

House Bill 833

By: Representatives Jones of the 62<sup>nd</sup>, Gravley of the 67<sup>th</sup>, Beasley-Teague of the 65<sup>th</sup>, Hightower of the 68<sup>th</sup>, Alexander of the 66<sup>th</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 61 of Title 36 of the Official Code of Georgia Annotated, the "Urban  
2 Redevelopment Law," so as to include blighted areas; to modernize terminology; to provide  
3 for related matters; to repeal conflicting laws; and for other purposes.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

5 style="text-align:center">**SECTION 1.**

6 Chapter 61 of Title 36 of the Official Code of Georgia Annotated, relating to urban  
7 redevelopment, is amended by revising Code Section 36-61-2, relating to definitions, as  
8 follows:

9 "36-61-2.

10 As used in this chapter, the term:

11 (1) 'Agency' or 'urban redevelopment agency' means a public agency created by Code  
12 Section 36-61-18.

13 (2) 'Area of operation' means the area within the corporate limits of the municipality or  
14 county and the area within five miles of such limits, except that it shall not include any  
15 area which lies within the territorial boundaries of another incorporated municipality or  
16 another county unless a resolution is adopted by the governing body of such other  
17 municipality or county declaring a need therefor.

18 (3) 'Blight clearance and redevelopment' may include:

19 (A) Acquisition of a blighted area or portion thereof;

20 (B) Rehabilitation or demolition and removal of buildings and improvements;

21 (C) Installation, construction, or reconstruction of streets, utilities, parks, playgrounds,  
22 and other improvements necessary for carrying out in the area the urban redevelopment  
23 provisions of this chapter in accordance with the urban redevelopment plan; and

24 (D) Making the land available for development or redevelopment by private enterprise  
25 or public agencies (including sale, initial leasing, or retention by the municipality or  
26 county itself) at its fair value for uses in accordance with the urban redevelopment plan.

27 (4) 'Blighted area' means an area in which there is a predominance of buildings or  
 28 improvements, whether residential or nonresidential, which by reason of dilapidation,  
 29 deterioration, age, or obsolescence; inadequate provision for ventilation, light, air,  
 30 sanitation, or open spaces; high density of population and overcrowding; existence of  
 31 conditions which endanger life or property by fire and other causes; or any combination  
 32 of such factors is conducive to ill health, transmission of disease, infant mortality,  
 33 juvenile delinquency, or crime and is detrimental to the public health, safety, morals, or  
 34 welfare. 'Blighted area' also means an area which by reason of the presence of a  
 35 substantial number of blighted, deteriorated, or deteriorating structures; predominance  
 36 of defective or inadequate street layout; faulty lot layout in relation to size, adequacy,  
 37 accessibility, or usefulness; unsanitary or unsafe conditions; deterioration of site or other  
 38 improvements; tax or special assessment delinquency exceeding the fair value of the land;  
 39 the existence of conditions which endanger life or property by fire and other causes; by  
 40 having development impaired by airport or transportation noise or by other environmental  
 41 hazards; or any combination of such factors substantially impairs or arrests the sound  
 42 growth of a municipality or county, retards the provisions of housing accommodations,  
 43 or constitutes an economic or social liability and is a menace to the public health, safety,  
 44 morals, or welfare in its present condition and use.

45 ~~(3)~~(5) 'Board' or 'commission' means a board, commission, department, division, office,  
 46 body, or other unit of the municipality or county.

47 ~~(4)~~(6) 'Bonds' means any bonds (including refunding bonds), notes, interim certificates,  
 48 certificates of indebtedness, debentures, or other obligations.

49 ~~(5)~~(7) 'Clerk' means the clerk or other official of the municipality or county who is the  
 50 custodian of the official records of such municipality or county.

51 ~~(6)~~(8) 'County' means any county in this state.

52 ~~(7)~~(9) 'Downtown development authority' means an authority created pursuant to  
 53 Chapter 42 of this title.

54 ~~(8)~~(10) 'Federal government' means the United States of America or any agency or  
 55 instrumentality, corporate or otherwise, of the United States of America.

56 ~~(9)~~(11) 'Housing authority' means a housing authority created by and established  
 57 pursuant to Article 1 of Chapter 3 of Title 8, the 'Housing Authorities Law.'

58 ~~(10)~~(12) 'Local governing body' means the council or other legislative body charged with  
 59 governing the municipality and the board of commissioners or governing authority of the  
 60 county.

61 ~~(11)~~(13) 'Mayor' means the mayor of a municipality or other officer or body having the  
 62 duties customarily imposed upon the executive head of a municipality.

63 ~~(12)~~(14) 'Municipality' means any incorporated city or town in ~~the~~ this state.

64 ~~(13)~~(15) 'Obligee' includes any bondholder, agents, or trustees for any bondholders, or  
 65 any lessor demising to the municipality or county property used in connection with an  
 66 urban redevelopment project, or any assignee or assignees of such lessor's interest or any  
 67 part thereof, and the federal government when it is a party to any contract with the  
 68 municipality or county.

69 ~~(14)~~(16) 'Person' means any individual, firm, partnership, corporation, company,  
 70 association, joint-stock association, or body politic and includes any trustee, receiver,  
 71 assignee, or other person acting in a similar representative capacity.

72 ~~(15)~~(17) 'Public body' means the state or any municipality, county, board, commission,  
 73 authority, district, housing authority, urban redevelopment agency, or other subdivision  
 74 or public body of the state.

75 ~~(16)~~(18) 'Real property' includes all lands, including improvements and fixtures thereon  
 76 and property of any nature appurtenant thereto or used in connection therewith, and every  
 77 estate, interest, right, and use, legal or equitable, therein, including terms for years and  
 78 liens by way of judgment, mortgage, or otherwise.

79 ~~(17)~~(19) 'Rehabilitation' or 'conservation' may include the restoration and redevelopment  
 80 of a ~~slum~~ blighted area or portion thereof, in accordance with an urban redevelopment  
 81 plan, by:

82 (A) Carrying out plans for a program of voluntary or compulsory repair and  
 83 rehabilitation of buildings or other improvements;

84 (B) Acquisition of real property and rehabilitation or demolition and removal of  
 85 buildings and improvements thereon where necessary to eliminate unhealthful,  
 86 unsanitary, or unsafe conditions, to lessen density, to reduce traffic hazards, to  
 87 eliminate obsolete or other uses detrimental to the public welfare, to otherwise remove  
 88 or prevent the spread of ~~slums~~ blight or deterioration, or to provide land for needed  
 89 public facilities;

90 (C) Installation, construction, or reconstruction of streets, utilities, parks, playgrounds,  
 91 and other improvements necessary for carrying out in the area the urban redevelopment  
 92 provisions of this chapter; and

93 (D) The disposition of any property acquired in such urban redevelopment area,  
 94 including sale, initial leasing or retention by the municipality or county itself, at its fair  
 95 value for uses in accordance with the urban redevelopment plan.

96 ~~(18) 'Slum area' means an area in which there is a predominance of buildings or~~  
 97 ~~improvements, whether residential or nonresidential, which by reason of dilapidation,~~  
 98 ~~deterioration, age, or obsolescence; inadequate provision for ventilation, light, air,~~  
 99 ~~sanitation, or open spaces; high density of population and overcrowding; existence of~~  
 100 ~~conditions which endanger life or property by fire and other causes; or any combination~~

101 ~~of such factors is conducive to ill health, transmission of disease, infant mortality,~~  
 102 ~~juvenile delinquency, or crime and is detrimental to the public health, safety, morals, or~~  
 103 ~~welfare. 'Slum area' also means an area which by reason of the presence of a substantial~~  
 104 ~~number of slum, deteriorated, or deteriorating structures; predominance of defective or~~  
 105 ~~inadequate street layout; faulty lot layout in relation to size, adequacy, accessibility, or~~  
 106 ~~usefulness; unsanitary or unsafe conditions; deterioration of site or other improvements;~~  
 107 ~~tax or special assessment delinquency exceeding the fair value of the land; the existence~~  
 108 ~~of conditions which endanger life or property by fire and other causes; by having~~  
 109 ~~development impaired by airport or transportation noise or by other environmental~~  
 110 ~~hazards, or any combination of such factors substantially impairs or arrests the sound~~  
 111 ~~growth of a municipality or county, retards the provisions of housing accommodations,~~  
 112 ~~or constitutes an economic or social liability and is a menace to the public health, safety,~~  
 113 ~~morals, or welfare in its present condition and use.~~

114 ~~(19) 'Slum clearance and redevelopment' may include:~~

- 115 ~~(A) Acquisition of a slum area or portion thereof;~~
- 116 ~~(B) Rehabilitation or demolition and removal of buildings and improvements;~~
- 117 ~~(C) Installation, construction, or reconstruction of streets, utilities, parks, playgrounds,~~  
 118 ~~and other improvements necessary for carrying out in the area the urban redevelopment~~  
 119 ~~provisions of this chapter in accordance with the urban redevelopment plan; and~~
- 120 ~~(D) Making the land available for development or redevelopment by private enterprise~~  
 121 ~~or public agencies (including sale, initial leasing, or retention by the municipality or~~  
 122 ~~county itself) at its fair value for uses in accordance with the urban redevelopment plan.~~

123 ~~(20) 'Urban redevelopment area' means a slum blighted area which the local governing~~  
 124 ~~body designates as appropriate for an urban redevelopment project.~~

125 ~~(21) 'Urban redevelopment plan' means a plan, as it exists from time to time, for an urban~~  
 126 ~~redevelopment project, which plan shall:~~

- 127 ~~(A) Conform to the general plan for the municipality or county as a whole; and~~
- 128 ~~(B) Be sufficiently complete to indicate such land acquisition, demolition and removal~~  
 129 ~~of structures, redevelopment, improvements, and rehabilitation as may be proposed to~~  
 130 ~~be carried out in the urban redevelopment area; zoning and planning changes, if any;~~  
 131 ~~land uses; maximum densities; building requirements; and the plan's relationship to~~  
 132 ~~definite local objectives respecting appropriate land uses, improved traffic, public~~  
 133 ~~transportation, public utilities, recreational and community facilities, and other public~~  
 134 ~~improvements.~~

135 ~~(22) 'Urban redevelopment project' may include undertakings or activities of a~~  
 136 ~~municipality or county in an urban redevelopment area for the elimination and for the~~  
 137 ~~prevention of the development or spread of slums blighted areas and may involve slum~~

138 blight clearance and redevelopment in an urban redevelopment area, rehabilitation or  
 139 conservation in an urban redevelopment area, or any combination or part thereof, in  
 140 accordance with an urban redevelopment plan. Although the power of eminent domain  
 141 may not be exercised for such purposes, such undertakings or activities may include:

142 (A) Acquisition, without regard to any requirement that the area be a ~~slum~~ or blighted  
 143 area, of air rights in an area consisting of lands and highways, railway or subway tracks,  
 144 bridge or tunnel entrances, or other similar facilities which have a blighting influence  
 145 on the surrounding area and over which air rights sites are to be developed for the  
 146 elimination of such blighting influences and for the provision of housing and related  
 147 facilities and uses designed for, and limited primarily to, families and individuals of low  
 148 or moderate income; and

149 (B) Construction of foundations and platforms necessary for the provision of air rights  
 150 sites of housing and related facilities and uses designed for, and limited primarily to,  
 151 families and individuals of low or moderate income or construction of foundations  
 152 necessary for the provision of air rights sites for development of nonresidential  
 153 facilities."

## 154 SECTION 2.

155 Said chapter is further amended by revising Code Section 36-61-3, relating to legislative  
 156 findings and declaration of necessity, as follows:

157 "36-61-3.

158 (a) It is found and declared that there exist in municipalities and counties of this state ~~slum~~  
 159 blighted areas, as defined in paragraph ~~(18)~~ (4) of Code Section 36-61-2, which constitute  
 160 a serious and growing menace, injurious to the public health, safety, morals, and welfare  
 161 of the residents of this state; that the existence of such areas contributes substantially and  
 162 increasingly to the spread of disease and crime, constitutes an economic and social liability,  
 163 substantially impairs or arrests the sound growth of municipalities and counties, retards the  
 164 provision of housing accommodations, aggravates traffic problems, and substantially  
 165 impairs or arrests the elimination of traffic hazards and the improvement of traffic  
 166 facilities; and that the prevention and elimination of ~~slums~~ blighted areas is a matter of state  
 167 policy and state concern, in order that ~~the~~ this state and its municipalities and counties shall  
 168 not continue to be endangered by areas which are local centers of disease, promote juvenile  
 169 delinquency, and, while contributing little to the tax income of ~~the~~ this state and its  
 170 municipalities and counties, consume an excessive proportion of its revenues because of  
 171 the extra services required for police, fire, accident, hospitalization, and other forms of  
 172 public protection, services, and facilities.

173 (b) It is further found and declared that certain ~~slum~~ blighted areas or portions thereof may  
 174 require acquisition, clearance, and disposition, subject to use restrictions, as provided in  
 175 this chapter, since the prevailing condition of decay may make impracticable the  
 176 reclamation of the area by conservation or rehabilitation; that the other areas or portions  
 177 thereof, through the means provided in this chapter, may be susceptible of conservation or  
 178 rehabilitation in such a manner that the conditions and evils enumerated in subsection (a)  
 179 of this Code section may be eliminated, remedied, or prevented and that, to the extent that  
 180 is feasible, salvable ~~slum~~ blighted areas should be conserved and rehabilitated through  
 181 voluntary action and the regulatory process.

182 (c) It is further found and declared that the powers conferred by this chapter are for public  
 183 uses and purposes for which public money may be expended and the power of eminent  
 184 domain may be exercised. The necessity, in the public interest, for the provisions enacted  
 185 in this chapter is declared as a matter of legislative determination."

186 **SECTION 3.**

187 Said chapter is further amended by revising Code Section 36-61-5, relating to resolution of  
 188 necessity as prerequisite to exercise of powers, as follows:

189 "36-61-5.

190 No municipality or county shall exercise any of the powers conferred upon municipalities  
 191 and counties by this chapter until after its local governing body has adopted a resolution  
 192 finding that:

193 (1) One or more ~~slum~~ blighted areas exist in such municipality or county; and

194 (2) The rehabilitation, conservation, or redevelopment, or a combination thereof, of such  
 195 area or areas is necessary in the interest of the public health, safety, morals, or welfare  
 196 of the residents of the municipality or county."

197 **SECTION 4.**

198 Said chapter is further amended by revising Code Section 36-61-6, relating to formulation  
 199 of workable program, as follows:

200 "36-61-6.

201 For the purposes of this chapter, a municipality or county may formulate a workable  
 202 program for utilizing appropriate private and public resources, including those specified  
 203 in Code Section 36-61-11, to eliminate and prevent the development or spread of ~~slums~~  
 204 blighted areas, to encourage needed urban rehabilitation, to provide for the redevelopment  
 205 of ~~slum~~ blighted areas, or to undertake such of the aforesaid activities or such other feasible  
 206 municipal or county activities as may be suitably employed to achieve the objectives of  
 207 such workable program. Such workable program may include, without limitation,

208 provision for the prevention of the spread of ~~slums~~ blighted or distressed areas into areas  
 209 of the municipality or county which are free from ~~slums~~ such areas, through diligent  
 210 enforcement of housing, zoning, and occupancy controls and standards; the rehabilitation  
 211 or conservation of ~~slum~~ blighted areas or portions thereof by replanning, removing  
 212 congestion, providing parks, playgrounds, and other public improvements, encouraging  
 213 voluntary rehabilitation, and compelling the repair and rehabilitation of deteriorated or  
 214 deteriorating structures; and the clearance and redevelopment of ~~slum~~ blighted areas or  
 215 portions thereof."

216

### SECTION 5.

217 Said chapter is further amended by revising Code Section 36-61-7, relating to preparation of  
 218 redevelopment plan, approval, modification, and effect of approval, as follows:

219 "36-61-7.

220 (a) A municipality or county shall not approve an urban redevelopment plan for an urban  
 221 redevelopment area unless the governing body, by resolution, has determined such area to  
 222 be a ~~slum~~ blighted area and designated such area as appropriate for an urban redevelopment  
 223 project. Authority is vested in every municipality and county to prepare, to adopt, and to  
 224 revise, from time to time, a general plan for the physical development of the municipality  
 225 or county as a whole (giving due regard to the environs and metropolitan surroundings),  
 226 to establish and maintain a planning commission for such purpose and related municipal  
 227 and county planning activities, and to make available and to appropriate the necessary  
 228 funds therefor. A municipality or county shall not acquire real property for an urban  
 229 redevelopment project unless the local governing body has approved the urban  
 230 redevelopment plan in accordance with subsection (d) of this Code section.

231 (b) The municipality or county may itself prepare or cause to be prepared an urban  
 232 redevelopment plan; alternatively, any person or agency, public or private, may submit a  
 233 plan to a municipality or county.

234 (c) The local governing body of the municipality or county shall hold or shall cause some  
 235 agency of the municipality or county to hold a public hearing on an urban redevelopment  
 236 plan or a substantial modification of an approved urban redevelopment plan, after public  
 237 notice thereof by publication in a newspaper having a general circulation in the area of  
 238 operation of the municipality or county. The notice shall describe the time, date, place, and  
 239 purpose of the hearing, shall generally identify the urban redevelopment area covered by  
 240 the plan, and shall outline the general scope of the urban redevelopment project under  
 241 consideration.

242 (d) Following such hearing, the local governing body may approve an urban  
 243 redevelopment plan if it finds that:

- 244 (1) A feasible method exists for the relocation of families who will be displaced from the  
 245 urban redevelopment area in decent, safe, and sanitary dwelling accommodations within  
 246 their means and without undue hardship to such families;
- 247 (2) The urban redevelopment plan conforms to the general plan of the municipality or  
 248 county as a whole; and
- 249 (3) The urban redevelopment plan will afford maximum opportunity, consistent with the  
 250 sound needs of the municipality or county as a whole, for the rehabilitation or  
 251 redevelopment of the urban redevelopment area by private enterprise.
- 252 (e) An urban redevelopment plan may be modified at any time, provided that, if modified  
 253 after the lease or sale by the municipality or county of real property in the urban  
 254 redevelopment project area, such modification shall be subject to such rights at law or in  
 255 equity as a lessee or purchaser or his or her successor or successors in interest may be  
 256 entitled to assert. Any proposed modification which will substantially change the urban  
 257 redevelopment plan as previously approved by the local governing body shall be subject  
 258 to the requirements of this Code section, including the requirement of a public hearing,  
 259 before it may be approved.
- 260 (f) Upon the approval of an urban redevelopment plan by a municipality or county, the  
 261 provisions of the plan with respect to the future use and building requirements applicable  
 262 to the property covered by the plan shall be controlling with respect thereto."

263

**SECTION 6.**

264 Said chapter is further amended by revising paragraphs (1), (6), and (9) of Code  
 265 Section 36-61-8, relating to powers of municipalities and counties generally, as follows:

266 "(1) To undertake and carry out urban redevelopment projects within its area of  
 267 operation; to make and execute contracts and other instruments necessary or convenient  
 268 to the exercise of its powers under this chapter; and to disseminate ~~slum~~ blight clearance  
 269 and urban redevelopment information;"

270 "(6) Within their area of operation, to make or have made all plans necessary to the  
 271 carrying out of the purposes of this chapter and to contract with any person, public or  
 272 private, in making and carrying out such plans and to adopt or approve, modify, and  
 273 amend such plans. Such plans may include, without limitation:

274 (A) A general plan for the locality as a whole;

275 (B) Urban redevelopment plans;

276 (C) Plans for carrying out a program of voluntary or compulsory repair and  
 277 rehabilitation of buildings and improvements, to include but not to be limited to making  
 278 loans and grants from funds received from the federal government, as well as from  
 279 funds received from the repayment of such loans and interest thereon, to persons, public

280 or private, owning private housing for the purpose of financing the rehabilitation of  
281 such housing;

282 (D) Plans for the enforcement of state and local laws, codes, and regulations relating  
283 to the use of land and the use and occupancy of buildings and improvements and to the  
284 compulsory repair, rehabilitation, demolition, or removal of buildings and  
285 improvements; and

286 (E) Appraisals, title searches, surveys, studies, and other preliminary plans and work  
287 necessary to prepare for the undertaking of urban redevelopment projects.

288 The municipality or county is authorized to develop, test, and report methods and  
289 techniques and to carry out demonstrations and other activities for the prevention and  
290 elimination of ~~slums~~ blighted areas and to apply for, accept, and utilize grants of funds  
291 from the federal government for such purposes;"

292 "(9) Within their areas of operation, to organize, coordinate, and direct the administration  
293 of the provisions of this chapter as they apply to such municipality or county, in order  
294 that the objective of remedying ~~slums~~ blighted areas and preventing the causes thereof  
295 within the municipality or county may be most effectively promoted and achieved, and  
296 to establish such new office or offices of the municipality or county or to reorganize  
297 existing offices in order to carry out such purpose most effectively-; and"

298

#### SECTION 7.

299 Said chapter is further amended by revising subsection (a) of Code Section 36-61-10, relating  
300 to disposal of property in redevelopment area generally, notice and bidding procedures,  
301 exchange with veterans' organization, and temporary operation of property, as follows:

302 "(a) A municipality or county may sell, lease, or otherwise transfer real property in an  
303 urban redevelopment area or any interest therein acquired by it and may enter into contracts  
304 with respect thereto, for residential, recreational, commercial, industrial, or other uses or  
305 for public use; or the municipality or county may retain such property or interest for public  
306 use, in accordance with the urban redevelopment plan, subject to such covenants,  
307 conditions, and restrictions, including covenants running with the land and including the  
308 incorporation by reference therein of the provisions of an urban redevelopment plan or any  
309 part thereof, as it may deem to be in the public interest or necessary or desirable to assist  
310 in preventing the development or spread of future ~~slums~~ blighted areas or to otherwise  
311 carry out the purposes of this chapter. Such sale, lease, other transfer, or retention and any  
312 agreement relating thereto may be made only after the approval of the urban redevelopment  
313 plan by the local governing body. The purchasers or lessees and their successors and  
314 assigns shall be obligated to devote such real property only to the uses specified in the  
315 urban redevelopment plan and may be obligated to comply with such other requirements

316 as the municipality or county may determine to be in the public interest, including the  
 317 obligation to begin within a reasonable time any improvements on the real property  
 318 required by the urban redevelopment plan. Such real property or interest shall be sold,  
 319 leased, otherwise transferred, or retained at not less than its fair value for uses in  
 320 accordance with the urban redevelopment plan. In determining the fair value of real  
 321 property for uses in accordance with the urban redevelopment plan, a municipality or  
 322 county shall take into account and give consideration to the uses provided in such plan; the  
 323 restrictions upon and the covenants, conditions, and obligations assumed by the purchaser  
 324 or lessee or by the municipality or county retaining the property; and the objectives of such  
 325 plan for the prevention of the recurrence of ~~slum~~ blighted areas. The municipality or  
 326 county in any instrument of conveyance to a private purchaser or lessee may provide that  
 327 such purchaser or lessee shall be without power to sell, lease, or otherwise transfer the real  
 328 property without the prior written consent of the municipality or county until he or she has  
 329 completed the construction of any and all improvements which he or she has obligated  
 330 himself or herself to construct thereon. Real property acquired by a municipality or county  
 331 which, in accordance with the provisions of the urban redevelopment plan, is to be  
 332 transferred shall be transferred as rapidly as feasible in the public interest consistent with  
 333 the carrying out of the provisions of the urban redevelopment plan. The inclusion in any  
 334 such contract or conveyance to a purchaser or lessee of any such covenants, restrictions,  
 335 or conditions, including the incorporation by reference therein of the provisions of an urban  
 336 redevelopment plan or any part thereof, shall not prevent the filing of the contract or  
 337 conveyance in the land records of the county in such manner as to afford actual or  
 338 constructive notice thereof."

339 **SECTION 8.**

340 Said chapter is further amended by revising subsection (b) of Code Section 36-61-17, relating  
 341 to exercise of redevelopment powers by municipalities and counties and delegation to  
 342 redevelopment agency or housing authority, as follows:

343 "(b) As used in this Code section, the term 'urban redevelopment project powers' shall  
 344 include all of the rights, powers, functions, duties, privileges, immunities, and exemptions  
 345 granted to a municipality or county under this chapter, except the following:

- 346 (1) The power to determine an area to be a ~~slum~~ blighted area and to designate such area  
 347 as appropriate for an urban redevelopment project;
- 348 (2) The power to approve and amend urban redevelopment plans;
- 349 (3) The power to establish a general plan for the locality as a whole;
- 350 (4) The power to formulate a workable program under Code Section 36-61-6;
- 351 (5) The powers, duties, and functions referred to in Code Section 36-61-11;

- 352 (6) The power to make the determinations and findings provided for in Code  
353 Section 36-61-4, Code Section 36-61-5, and subsection (d) of Code Section 36-61-7;  
354 (7) The power to issue general obligation bonds; and  
355 (8) The power to appropriate funds, to levy taxes and assessments, and to exercise other  
356 powers provided for in paragraph (8) of Code Section 36-61-8."

357 **SECTION 9.**

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