

Senate Bill 270

By: Senator Millar of the 40th

**AS PASSED SENATE**

**A BILL TO BE ENTITLED**

**AN ACT**

1 To incorporate the City of Lakeside in DeKalb County; to provide for a charter for the City  
 2 of Lakeside; to provide for incorporation, boundaries, and powers of the city; to provide for  
 3 general powers and limitations on powers; to provide for a governing authority of such city  
 4 and the powers, duties, authority, election, terms, method of filling vacancies,  
 5 compensation, expenses, qualifications, prohibitions, and districts relative to members of  
 6 such governing authority; to provide for inquiries and investigations; to provide for  
 7 organization and procedures; to provide for ordinances; to provide for codes; to provide for  
 8 a charter commission; to provide for the office of mayor and certain duties and powers  
 9 relative to the office of mayor; to provide for administrative responsibilities; to provide for  
 10 boards, commissions, and authorities; to provide for a city manager, a city attorney, a city  
 11 clerk, a tax collector, a city accountant, and other personnel; to provide for a municipal court  
 12 and the judge or judges thereof; to provide for practices and procedures; to provide for ethics  
 13 and disclosures; to provide for taxation, licenses, and fees; to provide for franchises, service  
 14 charges, and assessments; to provide for bonded and other indebtedness; to provide for  
 15 accounting and budgeting; to provide for purchases; to provide for homestead exemptions;  
 16 to provide for bonds for officials; to provide for other matters relative to the foregoing; to  
 17 provide for a referendum; to provide effective dates and transitional provisions governing the  
 18 transfer of various functions and responsibilities from DeKalb County to the City of  
 19 Lakeside; to provide for severability; to provide an effective date; to repeal conflicting laws;  
 20 and for other purposes.

21 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

22 ARTICLE I

23 CREATION, INCORPORATION, POWERS

24 SECTION 1.01.

25 Incorporation.

26 This Act shall constitute the charter of the City of Lakeside, Georgia. The City of Lakeside,  
 27 Georgia, in the County of DeKalb, and the inhabitants thereof, are constituted and declared  
 28 a body politic and corporate under the same name and style of the "City of Lakeside" and by  
 29 that name shall have perpetual succession, may sue and be sued, plead and be impleaded, in  
 30 all courts of law and equity, and in all actions whatsoever, and may have and use a common  
 31 seal.

32 SECTION 1.02.

33 Corporate boundaries.

34 The boundaries of the City of Lakeside shall be those set forth and described in Appendix  
 35 A of this charter, and said Appendix A is incorporated into and made a part of this charter.  
 36 The city clerk shall maintain a current map and written legal description of the corporate  
 37 boundaries of the city, and such map and description shall incorporate any changes which  
 38 may hereafter be made in such corporate boundaries.

39 SECTION 1.03.

40 Powers and construction.

41 (a) This city shall have all powers possible for a city to have under the present or future  
 42 Constitution and laws of this state as fully and completely as though they were specifically  
 43 enumerated in this Act. This city shall have all the powers of self-government not otherwise  
 44 prohibited by this Act or by general law.

45 (b) The powers of this city shall be construed liberally in favor of the city. The specific  
 46 mention or failure to mention particular powers shall not be construed as limiting in any way  
 47 the powers of this city. These powers shall include, but not be limited to, the following:

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

- 53 (2) Appropriations and expenditures. To make appropriations for the support of the  
54 government of the city; to authorize the expenditure of money for any purposes  
55 authorized by this charter and for any purpose for which a municipality is authorized by  
56 the laws of the State of Georgia; and to provide for the payment of expenses of the city;
- 57 (3) Building regulation. To regulate and to license the erection and construction of  
58 buildings and all other structures; to adopt building, housing, plumbing, electrical, gas,  
59 and heating and air conditioning codes; and to regulate all housing and building trades  
60 to the extent permitted by general law;
- 61 (4) Business regulation and taxation. To levy and to provide for the collection of  
62 regulatory fees and taxes on privileges, occupations, trades, and professions as authorized  
63 by Title 48 of the O.C.G.A. or other such applicable laws as are or may hereafter be  
64 enacted; to permit and regulate the same; to provide for the manner and method of  
65 payment of such regulatory fees and taxes; and to revoke such permits after due process  
66 for failure to pay any city taxes or fees;
- 67 (5)(A) Condemnation. To condemn property inside the corporate limits of the city for  
68 present or future use and for any public purpose deemed necessary by the city council  
69 utilizing procedures enumerated in Title 22 of the O.C.G.A. or such other applicable  
70 laws as are or may hereafter be enacted; and
- 71 (B) The municipality shall have the right to condemn and cause to be remediated or  
72 removed any building, structure, or existing condition within its corporate limits that  
73 is dangerous to life, limb, or property, by reasons of decay, dilapidation, or unsanitary  
74 condition. Nothing in this subparagraph shall be construed to relieve the municipality  
75 of any duty to give owners or interested persons reasonable notice and opportunity to  
76 remedy the situation. Nothing in this subparagraph shall be construed as relieving the  
77 municipality of liability to any interested person for damages to person or property  
78 taken or destroyed in furtherance of this subparagraph. This subparagraph shall not be  
79 construed as authorizing the doing of any act or thing contrary to the Constitution of  
80 this state and the policy of the general laws of this state. The municipality shall have  
81 authority to adopt reasonable ordinances and resolutions for the purpose of carrying out  
82 this subparagraph;
- 83 (6) Contracts. To enter into contracts and agreements with other governmental entities  
84 and with private persons, firms, and corporations;
- 85 (7) Emergencies. To establish procedures for determining and proclaiming that an  
86 emergency situation exists within or without the city, and to make and carry out all  
87 reasonable provisions deemed necessary to deal with or meet such an emergency for the  
88 protection, safety, health, or well-being of the citizens of the city;

89 (8) Environmental protection. To protect and preserve the natural resources,  
90 environment, and vital areas of the city, the region, and the state through the enactment  
91 of ordinances that preserve and improve air quality, restore and maintain water resources,  
92 the control of erosion and sedimentation, manage storm water and establish a storm-water  
93 utility, manage solid and hazardous waste, and provide other necessary or beneficial  
94 actions for the protection of the environment. These ordinances shall include, without  
95 limitation, ordinances that protect, maintain, and enhance the public health, safety,  
96 environment, and general welfare and minimize public and private losses due to flood  
97 conditions in flood hazard areas, as well as protect the beneficial uses of flood plain areas  
98 for water quality protection, stream bank and stream corridor protection, wetlands  
99 preservation, and ecological and environmental protection. Such ordinances may require  
100 that uses vulnerable to floods, including facilities which serve such uses, be protected  
101 against flood damage at the time of initial construction; may restrict or prohibit uses  
102 which are dangerous to health, safety, and property due to flooding or erosion hazards,  
103 or which increase flood heights, velocities, or erosion; may control filling, grading,  
104 dredging, and other development which may increase flood damage or erosion; may  
105 prevent or regulate the construction of flood barriers which will unnaturally divert flood  
106 waters or which may increase flood hazards to other lands; may limit the alteration of  
107 natural flood plains, stream channels, and natural protective barriers which are involved  
108 in the accommodation of flood waters; and may protect the storm-water management,  
109 water quality, stream bank protection, stream corridor protection, wetland preservation,  
110 and ecological functions of natural flood plain areas;

111 (9) Ethics. To adopt ethics ordinances and regulations governing such things as, but not  
112 limited to, the conduct of municipal elected officials, appointed officials, contractors,  
113 vendors, and employees, establishing procedures for ethics complaints, and setting forth  
114 penalties for violations of such rules and procedures;

115 (10) Fire regulations. To fix and establish fire limits and from time to time to extend,  
116 enlarge, or restrict the same; to prescribe fire safety regulations not inconsistent with  
117 general law, relating to both fire prevention and detection and to fire fighting; and to  
118 prescribe penalties and punishment for violations thereof;

119 (11) Garbage fees. To levy, fix, assess, and collect a garbage, refuse, and trash collection  
120 and disposal and other sanitary service charge, tax, or fee for such services as may be  
121 necessary in the operation of the city from all individuals, firms, and corporations  
122 residing in or doing business therein benefiting from such services; to enforce the  
123 payment of such charges, taxes, or fees; and to provide for the manner and method of  
124 collecting such service charges, taxes, or fees;

- 125 (12) General health, safety, and welfare. To define, regulate, and prohibit any act,  
126 practice, conduct, or use of property which is detrimental to health, sanitation,  
127 cleanliness, welfare, and safety of the inhabitants of the city, and to provide for the  
128 enforcement of such standards;
- 129 (13) Gifts. To accept or refuse gifts, donations, bequests, or grants from any source for  
130 any purpose related to powers and duties of the city and the general welfare of its  
131 citizens, on such terms and conditions as the donor or grantor may impose, except in  
132 contravention of this charter, ordinances promulgated thereunder, and the laws of this  
133 state and the United States;
- 134 (14) Health and sanitation. To prescribe standards of health and sanitation and to  
135 provide for the enforcement of such standards;
- 136 (15) Homestead Exemption. To establish and maintain procedures for offering  
137 homestead exemptions to residents of the city and maintaining current homestead  
138 exemptions of residents of the city as authorized by Act of the General Assembly;
- 139 (16) Jail sentences. To provide that persons given jail sentences in the city's court may  
140 work out such sentences in any public works or on the streets, roads, drains, and other  
141 public property in the city in the discretion of the court; to provide for commitment of  
142 such persons to any jail; to provide for the use of pretrial diversion and any alternative  
143 sentencing allowed by law; or to provide for commitment of such persons to any county  
144 work camp or county jail by agreement with the appropriate county officials;
- 145 (17) Motor vehicles. To regulate the operation of motor vehicles and to exercise control  
146 over all traffic, including, without limitation, parking upon or across the streets, roads,  
147 alleys, and walkways of the city;
- 148 (18) Municipal agencies and delegation of power. To create, alter, or abolish  
149 departments, boards, offices not specified in this charter, commissions, authorities, and  
150 agencies of the city, and to confer upon such agencies the necessary and appropriate  
151 authority for carrying out all the powers conferred upon or delegated to the same;
- 152 (19) Municipal debts. To appropriate and borrow money for the payment of debts of the  
153 city and to issue bonds for the purpose of raising revenue to carry out any project,  
154 program, or venture authorized by this charter or the laws of the State of Georgia;
- 155 (20) Municipal property ownership. To acquire, dispose of, lease, and hold in trust or  
156 otherwise any real, personal, or mixed property, in fee simple or lesser interest, inside or  
157 outside the property limits of the city;
- 158 (21) Municipal property protection. To provide for the preservation and protection of  
159 property and equipment of the city and the administration and use of same by the public;  
160 and to prescribe penalties and punishment for violations thereof;

- 161 (22) Municipal utilities. To acquire, lease, construct, operate, maintain, sell, and dispose  
162 of public utilities including, but not limited to, a system of waterworks, sewers and  
163 drains, sewage disposal, storm-water management, gasworks, electricity-generating  
164 plants, cable television and other telecommunications, transportation facilities, public  
165 airports, and any other public utility; to fix the taxes, charges, rates, fares, fees,  
166 assessments, regulations, and penalties; and to provide for the withdrawal of service for  
167 refusal or failure to pay the same;
- 168 (23) Nuisance. To define a nuisance and to provide for its abatement whether on public  
169 or private property;
- 170 (24) Penalties. To provide penalties for violation of any ordinances adopted pursuant to  
171 the authority of this charter and the laws of the State of Georgia;
- 172 (25) Planning and zoning. To provide comprehensive city planning for city land use,  
173 signage and outside advertising, and development by zoning; and to provide subdivision  
174 regulation and the like as the city council deems necessary and reasonable to ensure a  
175 safe, healthy, and aesthetically pleasing community;
- 176 (26) Police and fire protection. To exercise the power of arrest through duly appointed  
177 police officers, and to establish, operate, or contract for a police and a fire-fighting  
178 agency;
- 179 (27) Public hazards; removal. To provide for the destruction and removal of any  
180 building or other structure that is or may become dangerous or detrimental to the public;
- 181 (28) Public improvements. To provide for the acquisition, construction, building,  
182 operation, maintenance, or abolition of public ways, parks and playgrounds, recreational  
183 facilities, cemeteries, public buildings, libraries, public housing, parking facilities, and  
184 charitable, cultural, educational, recreational, conservation, sport, detentional, penal, and  
185 medical institutions, agencies, and facilities; to provide any other public improvements  
186 inside the corporate limits of the city and to regulate the use of public improvements; and  
187 for such purposes, property may be acquired by condemnation under Title 22 of the  
188 O.C.G.A. or such other applicable laws as are or may hereafter be enacted;
- 189 (29) Public peace. To provide for the prevention and punishment of loitering, disorderly  
190 conduct, drunkenness, riots, and public disturbances;
- 191 (30) Public transportation. To organize and operate such public transportation systems  
192 as are deemed beneficial;
- 193 (31) Public utilities and services. To grant franchises or to make contracts for, or to  
194 impose taxes on, public utilities and public service companies; and to prescribe the rates,  
195 fares, regulations, and standards and conditions of service applicable to the service to be  
196 provided by the franchise grantee or contractor, insofar as not in conflict with valid  
197 regulations of the Public Service Commission;

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

203 (33) Employee benefits. To provide and maintain a retirement plan, insurance, and such  
204 other employee benefits for appointed officers and employees of the city as are  
205 determined by the city council;

206 (34) Roadways. To lay out, open, extend, widen, narrow, establish, or change the grade  
207 of, abandon or close, construct, pave, curb, gutter, adorn with shade trees, or otherwise  
208 improve, maintain, repair, clean, prevent erosion of, and light the roads, alleys, and  
209 walkways within the corporate limits of the city; to grant franchises and rights of way  
210 throughout the streets and roads and over the bridges and viaducts for the use of public  
211 utilities; and to require real estate owners to repair and maintain in a safe condition the  
212 sidewalks adjoining their lots or lands and to impose penalties for failure to do so;

213 (35) Solid waste disposal. To provide for the collection and disposal of garbage, rubbish,  
214 and refuse and to regulate the collection and disposal of garbage, rubbish, and refuse by  
215 others; and to provide for the separate collection of glass, tin, aluminum, cardboard,  
216 paper, and other recyclable materials and to provide for the sale of such items;

217 (36) Special assessments. To levy and provide for the collection of special assessments  
218 to cover the costs for any public improvements, subject to referendum;

219 (37) Taxes; ad valorem. To levy and provide for the assessment, valuation, revaluation,  
220 and collection of taxes on all property subject to taxation; provided, however, that:

221 (A) The millage rate imposed for ad valorem taxes on real property shall not  
222 exceed 4.13 unless a higher limit is recommended by resolution of the city council and  
223 approved by a majority vote of the qualified voters of the City of Lakeside voting on  
224 the issue in a referendum; and

225 (B) For all years, the fair market value of all property subject to taxation shall be  
226 determined according to the tax digest of DeKalb County, as provided in Code  
227 Section 48-5-352 of the O.C.G.A.

228 Notwithstanding the provisions of subparagraph (A) of this paragraph, the mayor and  
229 council shall be authorized to create a special service district fund for provisions of fire  
230 and rescue services and to levy ad valorem taxes on real property not to exceed the  
231 average of such taxes levied by DeKalb County for the provision of the same services for  
232 the previous five years prior to the transfer of such services to the city;

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

235 (39) Taxicabs. To regulate and license vehicles operated for hire in the city; to limit the  
 236 number of such vehicles; to require the operators thereof to be licensed; to require public  
 237 liability insurance on such vehicles in the amounts to be prescribed by ordinance; to  
 238 inspect such vehicles and mandate standards of safety and cleanliness; and to regulate the  
 239 parking of such vehicles;

240 (40) Tourism, conventions, and trade shows. To provide for the structure, operation, or  
 241 management of the Lakeside Convention and Visitors Bureau created pursuant to  
 242 Section 1.05 of this charter and to authorize the City of Lakeside to contract with private  
 243 sector nonprofit organizations or other governmental agencies to promote tourism,  
 244 conventions, and trade shows;

245 (41) Urban redevelopment. To organize and operate an urban redevelopment program;  
 246 and

247 (42) Other powers. To exercise and enjoy all other powers, functions, rights, privileges,  
 248 and immunities necessary or desirable to promote or protect the safety, health, peace,  
 249 security, good order, comfort, convenience, or general welfare of the city and its  
 250 inhabitants; to exercise all implied powers necessary or desirable to carry into execution  
 251 all powers granted in this charter as fully and completely as if such powers were fully  
 252 stated herein; and to exercise all powers now or in the future authorized to be exercised  
 253 by other municipal governments under other laws of the State of Georgia; and any listing  
 254 of particular powers in this charter shall not be held to be exclusive of others or restrictive  
 255 of general words and phrases granting powers, but instead shall be held to be in addition  
 256 to such powers unless expressly prohibited to municipalities under the Constitution or  
 257 applicable laws of the State of Georgia.

258 **SECTION 1.04.**

259 Exercise of powers.

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

264 **SECTION 1.05.**

265 Tourism, conventions, and trade shows.

266 The Lakeside Convention and Visitors Bureau is hereby created.





302 each councilmember shall be elected at the November election immediately preceding the  
303 end of such councilmember's term of office and the term of each councilmember shall expire  
304 upon the administration of the oath of office to his or her successor.

305 (e) With the exception of the initial term of office, the mayor of the City of Lakeside, with  
306 the powers and duties specified herein, shall be elected to a term of four years and until his  
307 or her successor is elected and qualified. The mayor shall be elected by a majority vote of  
308 the qualified electors of the city at large voting at the elections of the city. In the event that  
309 no candidate for mayor obtains a majority vote of the qualified electors of the city at large  
310 voting at the elections of the city, then a run-off election shall be held. The candidates  
311 receiving the two highest numbers of votes in the election shall be included in the run-off  
312 election and the candidate receiving the highest number of votes in the runoff of the qualified  
313 electors of the city at large voting at such runoff shall be elected. The term of the first  
314 elected mayor shall expire upon the administration of the oath of office to his or her  
315 successor elected in the regular election held in November, 2017, as provided in  
316 subsection (b) of Section 2.02. Thereafter, the successor to each mayor shall be elected at  
317 the November election immediately preceding the end of such mayor's term of office and the  
318 term of each mayor shall expire upon the administration of the oath of office to his or her  
319 successor.

## 320 **SECTION 2.02.**

321 Mayor and councilmembers; terms and qualifications for office.

322 (a) For all elections subsequent to the first election, the mayor and councilmembers shall  
323 serve for terms of four years and until their terms shall expire upon the administration of the  
324 oath of office to their successors. No person shall be eligible to serve as mayor or  
325 councilmember unless that person shall have been a resident of the City of Lakeside for a  
326 continuous period of at least 12 months immediately prior to the date of the election for  
327 mayor or councilmember, shall continue to reside therein during that person's period of  
328 service, and shall continue to be registered and qualified to vote in municipal elections of the  
329 City of Lakeside. In addition to the above requirements, no person shall be eligible to serve  
330 as a councilmember representing a council district unless that person has been a resident of  
331 the district such person seeks to represent for a continuous period of at least six months  
332 immediately prior to the date of the election for councilmember and continues to reside in  
333 such district during that person's period of service.

334 (b) An election shall be held on the Tuesday next following the first Monday in November,  
335 2014, to elect the first mayor and city council. At such election, the first mayor and council  
336 shall be elected to serve for the initial terms of office specified in subsections (d) and (e) of

337 Section 2.01. Thereafter, the time for holding regular municipal elections shall be on the  
 338 Tuesday next following the first Monday in November of each odd-numbered year beginning  
 339 in 2015.

340 (c) The number of successive terms an individual may hold a position as a councilmember  
 341 shall be unlimited.

342 (d) The number of successive terms an individual may hold the position of mayor shall be  
 343 limited to two terms. An individual who serves as mayor for either one term or two  
 344 consecutive terms may stand for subsequent elections provided the individual is not the  
 345 mayor at the time of such elections.

### 346 SECTION 2.03.

#### 347 Vacancy; filling of vacancies; suspensions.

348 (a) Elected officials of the city shall not hold other elected or public offices. The elected  
 349 offices of the city's government shall become vacant upon the member's death, resignation,  
 350 removal, or forfeiture of office. The following shall result in an elected city official  
 351 forfeiting his or her office:

352 (1) Violating the provisions of this charter;

353 (2) Being convicted of, or pleading guilty or "no contest" to, a felony or to a crime of  
 354 moral turpitude; or

355 (3) Failing to attend one-third of the regular meetings of the council in a three-month  
 356 period without being excused by the council.

357 (b) The office of mayor shall become vacant upon the incumbent's death, resignation,  
 358 forfeiture of office, or removal from office in any manner authorized by this Act or the  
 359 general laws of the State of Georgia. A vacancy in the office of mayor shall be filled for the  
 360 remainder of the unexpired term by a special election if such vacancy occurs 12 months or  
 361 more prior to the expiration of the term of that office. If such vacancy occurs within 12  
 362 months of the expiration of the term of that office, the city council or those members  
 363 remaining shall appoint a successor for the remainder of the term. This provision shall also  
 364 apply to a temporary vacancy created by the suspension from office of the mayor.

365 (c) The office of a councilmember shall become vacant upon the incumbent's death,  
 366 resignation, forfeiture of office, or removal from office in any manner authorized by this Act  
 367 or the general laws of the State of Georgia. A vacancy in the office of a councilmember shall  
 368 be filled for the remainder of the unexpired term by a special election if such vacancy occurs  
 369 12 months or more prior to the expiration of the term of that office. If such vacancy occurs  
 370 within 12 months of the expiration of the term of that office, the mayor shall appoint a  
 371 successor for the remainder of the term subject to the approval of the city council or those

372 members remaining. This provision shall also apply to a temporary vacancy created by the  
373 suspension from office of a councilmember.

374 **SECTION 2.04.**

375 Nonpartisan elections.

376 Political parties shall not conduct primaries for city offices, and all names of candidates for  
377 city offices shall be listed without party designation.

378 **SECTION 2.05.**

379 Election votes.

380 (a) A candidate for mayor who receives a majority vote of the qualified electors of the city  
381 at large voting at the elections of the city shall be elected to a term of office.

382 (b) Candidates for city council who receive a majority vote of the qualified electors of their  
383 respective districts voting at the elections of the city shall be elected to a term of office.

384 **SECTION 2.06.**

385 Applicability of general laws; qualifying; other provisions.

386 All elections shall be held and conducted in accordance with Chapter 2 of Title 21 of the  
387 O.C.G.A., the "Georgia Election Code," as now or hereafter amended or otherwise provided  
388 by law. Except as otherwise provided by this Act, the city council shall, by ordinance or  
389 resolution, prescribe such rules and regulations as it deems appropriate including, but not  
390 limited to, the establishment of qualifying fees, to fulfill any options and duties under  
391 Chapter 2 of Title 21 of the O.C.G.A., the "Georgia Election Code," as now or hereafter  
392 amended or otherwise provided by law.

393 **SECTION 2.07.**

394 Compensation and expenses.

395 The annual salary of the mayor shall be \$16,000.00, and the annual salary for each  
396 councilmember shall be \$12,000.00. Such salaries shall be paid from municipal funds in  
397 monthly installments. The mayor shall be provided an annual expense allowance of  
398 \$5,000.00 and each councilmember shall be provided an annual expense allowance of  
399 \$3,000.00 for the reimbursement of expenses actually and necessarily incurred by the mayor  
400 and councilmembers in carrying out their duties as elected officials of the city.

401

**SECTION 2.08.**

402

Inquiries and investigations.

403 The city council may make inquiries and investigations into the affairs of the city and  
 404 conduct of any department, office, or agency thereof and for this purpose may subpoena  
 405 witnesses, administer oaths, take testimony, and require the production of evidence. Any  
 406 person who fails or refuses to obey a lawful order issued in the exercise of these powers by  
 407 the city council shall be punished as may be provided by ordinance.

408

**SECTION 2.09.**

409

Meetings, oath of office, and mayor pro tempore.

410 (a) The city council shall meet on the first working day in January immediately following  
 411 each regular municipal election. The meeting shall be called to order by the mayor-elect and  
 412 the oath of office shall be administered to the newly elected mayor and councilmembers  
 413 collectively by a judicial officer authorized to administer oaths. The oath shall, to the extent  
 414 that it comports with federal and state law, be as follows:

415 "I do solemnly swear or affirm that I will faithfully execute the office of [councilmember  
 416 or mayor, as the case may be] of the City of Lakeside, and will to the best of my ability  
 417 support and defend the Constitution of the United States, the Constitution of Georgia, and  
 418 the charter, ordinances, and regulations of the City of Lakeside. I am not the holder of any  
 419 unaccounted for public money due this state or any political subdivision or authority  
 420 thereof. I am not the holder of any office of trust under the government of the United  
 421 States, any other state, or any foreign state which I, by the laws of the State of Georgia, am  
 422 prohibited from holding. I am otherwise qualified to hold said office according to the  
 423 Constitution and laws of Georgia. I have been a resident of my district and the City of  
 424 Lakeside for the time required by the Constitution and laws of this state and by the  
 425 municipal charter. I will perform the duties of my office in the best interests of the City  
 426 of Lakeside to the best of my ability without fear, favor, affection, reward, or expectation  
 427 thereof."

428 (b) Following the induction of the mayor and councilmembers, the city council, by a  
 429 majority vote of the councilmembers, shall elect a councilmember to be mayor pro tempore,  
 430 who shall serve for a term of two years and until a successor is elected and qualified. The  
 431 number of successive terms an individual may hold the position of mayor pro tempore shall  
 432 be unlimited.

433 (c) The mayor pro tempore shall assume the duties and powers of the mayor during the  
 434 mayor's temporary disability, suspension, or absence. If the mayor pro tempore is absent

435 because of sickness or disqualification, any one of the remaining councilmembers, chosen  
 436 by the councilmembers present, shall be clothed with all the rights and privileges of the  
 437 mayor as described herein and shall perform the mayor's duties in the same manner as the  
 438 mayor pro tempore.

439 (d) The city council shall, at least once a month, hold regular meetings at such times and  
 440 places as prescribed by ordinance. The city council may recess any regular meeting and  
 441 continue such meeting on any day or hour it may fix and may transact any business at such  
 442 continued meeting as may be transacted at any regular meeting.

443 (e) Special meetings of the city council may be held on the call of either the mayor and one  
 444 councilmember or three councilmembers. Notice of such special meetings shall be delivered  
 445 to all councilmembers, the mayor, and the city manager personally, by registered mail, or by  
 446 electronic means at least 24 hours in advance of the meeting. Such notice shall not be  
 447 required if the mayor, all councilmembers, and city manager are present when the special  
 448 meeting is called. Such notice of any special meeting may be waived as to himself or herself  
 449 by the mayor, a councilmember, or the city manager in writing before or after such a  
 450 meeting, and attendance at the meeting shall also constitute a waiver of notice. The notice  
 451 of such special meeting shall state what business is to be transacted at the special meeting.  
 452 Only the business stated in the call may be transacted at the special meeting.

453 **SECTION 2.10.**

454 Quorum; voting.

455 (a) Four councilmembers shall constitute a quorum and shall be authorized to transact  
 456 business for the city council. The mayor shall be counted toward the making of a quorum.  
 457 Voting on the adoption of ordinances shall be taken by voice vote, and the yeas and nays  
 458 shall be recorded in the minutes, but on the request of any member, there shall be a roll-call  
 459 vote. In order for any ordinance, resolution, motion, or other action of the city council to be  
 460 adopted, the measure must receive at least three affirmative votes and also must receive the  
 461 affirmative votes of a majority of those voting. No councilmember shall abstain from voting  
 462 on any matter properly brought before the city council for official action except when such  
 463 councilmember has a reason which is disclosed in writing prior to or at the meeting and made  
 464 a part of the minutes. If any councilmember is present and eligible to vote on a matter and  
 465 refuses to do so for a reason he or she will not disclose, he or she shall be deemed to have  
 466 voted with the majority of the votes of the other councilmembers on the issue involved. The  
 467 mayor shall vote on matters brought before the council only to break a tie vote.

468 (b) The following types of actions require an ordinance in order to have the force of law:

469 (1) Adopt or amend an administrative code or establish, alter, or abolish a department,

470 office not specified in this charter, or agency;

471 (2) Provide for fine or other penalty;

472 (3) Levy taxes;

473 (4) Grant, renew, or extend a franchise;

474 (5) Regulate a rate for a public utility;

475 (6) Authorize the borrowing of money;

476 (7) Convey, lease, or encumber city land;

477 (8) Regulate land use and development; and

478 (9) Amend or repeal an ordinance already adopted.

479 (c) The city council shall establish by ordinance procedures for convening emergency  
480 meetings. In an emergency, an ordinance may be passed without notice or hearings if the  
481 city council passes the ordinance by three-fourths vote; provided, however, that the city  
482 council cannot in an emergency meeting:

483 (1) Levy taxes;

484 (2) Grant, renew, or extend a franchise;

485 (3) Regulate a rate for a public utility; or

486 (4) Borrow money.

487 **SECTION 2.11.**

488 General power and authority of the city council.

489 (a) Except as otherwise provided by law or by this charter, the city council shall be vested  
490 with all the powers of government of the City of Lakeside as provided by Article I of this  
491 charter.

492 (b) In addition to all other powers conferred upon it by law, the city council shall have the  
493 authority to adopt and provide for the execution of such ordinances, resolutions, rules, and  
494 regulations not inconsistent with this charter and the Constitution and the laws of the State  
495 of Georgia, which it shall deem necessary, expedient, or helpful for the peace, good order,  
496 protection of life and property, health, welfare, sanitation, comfort, convenience, prosperity,  
497 or well-being of the inhabitants of the City of Lakeside and may enforce such ordinances by  
498 imposing penalties for violation thereof.

499 **SECTION 2.12.**

500 Administrative and service departments.

501 (a) Except for the office of city manager and the elected positions provided for in this  
502 charter, the city council, by ordinance, may establish, abolish, merge, or consolidate offices

503 not specified in this charter, positions of employment, departments, and agencies of the city  
 504 as it shall deem necessary for the proper administration of the affairs and government of the  
 505 city. The city council shall prescribe the functions and duties of existing departments,  
 506 offices, and agencies or of any departments, offices, and agencies hereinafter created or  
 507 established; may provide that the same person shall fill any number of offices and positions  
 508 of employment; and may transfer or change the functions and duties of offices, positions of  
 509 employment, departments, and agencies of the city.

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

### 515 **SECTION 2.13.**

#### 516 Prohibitions.

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

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

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

527 (3) Disclose confidential information concerning the property, government, or affairs of  
 528 the governmental body by which engaged without proper legal authorization or use such  
 529 information to advance the financial or other private interest of himself or herself or  
 530 others, except as required by law;

531 (4) Accept any valuable gift, whether in the form of service, loan, object, or promise,  
 532 from any person, firm, or corporation which to his or her knowledge is interested, directly  
 533 or indirectly, in any manner whatsoever in business dealings with the governmental body  
 534 by which he or she is engaged; "valuable" shall be an amount determined by the city  
 535 council; provided, however, that the amount shall not exceed \$100.00;

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



538 (6) Vote or otherwise participate in the negotiation or in the making of any contract with  
539 any business or entity in which he or she, or members of his or her immediate family, has  
540 a financial interest.

541 (b) Any elected official, appointed officer, or employee who has any private financial  
542 interest, directly or indirectly, in any contract or matter pending before or within any  
543 department of the city shall disclose such private interest to the city council. "Private  
544 financial interest" shall include interests of immediate family. The mayor or any  
545 councilmember who has a private interest in any matter pending before the city council shall  
546 disclose in writing such private interest, and such disclosure shall be entered on the records  
547 of the city council, and he or she shall disqualify himself or herself from participating in any  
548 decision or vote relating thereto. Any elected official, appointed officer, or employee of any  
549 agency or political entity to which this charter applies who shall have any private financial  
550 interest, directly or indirectly, in any contract or matter pending before or within such entity  
551 shall disclose such private interest to the governing body of such agency or entity.

552 (c) No elected official, appointed officer, or employee of the city or any agency or entity to  
553 which this charter applies shall use property owned by such governmental entity for personal  
554 benefit, convenience, or profit, except in accordance with policies promulgated by the city  
555 council or the governing body of such agency or entity.

556 (d) Any violation of this section which occurs with the knowledge, express or implied, of  
557 a party to a contract or sale shall render said contract or sale voidable at the option of the city  
558 council.

559 (e) Except as authorized by law, no member of the city council shall hold any other elective  
560 city office or be employed by any city or county government during the term for which  
561 elected.

## 562 **SECTION 2.14.**

### 563 **Boards, commissions, and authorities.**

564 (a) All members of boards, commissions, and authorities of the city shall be appointed by  
565 the mayor subject to confirmation by the city council for such terms of office and such  
566 manner of appointment as provided by ordinance, except where other appointing authority,  
567 term of office, or manner of appointment is prescribed by this charter or by applicable state  
568 law.

569 (b) No member of any board, commission, or authority of the city shall hold any elective  
570 office in the city.

571 (c) Any vacancy in office of any member of a board, commission, or authority of the city  
572 shall be filled for the unexpired term in the manner prescribed for original appointment,

573 except as otherwise provided by this charter or any applicable law of the State of Georgia.  
 574 (d) No member of any board, commission, or authority shall assume office until he or she  
 575 shall have executed and filed with the designated officer of the city an oath obligating  
 576 himself or herself to faithfully and impartially perform the duties of his or her office, such  
 577 oath to be prescribed by ordinance of the city council and administered by the mayor or a  
 578 judicial officer authorized to administer oaths.

579 (e) Any member of a board, commission, or authority may be removed from office for cause  
 580 by a vote of a majority of the councilmembers in accordance with state laws.

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

583 (g) Except as otherwise provided by this charter or by applicable state law, each board,  
 584 commission, or authority of the city government shall elect one of its members as  
 585 chairperson and one member as vice chairperson for terms of one year and may elect as its  
 586 secretary one of its own members or may appoint as secretary an employee of the city. Each  
 587 board, commission, or authority of the city government may establish such bylaws, rules, and  
 588 regulations not inconsistent with this charter, ordinances of the city, or applicable state law  
 589 as it deems appropriate and necessary for the conduct of its affairs, copies of which shall be  
 590 filed with the designated officer of the city.

591 **SECTION 2.15.**

592 Ordinance form; procedures.

593 (a) Every proposed ordinance and resolution shall be introduced in writing and the city  
 594 council shall have the authority to approve, disapprove, or amend the same. A resolution  
 595 may be passed at the time it is offered, but an ordinance shall not be adopted until the title  
 596 of said ordinance shall have been read at two city council meetings, provided that the  
 597 beginning of said meetings be neither less than 24 hours nor more than 60 days apart. This  
 598 requirement of two readings shall not apply to emergency ordinances, to ordinances passed  
 599 during the first 90 days from the date on which the city begins operation or to ordinances  
 600 adopted at the first meeting of the initial city council as elected under subsection (b) of  
 601 Section 2.02 of this charter. The catchlines of sections of this charter or any ordinance  
 602 printed in boldface type, italics, or otherwise, are intended as mere catchwords to indicate  
 603 the contents of the section, and:

604 (1) Shall not be deemed or taken to be titles of such sections or as any part of the section;  
 605 and

606 (2) Shall not be so deemed when any of such sections, including the catchlines, are  
 607 amended or reenacted unless expressly provided to the contrary. Furthermore, the

608 chapter, article, and section headings contained in this Act shall not be deemed to govern,  
 609 limit, or modify or in any manner affect the scope, meaning, or intent of the provisions  
 610 of any chapter, article, or section hereof.

611 (b) The city council may, by ordinance or resolution, adopt rules and bylaws to govern the  
 612 conduct of its business, including procedures and penalties for compelling the attendance of  
 613 absent councilmembers. Such rules may include punishment for contemptuous behavior  
 614 conducted in the presence of the city council.

615 **SECTION 2.16.**

616 Submission of ordinances to the city clerk.

617 (a) Every ordinance, resolution, and other action adopted by the city council shall be  
 618 presented to the city clerk within 15 days of its adoption or approval. The city clerk shall  
 619 record upon the ordinance the date of its delivery from the city council.

620 (b) An ordinance or resolution that has been passed by the city council shall become  
 621 effective on the date the ordinance is passed by the city council or on such other date as may  
 622 be specified in the ordinance.

623 **ARTICLE III**

624 **EXECUTIVE BRANCH**

625 **SECTION 3.01.**

626 Powers and duties of the mayor.

627 (a) The mayor shall:

628 (1) Preside over all meetings of the city council;

629 (2) Set the agenda for meetings of the city council after receiving input from members  
 630 of the city council, the city manager, and the public; provided, however that an additional  
 631 item shall be added to the agenda upon the written request of any two members of the city  
 632 council;

633 (3) Serve as the ceremonial head of the city and as its official representative to federal,  
 634 state, and local governmental bodies and officials;

635 (4) Sign all orders, checks, and warrants for payment of money within a level of  
 636 authorization as established by the city council;

637 (5) Execute all contracts, deeds, and other obligations of the city within a level of  
 638 authorization as established by the city council;

- 639 (6) Vote in matters before the city council only to break a tie vote as provided in  
 640 Section 2.10(a) of this charter;
- 641 (7) Make all appointments of city officers as provided by this charter, subject to  
 642 confirmation by the city council;
- 643 (8) Serve in a part-time capacity and be compensated accordingly; and
- 644 (9) Perform any other duties and exercise any other powers required by state or federal  
 645 law or authorized by a duly adopted ordinance that is not in conflict with this charter.
- 646 (b) The mayor shall have the authority to transfer appropriations between departments,  
 647 funds, services, strategies, or organizational units but only with approval of the city council.
- 648 (c) The mayor shall have the authority to certify that a supplemental appropriation is  
 649 possible due to unexpected revenue increases but only with approval of the city council.
- 650 (d) The mayor shall have all of the powers specifically granted to the mayor elsewhere in  
 651 this charter regardless of whether such powers are enumerated in this section of this charter.

652 **SECTION 3.02.**

653 City manager; appointment and qualification.

654 The mayor shall appoint, subject to confirmation by the city council, an officer whose title  
 655 shall be the "city manager." The city manager shall be appointed without regard to political  
 656 beliefs and solely on the basis of his or her education and experience in the accepted  
 657 competencies and practices of local government management.

658 **SECTION 3.03.**

659 City manager; chief administrative officer.

660 The city manager shall be the chief administrative officer of the government of the city. The  
 661 city manager shall devote all of his or her working time and attention to the affairs of the city  
 662 and shall be responsible to the mayor and city council for the proper and efficient  
 663 administration of the affairs of the city over which such officer has jurisdiction.

664 **SECTION 3.04.**

665 City manager; powers and duties enumerated.

666 The city manager shall have the power, and it shall be his or her duty to:

- 667 (1) See that all laws and ordinances are enforced;
- 668 (2) Appoint and employ all necessary employees of the city, provided that the power of  
 669 this appointment shall not include officers and employees who by this charter are

- 670 appointed or elected by the mayor and the city council or departments not under the  
671 jurisdiction of the city manager;
- 672 (3) Remove employees appointed and employed under paragraph (2) of this section,  
673 without the consent of the city council and without assigning any reason therefor;
- 674 (4) Exercise supervision and control of all departments and all divisions created in this  
675 charter or that may hereafter be created by the city council except as otherwise provided  
676 in this charter;
- 677 (5) Attend all meetings of the city council, without a right to vote, but with a right to take  
678 part in the discussions as seen fit by the chairperson; provided, however, that regardless  
679 of the decision of the meeting chairperson, the city manager may take part in any  
680 discussion and report on any matter requested and approved by the city council at such  
681 meeting. The city manager shall be entitled to notice of all special meetings;
- 682 (6) Recommend to the city council, after prior review and comment by the mayor, for  
683 adoption such measures as the city manager may deem necessary or expedient;
- 684 (7) See that all terms and conditions imposed in favor of the city or its inhabitants in any  
685 public utility franchise are faithfully kept and performed and, upon knowledge of any  
686 violation thereof, to call the same to the attention of the city attorney, whose duty it shall  
687 be forthwith to take such steps as are necessary to protect and enforce the same;
- 688 (8) Make and execute all lawful contracts on behalf of the city as to matters within the  
689 city manager's level of authorization, as established by the city council, to the extent that  
690 such contracts are funded in the city's budget, except such as may be otherwise provided  
691 by law; provided, however, that no contract purchase or obligation requiring a budget  
692 amendment shall be valid and binding until after approval of the city council;
- 693 (9) Sign all orders, checks, and warrants for payment of money within the city manager's  
694 level of authorization as established by the city council to the extent that such contracts  
695 are funded in the city's budget, except such as may be otherwise provided by law;  
696 provided, however, that no such order, check, or warrant requiring a budget amendment  
697 shall be valid and binding until after approval of the city council;
- 698 (10) Act as budget officer to prepare and submit to the city council, after review and  
699 comment by the mayor, prior to the beginning of each fiscal year a budget of proposed  
700 expenditures for the ensuing year, showing in as much detail as practicable the amounts  
701 allotted to each department of the city government and the reasons for such estimated  
702 expenditures;
- 703 (11) Keep the city council at all times fully advised as to the financial condition and  
704 needs of the city;

- 705 (12) Make a full written report to the city council on the fifteenth of each month,  
 706 showing the operations and expenditures of each department of the city government for  
 707 the preceding month, and a synopsis of such reports shall be published by the city clerk;  
 708 (13) Fix all salaries and compensation of city employees in accordance with the city  
 709 budget and the city pay and classification plan;  
 710 (14) Transfer appropriations within a department; and  
 711 (15) Perform such other duties as may be prescribed by this charter or required by  
 712 ordinance or resolution of the city council.

713 **SECTION 3.05.**

714 City council interference with administration.

715 Except for the purpose of inquiries and investigations under Section 2.08 of this charter, the  
 716 city council or its members shall deal with city officers and employees who are subject to the  
 717 direction or supervision of the city manager, solely through the city manager other than for  
 718 routine inquiries made on behalf of constituents regarding the delivery of city services, and  
 719 neither the city council nor its members shall give orders to any such officer or employee,  
 720 either publicly or privately.

721 **SECTION 3.06.**

722 City manager; removal.

- 723 (a) The mayor and city council may remove the city manager from office in accordance with  
 724 the following procedures:
- 725 (1) The city council shall adopt by affirmative vote of a majority of all its members a  
 726 preliminary resolution removing the city manager and may suspend the city manager  
 727 from duty for a period not to exceed 45 days. A copy of the resolution shall be delivered  
 728 promptly to the city manager;
- 729 (2) Within five days after a copy of the resolution is delivered to the city manager, he or  
 730 she may file with the city council a written request for a public hearing. This hearing  
 731 shall be held at a city council meeting neither earlier than 15 days nor later than 30 days  
 732 after the request is filed. The city manager may file with the city council a written reply  
 733 not later than five days before the hearing; and
- 734 (3) The mayor and city council may adopt a final resolution of removal, which may be  
 735 made effective immediately, by affirmative vote of four of its members at any time after  
 736 five days from the date when a copy of the preliminary resolution was delivered to the

737 city manager, if he or she has not requested a public hearing, or at any time after the  
738 public hearing if he or she has requested one.

739 (b) The city manager shall continue to receive his or her salary until the effective date of a  
740 final resolution of his or her removal. The action of the city council in suspending or  
741 removing the city manager shall not be subject to review by any court or agency.

742 (c) If the city manager is suspended in accordance with subsection (a) of this section or  
743 becomes disabled and is unable to carry out the duties of the office or if the city manager  
744 dies, the acting city manager shall perform the duties of the city manager until the city  
745 manager's disability is removed or until the city manager is replaced. Removal of the city  
746 manager because of disability shall be carried out in accordance with the provisions of  
747 subsection (a) of this section.

748 **SECTION 3.07.**

749 Acting city manager.

750 (a) The mayor with the approval of the city council may appoint any person to exercise all  
751 powers, duties, and functions of the city manager during the city manager's suspension under  
752 subsection (a) of Section 3.06 of this charter, temporary absence from the city, or during the  
753 city manager's disability.

754 (b) In the event of a vacancy in the office of city manager, the mayor may designate, with  
755 the approval of the city council, a person as acting city manager, who shall exercise all  
756 powers, duties, and functions of the city manager until a city manager is appointed.

757 **SECTION 3.08.**

758 City attorney.

759 The mayor shall appoint the city attorney or city attorneys together with such assistant city  
760 attorneys as may be deemed appropriate, subject to confirmation by the city council, and  
761 shall provide for the payment of such attorneys for services rendered to the city. The rates  
762 or salary paid to any city attorney or assistant city attorney shall be approved in advance by  
763 the city council. The city attorney shall be responsible for representing and defending the  
764 city in all litigation to which the city is a party; may be the prosecuting officer in the  
765 municipal court; shall attend the meetings of the city council as directed; shall advise the city  
766 council, mayor, other officers, and employees of the city concerning legal aspects of the  
767 city's affairs; and shall perform such other duties as may be required by virtue of his or her  
768 position as city attorney. The city attorney shall review all contracts of the city but shall not  
769 have the power to bind the city.

770 **SECTION 3.09.**

771 City clerk.

772 The mayor shall appoint a city clerk subject to confirmation by the city council to keep a  
773 journal of the proceedings of the city council; to maintain in a safe place all records and  
774 documents pertaining to the affairs of the city; and to perform such duties as may be required  
775 by law or ordinance or as the mayor or city manager may direct.

776 **SECTION 3.10.**

777 Tax collector.

778 The mayor may appoint a tax collector, subject to confirmation by the city council, to collect  
779 all taxes, licenses, fees, and other moneys belonging to the city, subject to the provisions of  
780 this charter and the ordinances of the city; and the tax collector shall diligently comply with  
781 and enforce all general laws of Georgia relating to the collection, sale, or foreclosure of taxes  
782 by municipalities.

783 **SECTION 3.11.**

784 City accountant.

785 The mayor may appoint a city accountant subject to confirmation by the city council to  
786 perform the duties of an accountant.

787 **SECTION 3.12.**

788 City internal auditor.

789 The city council shall appoint an internal auditor to audit the financial records and  
790 expenditures of city funds and to report the results of such audits in writing to the city  
791 council at times and at intervals set by the city council but no less than quarterly. Such audit  
792 reports shall, at a minimum, identify all city expenditures and other financial matters that the  
793 internal auditor either determines are not in compliance with or cannot conclusively be  
794 determined to be in compliance with:

- 795 (1) The provisions of this charter;  
796 (2) The applicable city budget; and  
797 (3) Applicable ordinances, resolutions, or other actions duly adopted or approved under  
798 the provisions of this charter.



799

**SECTION 3.13.**

800

Consolidation of functions.

801 The city manager, with the approval of the city council, may consolidate any two or more of

802 the positions of city tax collector, city accountant, or any other positions or may assign the

803 functions of any one or more of such positions to the holder or holders of any other positions.

804 The city manager may also, with the approval of the city council, perform all or any part of

805 the functions of any of the positions or offices in lieu of the appointment of other persons to

806 perform the same.

807

**SECTION 3.14.**

808

Position classification and pay plans; employment at will.

809 The city manager shall be responsible for the preparation of a position classification and a

810 pay plan which shall be submitted to the city council for approval. Said plan may apply to

811 all employees of the City of Lakeside and any of its agencies and offices. When a pay plan

812 has been adopted by the city council, neither the city council nor the city manager shall

813 increase or decrease the salaries of individual employees except in conformity with such pay

814 plan or pursuant to an amendment of such pay plan duly adopted by the city council. Except

815 as otherwise provided in this charter, all employees of the city shall be subject to removal or

816 discharge, with or without cause, at any time.

817

**ARTICLE IV**

818

**MUNICIPAL COURT**

819

**SECTION 4.01.**

820

Creation.

821 There is established a court to be known as the Municipal Court of the City of Lakeside

822 which shall have jurisdiction and authority to try offenses against the laws and ordinances

823 of such city and to punish for a violation of the same. Such court shall have the power to

824 enforce its judgments by the imposition of such penalties as may be provided by law,

825 including ordinances of the city; to punish witnesses for nonattendance and to punish also

826 any person who may counsel or advise, aid, encourage, or persuade another whose testimony

827 is desired or material in any proceeding before such court to go or move beyond the reach

828 of the process of the court; to try all offenses within the territorial limits of the city

829 constituting traffic cases which, under the laws of Georgia, are placed within the jurisdiction

830 of municipal courts to the extent of, and in accordance with, the provisions of such laws and  
831 all laws subsequently enacted amendatory thereof. Such court shall be presided over by the  
832 judge of such court.

833 **SECTION 4.02.**

834 Judges.

835 (a) No person shall be qualified or eligible to serve as judge unless he or she shall have  
836 attained the age of 28 years and shall have been a member of the State Bar of Georgia for a  
837 minimum of three years. The judges shall be nominated by the mayor subject to approval  
838 by the city council. The compensation and number of the judges shall be fixed by the city  
839 council.

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

845 (c) The judge shall serve for a term of four years but may be removed from the position by  
846 a two-thirds vote of the entire membership of the city council or shall be removed upon  
847 action taken by the state Judicial Qualifications Commission for:

- 848 (1) Willful misconduct in office;  
849 (2) Willful and persistent failure to perform duties;  
850 (3) Habitual intemperance;  
851 (4) Conduct prejudicial to the administration of justice which brings the judicial office  
852 into disrepute; or  
853 (5) Disability seriously interfering with the performance of duties, which is or is likely  
854 to become of a permanent character.

855 **SECTION 4.03.**

856 Convening.

857 The municipal court shall be convened at such times as designated by ordinance or at such  
858 times as deemed necessary by the judge to keep current the dockets thereof.

859

**SECTION 4.04.**

860

Jurisdiction; powers.

861 (a) The municipal court shall try and punish for crimes against the City of Lakeside and for  
 862 violation of its ordinances. The municipal court may fix punishment for offenses within its  
 863 jurisdiction to the fullest extent allowed by state law.

864 (b) The municipal court shall have authority to recommend to the city council for approval  
 865 a schedule of fees to defray the cost of operation.

866 (c) The municipal court shall have authority to establish bail and recognizances to ensure  
 867 the presence of those charged with violations before such court and shall have discretionary  
 868 authority to accept cash or personal or real property as security for appearances of persons  
 869 charged with violations. Whenever any person shall give bail for his or her appearance and  
 870 shall fail to appear at the time fixed for trial, the bond shall be forfeited to the judge presiding  
 871 at such time and an execution issued thereon by serving the defendant and his or her sureties  
 872 with a rule nisi at least two days before a hearing on the rule nisi. In the event that cash or  
 873 property is accepted in lieu of bond for security for the appearance of a defendant at trial, and  
 874 if such defendant fails to appear at the time and place fixed for trial, the cash so deposited  
 875 shall be, on order of the judge, declared forfeited to the City of Lakeside, or the property so  
 876 deposited shall have a lien against it for the value forfeited.

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

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

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

884 (g) The municipal court is specifically vested with all of the judicial jurisdiction and judicial  
 885 powers throughout the entire area of the City of Lakeside granted by state laws generally to  
 886 municipal courts and particularly by such laws as authorize the abatement of nuisances.

887

**SECTION 4.05.**

888

Certiorari.

889 The right of certiorari from the decision and judgment of the municipal court shall exist in  
 890 all criminal cases and ordinance violation cases, and such certiorari shall be obtained under  
 891 the sanction of a judge of the Superior Court of DeKalb County under the laws of the State  
 892 of Georgia regulating the granting and issuance of writs of certiorari.

893 **SECTION 4.06.**

894 Rules for court.

895 With the approval of the city council, the judges shall have full power and authority to make  
896 reasonable rules and regulations necessary and proper to secure the efficient and successful  
897 administration of the municipal court.

898 **ARTICLE V**899 **FINANCE AND FISCAL**900 **SECTION 5.01.**

901 Fiscal year.

902 The city council shall set the fiscal year by ordinance. Such fiscal year shall constitute the  
903 budget year and the year for financial accounting and reporting of each and every office,  
904 department or institution, agency, and activity of the city government, unless otherwise  
905 provided by state or federal law.

906 **SECTION 5.02.**

907 Preparation of budgets.

908 The city council shall provide, by ordinance, the procedures and requirements for the  
909 preparation and execution of an annual operating budget and a capital budget, including  
910 requirements as to the scope, content, and form of such budgets and programs.

911 **SECTION 5.03.**

912 Submission of operating budget to city council.

913 (a) On or before a date fixed by the city council, but no later than the first day of the ninth  
914 month of the fiscal year currently ending, the city manager shall, after input, review, and  
915 comment by the mayor, submit to the city council a proposed operating budget and capital  
916 budget for the ensuing fiscal year. The budget shall be accompanied by a message from the  
917 mayor and city manager containing a statement of the general fiscal policies of the city, the  
918 important features of the budget, explanations of major changes recommended for the next  
919 fiscal year, a general summary of the budget, and such other comments and information as  
920 they may deem pertinent. The operating budget, capital budget, the budget message, and all

921 supporting documents shall be filed in the office of the city manager and shall be open to  
922 public inspection.

923 (b) Beginning in the third year of the city's operation, the city manager and mayor are  
924 required to present to the city council a budget which is balanced in projected spending and  
925 revenues.

926 (c) Prior to passage of the budget, the city council shall hold a special public hearing at  
927 which the budget will be presented and public comment on the budget will be solicited. The  
928 date, time, and place of the special public hearing shall be announced no less than 30 days  
929 prior to the scheduled date for such hearing.

930 (d) All unencumbered balances of appropriations in the current operating budget at the end  
931 of the fiscal year shall lapse into the unappropriated surplus or reserves of the fund or funds  
932 from which such appropriations were made. When a supplemental appropriation is certified  
933 by the city manager to exist, these appropriations may be spent during the current fiscal year  
934 following passage of a supplemental appropriation ordinance.

935 **SECTION 5.04.**

936 Action by city council on budget.

937 (a) The city council may amend the operating budget or capital budget proposed by the city  
938 manager in accordance with subsection (a) of Section 5.03 of this charter, except that the  
939 budget, as finally amended and adopted, shall provide for all expenditures required by law  
940 or by other provisions of this charter and for all debt service requirements for the ensuing  
941 fiscal year; and the total appropriations from any fund shall not exceed the estimated fund  
942 balance, reserves, and revenues constituting the fund availability of such fund.

943 (b) The city council shall adopt a budget on or before the first day of the eleventh month of  
944 the fiscal year currently ending. If the city council fails to adopt the budget by the prescribed  
945 deadline, the operating budget and capital budget proposed by the mayor and city manager  
946 shall be adopted without further action by the city council.

947 **SECTION 5.05.**

948 Procurement and property management.

949 No contract with the city shall be binding on the city unless it is in writing. The city council  
950 may adopt procedures for the authorization of certain contracts without city attorney review  
951 or city council approval. Absent the foregoing, no contract with the city shall be binding on  
952 the city unless:

- 953 (1) It is drawn or submitted and reviewed by the city attorney and, as a matter of course,  
 954 is signed by the city attorney to indicate such drafting or review; and  
 955 (2) It is made or authorized by the city council and such approval is entered in the city  
 956 council journal of proceedings.

957 **SECTION 5.06.**

958 Purchasing.

959 The city council shall prescribe procedures for a system of centralized purchasing for the  
 960 city.

961 **SECTION 5.07.**

962 Audits.

- 963 (a) There shall be an annual independent audit of all city accounts, funds, and financial  
 964 transactions by a certified public accountant selected by the city council. The audit shall be  
 965 conducted according to generally accepted accounting principles. Any audit of any funds by  
 966 the state or federal government may be accepted as satisfying the requirements of this  
 967 charter. Copies of all audit reports shall be available at printing cost to the public.  
 968 (b) As a minimum, all audits and budgets of the city shall satisfy the requirements of  
 969 Chapter 81 of Title 36 of the O.C.G.A. relating to local government audits and budgets.

970 **SECTION 5.08.**

971 Homestead exemption; freeze.

- 972 (a) As used in this section, the term:
- 973 (1) "Ad valorem taxes for municipal purposes" means all municipal ad valorem taxes for  
 974 municipal purposes levied by, for, or on behalf of the City of Lakeside, including, but not  
 975 limited to, ad valorem taxes to pay interest on and to retire municipal bonded  
 976 indebtedness.
- 977 (2) "Base year" means the taxable year immediately preceding the taxable year in which  
 978 the exemption under this section is first granted to the most recent owner of such  
 979 homestead.
- 980 (3) "Homestead" means homestead as defined and qualified in Code Section 48-5-40 of  
 981 the O.C.G.A., as amended, with the additional qualification that it shall include not more  
 982 than five contiguous acres of homestead property.

983 (b) Each resident of the City of Lakeside is granted an exemption on that person's homestead  
984 from City of Lakeside ad valorem taxes for municipal purposes in an amount equal to the  
985 amount by which the current year assessed value of that homestead exceeds the base year  
986 assessed value of that homestead. This exemption shall not apply to taxes assessed on  
987 improvements to the homestead or additional land that is added to the homestead after  
988 January 1 of the base year. If any real property is added to or removed from the homestead,  
989 the base year assessed value shall be adjusted to reflect such addition or removal, and the  
990 exemption shall be recalculated accordingly. The value of that property in excess of such  
991 exempted amount shall remain subject to taxation.

992 (c) A person shall not receive the homestead exemption granted by subsection (b) of this  
993 section unless the person or person's agent files an application with the governing authority  
994 of the City of Lakeside, or the designee thereof, giving such information relative to receiving  
995 such exemption as will enable the governing authority of the City of Lakeside, or the  
996 designee thereof, to make a determination regarding the initial and continuing eligibility of  
997 such owner for such exemption. The governing authority of the City of Lakeside, or the  
998 designee thereof, shall provide application forms for this purpose.

999 (d) The exemption shall be claimed and returned as provided in Code Section 48-5-50.1 of  
1000 the O.C.G.A., as amended. The exemption shall be automatically renewed from year to year  
1001 so long as the owner occupies the residence as a homestead. After a person has filed the  
1002 proper application as provided in subsection (c) of this section, it shall not be necessary to  
1003 make application thereafter for any year, and the exemption shall continue to be allowed to  
1004 such person. It shall be the duty of any person granted the homestead exemption under  
1005 subsection (b) of this section to notify the governing authority of the City of Lakeside, or the  
1006 designee thereof, in the event that person for any reason becomes ineligible for that  
1007 exemption.

1008 (e) The exemption granted by subsection (b) of this section shall not apply to or affect state  
1009 ad valorem taxes, county ad valorem taxes for county purposes, or county or independent  
1010 school district ad valorem taxes for educational purposes. The homestead exemption granted  
1011 by subsection (b) of this section shall be in addition to and not in lieu of any other homestead  
1012 exemption applicable to municipal ad valorem taxes for municipal purposes.

1013 (f) The exemption granted by subsection (b) of this section shall apply only to taxable years  
1014 2015 through 2017. Unless renewed or extended by subsequent Act of the General  
1015 Assembly, the exemption granted by subsection (b) of this section shall not apply to taxable  
1016 year 2018 or any subsequent taxable year.

**SECTION 5.09.**

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Homestead exemption; senior citizens; disabled.

1019 (a) As used in this section, the term:

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(1) "Ad valorem taxes for municipal purposes" means all ad valorem taxes for municipal purposes levied by, for, or on behalf of the City of Lakeside, including, but not limited to, any ad valorem taxes to pay interest on and to retire municipal bonded indebtedness.

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(2) "Homestead" means homestead as defined and qualified in Code Section 48-5-40 of the O.C.G.A., as amended.

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(3) "Income" means Georgia taxable net income determined pursuant to Chapter 7 of Title 48 of the O.C.G.A., as amended, for state income tax purposes, except income shall not include income received as retirement, survivor, or disability benefits under the federal Social Security Act or under any other public or private retirement, disability, or pension system, except such income which is in excess of the maximum amount authorized to be paid to an individual and such individual's spouse under the federal Social Security Act. Income from such sources in excess of such maximum amount shall be included as income for the purposes of this Act.

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(4) "Senior citizen" means a person who is 65 years of age or over on or before January 1 of the year in which application for the exemption under subsection (b) of this section is made.

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(b) Each resident of the City of Lakeside who is disabled or is a senior citizen is granted an exemption on that person's homestead from City of Lakeside ad valorem taxes for municipal purposes in the amount of \$14,000.00 of the assessed value of that homestead. The exemption granted by this subsection shall only be granted if that person's income, together with the income of the spouse who also occupies and resides at such homestead, does not exceed \$15,000.00 for the immediately preceding year. The value of that property in excess of such exempted amount shall remain subject to taxation.

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(c)(1) In order to qualify for the exemption provided for in subsection (b) of this section due to being disabled, the person claiming such exemption shall be required to obtain a certificate from not more than three physicians licensed to practice medicine under Chapter 34 of Title 43 of the O.C.G.A., as amended, certifying that, in the opinion of such physician or physicians, such person is mentally or physically incapacitated to the extent that such person is unable to be gainfully employed and that such incapacity is likely to be permanent. Such certificate or certificates shall constitute part of and be submitted with the application provided for in paragraph (2) of this subsection.

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(2) A person shall not receive the homestead exemption granted by subsection (b) of this section unless the person or person's agent files an application with the governing



1053 authority of the City of Lakeside, or the designee thereof, giving the person's age, income,  
 1054 and such additional information relative to receiving such exemption as will enable the  
 1055 governing authority of the City of Lakeside, or the designee thereof, to make a  
 1056 determination regarding the initial and continuing eligibility of such owner for such  
 1057 exemption. The governing authority of the City of Lakeside, or the designee thereof,  
 1058 shall provide application forms for this purpose.

1059 (d) The exemption shall be claimed and returned as provided in Code Section 48-5-50.1 of  
 1060 the O.C.G.A., as amended. The exemption shall be automatically renewed from year to year  
 1061 so long as the owner occupies the residence as a homestead. After a person has filed the  
 1062 proper application, as provided in subsection (c) of this section, it shall not be necessary to  
 1063 make application thereafter for any year and the exemption shall continue to be allowed to  
 1064 such person. It shall be the duty of any person granted the homestead exemption under  
 1065 subsection (b) of this section to notify the governing authority of the City of Lakeside, or the  
 1066 designee thereof, in the event that person for any reason becomes ineligible for that  
 1067 exemption.

1068 (e) The exemption granted by subsection (b) of this section shall not apply to or affect state  
 1069 ad valorem taxes, county ad valorem taxes for county purposes, or county or independent  
 1070 school district ad valorem taxes for educational purposes. The homestead exemption granted  
 1071 by subsection (b) of this section shall be in addition to and not in lieu of any other homestead  
 1072 exemption applicable to municipal ad valorem taxes for municipal purposes.

1073 (f) The exemption granted by subsection (b) of this section shall apply to all taxable years  
 1074 beginning on or after January 1, 2015.

#### 1075 **SECTION 5.10.**

#### 1076 Homestead exemption; general.

1077 (a) As used in this section, the term:

1078 (1) "Ad valorem taxes for municipal purposes" means all ad valorem taxes for municipal  
 1079 purposes levied by, for, or on behalf of the City of Lakeside, including, but not limited to,  
 1080 any ad valorem taxes to pay interest on and to retire municipal bonded indebtedness.

1081 (2) "Homestead" means homestead as defined and qualified in Code Section 48-5-40 of  
 1082 the O.C.G.A., as amended.

1083 (b) Each resident of the City of Lakeside is granted an exemption on that person's homestead  
 1084 from City of Lakeside ad valorem taxes for municipal purposes in the amount of \$10,000.00  
 1085 of the assessed value of that homestead. The value of that property in excess of such  
 1086 exempted amount shall remain subject to taxation.

1087 (c) A person shall not receive the homestead exemption granted by subsection (b) of this  
 1088 section unless the person or person's agent files an application with the governing authority  
 1089 of the City of Lakeside, or the designee thereof, giving such information relative to receiving  
 1090 such exemption as will enable the governing authority of the City of Lakeside, or the  
 1091 designee thereof, to make a determination regarding the initial and continuing eligibility of  
 1092 such owner for such exemption. The governing authority of the City of Lakeside, or the  
 1093 designee thereof, shall provide application forms for this purpose.

1094 (d) The exemption shall be claimed and returned as provided in Code Section 48-5-50.1 of  
 1095 the O.C.G.A., as amended. The exemption shall be automatically renewed from year to year  
 1096 so long as the owner occupies the residence as a homestead. After a person has filed the  
 1097 proper application, as provided in subsection (c) of this section, it shall not be necessary to  
 1098 make application thereafter for any year and the exemption shall continue to be allowed to  
 1099 such person. It shall be the duty of any person granted the homestead exemption under  
 1100 subsection (b) of this section to notify the governing authority of the City of Lakeside, or the  
 1101 designee thereof, in the event that person for any reason becomes ineligible for that  
 1102 exemption.

1103 (e) The exemption granted by subsection (b) of this section shall not apply to or affect state  
 1104 ad valorem taxes, county ad valorem taxes for county purposes, or county or independent  
 1105 school district ad valorem taxes for educational purposes. The homestead exemption granted  
 1106 by subsection (b) of this section shall be in addition to and not in lieu of any other  
 1107 homestead exemption applicable to municipal ad valorem taxes for municipal purposes.

1108 (f) The exemption granted by subsection (b) of this section shall apply to all taxable years  
 1109 beginning on or after January 1, 2015.

## 1110 **SECTION 5.11.**

### 1111 Homestead exemption; surviving spouses.

1112 (a) As used in this section, the term:

1113 (1) "Ad valorem taxes for municipal purposes" means all ad valorem taxes for municipal  
 1114 purposes levied by, for, or on behalf of the City of Lakeside, including, but not limited  
 1115 to, ad valorem taxes to pay interest on and to retire municipal bonded indebtedness.

1116 (2) "Homestead" means homestead as defined and qualified in Code Section 48-5-40 of  
 1117 the O.C.G.A., as amended.

1118 (3) "Unremarried surviving spouse" of a member of the armed forces includes the  
 1119 unmarried widow or widower of a member of the armed forces who is receiving spousal  
 1120 benefits from the United States Department of Veterans Affairs.

1121 (b) Any person who is a resident of the City of Lakeside and who is an unremarried  
1122 surviving spouse of a member of the armed forces of the United States, which member has  
1123 been killed in or has died as a result of any war or armed conflict in which the armed forces  
1124 of the United States engaged, whether under United States command or otherwise, shall be  
1125 granted a homestead exemption from all City of Lakeside ad valorem taxation for municipal  
1126 purposes in the amount of the greater of \$32,500.00 or the maximum amount which may be  
1127 granted to a disabled veteran under Section 2102 of Title 38 of the United States Code, as  
1128 amended. As of January 1, 2013, the maximum amount which may be granted to a disabled  
1129 veteran under Section 2102 of Title 38 of the United States Code, as amended, is \$50,000.00.  
1130 The exemption shall be on the homestead which the unremarried surviving spouse owns and  
1131 actually occupies as a residence and homestead. In the event such surviving spouse  
1132 remarries, such person shall cease to be qualified to continue the exemption under this Act  
1133 effective December 31 of the taxable year in which such person remarries. The value of all  
1134 property in excess of such exemption granted to such unremarried surviving spouse shall  
1135 remain subject to taxation.

1136 (c) In order to qualify for the exemption provided for in this Act, the unremarried surviving  
1137 spouse shall furnish to the governing authority of the City of Lakeside, or the designee  
1138 thereof, documents from the Secretary of Defense evidencing that such unremarried  
1139 surviving spouse receives spousal benefits as a result of the death of such person's spouse  
1140 who as a member of the armed forces of the United States was killed or died as a result of  
1141 a war or armed conflict while on active duty or while performing authorized travel to or from  
1142 active duty during such war or armed conflict in which the armed forces of the United States  
1143 engaged, whether under United States command or otherwise, pursuant to the Survivor  
1144 Benefit Plan under Subchapter II of Chapter 73 of Title 10 of the United States Code or  
1145 pursuant to any preceding or subsequent federal law which provides survivor benefits for  
1146 spouses of members of the armed forces who were killed or who died as a result of any war  
1147 or armed conflict.

1148 (d) An unremarried surviving spouse filing for the exemption under this section shall be  
1149 required to file with the governing authority of the City of Lakeside, or the designee thereof,  
1150 information relative to marital status and other such information which the governing  
1151 authority of the City of Lakeside, or the designee thereof, deems necessary to determine  
1152 eligibility for the exemption. Each unremarried surviving spouse shall file for the exemption  
1153 only once with the governing authority of the City of Lakeside or the designee thereof. Once  
1154 filed, the exemption shall automatically be renewed from year to year, except that the  
1155 governing authority of the City of Lakeside or the designee thereof may require annually that  
1156 the holder of an exemption substantiate his or her continuing eligibility for the exemption.  
1157 It shall be the duty of any person granted the homestead exemption under this section to

1158 notify the governing authority of the City of Lakeside or the designee thereof in the event  
1159 that person for any reason becomes ineligible for such exemption.

1160 (e) The exemption granted by this section shall be in lieu of and not in addition to any other  
1161 exemption from ad valorem taxation for municipal purposes which is equal to or lower in  
1162 amount than such exemption granted by this section. If the amount of any other exemption  
1163 from ad valorem taxation for municipal purposes applicable to any resident qualifying under  
1164 this section is greater than or is increased to an amount greater than the amount of the  
1165 applicable exemption granted by this section, such other exemption shall apply and shall be  
1166 in lieu of and not in addition to the exemption granted by this section.

1167 (f) The exemptions granted by this section shall apply to all tax years beginning on or after  
1168 January 1, 2015.

1169 **SECTION 5.12.**

1170 Homestead exemption; mill equivalent.

1171 (a) As used in this section, the term:

1172 (1) "Ad valorem taxes for municipal purposes" means all ad valorem taxes for municipal  
1173 purposes levied by, for, or on behalf of the City of Lakeside, including, but not limited  
1174 to, any ad valorem taxes to pay interest on and to retire municipal bonded indebtedness.

1175 (2) "Homestead" means homestead as defined and qualified in Code Section 48-5-40 of  
1176 the O.C.G.A., as amended.

1177 (b) Each resident of the City of Lakeside is granted an exemption on that person's homestead  
1178 from City of Lakeside ad valorem taxes for municipal purposes in an amount that provides  
1179 the dollar equivalent of a 2.15 mill reduction of the millage rate applicable to the homestead  
1180 property with respect to ad valorem taxes for municipal purposes for the taxable year. The  
1181 value of that property in excess of such exempted amount shall remain subject to taxation.

1182 (c) A person shall not receive the homestead exemption granted by subsection (b) of this  
1183 section unless the person or person's agent files an application with the governing authority  
1184 of the City of Lakeside or the designee thereof giving such information relative to receiving  
1185 such exemption as will enable the governing authority of the City of Lakeside or the designee  
1186 thereof to make a determination regarding the initial and continuing eligibility of such owner  
1187 for such exemption. The governing authority of the City of Lakeside or the designee thereof  
1188 shall provide application forms for this purpose.

1189 (d) The exemption shall be claimed and returned as provided in Code Section 48-5-50.1 of  
1190 the O.C.G.A., as amended. The exemption shall be automatically renewed from year to year  
1191 so long as the owner occupies the residence as a homestead. After a person has filed the  
1192 proper application, as provided in subsection (c) of this section, it shall not be necessary to

1193 make application thereafter for any year and the exemption shall continue to be allowed to  
 1194 such person. It shall be the duty of any person granted the homestead exemption under  
 1195 subsection (b) of this section to notify the governing authority of the City of Lakeside or the  
 1196 designee thereof in the event that person for any reason becomes ineligible for that  
 1197 exemption.

1198 (e) The exemption granted by subsection (b) of this section shall not apply to or affect state  
 1199 ad valorem taxes, county ad valorem taxes for county purposes, or county or independent  
 1200 school district ad valorem taxes for educational purposes. The homestead exemption granted  
 1201 by subsection (b) of this section shall be in addition to and not in lieu of any other homestead  
 1202 exemption applicable to municipal ad valorem taxes for municipal purposes.

1203 (f) The exemption granted by subsection (b) of this section shall apply to all taxable years  
 1204 beginning on or after January 1, 2015.

### 1205 **SECTION 5.13.**

1206 Homestead exemption; fire special tax district HOST equivalent.

1207 (a) As used in this section, the term:

1208 (1) "Ad valorem taxes for municipal purposes" means all ad valorem taxes for municipal  
 1209 purposes levied by, for, or on behalf of the City of Lakeside, including, but not limited  
 1210 to, any ad valorem taxes to pay interest on and to retire municipal bonded indebtedness.

1211 (2) "Homestead" means homestead as defined and qualified in Code Section 48-5-40 of  
 1212 the O.C.G.A., as amended.

1213 (b) In the event that fire services are transferred from DeKalb County to the City of Lakeside  
 1214 and the city assumes responsibility for the provision of fire services within the city, each  
 1215 resident of the City of Lakeside is granted an exemption on that person's homestead from  
 1216 City of Lakeside ad valorem taxes for municipal purposes in a fixed amount equal to the  
 1217 HOST tax credit provided to DeKalb County residents who participate in the fire services  
 1218 special tax district at a level equal to the average percentage credit for the five years  
 1219 immediately preceding the transfer of fire services from the county to the city. The value of  
 1220 that property in excess of such exempted amount shall remain subject to taxation.

1221 (c) A person shall receive the homestead exemption granted by subsection (b) of this section  
 1222 provided that the person or person's agent has filed or files an application with the governing  
 1223 authority of the City of Lakeside or the designee thereof in accordance with subsection (c)  
 1224 of Section 5.10 of this charter or subsection (c) of Section 5.12 of this charter, giving such  
 1225 information relative to receiving such exemption as will enable the governing authority of  
 1226 the City of Lakeside or the designee thereof to make a determination regarding the initial and  
 1227 continuing eligibility of such owner for such exemption. No additional homestead

1228 exemption application form or application shall be required to grant the homestead  
1229 exemption under this section.

1230 (d) The exemption shall be automatically renewed from year to year so long as the owner  
1231 occupies the residence as a homestead. After a person has filed the proper application, it  
1232 shall not be necessary to make application thereafter for any year and the exemption shall  
1233 continue to be allowed to such person. It shall be the duty of any person granted the  
1234 homestead exemption under subsection (b) of this section to notify the governing authority  
1235 of the City of Lakeside or the designee thereof in the event that person for any reason  
1236 becomes ineligible for that exemption.

1237 (e) The exemption granted by subsection (b) of this section shall not apply to or affect state  
1238 ad valorem taxes, county ad valorem taxes for county purposes, or county or independent  
1239 school district ad valorem taxes for educational purposes. The homestead exemption granted  
1240 by subsection (b) of this section shall be in addition to and not in lieu of any other homestead  
1241 exemption applicable to municipal ad valorem taxes for municipal purposes.

1242 (f) The exemption granted by subsection (b) of this section shall apply to all taxable years  
1243 beginning in the year in which DeKalb County transfers fire services to the City of Lakeside  
1244 and the city assumes responsibility for the provision of fire services within the city. In the  
1245 event that the transfer of services does not coincide with the end of the tax year, the  
1246 homestead exemption shall be prorated in the first year in an amount equal to the percent of  
1247 the first year in which the city provides fire services.

## 1248 ARTICLE VI

### 1249 GENERAL PROVISIONS

#### 1250 SECTION 6.01.

1251 DeKalb County special services tax district.

1252 For the taxable years beginning on or after January 1, 2015, the adjusted ad valorem tax  
1253 millage rate and amount for service charges or fees for district services for the Lakeside  
1254 special services tax district shall be zero percent. This section is enacted pursuant to the  
1255 authority granted to the General Assembly under Section 1 of that local constitutional  
1256 amendment providing that certain municipalities in DeKalb County shall constitute special  
1257 services tax districts, Resolution Act. No. 168; House Resolution No. 715-1916; Ga. L. 1978,  
1258 p. 2468, to control the subject matter of such local constitutional amendment. Municipal  
1259 services provided by DeKalb County for the City of Lakeside will be established through  
1260 intergovernmental agreements or established as otherwise authorized by statute.

1261 **SECTION 6.02.**

1262 Referendum and initial election.

1263 (a) The election superintendent of DeKalb County shall call a special election for the  
 1264 purpose of submitting this Act to the qualified voters of the proposed City of Lakeside for  
 1265 approval or rejection. The superintendent shall set the date of such election for the date of  
 1266 the general primary in 2014. The superintendent shall issue the call for such election at least  
 1267 60 days prior to the date thereof. The superintendent shall cause the date and purpose of the  
 1268 election to be published once a week for two weeks immediately preceding the date thereof  
 1269 in the official organ of DeKalb County. The ballot shall have written or printed thereon the  
 1270 words:

1271 "( ) YES Shall the Act incorporating the City of Lakeside in DeKalb County  
 1272 ( ) NO according to the charter contained in the Act and the homestead exemptions  
 1273 described in the Act be approved?"

1274 All persons desiring to vote for approval of the Act shall vote "Yes," and all persons desiring  
 1275 to vote for rejection of the Act shall vote "No." If more than one-half of the votes cast on  
 1276 such question are for approval of the Act, it shall become of full force and effect as provided  
 1277 in this charter, otherwise it shall be void and of no force and effect. The initial expense of  
 1278 such election shall be borne by DeKalb County. Within two years after the elections if the  
 1279 incorporation is approved, the City of Lakeside shall reimburse DeKalb County for the actual  
 1280 cost of printing and personnel services for such election and for the initial election of the  
 1281 mayor and councilmembers pursuant to Section 2.02 of this charter. It shall be the duty of  
 1282 the superintendent to hold and conduct such election. It shall be his or her further duty to  
 1283 certify the result thereof to the Secretary of State.

1284 (b) For the purposes of the referendum election provided for in subsection (a) of this section  
 1285 and for the purposes of the special election of the City of Lakeside to be held on the Tuesday  
 1286 next following the first Monday in November, 2014, the qualified electors of the City of  
 1287 Lakeside shall be those qualified electors of DeKalb County residing within the corporate  
 1288 limits of the City of Lakeside as described by Appendix A of this charter. At subsequent  
 1289 municipal elections, the qualified electors of the City of Lakeside shall be determined  
 1290 pursuant to the authority of Chapter 2 of Title 21 of the O.C.G.A. known as the "Georgia  
 1291 Election Code."

1292 (c) Only for the purposes of holding and conducting the referendum election provided for  
 1293 by subsection (a) of this section and holding and conducting the special election of the City  
 1294 of Lakeside to be held on the Tuesday next following the first Monday in November,  
 1295 2014, the election superintendent of DeKalb County is vested with the powers and duties

1296 of the election superintendent of the City of Lakeside and the powers and duties of the  
1297 governing authority of the City of Lakeside.

1298 **SECTION 6.03.**

1299 Effective dates and transition.

1300 (a) The initial mayor and councilmembers shall take the oath of office the next business day  
1301 after certification of the election of such officers, and by action of any four members of the  
1302 governing authority may, prior to December 15, 2014, meet and take actions binding on the  
1303 city.

1304 (b) A period of time will be needed for an orderly transition of various government functions  
1305 from DeKalb County to the City of Lakeside. Accordingly there shall be a two-year  
1306 transition period as allowed by law beginning at 12:01 A.M. on December 15, 2014.

1307 (c) During such transition period, DeKalb County shall continue to provide within the  
1308 territorial limits of the city all government services and functions which DeKalb County  
1309 provided in 2014 and at the same actual direct cost and level of service, except to the extent  
1310 otherwise provided in this section; provided, however, that upon at least 30 days' prior  
1311 written notice to the governing authority of DeKalb County by the governing authority of the  
1312 City of Lakeside, responsibility for any such service or function shall be transferred to the  
1313 City of Lakeside. The governing authority of the City of Lakeside shall determine the date  
1314 of commencement of collection of taxes, fees, assessments, fines and forfeitures, and other  
1315 moneys within the territorial limits of the city and the date upon which the City of Lakeside  
1316 is considered removed from the special services tax district.

1317 (d) During the transition period, the governing authority of the City of Lakeside may  
1318 generally exercise any power granted by this charter or general law, except to the extent that  
1319 a power is specifically and integrally related to the provision of a governmental service,  
1320 function, or responsibility not yet provided or carried out by the city.

1321 (e) During the transition period, all ordinances of DeKalb County shall remain applicable  
1322 within the territorial limits of the city unless otherwise amended, repealed, or replaced by the  
1323 City of Lakeside. Any transfer of jurisdiction to the City of Lakeside during or at the end of  
1324 the transition period shall not in and of itself abate any judicial proceeding pending in  
1325 DeKalb County or the pending prosecution of any violation of any ordinance of DeKalb  
1326 County.

1327 (f) During the transition period, the governing authority of the City of Lakeside may at any  
1328 time, without the necessity of any agreement by DeKalb County, commence to exercise its  
1329 planning and zoning powers; provided, however, that the city shall give the county notice of  
1330 the date on which the city will assume the exercise of such powers. Upon the governing



1331 authority of the City of Lakeside commencing to exercise its planning and zoning powers,  
1332 the Municipal Court of the City of Lakeside shall immediately have jurisdiction to enforce  
1333 the planning and zoning ordinances of the city. The provisions of this subsection shall  
1334 control over any conflicting provisions of any other subsection of this section.

1335 (g) Effective upon the termination of the transition period, subsections (b) through (f) of this  
1336 section shall cease to apply except for the last sentence of subsection (e) which shall remain  
1337 effective. Effective upon the termination of the transition period, the City of Lakeside shall  
1338 be a fully functioning municipal corporation and subject to all general laws of this state.

1339 **SECTION 6.04.**

1340 Charter commission.

1341 No later than five years after the inception of the City of Lakeside, the mayor and the city  
1342 council shall call for a charter commission to review the city's experience and recommend  
1343 to the General Assembly any changes to the charter. Members of the charter commission  
1344 shall be appointed as follows: one by the mayor, one by each member of the city council, and  
1345 one member appointed by a vote of the members of the Georgia House of Representatives  
1346 and Georgia Senate whose districts lie wholly or partially within the corporate boundaries  
1347 of the City of Lakeside. All members of the charter commission shall reside in the City of  
1348 Lakeside. The commission shall complete the recommendations within the time frame  
1349 required by the city council.

1350 **SECTION 6.05.**

1351 Severability.

1352 In the event any section, subsection, sentence, clause, or phrase of this Act shall be declared  
1353 or adjudged invalid or unconstitutional, such adjudication shall in no manner affect the other  
1354 sections, subsections, sentences, clauses, or phrases of this Act, which shall remain of full  
1355 force and effect, as if the section, subsection, sentence, clause, or phrase so declared or  
1356 adjudged invalid or unconstitutional were not originally a part hereof. The General  
1357 Assembly hereby declares that it would have passed the remaining parts of this Act if it had  
1358 known that such part or parts hereof would be declared or adjudged invalid or  
1359 unconstitutional.

1360 **SECTION 6.06.**

1361 Effective date.

1362 This Act shall become effective upon its approval by the Governor or upon its becoming law  
1363 without such approval.

1364 **SECTION 6.07.**

1365 Repealer.

1366 All laws and parts of laws in conflict with this Act are repealed.

1367 **APPENDIX A**

1368 **CORPORATE LIMITS**

1369 **CITY OF LAKESIDE, DEKALB COUNTY, GEORGIA**

1370 The corporate limits for the City of Lakeside shall contain the following described territory:

1371 DeKalb County

1372 VTD: 089BC - BRIAR VISTA ELEMENTARY

1373 021504:

1374 1000 1001 1002 1003 1004 1005 1006 1007

1375 VTD: 089BD - BRIARLAKE ELEMENTARY

1376 VTD: 089BG - BRIARCLIFF

1377 VTD: 089CJ - CLAIRMONT HILLS

1378 021602:

1379 2026 2028

1380 VTD: 089CW - CORALWOOD

1381 VTD: 089EC - EMBRY HILLS

1382 VTD: 089EF - EVANSDALE ELEM

1383 021705:

1384 1000 1001 1002 1003 2001 2002 2003 2004 2005 2024 2025 2026

1385 021808:

1386 1000 1001 1002 1003 1004 1005 1006 1007 1008 1011 1012 1013

1387 1016 1017 1018 1019 1021 1022 1023 1028 1029 2005 2015 2016

1388 2017 2018 2019 2020 2021 2022 2023 2025 2026 2028

1389 VTD: 089HB - HAWTHORNE ELEM

1390 021705:

1391 3006 3007 3010 3011 3012  
 1392 021706:  
 1393 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 2000  
 1394 2001 2002 2003 2004 2006 2007 2008 2009 2010 2011 2012 2013  
 1395 2014 2015 2016 4008 4009  
 1396 VTD: 089HC - HENDERSON MILL  
 1397 VTD: 089HD - HERITAGE ED  
 1398 VTD: 089LA - LAKESIDE HIGH  
 1399 VTD: 089LB - LAVISTA ROAD  
 1400 021504:  
 1401 2000 2001 2002 2008 3000 3004 3008 3009 3010  
 1402 021602:  
 1403 2021  
 1404 021603:  
 1405 1008 1010 1011 1012 1014  
 1406 021604:  
 1407 2021 2023 2024  
 1408 VTD: 089LC - LAVISTA  
 1409 021503:  
 1410 1000 1001 1002 1003 1004 1005 3000 3001 3002 3003  
 1411 VTD: 089MH - MIDVALE ELEM  
 1412 VTD: 089MJ - MONTCLAIR ELEM  
 1413 021603:  
 1414 2001 2002 2003 2004 2006  
 1415 VTD: 089MP - MARGARET HARRIS  
 1416 021603:  
 1417 2005 2010 2011 2012 2013 2014 2015 2016 2017 2018 2019 2020  
 1418 2021 3000 3001 3002 3003 3004 3005 3006 3007  
 1419 VTD: 089MW - MIDVALE ROAD  
 1420 VTD: 089ND - NORTHLAKE  
 1421 VTD: 089OA - OAK GROVE ELEM  
 1422 VTD: 089PF - PLEASANTDALE ELEM  
 1423 VTD: 089PK - PLEASANTDALE ROAD  
 1424 VTD: 089RD - REHOBOTH  
 1425 021704:  
 1426 1007 1008 1009 1010 1011 1012 1013 1014 1015 1016 1017 1018  
 1427 1019 1020 1021 1022 1023 1024 1025 2005 2006 2007 2008 2009

1428 2010 2011 2012 2013 2014  
 1429 022001:  
 1430 2000 2001 2002 2003 2007 2008 2009 2010 2011 2012 2013 2022  
 1431 VTD: 089SA - SAGAMORE HILLS  
 1432 VTD: 089SN - SHAMROCK MIDDLE  
 1433 VTD: 089VB - VALLEY BROOK  
 1434 022204:  
 1435 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011  
 1436 1012 1013 1018  
 1437 VTD: 089WI - WARREN TECH  
 1438 021705:  
 1439 1004 1005 1006 1007 1008 1009 1010 1011 1012 1013 1014 1015  
 1440 2015 2018 2019 2027 2029 2030 2031 2032 2033 2034  
 1441 021808:  
 1442 2024

1443 For the purposes of such corporate limit descriptions:

1444 (1) The term "VTD" shall mean and describe the same geographical boundaries as  
 1445 provided in the report of the Bureau of the Census for the United States decennial census  
 1446 of 2010 for the State of Georgia. The separate numeric designations in a district  
 1447 description which are underneath a VTD heading shall mean and describe individual  
 1448 Blocks within a VTD as provided in the report of the Bureau of the Census for the United  
 1449 States decennial census of 2010 for the State of Georgia; and  
 1450 (2) Except as otherwise provided in the description of any district, whenever the  
 1451 description of any district refers to a named city, it shall mean the geographical  
 1452 boundaries of that city as shown on the census maps for the United States decennial  
 1453 census of 2010 for the State of Georgia.

1454 APPENDIX B

1455 COUNCIL DISTRICTS

1456 CITY OF LAKESIDE, DEKALB COUNTY, GEORGIA

1457 Plan: cityoflakeside-p1(dist)-2014

1458 Plan Type: Local

1459 Administrator: SD040

1460 User: bak

1461 District 001  
 1462 DeKalb County  
 1463 VTD: 089EC - EMBRY HILLS  
 1464 021808:  
 1465 2000 2001 2002 2003 2004 2006 2007 2008 2027  
 1466 021812:  
 1467 2012 2013 2014 2015 2016 2017 2018 2019  
 1468 VTD: 089EF - EVANSDALE ELEM  
 1469 021705:  
 1470 1000 1001 1002 1003 2001 2002 2003 2004 2005 2024 2025 2026  
 1471 VTD: 089PF - PLEASANTDALE ELEM  
 1472 VTD: 089PK - PLEASANTDALE ROAD  
 1473 VTD: 089WI - WARREN TECH  
 1474 021705:  
 1475 1004 1005 1006 1007 1008 1012 2015 2018 2019 2027 2029 2030  
 1476 2031 2032 2033 2034  
  
 1477 District 002  
 1478 DeKalb County  
 1479 VTD: 089EC - EMBRY HILLS  
 1480 021808:  
 1481 2009 2010 2011 2012 2013 2014  
 1482 021809:  
 1483 3000 3001 3002 3003 3004 3005 3006 3007 3008 3009  
 1484 VTD: 089EF - EVANSDALE ELEM  
 1485 021808:  
 1486 1000 1001 1002 1003 1004 1005 1006 1007 1008 1011 1012 1013  
 1487 1016 1017 1018 1019 1021 1022 1023 1028 1029 2005 2015 2016  
 1488 2017 2018 2019 2020 2021 2022 2023 2025 2026 2028  
 1489 VTD: 089HC - HENDERSON MILL  
 1490 021705:  
 1491 3000 3001 3002 3003 3004 3005 3008 3009  
 1492 021706:  
 1493 3000 3001 3002 3003 3004 3005 3006 3007 3008 3009 3010 3011  
 1494 3015 4000 4001 4002 4003 4004 4005 4006 4007 4010 4011 4012  
 1495 4013 4014  
 1496 VTD: 089MH - MIDVALE ELEM

1497 VTD: 089MW - MIDVALE ROAD  
 1498 021808:  
 1499 1009 1010 1014 1015 1020 1024 1025 1026 1027  
 1500 021809:  
 1501 5018 5019 5020 5021 5022  
 1502 021810:  
 1503 1000 1001 1002 1003 1004 1005 1006 1009 2002 2003 2004 2005  
 1504 2006 2019 2020 2021  
 1505 VTD: 089WI - WARREN TECH  
 1506 021705:  
 1507 1009 1010 1011 1013 1014 1015  
 1508 021808:  
 1509 2024  
  
 1510 District 003  
 1511 DeKalb County  
 1512 VTD: 089BD - BRIARLAKE ELEMENTARY  
 1513 VTD: 089HB - HAWTHORNE ELEM  
 1514 021705:  
 1515 3006 3007 3010 3011 3012  
 1516 021706:  
 1517 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 2000  
 1518 2001 2002 2003 2004 2006 2007 2008 2009 2010 2011 2012 2013  
 1519 2014 2015 2016 4008 4009  
 1520 VTD: 089HC - HENDERSON MILL  
 1521 3012 3013 3014  
 1522 021706:  
 1523 3012 3013 3014  
 1524 VTD: 089HD - HERITAGE ED  
 1525 VTD: 089LA - LAKESIDE HIGH  
 1526 VTD: 089OA - OAK GROVE ELEM  
 1527 021604:  
 1528 1000 1001 1002 1003 1004 1005 1012  
 1529 021605:  
 1530 1015 1016 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009  
 1531 2010 2011 2012 2013 2014 2015 2016 2017 3007  
 1532 021703:

1533 2024

1534 District 004

1535 DeKalb County

1536 VTD: 089CJ - CLAIRMONT HILLS

1537 021602:

1538 2026 2028

1539 VTD: 089CW - CORALWOOD

1540 VTD: 089MW - MIDVALE ROAD

1541 021810:

1542 1007 1008 1010

1543 VTD: 089ND - NORTHLAKE

1544 VTD: 089RD - REHOBOTH

1545 021704:

1546 1007 1008 1009 1010 1011 1012 1013 1014 1015 1016 1017 1018

1547 1019 1020 1021 1022 1023 1024 1025 2005 2006 2007 2008 2009

1548 2010 2011 2012 2013 2014

1549 022001:

1550 2000 2001 2002 2003 2007 2008 2009 2010 2011 2012 2013 2022

1551 VTD: 089SA - SAGAMORE HILLS

1552 021604:

1553 1006 1007 1008 1009 1010 1011 1013 1014 1015 1016 1017 1020

1554 1021

1555 021704:

1556 3001 3002 3003 3004 3005 3006 3007 3008 3009

1557 VTD: 089SN - SHAMROCK MIDDLE

1558 VTD: 089VB - VALLEY BROOK

1559 022204:

1560 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011

1561 1012 1013 1018

1562 District 005

1563 DeKalb County

1564 VTD: 089BC - BRIAR VISTA ELEMENTARY

1565 021504:

1566 1000 1001 1002 1003 1004 1005 1006 1007

1567 VTD: 089BG - BRIARCLIFF

1568 VTD: 089LB - LAVISTA ROAD  
 1569 021504:  
 1570 2000 2001 2002 2008 3000 3004 3008 3009 3010  
 1571 021602:  
 1572 2021  
 1573 021603:  
 1574 1008 1010 1011 1012 1014  
 1575 021604:  
 1576 2021 2023 2024  
 1577 VTD: 089LC - LAVISTA  
 1578 021503:  
 1579 1000 1001 1002 1003 1004 1005 3000 3001 3002 3003  
 1580 VTD: 089MJ - MONTCLAIR ELEM  
 1581 021603:  
 1582 2001 2002 2003 2004 2006  
 1583 VTD: 089MP - MARGARET HARRIS  
 1584 021603:  
 1585 2005 2010 2011 2012 2013 2014 2015 2016 2017 2018 2019 2020  
 1586 2021 3000 3001 3002 3003 3004 3005 3006 3007  
 1587 VTD: 089OA - OAK GROVE ELEM  
 1588 021605:  
 1589 3008 3012 3013 3014 3015  
 1590 VTD: 089SA - SAGAMORE HILLS  
 1591 021604:  
 1592 1018 1019 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009  
 1593 2010 2011 2012 2013 2014 2015 2016 2017 2018 2019 2020 2022

1594 For the purposes of this plan (cityoflakeside-p1(dist)-2014):

1595 (1) The term "VTD" shall mean and describe the same geographical boundaries as  
 1596 provided in the report of the Bureau of the Census for the United States decennial census  
 1597 of 2010 for the State of Georgia. The separate numeric designations in a district  
 1598 description which are underneath a VTD heading shall mean and describe individual  
 1599 Blocks within a VTD as provided in the report of the Bureau of the Census for the United  
 1600 States decennial census of 2010 for the State of Georgia; and  
 1601 (2) Except as otherwise provided in the description of any district, whenever the  
 1602 description of any district refers to a named city, it shall mean the geographical



1603 boundaries of that city as shown on the census maps for the United States decennial  
1604 census of 2010 for the State of Georgia.

1605 (3) Any part of the City of Lakeside which is not included in any district described in  
1606 this plan (cityoflakeside-p1(dist)-2014) shall be included within that district contiguous  
1607 to such part which contains the least population according to the United States decennial  
1608 census of 2010 for the State of Georgia.

1609 (4) Any part of the City of Lakeside which is described in this plan  
1610 (cityoflakeside-p1(dist)-2014) as being included in a particular district shall nevertheless  
1611 not be included within such district if such part is not contiguous to such district. Such  
1612 noncontiguous part shall instead be included within that district contiguous to such part  
1613 which contains the least population according to the United States decennial census of  
1614 2010 for the State of Georgia.

1615 Plan: cityoflakeside-sd040-p1(super)-2014

1616 Plan Type: Local

1617 Administrator: SD040

1618 User: bak

1619 District 006

1620 DeKalb County

1621 VTD: 089BD - BRIARLAKE ELEMENTARY

1622 VTD: 089EC - EMBRY HILLS

1623 VTD: 089EF - EVANSDALE ELEM

1624 021705:

1625 1000 1001 1002 1003 2001 2002 2003 2004 2005 2024 2025 2026

1626 021808:

1627 1000 1001 1002 1003 1004 1005 1006 1007 1008 1011 1012 1013

1628 1016 1017 1018 1019 1021 1022 1023 1028 1029 2005 2015 2016

1629 2017 2018 2019 2020 2021 2022 2023 2025 2026 2028

1630 VTD: 089HB - HAWTHORNE ELEM

1631 021705:

1632 3006 3007 3010 3011 3012

1633 021706:

1634 2000 2001 2002 2003 2004

1635 VTD: 089HC - HENDERSON MILL

1636 021705:

1637 3000 3001 3002 3003 3004 3005 3008 3009

1638 021706:  
 1639 3000 3001 3002 3003 3004 3005 3006 3008 3009 3012 3013 3014  
 1640 3015 4000 4001 4002 4003 4004 4005 4006 4007 4010 4011 4012  
 1641 4013 4014  
 1642 VTD: 089LA - LAKESIDE HIGH  
 1643 VTD: 089MH - MIDVALE ELEM  
 1644 VTD: 089MW - MIDVALE ROAD  
 1645 VTD: 089PF - PLEASANTDALE ELEM  
 1646 VTD: 089PK - PLEASANTDALE ROAD  
 1647 VTD: 089WI - WARREN TECH  
 1648 021705:  
 1649 1004 1005 1006 1007 1008 1009 1010 1011 1012 1013 1014 1015  
 1650 2015 2018 2019 2027 2029 2030 2031 2032 2033 2034  
 1651 021808:  
 1652 2024  
  
 1653 District 007  
 1654 DeKalb County  
 1655 VTD: 089BC - BRIAR VISTA ELEMENTARY  
 1656 021504:  
 1657 1000 1001 1002 1003 1004 1005 1006 1007  
 1658 VTD: 089BG - BRIARCLIFF  
 1659 VTD: 089CJ - CLAIRMONT HILLS  
 1660 021602:  
 1661 2026 2028  
 1662 VTD: 089CW - CORALWOOD  
 1663 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 2006  
 1664 2007 2008 2009 2010 2011 2012 2013 2014 2015 2016 4008 4009  
 1665 VTD: 089HC - HENDERSON MILL  
 1666 021706:  
 1667 3007 3010 3011  
 1668 VTD: 089HB - HAWTHORNE ELEM  
 1669 021706:  
 1670 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 2006  
 1671 2007 2008 2009 2010 2011 2012 2013 2014 2015 2016 4008 4009  
 1672 VTD: 089HC - HENDERSON MILL  
 1673 021706:

1674 3007 3010 3011  
 1675 VTD: 089HD - HERITAGE ED  
 1676 VTD: 089LB - LAVISTA ROAD  
 1677 021504:  
 1678 2000 2001 2002 2008 3000 3004 3008 3009 3010  
 1679 021602:  
 1680 2021  
 1681 021603:  
 1682 1008 1010 1011 1012 1014  
 1683 021604:  
 1684 2021 2023 2024  
 1685 VTD: 089LC - LAVISTA  
 1686 021503:  
 1687 1000 1001 1002 1003 1004 1005 3000 3001 3002 3003  
 1688 VTD: 089MJ - MONTCLAIR ELEM  
 1689 021603:  
 1690 2001 2002 2003 2004 2006  
 1691 VTD: 089MP - MARGARET HARRIS  
 1692 021603:  
 1693 2005 2010 2011 2012 2013 2014 2015 2016 2017 2018 2019 2020  
 1694 2021 3000 3001 3002 3003 3004 3005 3006 3007  
 1695 VTD: 089ND - NORTHLAKE  
 1696 VTD: 089OA - OAK GROVE ELEM  
 1697 VTD: 089RD - REHOBOTH  
 1698 021704:  
 1699 1007 1008 1009 1010 1011 1012 1013 1014 1015 1016 1017 1018  
 1700 1019 1020 1021 1022 1023 1024 1025 2005 2006 2007 2008 2009  
 1701 2010 2011 2012 2013 2014  
 1702 022001:  
 1703 2000 2001 2002 2003 2007 2008 2009 2010 2011 2012 2013 2022  
 1704 VTD: 089SA - SAGAMORE HILLS  
 1705 VTD: 089SN - SHAMROCK MIDDLE  
 1706 VTD: 089VB - VALLEY BROOK  
 1707 022204:  
 1708 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011  
 1709 1012 1013 1018

1710 For the purposes of this plan (cityoflakeside-sd040-p1(super)-2014):

1711 (1) The term "VTD" shall mean and describe the same geographical boundaries as  
 1712 provided in the report of the Bureau of the Census for the United States decennial census  
 1713 of 2010 for the State of Georgia. The separate numeric designations in a district  
 1714 description which are underneath a VTD heading shall mean and describe individual  
 1715 Blocks within a VTD as provided in the report of the Bureau of the Census for the United  
 1716 States decennial census of 2010 for the State of Georgia; and

1717 (2) Except as otherwise provided in the description of any district, whenever the  
 1718 description of any district refers to a named city, it shall mean the geographical  
 1719 boundaries of that city as shown on the census maps for the United States decennial  
 1720 census of 2010 for the State of Georgia.

1721 (3) Any part of the City of Lakeside which is not included in any district described in  
 1722 this plan (cityoflakeside-sd040-p1(super)-2014) shall be included within that district  
 1723 contiguous to such part which contains the least population according to the United States  
 1724 decennial census of 2010 for the State of Georgia.

1725 (4) Any part of the City of Lakeside which is described in this plan  
 1726 (cityoflakeside-sd040-p1(super)-2014) as being included in a particular district shall  
 1727 nevertheless not be included within such district if such part is not contiguous to such  
 1728 district. Such noncontiguous part shall instead be included within that district contiguous  
 1729 to such part which contains the least population according to the United States decennial  
 1730 census of 2010 for the State of Georgia.

1731 APPENDIX C

1732 CERTIFICATE AS TO MINIMUM STANDARDS  
 1733 FOR INCORPORATION OF A NEW MUNICIPAL CORPORATION

1734 I, Senator Fran Millar, Georgia State Senator from the 40th District and the author of this bill  
 1735 introduced at the 2014 session of the General Assembly of Georgia, which grants an original  
 1736 municipal charter to the City of Lakeside, do hereby certify that this bill is in compliance  
 1737 with the minimum standards required by Chapter 31 of Title 36 of the O.C.G.A. in that the  
 1738 area embraced within the original incorporation in this bill is in all respects in compliance  
 1739 with the minimum standards required by Chapter 31 of Title 36 of the O.C.G.A. This  
 1740 certificate is executed to conform to the requirements of Code Section 36-31-5 of the  
 1741 O.C.G.A.

1742 So certified this 28th day of January, 2014.

1743 s/ Honorable Fran Millar  
1744 Senator, 40th District  
1745 Georgia State Senate