another officer of the city to serve until the city manager shall return
529 or the city manager's disability shall cease.

530 SECTION 2.33.

531 Powers and duties of the city manager.

532 The city manager shall be the chief administrative officer of the city. The city manager shall
533 be responsible to the city council for the administration of all city affairs placed in the city
534 manager's charge by or under this charter. As the chief administrative officer, the city
535 manager shall:

- 536 (1) Appoint and, when the city manager deems it necessary for the good of the city,
537 suspend or remove all city employees and administrative officers the city manager
538 appoints, except as otherwise provided by law or personnel ordinances adopted pursuant
539 to this charter. The city manager may authorize any department director or administrative
540 officer who is subject to the city manager's direction and supervision to exercise these
541 powers with respect to subordinates in that officer's department, office, or agency;
- 542 (2) Direct and supervise the administration of all departments, offices, and agencies of
543 the city, except as otherwise provided by this charter or by law;
- 544 (3) Attend all city council meetings except for closed meetings held for the purposes of
545 deliberating on the appointment, discipline, or removal of the city manager and have the
546 right to take part in discussion but the city manager may not vote;
- 547 (4) See that all laws, provisions of this charter, and acts of the city council, subject to
548 enforcement by the city manager or by officers subject to the city manager's direction and
549 supervision, are faithfully executed;
- 550 (5) Prepare and submit the annual operating budget and capital budget to the city
551 council;
- 552 (6) Submit to the city council and make available to the public a complete report on the
553 finances and administrative activities of the city as of the end of each fiscal year;
- 554 (7) Make such other reports as the city council may require concerning the operations
555 of city departments, offices, and agencies subject to the city manager's direction and
556 supervision;
- 557 (8) Keep the city council fully advised as to the financial condition and future needs of
558 the city, and make such recommendations to the city council concerning the affairs of the
559 city as the city manager deems desirable; and
- 560 (9) Perform other such duties as are specified in this charter or as may be required by the
561 mayor and city council.

562 SECTION 2.34.

563 Council interference with administration.

564 Except for the purpose of inquiries and investigations under Section 2.15 of this charter, the
565 city council or its members shall deal with city officers and employees who are subject to the
566 direction and supervision of the city manager solely through the city manager, and neither
567 the city council nor its members shall give orders to any such officer or employee, either
568 publicly or privately. The city council shall act in all matters as a body and no member shall
569 seek individually to influence the official acts of the city manager or any other officer or
570 employee of the city, or direct or request the appointment of any person to, or his or her
571 removal from, any office or position of employment, or to interfere in any way with the
572 performance of the duties by the city manager or other officers or employees.

573 ARTICLE III.

574 ADMINISTRATIVE AFFAIRS

575 SECTION 3.10.

576 Administrative and service departments.

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

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

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

586 (d) There shall be a director of each department or agency who shall be its principal
587 officer. Each director shall, subject to the direction and supervision of the mayor, be
588 responsible for the administration and direction of the affairs and operations of that
589 director's department or agency.

590 (e) All appointed officers and directors under the supervision of the mayor shall be
591 nominated by the mayor with confirmation of appointment by the city council. All
592 appointed officers and directors shall be employees at will and subject to removal or
593 suspension at any time by the mayor unless otherwise provided by law or ordinance.

594 SECTION 3.11.

595 Boards, commissions, and authorities.

596 (a) The city council shall create by ordinance such boards, commissions, and authorities
597 to fulfill any investigative, quasi-judicial, or quasi-legislative function the city council
598 deems necessary and shall by ordinance establish the composition, period of existence,
599 duties, and powers thereof.

600 (b) All members of boards, commissions, and authorities of the city shall be appointed by
601 the mayor and council for such terms of office and in such manner as shall be provided by
602 ordinance, except where other appointing authority, terms of office, or manner of
603 appointment is prescribed by this charter or by law.

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

606 (d) Except as otherwise provided by charter or by law, no member of any board,
607 commission, or authority shall hold any elective office in the city.

608 (e) Any vacancy on a board, commission, or authority of the city shall be filled for the
609 unexpired term in the manner prescribed in this charter for original appointment, except as
610 otherwise provided by this charter or by law.

611 (f) No member of a board, commission, or authority shall assume office until that person
612 has executed and filed with the clerk of the city an oath obligating that person to perform
613 faithfully and impartially the duties of that person's office; such oath shall be prescribed
614 by ordinance and administered by the mayor.

615 (g) All members of boards, commissions, or authorities of the city serve at will and may
616 be removed at any time by the mayor and council unless otherwise provided by law.

617 (h) Except as otherwise provided by this charter or by law, each board, commission, or
618 authority of the city shall elect one of its members as chairperson and one member as vice
619 chairperson and may elect as its secretary one of its own members or may appoint as
620 secretary an employee of the city. Each board, commission, or authority of the city
621 government may establish such bylaws, rules, and regulations, not inconsistent with this
622 charter, ordinances of the city, or law, as it deems appropriate and necessary for the
623 fulfillment of its duties or the conduct of its affairs. Copies of such bylaws, rules, and
624 regulations shall be filed with the clerk of the city.

625 SECTION 3.12.

626 City attorney.

627 The mayor and council shall appoint a city attorney, together with such assistant city
628 attorneys as may be authorized, and shall provide for the payment of such attorney or
629 attorneys for services rendered to the city. The city attorney shall be responsible for
630 providing for the representation and defense of the city in all litigation in which the city is
631 a party; may be the prosecuting officer in the municipal court; shall attend the meetings of
632 the city council as directed; shall advise the mayor and council and other officers and

633 employees of the city concerning legal aspects of the city's affairs; and shall perform such
634 other duties as may be required by virtue of such person's position as city attorney.

635 SECTION 3.13.

636 City clerk.

637 The city council shall appoint a city clerk who shall not be a councilmember. The city clerk
638 shall be custodian of the official city seal and city records; maintain city council records
639 required by this charter; and perform such other duties as may be required by the city
640 council.

641 SECTION 3.14.

642 Position classification and pay plans.

643 The city manager shall be responsible for the preparation of a position classification and pay
644 plan which shall be submitted to the city council for approval. Such plan may apply to all
645 employees of the city and any of its agencies, departments, boards, commissions, or
646 authorities. When a pay plan has been adopted, the city council shall not increase or decrease
647 the salary range applicable to any position except by amendment of such pay plan. For
648 purposes of this section, all elected and appointed city officials are not city employees.

649 SECTION 3.15.

650 Personnel policies.

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

653 ARTICLE IV.
654 JUDICIAL BRANCH

655 SECTION 4.10.
656 Creation; name.

657 There shall be a court to be known as the Municipal Court of the City of Lost Mountain.

658 SECTION 4.11.
659 Chief judge; associate judge.

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

662 (b) No person shall be qualified or eligible to serve as a judge on the municipal court
663 unless that person shall have attained the age of 21 years and shall be a member of the State
664 Bar of Georgia and shall possess all qualifications required by law. All judges shall be
665 appointed by the city council and shall serve a term as provided by law and until a
666 successor is appointed and qualified.

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

668 (d) Judges may be removed from office as provided by law.

669 (e) Before assuming office, each judge shall take an oath, given by the mayor, that such
670 judge will honestly and faithfully discharge the duties of the judge's office to the best of
671 the judge's ability and without fear, favor, or partiality. The oath shall be entered upon the
672 minutes of the city council journal required in Section 2.19 of this charter.

673 SECTION 4.12.

674 Convening.

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

676 SECTION 4.13.

677 Jurisdiction; powers.

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

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

682 (c) The municipal court may fix punishment for offenses within its jurisdiction not
683 exceeding a fine of \$1,000.00 or imprisonment for 180 days or both such fine and
684 imprisonment or may fix punishment by fine, imprisonment, or alternative sentencing, as
685 now or hereafter provided by law.

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

689 (e) The municipal court shall have authority to establish bail and recognizances to ensure
690 the presence of those charged with violations before such court and shall have discretionary
691 authority to accept cash or personal or real property as surety for the appearance of persons
692 charged with violations. Whenever any person shall give bail for that person's appearance
693 and shall fail to appear at the time fixed for trial, that person's bond shall be forfeited by
694 the judge presiding at such time and an execution issued thereon by serving the defendant
695 and the defendant's sureties with a rule nisi at least two days before a hearing on the rule
696 nisi. In the event that cash or property is accepted in lieu of bond for security for the

697 appearance of a defendant at trial, and if such defendant fails to appear at the time and
698 place fixed for trial, the cash so deposited shall be on order of the judge declared forfeited
699 to the city, or the property so deposited shall have a lien against it for the value forfeited
700 which lien shall be enforceable in the same manner and to the same extent as a lien for city
701 property taxes.

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

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

708 (h) Each judge of the municipal court shall be authorized to issue warrants for the arrest
709 of persons charged with offenses against any ordinance of the city, and each judge of the
710 municipal court shall have the same authority as a magistrate of the state to issue warrants
711 for offenses against state laws committed within the city.

712 SECTION 4.14.

713 Certiorari.

714 The right of certiorari from the decision and judgment of the municipal court shall exist in
715 all criminal cases and ordinance violation cases, and such certiorari shall be obtained under
716 the sanction of a judge of the Superior Court of Cobb County under the laws of the State of
717 Georgia regulating the granting and issuance of writs of certiorari.

718 SECTION 4.15.

719 Rules for court.

720 With the approval of the city council, the judge shall have full power and authority to make
721 reasonable rules and regulations necessary and proper to secure the efficient and successful
722 administration of the municipal court; provided, however, that the city council may adopt in
723 part or in toto the rules and regulations applicable to municipal courts. The rules and
724 regulations made or adopted shall be filed with the city clerk, shall be available for public
725 inspection, and, upon request, a copy shall be furnished to all defendants in municipal court
726 proceedings at least 48 hours prior to such proceedings.

727 ARTICLE V.

728 ELECTIONS AND REMOVAL

729 SECTION 5.10.

730 Applicability of general law.

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

733 SECTION 5.11.

734 Regular elections; time for holding.

735 Except as otherwise provided in Article VIII of this charter for the initial elections, there
736 shall be a municipal general election biennially in odd-numbered years on the Tuesday next
737 following the first Monday in November. There shall be elected three councilmembers at

738 one election and at every other election thereafter. The remaining councilmember seats shall
739 be filled at the election alternating with the first election so that a continuing body is created.

740 SECTION 5.12.
741 Nonpartisan elections.

742 Political parties shall not conduct primaries for city offices, and all names of candidates for
743 city offices shall be listed without party designations.

744 SECTION 5.13.
745 Election by majority vote.

746 Councilmembers shall be elected by a majority vote of the votes cast by the electors of the
747 city at large.

748 SECTION 5.14.
749 Special elections; vacancies.

750 In the event that the office of councilmember shall become vacant as provided in Section
751 2.12 of this charter, the city council or those remaining shall order a special election to fill
752 the balance of the unexpired term of such official; provided, however, that, if such vacancy
753 occurs within 12 months of the expiration of the term of that office, the city council or those
754 members remaining shall appoint a successor for the remainder of the term. In all other
755 respects, the special election shall be held and conducted in accordance with Chapter 2 of
756 Title 21 of the O.C.G.A., the "Georgia Election Code," as now or hereafter amended.

757 SECTION 5.15.
758 Other provisions.

759 Except as otherwise provided by this charter, the city council shall, by ordinance, prescribe
760 such rules and regulations as it deems appropriate to fulfill any options and duties under
761 Chapter 2 of Title 21 of the O.C.G.A., the "Georgia Election Code."

762 SECTION 5.16.
763 Removal of officers.

764 (a) A councilmember or any appointed officers provided for in this charter shall be
765 removed from office for any one or more of the causes provided in Title 45 of the O.C.G.A.
766 or such other applicable laws as are or may hereafter be enacted.

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

769 (1) Following a hearing at which an impartial panel shall render a decision. In the event
770 an elected officer is sought to be removed by the action of the city council, such officer
771 shall be entitled to a written notice specifying the ground or grounds for removal and to
772 a public hearing which shall be held not less than ten days after the service of such
773 written notice. The city council shall provide by ordinance for the manner in which such
774 hearings shall be held. Any elected officer sought to be removed from office as provided
775 in this section shall have the right of appeal from the decision of the city council to the
776 Superior Court of Cobb County. Such appeal shall be governed by the same rules as
777 govern appeals to the superior court from the probate court; or

778 (2) By an order of the Superior Court of Cobb County following a hearing on a
779 complaint seeking such removal brought by any resident of the City of Lost Mountain.

780 ARTICLE VI.
781 FINANCE

782 SECTION 6.10.
783 Property tax.

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

790 SECTION 6.11.
791 Millage rate; due dates; payment methods.

792 The city council by ordinance shall establish a millage rate for the city property tax which
793 shall not exceed 1 mill, a due date, and the time period within which these taxes must be
794 paid. The city council by ordinance may provide for the payment of these taxes by
795 installments or in one lump sum, as well as authorize the voluntary payment of taxes prior
796 to the time when due.

797 SECTION 6.12.
798 Occupation and business taxes.

799 The city council by ordinance shall have the power to levy such occupation or business taxes
800 as are not denied by law. The city council may classify businesses, occupations, or

801 professions for the purpose of such taxation in any way which may be lawful and may
802 compel the payment of such taxes as provided in Section 6.18 of this charter.

803 SECTION 6.13.

804 Licenses; permits; fees.

805 The city council by ordinance shall have the power to require businesses or practitioners
806 doing business in this city to obtain a permit for such activity from the city and pay a
807 regulatory fee for such permit as provided by general law. Such fees shall reflect the total
808 cost to the city of regulating the activity and, if unpaid, shall be collected as provided in
809 Section 6.18 of this charter.

810 SECTION 6.14.

811 Franchises.

812 (a) The city council shall have the power to grant franchises for the use of this city's streets
813 and alleys for the purposes of railroads, street railways, telephone companies, electric
814 companies, electric membership corporations, cable television and other
815 telecommunications companies, gas companies, transportation companies, and other
816 similar organizations. The city council shall determine the duration, terms, whether the
817 same shall be exclusive or nonexclusive, and the consideration for such franchises;
818 provided, however, that no franchise shall be granted for a period in excess of 35 years and
819 no franchise shall be granted unless the city receives just and adequate compensation
820 therefor. The city council shall provide for the registration of all franchises with the city
821 clerk in a registration book kept by the city clerk. The city council may provide by
822 ordinance for the registration within a reasonable time of all franchises previously granted.

823 (b) If no franchise agreement is in effect, the city council has the authority to impose a tax
824 on gross receipts for the use of this city's streets and alleys for the purposes of railroads,
825 street railways, telephone companies, electric companies, electric membership
826 corporations, cable television and other telecommunications companies, gas companies,
827 transportation companies, and other similar organizations.

828 SECTION 6.15.

829 Service charges.

830 The city council by ordinance shall have the power to assess and collect fees, charges, and
831 tolls for services provided or made available within and outside the corporate limits of the
832 city for the total cost to the city of providing or making available such services. If unpaid,
833 such charges shall be collected as provided in Section 6.18 of this charter.

834 SECTION 6.16.

835 Special assessments.

836 The city council by ordinance shall have the power to assess and collect the cost of
837 constructing, reconstructing, widening, or improving any public way, street, sidewalk,
838 curbing, gutters, sewers, or other utility mains and appurtenances from the abutting property
839 owners. If unpaid, such charges shall be collected as provided in Section 6.18 of this charter.

840 SECTION 6.17.

841 Construction; other taxes.

842 This city shall be empowered to levy any other tax or fee allowed now or hereafter by law,
843 and the specific mention of any right, power, or authority in this article shall not be construed
844 as limiting in any way the general powers of this city to govern its local affairs.

845 SECTION 6.18.

846 Collection of delinquent taxes and fees.

847 The city council by ordinance may provide generally for the collection of delinquent taxes,
848 fees, or other revenue due the city under Sections 6.10 through 6.17 of this charter by
849 whatever reasonable means as are not precluded by law. This shall include providing for the
850 dates when the taxes or fees are due; late penalties or interest; issuance and execution of
851 fi. fas.; creation and priority of liens; making delinquent taxes and fees personal debts of the
852 persons required to pay the taxes or fees imposed; revoking city permits for failure to pay any
853 city taxes or fees; and providing for the assignment or transfer of tax executions.

854 SECTION 6.19.

855 General obligation bonds.

856 The city council shall have the power to issue bonds for the purpose of raising revenue to
857 carry out any project, program, or venture authorized under this charter or the laws of the
858 state. Such bonding authority shall be exercised in accordance with the laws governing bond
859 issuance by municipalities in effect at the time said issue is undertaken, provided that no
860 general obligation bonds shall be issued by the city unless the issuance of such specific bond

861 series is approved by the voters of the city at a referendum called for approval of such
862 issuance.

863 SECTION 6.20.

864 Revenue bonds.

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

868 SECTION 6.21.

869 Short-term loans.

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

872 SECTION 6.22.

873 Lease-purchase contracts.

874 The city may enter into multiyear lease, purchase, or lease-purchase contracts for the
875 acquisition of goods, materials, real and personal property, services, and supplies, provided
876 the contract terminates without further obligation on the part of the municipality at the close
877 of the calendar year in which it was executed and at the close of each succeeding calendar
878 year for which it may be renewed. Contracts must be executed in accordance with the
879 requirements of Code Section 36-60-13 of the O.C.G.A., or other such applicable laws as are
880 or may hereafter be enacted.

881 SECTION 6.23.

882 Fiscal year.

883 The city council shall set the fiscal year by ordinance. This fiscal year shall constitute the
884 budget year and the year for financial accounting and reporting of each and every office,
885 department, agency, and activity of the city government.

886 SECTION 6.24.

887 Budget ordinance.

888 The city council shall provide an ordinance on the procedures and requirements for the
889 preparation and execution of an annual operating budget, a capital improvement plan, and
890 a capital budget, including requirements as to the scope, content, and form of such budgets
891 and plans. The city council shall also comply with the budgeting and auditing provisions of
892 Chapter 81 of Title 36 of the O.C.G.A.

893 SECTION 6.25.

894 Operating budget.

895 On or before a date fixed by the city council but not later than 60 days prior to the beginning
896 of each fiscal year, the city manager shall submit to the city council a proposed operating
897 budget for the ensuing fiscal year. The budget shall be accompanied by a message from the
898 city manager containing a statement of the general fiscal policies of the city, the important
899 features of the budget, explanations of major changes recommended for the next fiscal year,
900 a general summary of the budget, and other pertinent comments and information. The
901 operating budget and the capital budget provided for in Section 6.29 of this charter, the

902 budget message, and all supporting documents shall be filed in the office of the city clerk and
903 shall be open to public inspection.

904 SECTION 6.26.

905 Action by city council on budget.

906 (a) The councilmembers may amend the operating budget proposed by the city manager,
907 except that the budget as finally amended and adopted must provide for all expenditures
908 required by state law or by other provisions of this charter and for all debt service
909 requirements for the ensuing fiscal year. The total appropriations from any fund shall not
910 exceed the estimated fund balance, reserves, and revenues.

911 (b) The city council by ordinance shall adopt the final operating budget for the ensuing
912 fiscal year not later than December 15 of each year. If the city council fails to adopt the
913 budget by said date, the amounts appropriated for operation for the then current fiscal year
914 shall be deemed adopted for the ensuing fiscal year on a month-to-month basis, with all
915 items prorated accordingly, until such time as the city council adopts a budget for the
916 ensuing fiscal year. Adoption of the budget shall take the form of an appropriations
917 ordinance setting out the estimated revenues in detail by sources and making appropriations
918 according to fund and by organizational unit, purpose, or activity as set out in the budget
919 preparation ordinance adopted pursuant to Section 6.24 of this charter.

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

924 SECTION 6.27.

925 Levy of taxes.

926 The city council shall levy by ordinance such taxes as are necessary. The taxes and tax rates
927 set by such ordinance shall be such that reasonable estimates of revenues from such levy
928 shall at least be sufficient, together with other anticipated revenues, fund balances, and
929 applicable reserves, to equal the total amount appropriated for each of the several funds set
930 forth in the annual operating budget for defraying the expenses of the general government
931 of this city.

932 SECTION 6.28.

933 Changes in appropriations.

934 The city council by ordinance may make changes in the appropriations contained in the
935 current operating budget at any regular meeting or special or emergency meeting called for
936 such purpose, but any additional appropriations may be made only from an existing
937 unexpended surplus.

938 SECTION 6.29.

939 Capital improvements.

940 (a) On or before the date fixed by the city council, but not later than 60 days prior to the
941 beginning of each fiscal year, the city manager shall submit to the city council a proposed
942 capital improvements plan with a recommended capital budget containing the means of
943 financing the improvements proposed for the ensuing fiscal year. The city council shall
944 have power to accept, with or without amendments, or reject the proposed plan and budget.
945 The city council shall not authorize an expenditure for the construction of any building,

946 structure, work, or improvement unless the appropriations for such project are included in
947 the capital budget, except to meet a public emergency as provided in Section 2.23 of this
948 charter.

949 (b) The city council shall adopt by ordinance the final capital budget for the ensuing fiscal
950 year not later than December 15 of each year. No appropriation provided for in a prior
951 capital budget shall lapse until the purpose for which the appropriation was made shall
952 have been accomplished or abandoned; provided, however, that the city manager may
953 submit amendments to the capital budget at any time during the fiscal year, accompanied
954 by recommendations. Any such amendments to the capital budget shall become effective
955 only upon adoption by ordinance.

956 SECTION 6.30.

957 Audits.

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

963 SECTION 6.31.

964 Procurement and property management.

965 No contract with the city shall be binding on the city unless:

966 (1) It is in writing;

967 (2) It is drawn by or submitted and reviewed by the city attorney and, as a matter of
968 course, is signed by the city attorney to indicate such drafting or review; and

969 (3) It is made or authorized by the city council and such approval is entered in the city
970 council journal of proceedings pursuant to Section 2.19 of this charter.

971 SECTION 6.32.

972 Purchasing.

973 The city council shall by ordinance prescribe procedures for a system of centralized
974 purchasing for the city.

975 SECTION 6.33.

976 Sale and lease of property.

977 (a) The city council may sell and convey or lease any real or personal property owned or
978 held by the city for governmental or other purposes as now or hereafter provided by law.

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

983 (c) Whenever in opening, extending, or widening any street, avenue, alley, or public place
984 of the city a small parcel or tract of land is cut off or separated by such work from a larger
985 tract or boundary of land owned by the city, the city council may authorize the mayor to
986 sell and convey said cut-off or separated parcel or tract of land to an abutting or adjoining
987 property owner or owners where such sale and conveyance facilitates the highest and best
988 use of the abutting owner's property. Included in the sales contract shall be a provision for
989 the rights of way of said street, avenue, alley, or public place. Each abutting property
990 owner shall be notified of the availability of the property and given the opportunity to
991 purchase said property under such terms and conditions as set out by ordinance. All deeds

992 and conveyances heretofore and hereafter so executed and delivered shall convey all title
993 and interest the city has in such property, notwithstanding the fact that no public sale after
994 advertisement was or is hereafter made.

995 SECTION 6.34.

996 Apportionment of revenue.

997 Except as otherwise agreed pursuant to Chapter 70 of Title 36 of the O.C.G.A., the city is
998 authorized to pay all revenues collected by Cobb County on behalf of the city to the county
999 in exchange for continuation of services during the transition period provided in Section 8.11
1000 of this charter and beyond, with the exception of the following revenues, which shall stay
1001 with the city:

1002 (1) New revenues from utility franchise fees;

1003 (2) Fines collected in municipal court; and

1004 (3) Revenues generated from any additional millage of up to 1 mill above the millage
1005 rate imposed in the county special service district.

1006 ARTICLE VII.

1007 GENERAL PROVISIONS

1008 SECTION 7.10.

1009 Bonds for officials.

1010 The officers and employees of this city, both elected and appointed, shall execute such surety
1011 or fidelity bonds in such amounts and upon such terms and conditions as the city council
1012 shall from time to time require by ordinance or as may be provided by law.

SECTION 7.11.

1013

1014

Construction and definitions.

1015 (a) Section captions in this charter are informative only and are not to be considered as a
1016 part thereof.

1017 (b) The word "shall" is mandatory and the word "may" is permissive.

1018 (c) The singular shall include the plural, the masculine shall include the feminine, and vice
1019 versa.

ARTICLE VIII.

1020

1021

REFERENDUM AND INITIAL ELECTIONS

SECTION 8.10.

1022

1023

Referendum and initial election.

1024 (a) The election superintendent of Cobb County shall call a special election for the purpose
1025 of submitting this Act to the qualified voters of the proposed City of Lost Mountain for
1026 approval or rejection. The superintendent shall set the date of such election for the date of
1027 the 2022 general primary. The superintendent shall issue the call for such election at least
1028 30 days prior to the date thereof. The superintendent shall cause the date and purpose of
1029 the election to be published once a week for two weeks immediately preceding the date
1030 thereof in the official organ of Cobb County. The ballot shall have written or printed
1031 thereon the words:

1032 "() YES Shall the Act incorporating the City of Lost Mountain in Cobb County

1033 () NO according to the charter contained in the Act be approved?"

1034 All persons desiring to vote for approval of the Act shall vote "Yes," and those persons
1035 desiring to vote for rejection of the Act shall vote "No." If more than one-half of the votes

1036 cast on such question are for approval of the Act, it shall become of full force and effect
1037 as provided in Section 8.11 of this charter, otherwise it shall be void and of no force and
1038 effect.

1039 The initial expense of such election shall be borne by Cobb County. Within two years after
1040 the elections if the incorporation is approved, the City of Lost Mountain shall reimburse
1041 Cobb County for the actual cost of printing and personnel services for such election and for
1042 the initial election of the councilmembers pursuant to this charter. It shall be the duty of the
1043 superintendent to hold and conduct such election. It shall be his or her further duty to certify
1044 the result thereof to the Secretary of State.

1045 (b) For the purposes of the referendum election provided for in subsection (a) of this section
1046 and for the purposes of the special election of the City of Lost Mountain to be held on the
1047 Tuesday after the first Monday in November, 2022, the qualified electors of the City of Lost
1048 Mountain shall be those qualified electors of Cobb County residing within the corporate
1049 limits of the City of Lost Mountain as described by Appendix A of this charter. At
1050 subsequent municipal elections, the qualified electors of the City of Lost Mountain shall be
1051 determined pursuant to the authority of Chapter 2 of Title 21 of the O.C.G.A. known as the
1052 "Georgia Election Code."

1053 (c) Only for the purposes of holding and conducting the referendum election provided for
1054 in subsection (a) of this section and holding the special election of the City of Lost Mountain
1055 to be held on the Tuesday after the first Monday in November, 2022, the election
1056 superintendent of Cobb County is vested with the powers and duties of the election
1057 superintendent of the City of Lost Mountain and the powers and duties of the governing
1058 authority of the City of Lost Mountain.

SECTION 8.11.

1059
1060

Effective dates and transition.

1061 (a) The provisions of this Act necessary for the referendum election provided for in
1062 Section 8.10 of this charter shall become effective immediately upon this Act's approval
1063 by the Governor or upon its becoming law without such approval.

1064 (b) Those provisions of this Act necessary for the special election provided for in Section
1065 8.13 of this charter shall be effective upon the certification of the results of the referendum
1066 election provided for by Section 8.10 of this charter if this Act is approved at such
1067 referendum election.

1068 (c) Except as provided in Section 8.10 of this charter, the remaining provisions of this Act
1069 shall become of full force and effect for all purposes at 12:00 Midnight on January 1, 2023,
1070 except that the initial councilmembers shall take office immediately following their
1071 election and by action of a quorum may prior to 12:00 Midnight on January 1, 2023, meet
1072 and take actions binding on the city.

1073 (d) A period of time will be needed for an orderly transition of various government
1074 functions from Cobb County to the City of Lost Mountain. Accordingly there shall be a
1075 transition period beginning on the date the initial mayor and councilmembers take office
1076 under this charter, and ending at 12:00 Midnight on December 31, 2024. During such
1077 transition period, all provisions of this charter shall be effective as law, but not all
1078 provisions of this charter shall be implemented.

1079 (e) During such transition period, Cobb County shall continue to provide within the
1080 territorial limits of the city all government services and functions which Cobb County
1081 provided in that area during the years 2021 and 2022 and at the same actual cost, except
1082 to the extent otherwise provided in this section; provided, however, that upon at least 60
1083 days' prior written notice to Cobb County by the City of Lost Mountain, responsibility for
1084 any such service or function shall be transferred to the City of Lost Mountain. During the

1085 transition period, the city shall remain within the Cobb County special services district, but
1086 shall be removed from such district at the conclusion of such period. Beginning
1087 July 1, 2023, the City of Lost Mountain shall collect taxes, fees, assessments, fines and
1088 forfeitures, and other moneys within the territorial limits of the city in the same manner as
1089 authorized immediately prior to the effective date of this section; provided, however, that
1090 upon at least 60 days' prior written notice to Cobb County by the City of Lost Mountain,
1091 the authority to collect any tax, fee, assessment, fine or forfeiture, or other moneys shall
1092 remain with Cobb County after July 1, 2023, until such time as Cobb County receives
1093 subsequent notice from the City of Lost Mountain that such authority shall be transferred
1094 to the City of Lost Mountain.

1095 (f) During the transition period, the governing authority of the City of Lost Mountain:

1096 (1) Shall hold regular meetings and may hold special meetings as provided in this
1097 charter;

1098 (2) May enact ordinances and resolutions as provided in this charter;

1099 (3) May amend this charter by home rule action as provided by general law;

1100 (4) May accept gifts and grants;

1101 (5) May borrow money and incur indebtedness to the extent authorized by this charter
1102 and general law;

1103 (6) May levy and collect an ad valorem tax for calendar years 2023 and 2024;

1104 (7) May establish a fiscal year and budget;

1105 (8) May create, alter, or abolish departments, boards, offices, commissions, and agencies
1106 of the city; appoint and remove officers and employees; and exercise all necessary or
1107 appropriate personnel and management functions; and

1108 (9) May generally exercise any power granted by this charter or general law, except to
1109 the extent that a power is specifically and integrally related to the provision of a
1110 governmental service, function, or responsibility not yet provided or carried out by the
1111 city.

1112 (g) Except as otherwise provided in this section, during the transition period, the
1113 Municipal Court of the City of Lost Mountain shall not exercise its jurisdiction. During the
1114 transition period, all ordinances of Cobb County shall remain applicable within the
1115 territorial limits of the city and the appropriate court or courts of Cobb County shall retain
1116 jurisdiction to enforce such ordinances. However, by mutual agreement and concurrent
1117 resolutions and ordinances if needed Cobb County and the City of Lost Mountain may
1118 during the transition period transfer all or part of such regulatory authority and the
1119 appropriate court jurisdiction to the City of Lost Mountain. Any transfer of jurisdiction to
1120 the City of Lost Mountain during or at the end of the transition period shall not in and of
1121 itself abate any judicial proceeding pending in Cobb County or the pending prosecution of
1122 any violation of any ordinance of Cobb County.

1123 (h) During the transition period, the governing authority of the City of Lost Mountain may
1124 at any time, without the necessity of any agreement by Cobb County, commence to
1125 exercise its planning and zoning powers; provided, however, that the city shall give the
1126 county notice of the date on which the city will assume the exercise of such powers. Upon
1127 the governing authority of the City of Lost Mountain commencing to exercise its planning
1128 and zoning powers, the Municipal Court of the City of Lost Mountain shall immediately
1129 have jurisdiction to enforce the planning and zoning ordinances of the city. The provisions
1130 of this subsection shall control over any conflicting provisions of any other subsection of
1131 this section.

1132 (i) Effective upon the termination of the transition period, subsections (b) through (h) of
1133 this section shall cease to apply except for the last sentence of subsection (g) which shall
1134 remain effective. Effective upon the termination of the transition period, the City of Lost
1135 Mountain shall be a full functioning municipal corporation and subject to all general laws
1136 of this state.

1137 SECTION 8.12.

1138 Directory nature of dates.

1139 It is the intention of the General Assembly that this Act be construed as directory rather than
1140 mandatory with respect to any date prescribed in this Act. If it is necessary to delay any
1141 action called for in this Act for providential cause or any other reason, it is the intention of
1142 the General Assembly that the action be delayed rather than abandoned. Any delay in
1143 performing any action under this Act, whether for cause or otherwise, shall not operate to
1144 frustrate the overall intent of this Act. Without limiting the generality of the foregoing it is
1145 specifically provided that:

1146 (1) If it is not possible to hold the referendum election provided for in Section 8.10 of
1147 this charter on the date specified in that section, then such referendum shall be held as
1148 soon thereafter as is reasonably practicable; and

1149 (2) If it is not possible to hold the first election provided for in Section 8.13 of this
1150 charter on the date specified in that section, then there shall be a special election for the
1151 initial members of the governing authority to be held as soon thereafter as is reasonably
1152 practicable, and the commencement of the initial terms of office shall be delayed
1153 accordingly.

1154 SECTION 8.13.

1155 Special election.

1156 (a) The first election for councilmembers shall be a special election held on the Tuesday
1157 after the first Monday in November, 2022. At such election, the first councilmembers shall
1158 be elected to serve for the initial terms of office specified in subsections (b) and (c) of this
1159 section. Thereafter, the time for holding regular municipal elections shall be on the Tuesday
1160 next following the first Monday in November of each odd-numbered year beginning in 2025.

1176

APPENDIX A

1177

LEGAL DESCRIPTION

1178

CITY OF LOST MOUNTAIN, GEORGIA

1179 User: HD36

1180 Plan Name: LostMtn-2022

1181 Plan Type: Local

1182

1183 District LOSTMTN

1184 County Cobb GA

1185 VTD Cheatham Hill 02

1186 Block 030251:

1187 1000 1001 1002 1003 1006 2000 2001 2002 2003 2004 2005 2006

1188 2007 2008 2009 2010 2011 2012

1189 Block 030256:

1190 1013 1020 1021

1191 VTD Cheatham Hill 03

1192 Block 030262:

1193 3002 3003 3004 3005 3006 3007

1194 VTD Dowell 01

1195 Block 030233:

1196 3000

1197 Block 030270:

1198 1002 1003 1005 1006 1007 1008 1009 1010 1012 1013

1199 VTD Durham 01

1200 VTD Ford 01

1201 VTD Frey 01
1202 Block 030108:
1203 2003 2005
1204 Block 030244:
1205 2000 2001 2002 2003 2004 2005 2006 2007 3000 3001 3002 3003
1206 3004 3005 3006
1207 VTD Harrison 01
1208 VTD Hayes 01
1209 Block 030265:
1210 2000
1211 VTD Kemp 01
1212 VTD Kemp 02
1213 VTD Kemp 03
1214 VTD Lost Mountain 01
1215 VTD Lost Mountain 02
1216 VTD Lost Mountain 03
1217 VTD Lost Mountain 04
1218 VTD Marietta 4C
1219 Block 030257:
1220 3015
1221 VTD Mars Hill 01
1222 Block 030108:
1223 1012 1013 1015 1016
1224 VTD McClure 01
1225 Block 030108:
1226 2004 2007
1227 Block 030241:

1228 2002 2003 2006
 1229 VTD Oregon 01
 1230 VTD Oregon 05
 1231 VTD Pine Mountain 01
 1232 VTD Pine Mountain 02
 1233 Block 030250:
 1234 1000 1001 1002 1003 1005 1008 1009 1010 1011 1012 2000 2001
 1235 2002 2003 2004
 1236 Block 030256:
 1237 1006 1007 1008 1009
 1238 VTD Vaughan 01

1239 For the purposes of such plan, LostMtn-2022:

1240 (1) The term "VTD" shall mean and describe the same geographical boundaries as
 1241 provided in the report of the Bureau of the Census for the United States decennial census
 1242 of 2020 for the State of Georgia. The separate numeric designations in a district
 1243 description which are underneath a "VTD" heading shall mean and describe individual
 1244 blocks within a VTD as provided in the report of the Bureau of the Census for the United
 1245 States decennial census of 2020 for the State of Georgia; and
 1246 (2) Except as otherwise provided in the description of any district, whenever the
 1247 description of any district refers to a named city, it shall mean the geographical
 1248 boundaries of that city as shown on the census maps for the United States decennial
 1249 census of 2020 for the State of Georgia.

APPENDIX B

City Council Districts

1250
 1251
 1252 User: HD36
 1253 Plan Name: LostMtn-cc-2022
 1254 Plan Type: Local

 1255 District 001
 1256 County Cobb GA
 1257 VTD Durham 01
 1258 VTD Ford 01
 1259 VTD Frey 01
 1260 Block 030108:
 1261 2003 2005
 1262 Block 030244:
 1263 2000 2001 2002 2003 2004 2005 2006 2007 3000 3001 3002 3003
 1264 3004 3005 3006
 1265 VTD Lost Mountain 02
 1266 Block 030236:
 1267 2000 2001 2002 2003 2004 2005 2006 2007 2008
 1268 Block 030252:
 1269 2000 2001 2002 2003 2004 2005 2006
 1270 VTD Lost Mountain 04
 1271 Block 030244:
 1272 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011
 1273 1012 1013
 1274 VTD Mars Hill 01
 1275 Block 030108:

1276 1012 1013 1015 1016
 1277 VTD McClure 01
 1278 Block 030108:
 1279 2004 2007
 1280 Block 030241:
 1281 2002 2003 2006
 1282 VTD Vaughan 01

 1283 District 002
 1284 County Cobb GA
 1285 VTD Cheatham Hill 02
 1286 Block 030251:
 1287 1000 1001 1002 1003 1006 2000 2001 2002 2003 2004 2005 2006
 1288 2007 2008 2009 2010 2011 2012
 1289 Block 030256:
 1290 1013 1020 1021
 1291 VTD Harrison 01
 1292 VTD Hayes 01
 1293 Block 030265:
 1294 2000
 1295 VTD Kemp 01
 1296 VTD Kemp 03
 1297 VTD Lost Mountain 02
 1298 Block 030252:
 1299 3000 3001 3002 3003 3004 3005
 1300 VTD Lost Mountain 03
 1301 Block 030276:

1302 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011 2012 2013
 1303 2014 2015 2016 2017 2018 2019
 1304 VTD Lost Mountain 04
 1305 Block 030264:
 1306 1000 1001 1002
 1307 VTD Marietta 4C
 1308 Block 030257:
 1309 3015
 1310 VTD Pine Mountain 01
 1311 VTD Pine Mountain 02
 1312 Block 030250:
 1313 1000 1001 1002 1003 1005 1008 1009 1010 1011 1012 2000 2001
 1314 2002 2003 2004
 1315 Block 030256:
 1316 1006 1007 1008 1009

 1317 District 003
 1318 County Cobb GA
 1319 VTD Cheatham Hill 03
 1320 Block 030262:
 1321 3002 3003 3004 3005 3006 3007
 1322 VTD Dowell 01
 1323 Block 030233:
 1324 3000
 1325 Block 030270:
 1326 1002 1003 1005 1006 1007 1008 1009 1010 1012 1013
 1327 VTD Kemp 02

1328 VTD Lost Mountain 01

1329 VTD Lost Mountain 03

1330 Block 030268:

1331 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011

1332 1012 1013 1014 2000 2001 2002 2003 2004 2005 2006 2007 2008

1333 2009

1334 Block 030269:

1335 1000 1001 1002 1003 1017 2000 2001 2002 2003 2004 2005 2006

1336 2007 2008 2009 2010 2011

1337 VTD Oregon 01

1338 VTD Oregon 05

1339

APPENDIX C

1340

CERTIFICATE AS TO MINIMUM STANDARDS

1341

FOR INCORPORATION OF A NEW MUNICIPAL CORPORATION

1342

I, Representative Ginny Ehrhart, Georgia State Representative from the 36th District and the

1343

author of this bill introduced at the 2021 session of the General Assembly of Georgia, which

1344

grants an original municipal charter to the City of Lost Mountain, do hereby certify that this

1345

bill is in compliance with the minimum standards required by Chapter 31 of Title 36 of the

1346

O.C.G.A. in that the area embraced within the original incorporation in this bill is in all

1347

respects in compliance with the minimum standards required by Chapter 31 of Title 36 of the

1348

O.C.G.A. This certificate is executed to conform to the requirements of Code

1349

Section 36-31-5 of the O.C.G.A.

1350

So certified this _____ day of _____, 2022.

1351

1352

1353

Honorable Ginny Ehrhart

1354

Representative, 36th District

1355

Georgia State House of Representatives