

Senate Bill 298

By: Senator Watson of the 1st

**AS PASSED SENATE**

**A BILL TO BE ENTITLED  
AN ACT**

1 To incorporate the City of Skidaway Island; to provide for a charter for the City of Skidaway  
2 Island; to provide for incorporation, boundaries, and powers of the city; to provide for a  
3 governing authority of such city and the powers, duties, authority, election, terms, method  
4 of filling vacancies, compensation, qualifications, prohibitions, and removal from office  
5 relative to members of such governing authority; to provide for inquiries and investigations;  
6 to provide for organization and procedures; to provide for ordinances and codes; to provide  
7 for the offices of mayor and city manager and certain duties and powers relative to those  
8 offices; to provide for administrative responsibilities; to provide for boards, commissions,  
9 and authorities; to provide for a city attorney, a city clerk, and other personnel; to provide for  
10 a municipal court and the judge or judges thereof; to provide for practices and procedures;  
11 to provide for taxation and fees; to provide for franchises, service charges, and assessments;  
12 to provide for bonded and other indebtedness; to provide for accounting and budgeting; to  
13 provide for purchases; to provide for the sale of property; to provide for homestead  
14 exemptions; to provide for bonds for officials; to provide for definitions and construction;  
15 to provide for other matters relative to the foregoing; to provide for a transition period; to  
16 provide for related matters; to provide for a referendum; to provide for contingent effective  
17 dates; to repeal conflicting laws; and for other purposes.

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

19 **ARTICLE I**  
20 **INCORPORATION AND POWERS**  
21 **SECTION 1.10.**  
22 **Name.**

23 This city and the inhabitants thereof are incorporated by the enactment of this charter and are  
24 hereby constituted and declared a body politic and corporate under the name and style City  
25 of Skidaway Island, Georgia, and by that name shall have perpetual succession.

26

**SECTION 1.11.**

27

Corporate boundaries.

28 (a) The corporate boundaries of this city shall include all of that territory described in and  
 29 set forth in Appendix A of this charter which is incorporated into and made a part of this  
 30 charter.

31 (b) The city clerk shall maintain a current map and written legal description of the corporate  
 32 boundaries of the city, and such map and description shall incorporate any changes which  
 33 may hereafter be made in such corporate boundaries.

34

**SECTION 1.12.**

35

Powers and construction.

36 (a) This city shall have all powers possible for a city to have under the present or future  
 37 constitution and laws of this state as fully and completely as though they were specifically  
 38 enumerated in this charter. This city shall have all the powers of self-government not  
 39 otherwise prohibited by this charter or by general law.

40 (b) The powers of this city shall be construed liberally in favor of the city. The specific  
 41 mention or failure to mention particular powers shall not be construed as limiting in any way  
 42 the powers of this city.

43

**SECTION 1.13.**

44

Examples of powers.

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

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

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

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

63 (5) Condemnation. To condemn property, inside or outside the corporate limits of the city,  
64 for present or future use and for any corporate purpose deemed necessary by the governing  
65 authority, utilizing procedures enumerated in Title 22 of the O.C.G.A., or such other  
66 applicable laws as are or may hereafter be enacted.

67 (6) Contracts. To enter into contracts and agreements with other governmental entities and  
68 with private persons, firms, and corporations.

69 (7) Emergencies. To establish procedures for determining and proclaiming that an  
70 emergency situation exists within or without the city and to make and carry out all reasonable  
71 provisions deemed necessary to deal with or meet such an emergency for the protection,  
72 safety, health, or well-being of the citizens of the city.

73 (8) Environmental protection. To protect and preserve the natural resources, environment,  
74 and vital areas of the city, the region, and the state through the preservation and improvement  
75 of air quality, the restoration and maintenance of water resources, the control of erosion and  
76 sedimentation, the management of storm water and establishment of a storm-water utility,  
77 the management of solid and hazardous waste, and other necessary actions for the protection  
78 of the environment.

79 (9) Fire regulations. To fix and establish fire limits and from time to time to extend, enlarge,  
80 or restrict the same; to prescribe fire safety regulations not inconsistent with general law,  
81 relating to both fire prevention and detection and to firefighting; and to prescribe penalties  
82 and punishment for violations thereof.

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

89 (11) General health, safety, and welfare. To define, regulate, and prohibit any act, practice,  
90 conduct, or use of property which is detrimental to health, sanitation, cleanliness, welfare,  
91 and safety of the inhabitants of the city and to provide for the enforcement of such standards.

- 92 (12) Gifts. To accept or refuse gifts, donations, bequests, or grants from any source for any  
93 purpose related to powers and duties of the city and the general welfare of its citizens, on  
94 such terms and conditions as the donor or grantor may impose.
- 95 (13) Health and sanitation. To prescribe standards of health and sanitation and to provide  
96 for the enforcement of such standards.
- 97 (14) Jail sentences. To provide that persons given jail sentences in the city's court may work  
98 out such sentences in any public works or on the streets, roads, drains, and other public  
99 property in the city; to provide for commitment of such persons to any jail; to provide for the  
100 use of pretrial diversion and any alternative sentencing allowed by law; or to provide for  
101 commitment of such persons to any county work camp or county jail by agreement with the  
102 appropriate county officials.
- 103 (15) Motor vehicles. To regulate the operation of motor vehicles and exercise control over  
104 all traffic, including parking upon or across the streets, roads, alleys, and walkways of the  
105 city.
- 106 (16) Municipal agencies and delegation of power. To create, alter, or abolish departments,  
107 boards, offices, commissions, and agencies of the city and to confer upon such agencies the  
108 necessary and appropriate authority for carrying out all the powers conferred upon or  
109 delegated to the same.
- 110 (17) Municipal debts. To appropriate and borrow money for the payment of debts of the city  
111 and to issue bonds for the purpose of raising revenue to carry out any project, program, or  
112 venture authorized by this charter or the laws of the State of Georgia.
- 113 (18) Municipal property ownership. To acquire, dispose of, lease, and hold in trust or  
114 otherwise any real, personal, or mixed property, in fee simple or lesser interest, inside or  
115 outside the property limits of the city.
- 116 (19) Municipal property protection. To provide for the preservation and protection of  
117 property and equipment of the city and the administration and use of same by the public; and  
118 to prescribe penalties and punishment for violations thereof.
- 119 (20) Municipal utilities. To acquire, lease, construct, operate, maintain, sell, and dispose of  
120 public utilities, including, but not limited to, a system of waterworks, sewers and drains,  
121 sewage disposal, storm-water management, gas works, electric light plants, cable television  
122 and other telecommunications, transportation facilities, public airports, and any other public  
123 utility; to fix the taxes, charges, rates, fares, fees, assessments, regulations, and penalties; and  
124 to provide for the withdrawal of service for refusal or failure to pay the same.
- 125 (21) Nuisance. To define a nuisance and provide for its abatement whether on public or  
126 private property.
- 127 (22) Penalties. To provide penalties for violation of any ordinances adopted pursuant to the  
128 authority of this charter and the laws of the State of Georgia.

- 129 (23) Planning and zoning. To provide comprehensive city planning for development by  
130 zoning and to provide subdivision regulation and the like as the city council deems necessary  
131 and reasonable to ensure a safe, healthy, and aesthetically pleasing community.
- 132 (24) Police and fire protection. To exercise the power of arrest through duly appointed  
133 police officers and to establish, operate, or contract for a police and a firefighting agency.
- 134 (25) Public hazards: removal. To provide for the destruction and removal of any building  
135 or other structure which is or may become dangerous or detrimental to the public.
- 136 (26) Public improvements. To provide for the acquisition, construction, building, operation,  
137 and maintenance of public improvements, inside or outside the corporate limits of the city;  
138 to regulate the use of public improvements; and for such purposes, property may be acquired  
139 by condemnation under Title 22 of the O.C.G.A., or such other applicable laws as are or may  
140 hereafter be enacted.
- 141 (27) Public peace. To provide for the prevention and punishment of loitering, disorderly  
142 conduct, drunkenness, riots, and public disturbances.
- 143 (28) Public transportation. To organize and operate such public transportation systems as  
144 are deemed beneficial.
- 145 (29) Public utilities and services. To grant franchises or make contracts for or impose taxes  
146 on public utilities and public service companies and to prescribe the rates, fares, regulations  
147 and standards, and conditions of service applicable to the service to be provided by the  
148 franchise grantee or contractor, insofar as not in conflict with valid regulations of the Public  
149 Service Commission.
- 150 (30) Regulation of roadside areas. To prohibit or regulate and control the erection, removal,  
151 and maintenance of signs, billboards, trees, shrubs, fences, buildings, and any and all other  
152 structures or obstructions upon or adjacent to the rights-of-way of streets and roads or within  
153 view thereof, within or abutting the corporate limits of the city; and to prescribe penalties and  
154 punishment for violation of such ordinances.
- 155 (31) Retirement. To provide and maintain a retirement plan and other employee benefit  
156 plans and programs for officers and employees of the city.
- 157 (32) Roadways. To lay out, open, extend, widen, narrow, establish or change the grade of,  
158 abandon or close, construct, pave, curb, gutter, adorn with shade trees, or otherwise improve,  
159 maintain, repair, clean, prevent erosion of, and light the roads, alleys, and walkways within  
160 the corporate limits of the city; and to grant franchises and rights-of-way throughout the  
161 streets and roads and over the bridges and viaducts for the use of public utilities; and to  
162 require real estate owners to repair and maintain in a safe condition the sidewalks adjoining  
163 their lots or lands and to impose penalties for failure to do so.
- 164 (33) Sewer fees. To levy a fee, charge, or sewer tax as necessary to assure the acquiring,  
165 constructing, equipping, operating, maintaining, and extending of a sewage disposal plant

166 and sewerage system, and to levy on those to whom sewers and sewerage systems are made  
167 available a sewer service fee, charge, or sewer tax for the availability or use of the sewers;  
168 to provide for the manner and method of collecting such service charges and for enforcing  
169 payment of the same; and to charge, impose, and collect a sewer connection fee or fees to  
170 those connected with the system.

171 (34) Solid waste disposal. To provide for the collection and disposal of garbage, rubbish,  
172 and refuse; to regulate the collection and disposal of garbage, rubbish, and refuse by others;  
173 and to provide for the separate collection of glass, tin, aluminum, cardboard, paper, and other  
174 recyclable materials and to provide for the sale of such items.

175 (35) Special areas of public regulation. To regulate or prohibit junk dealers and the  
176 manufacture and sale of intoxicating liquors; to regulate the transportation, storage, and use  
177 of combustible, explosive, and inflammable materials, the use of lighting and heating  
178 equipment, and any other business or situation which may be dangerous to persons or  
179 property; to regulate and control the conduct of peddlers and itinerant traders, theatrical  
180 performances, exhibitions, and shows of any kind, by taxation or otherwise; to license and  
181 tax professional fortune-telling, palmistry, and massage parlors; and to restrict adult  
182 bookstores to certain areas.

183 (36) Special assessments. To levy and provide for the collection of special assessments to  
184 cover the costs for any public improvements.

185 (37) Taxes: ad valorem. To levy and provide for the assessment, valuation, revaluation, and  
186 collection of taxes on all property subject to taxation.

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

189 (39) Taxicabs. To regulate and license vehicles operated for hire in the city; to limit the  
190 number of such vehicles; to require the operators thereof to be licensed; to require public  
191 liability insurance on such vehicles in the amounts to be prescribed by ordinance; and to  
192 regulate the parking of such vehicles.

193 (40) Urban redevelopment. To organize and operate an urban redevelopment program.

194 (41) Other powers. To exercise and enjoy all other powers, functions, rights, privileges, and  
195 immunities necessary or desirable to promote or protect the safety, health, peace, security,  
196 good order, comfort, convenience, or general welfare of the city and its inhabitants; to  
197 exercise all implied powers necessary or desirable to carry into execution all powers granted  
198 in this charter as fully and completely as if such powers were fully stated herein; and to  
199 exercise all powers now or in the future authorized to be exercised by other municipal  
200 governments under other laws of the State of Georgia. No listing of particular powers in this  
201 charter shall be held to be exclusive of others, nor restrictive of general words and phrases

202 granting powers, but shall be held to be in addition to such powers unless expressly  
 203 prohibited to municipalities under the Constitution or applicable laws of the State of Georgia.

204 **SECTION 1.14.**

205 Exercise of powers.

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

210 **ARTICLE II**

211 **GOVERNMENT STRUCTURE**

212 **SECTION 2.10.**

213 City council; creation; number; election.

214 The legislative authority of the government of this city, except as otherwise specifically  
 215 provided in this charter, shall be vested in a city council to be composed of a mayor and four  
 216 councilmembers. The councilmembers shall be elected in the manner provided by general  
 217 law and this charter. The members of the council shall be elected by the voters of their  
 218 respective council districts in accordance with provisions of Article V of this charter. The  
 219 mayor shall be elected as provided in Section 2.32 of this charter.

220 **SECTION 2.11.**

221 City council terms and qualifications for office; initial election and terms.

222 (a) Except as provided otherwise in this charter, the members of the city council shall serve  
 223 for terms of four years and until their respective successors are elected and qualified. No  
 224 person shall be eligible to serve as councilmember unless that person is at least 21 years of  
 225 age at the time of qualifying and has been a resident of the territory encompassed by the city  
 226 boundaries for at least 12 months prior to the date of his or her election; each shall continue  
 227 to reside therein during that member's period of service and to be registered and qualified to  
 228 vote in municipal elections of this city.

229 (b) For the purpose of electing members of the council, the City of Skidaway Island shall  
 230 consist of four council districts as described in Appendix B of this charter, which is attached  
 231 and incorporated into this charter by reference. Each candidate for election to the council  
 232 other than the mayor shall reside in the council district he or she seeks to represent.

233 (c) The first election for mayor and councilmembers shall be a special election held on the  
 234 third Tuesday in March, 2019. At such election, the mayor and councilmembers from  
 235 Council Posts 1 and 2 shall be elected for initial terms of office beginning immediately after  
 236 their election and expiring on December 31, 2023. The councilmembers elected from  
 237 Council Posts 3 and 4 shall be elected for initial terms of office beginning immediately after  
 238 their election and expiring on December 31, 2021. Thereafter, their successors shall be  
 239 elected for terms of four years. All members shall serve until their successors are elected and  
 240 qualified.

241 **SECTION 2.12.**

242 Vacancy; filling of vacancies.

243 (a) The office of mayor or councilmember shall become vacant upon the incumbent's death,  
 244 resignation, forfeiture of office, or occurrence of any event specified by the Constitution of  
 245 the State of Georgia, Title 45 of the O.C.G.A., or such other applicable laws as are or may  
 246 hereafter be enacted.

247 (b) A vacancy in the office of mayor or councilmember shall be filled for the remainder of  
 248 the unexpired term, if any, by appointment by the city council or those members remaining  
 249 if less than 12 months remains in the unexpired term. If such vacancy occurs 12 months or  
 250 more prior to the expiration of the term of that office, it shall be filled for the remainder of  
 251 the unexpired term by a special election, as provided for in Section 5.14 of this charter and  
 252 in accordance with Titles 21 and 45 of the O.C.G.A., or other such laws as are or may  
 253 hereafter be enacted.

254 (c) This provision shall also apply to a temporary vacancy created by the suspension from  
 255 office of the mayor or any councilmember.

256 **SECTION 2.13.**

257 Compensation and expenses.

258 The mayor and councilmembers shall receive an annual salary of \$6,000.00 per year, paid  
 259 from city funds in equal monthly installments. The mayor and councilmembers shall be  
 260 reimbursed for their necessary and actual expenses incurred in the performance of their  
 261 duties of office as provided by ordinance. The compensation of the mayor and members of  
 262 council may be increased or decreased by ordinance in accordance with Code  
 263 Section 36-35-4 of the O.C.G.A.



264 **SECTION 2.14.**

265 Holding other office; voting when financially interested.

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

268 (b) Except as authorized by law, the mayor or any councilmember shall not hold any other  
269 city office or city employment during the term for which that person was elected.

270 (c) Neither the mayor nor any member of the city council shall vote upon, sign, or veto any  
271 ordinance, resolution, contract, or other matter in which that person is financially interested.

272 **SECTION 2.15.**

273 Inquiries and Investigations.

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

280 **SECTION 2.16.**

281 General power and authority of the city council.

282 (a) Except as otherwise provided by law or this charter, the city council shall be vested with  
283 all the powers of government of this city.

284 (b) In addition to all other powers conferred upon it by law, the council shall have the  
285 authority to adopt and provide for the execution of such ordinances, resolutions, rules, and  
286 regulations, not inconsistent with this charter and the Constitution and the laws of the State  
287 of Georgia, which it shall deem necessary, expedient, or helpful for the peace, good order,  
288 protection of life and property, health, welfare, sanitation, comfort, convenience, prosperity,  
289 or well-being of the inhabitants of the City of Skidaway Island and may enforce such  
290 ordinances by imposing penalties for violation thereof.

291 **SECTION 2.17.**

292 Eminent domain.

293 The city council is hereby empowered to acquire, construct, operate, and maintain public  
 294 improvements inside or outside the city and to regulate the use thereof, and for such  
 295 purposes, property may be condemned under procedures established under general law  
 296 applicable now or as provided in the future.

297 **SECTION 2.18.**

298 Organizational meetings.

299 The city council shall hold an organizational meeting on the first business day in January  
 300 following each election year for members of the city council. The meeting shall be called  
 301 to order by the city clerk, and the oath of office shall be administered to the newly elected  
 302 members by a judicial officer authorized to administer oaths and shall, to the extent that it  
 303 comports with federal and state law, be as follows:

304 "I do solemnly (swear)(affirm) that I will faithfully perform the duties of  
 305 (mayor)(councilmember) of this city and that I will support and defend the charter thereof  
 306 as well as the constitution and laws of the State of Georgia and of the United States of  
 307 America. I am not the holder of any unaccounted for public money due this state or any  
 308 political subdivision or authority thereof. I am not the holder of any office of trust under  
 309 the government of the United States, any other state, or any foreign state which I by the  
 310 laws of the State of Georgia am prohibited from holding. I am otherwise qualified to hold  
 311 such office according to the Constitution and laws of Georgia. I have been a resident of  
 312 my district and the City of Skidaway Island for the time required by the Constitution and  
 313 laws of this state and by the municipal charter. I will perform the duties of my office in the  
 314 best interest of the City of Skidaway Island to the best of my ability without fear, favor,  
 315 affection, reward, or expectation thereof."

316 **SECTION 2.19.**

317 Regular and special meetings.

318 (a) The city council shall hold not less than 12 regular meetings each year at such times and  
 319 places as shall be prescribed by ordinance.

320 (b) Special meetings of the city council may be held on call of the mayor or two members  
 321 of the city council. Notice of such special meetings shall be served on all other members  
 322 personally, or by telephone personally, at least 48 hours in advance of the meeting. Such

323 notice to such members shall not be required if the mayor and all councilmembers are present  
 324 when the special meeting is called. Such notice of any special meeting may be waived by  
 325 the mayor or a councilmember in writing before or after such a meeting, and attendance at  
 326 the meeting shall also constitute a waiver of notice on any business transacted in such  
 327 councilmember's presence. Only the business stated in the call may be transacted at the  
 328 special meeting, and no other business may be transacted at such meeting.

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

333 **SECTION 2.20.**

334 Rules of procedure.

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

338 (b) All committees and committee chairs and officers of the city council shall be appointed  
 339 by the city council and shall serve at the pleasure of the city council. The city council shall  
 340 have the power to appoint new members to any committee at any time.

341 **SECTION 2.21.**

342 Quorum: voting

343 (a) A majority of councilmembers shall constitute a quorum and shall be authorized to  
 344 transact business of the city council. Voting on the adoption of ordinances shall be by voice  
 345 vote and the vote shall be recorded in the journal, but any member of the city council shall  
 346 have the right to request a roll call vote and such vote shall be recorded in the journal.  
 347 Except as otherwise provided in this charter, the affirmative vote of a majority of  
 348 councilmembers present shall be required for the adoption of any ordinance, resolution, or  
 349 motion.

350 (b) No member of the city council shall abstain from voting on any matter properly brought  
 351 before the city council for official action except when such councilmember has a conflict of  
 352 interest which is disclosed in writing prior to or at the meeting and made a part of the  
 353 minutes. Any member of the city council present and eligible to vote on a matter and  
 354 refusing to do so for any reason other than a properly disclosed and recorded conflict of

355 interest shall be deemed to have acquiesced or concurred with the members of the majority  
 356 who did vote on the question involved.

357 **SECTION 2.22.**

358 Ordinance form; procedures.

359 (a) Every proposed ordinance shall be introduced in writing and in the form required for  
 360 final adoption. No ordinance shall contain a subject which is not expressed in its title. The  
 361 enacting clause shall be "It is hereby ordained by the governing authority of the City of  
 362 Skidaway Island" and every ordinance shall so begin.

363 (b) An ordinance may be introduced by any councilmember and be read at a regular or  
 364 special meeting of the city council. Ordinances shall be considered and adopted or rejected  
 365 by the city council in accordance with the rules which it shall establish; provided, however,  
 366 that an ordinance shall not be adopted the same day it is introduced, except for emergency  
 367 ordinances provided in Section 2.24 of this charter. Upon introduction of any ordinance, the  
 368 clerk shall as soon as possible distribute a copy to the mayor and to each councilmember and  
 369 shall file a reasonable number of copies in the office of the clerk and at such other public  
 370 places as the city council may designate.

371 (c) Each ordinance shall contain only one subject which shall be expressed in its title;  
 372 provided, however, that appropriation ordinances may contain the various subjects, accounts,  
 373 and amounts for which moneys are appropriated and that ordinances which are codified or  
 374 recodified are not subject to the limitations of containing one subject.

375 **SECTION 2.23.**

376 Action requiring an ordinance.

377 Actions of the city council which have the force and effect of law shall be enacted by  
 378 ordinance. Every action of a general or permanent nature, including, but not limited to,  
 379 granting a franchise, levying a tax, appropriating money, contracting indebtedness to be  
 380 evidenced by the issuance of bonds or notes, for the purchase, lease, sale, or transfer of real  
 381 property or for establishing an offense and fixing the penalty therefor shall be taken by  
 382 ordinance in the manner provided in this charter.

383

**SECTION 2.24.**

384

## Emergencies.

385 (a) To meet a public emergency affecting life, health, property, or public peace, the city  
 386 council may convene on call of the mayor or two councilmembers and promptly adopt an  
 387 emergency ordinance, but such ordinance may not levy taxes; grant, renew, or extend a  
 388 franchise; regulate the rate charged by any public utility for its services; or authorize the  
 389 borrowing of money except for loans to be repaid within 30 days. An emergency ordinance  
 390 shall be introduced in the form prescribed for ordinances generally, except that it shall be  
 391 plainly designated as an emergency ordinance and shall contain, after the enacting clause,  
 392 a declaration stating that an emergency exists and describing the emergency in clear and  
 393 specific terms. An emergency ordinance may be adopted, with or without amendment, or  
 394 rejected at the meeting at which it is introduced, but the affirmative vote of at least a majority  
 395 of councilmembers present shall be required for adoption. It shall become effective upon  
 396 adoption or at such later time as it may specify. Every emergency ordinance shall  
 397 automatically stand repealed 30 days following the date upon which it was adopted, but this  
 398 shall not prevent reenactment of the ordinance in the manner specified in this section if the  
 399 emergency still exists. An emergency ordinance may also be repealed by adoption of a  
 400 repealing ordinance in the same manner specified in this section for adoption of emergency  
 401 ordinances.

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

406

**SECTION 2.25.**

407

## Codes of technical regulations.

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

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

418 **SECTION 2.26.**

419 Signing; authenticating; recording; codification; printing.

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

422 (b) The city council shall provide for the preparation of a general codification of all the  
423 ordinances of the city having the force and effect of law. The general codification shall be  
424 adopted by the city council by ordinance and shall be published promptly, together with all  
425 amendments thereto and such codes of technical regulations and other rules and regulations  
426 as the city council may specify. This compilation shall be known and cited officially as "The  
427 Code of the City of Skidaway Island, Georgia." Copies of the code shall be furnished to all  
428 officers, departments, and agencies of the city and shall be made available for purchase by  
429 the public at a reasonable price as fixed by the city council.

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

439 **SECTION 2.27.**

440 City manager; appointment; qualifications; compensation.

441 The city council shall appoint a city manager for an indefinite term and shall fix the city  
442 manager's compensation. The city manager shall be appointed solely on the basis of  
443 executive and administrative qualifications.

444

**SECTION 2.28.**

445

Removal of city manager.

446

The city manager is employed at will and may be summarily removed from office at any time

447

by the city council.

448

**SECTION 2.29.**

449

Acting city manager.

450

By letter filed with the city clerk, the city manager shall designate, subject to approval of the

451

city council, a qualified city administrative officer to exercise the powers and perform the

452

duties of the city manager during the city manager's temporary absence or physical or mental

453

disability. During such absence or disability, the city council may revoke such designation

454

at any time and appoint another officer of the city to serve until the city manager shall return

455

or the city manager's disability shall cease.

456

**SECTION 2.30.**

457

Powers and duties of the city manager.

458

The city manager shall be the chief administrative officer of the city. The city manager shall

459

be responsible to the city council for the administration of all city affairs placed in the city

460

manager's charge by or under this charter. As the chief administrative officer, the city

461

manager shall:

462

(1) Appoint and, when the city manager deems it necessary for the good of the city,

463

suspend or remove any city employee and administrative officer that the city manager

464

appoints, except as otherwise provided by law or personnel ordinances adopted pursuant

465

to this charter. The city manager may authorize any administrative officer who is subject

466

to the city manager's direction and supervision to exercise these powers with respect to

467

subordinates in that officer's department, office, or agency;

468

(2) Direct and supervise the administration of all departments, offices, and agencies of the

469

city, except as otherwise provided by this charter or by law;

470

(3) Attend all city council meetings except for closed meetings held for the purposes of

471

deliberating on the appointment, discipline, or removal of the city manager and have the

472

right to take part in discussion but not vote;

473

(4) See that all laws, provisions of this charter, and acts of the city council, subject to

474

enforcement by the city manager or by officers subject to the city manager's direction and

475

supervision, are faithfully executed;

- 476 (5) Prepare and submit the annual operating budget and capital budget to the city council;  
 477 (6) Submit to the city council and make available to the public a complete report on the  
 478 finances and administrative activities of the city as of the end of each fiscal year;  
 479 (7) Fulfill state reporting requirements of Code Section 36-80-16 of the O.C.G.A., the  
 480 "Local Government Authorities Registration Act"; the Department of Community Affairs  
 481 local planning requirements for "Qualified Local Government" (QLG) status; and the  
 482 requirements of Article 2 of Chapter 70 of Title 36 of the O.C.G.A., regarding service  
 483 delivery;  
 484 (8) Make such other reports as the city council may require concerning the operations of  
 485 city departments, offices, and agencies subject to the city manager's direction and  
 486 supervision;  
 487 (9) Keep the city council fully advised as to the financial condition and future needs of the  
 488 city and make such recommendations to the city council concerning the affairs of the city  
 489 as the city manager deems desirable; and  
 490 (10) Perform other such duties as are specified in this charter or as may be required by the  
 491 city council.

492 **SECTION 2.31.**

493 Council interference with administration.

494 Except for the purpose of inquiries and investigations under Section 2.15 of this charter, the  
 495 city council or its members shall deal with city officers and employees who are subject to the  
 496 direction and supervision of the city manager solely through the city manager, and neither  
 497 the city council nor its members shall give orders to any such officer or employee, either  
 498 publicly or privately.

499 **SECTION 2.32.**

500 Selection of mayor and mayor pro tem.

501 In accordance with the alternating election cycle for terms of office in subsection (b) of  
 502 Section 5.11 of this charter, except as otherwise provided in this charter, at each regular  
 503 election where the mayor is to be elected, the voters of the city shall elect a mayor at large  
 504 for a term of four years. At the first organizational meeting in July, 2019, and thereafter at  
 505 the beginning of each even-numbered year, beginning in 2020, the city council shall elect  
 506 from among its members a mayor pro tem who shall act as mayor during the absence or  
 507 disability of the mayor, but shall only have one vote on matters before the city council, and,



508 if a vacancy occurs, the mayor pro tem shall become mayor for the remainder of the expired  
509 term.

510 **SECTION 2.33.**

511 Powers and duties of mayor.

512 The mayor shall:

- 513 (1) Preside at all meetings of the city council;  
514 (2) Be the head of the city for the purpose of service of process and for ceremonial  
515 purposes and be the official spokesperson for the city and the chief advocate of policy;  
516 (3) Have power to administer oaths and to take affidavits; and  
517 (4) Sign as a matter of course on behalf of the city all written and approved contracts,  
518 ordinances, and other instruments executed by the city which by law are required to be in  
519 writing.

520 **SECTION 2.34.**

521 Position of mayor pro tem.

522 During the absence or physical or mental disability of the mayor for any reason, the mayor  
523 pro tem, or in the mayor pro tem's absence or disability for any reason, any one of the  
524 councilmembers chosen by a majority vote of the city council, shall be clothed with all the  
525 rights and privileges of the mayor and shall perform the duties of the office of the mayor so  
526 long as such absence or disability shall continue. Any such absence or disability shall be  
527 declared by majority vote of all councilmembers. The mayor pro tem or selected  
528 councilmember shall sign all contracts and ordinances in which the mayor has a disqualifying  
529 financial interest as provided in Section 2.14 of this charter. When acting as mayor, the  
530 mayor pro tem shall continue to have only one vote as a member of the council.

531 **ARTICLE III**

532 **ADMINISTRATIVE STRUCTURE**

533 **SECTION 3.10.**

534 Administrative and service departments.

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

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

542 (c) All appointive officers and directors of departments shall receive such compensation as  
543 prescribed by ordinance or resolution.

544 (d) There may be a director of each department or agency who shall be its principal officer.  
545 Each director shall, subject to the direction and supervision of the city manager, be  
546 responsible for the administration and direction of the affairs and operations of that director's  
547 department or agency.

548 (e) All appointive officers and directors under the supervision of the city manager shall be  
549 appointed by the city manager. All appointive officers and directors shall be employees at  
550 will and subject to removal or suspension at any time by the city manager unless otherwise  
551 provided by law or ordinance.

552 **SECTION 3.11.**

553 Consolidation of functions.

554 The city manager may consolidate any two or more positions or functions or may assign the  
555 functions of any one or more positions to the holder or holders of any other positions. The  
556 city manager may also perform all or part of the functions of any of the positions or offices  
557 in lieu of the appointment of other persons to perform the same.

558 **SECTION 3.12.**

559 Boards, commissions, and authorities.

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

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

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

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

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

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

579 (g) All board members serve at-will and may be removed at any time by a vote of three  
580 members of the city council unless otherwise provided by law.

581 (h) Except as otherwise provided by this charter or by law, each board, commission, or  
582 authority of the city shall elect one of its members as chairperson and one member as  
583 vice-chairperson and may elect as its secretary one of its own members or may appoint as  
584 secretary an employee of the city. Each board, commission, or authority of the city  
585 government may establish such bylaws, rules, and regulations, not inconsistent with this  
586 charter, ordinances of the city, or law, as it deems appropriate and necessary for the  
587 fulfillment of its duties or the conduct of its affairs. Approval of such bylaws, rules, and  
588 regulations shall be authorized by the affirmative vote of city council. Copies of such  
589 bylaws, rules, and regulations shall be filed with the city clerk.

590

### **SECTION 3.13.**

591

City attorney.

592 The city council shall appoint a city attorney, together with such assistant city attorneys as  
593 may be authorized, and shall provide for the payment of such attorney or attorneys for  
594 services rendered to the city. The city attorney shall be responsible for providing for the  
595 representation and defense of the city in all litigation in which the city is a party; may be the  
596 prosecuting officer in the municipal court; shall attend the meetings of the council as  
597 directed; shall advise the city council, mayor, and other officers and employees of the city  
598 concerning legal aspects of the city's affairs; and shall perform such other duties as may be  
599 required by virtue of the person's position as city attorney. The city attorney shall not be a  
600 public official of the city and shall not take an oath of office. The city attorney shall at all  
601 times be an independent contractor. A law firm, rather than an individual, may be designated  
602 as the city attorney.

603 **SECTION 3.14.**

604 City clerk.

605 The city council shall appoint a city clerk who shall not be a councilmember. The city clerk  
606 shall be custodian of the official city seal and city records; maintain city council records  
607 required by this charter; and perform such other duties as may be required by the city  
608 council.

609 **SECTION 3.15.**

610 Position classification and pay plans.

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

617 **ARTICLE IV**  
618 **JUDICIAL BRANCH**  
619 **SECTION 4.10.**  
620 Creation; name.

621 There shall be a court to be known as the Municipal Court of the City of Skidaway Island.

622 **SECTION 4.11.**

623 Chief judge; associate judge.

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

626 (b) No person shall be qualified or eligible to serve as a judge on the municipal court unless  
627 that person shall have attained the age of 21 years, shall be a member of the State Bar of  
628 Georgia, and shall possess all qualifications required by law. All judges shall be appointed  
629 by the city council and shall serve until a successor is appointed and qualified.

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

631 (d) Judges serve at-will and may be removed from office at any time by the city council  
632 unless otherwise provided by ordinance.

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

637 **SECTION 4.12.**

638 Convening.

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

640 **SECTION 4.13.**

641 Jurisdiction; powers.

642 (a) The municipal court shall have jurisdiction and authority to try and punish violations of  
 643 this charter, all city ordinances, and such other violations as provided by law.

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

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

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

652 (e) The municipal court shall have authority to establish bail and recognizances to ensure  
 653 the presence of those charged with violations before such court and shall have discretionary  
 654 authority to accept cash or personal or real property as surety for the appearance of persons  
 655 charged with violations. Whenever any person shall give bail for that person's appearance  
 656 and shall fail to appear at the time fixed for trial, the bond shall be forfeited by the judge  
 657 presiding at such time and an execution issued thereon by serving the defendant and the  
 658 defendant's sureties with a rule nisi at least two days before a hearing on the rule nisi. In the  
 659 event that cash or property is accepted in lieu of bond for security for the appearance of a  
 660 defendant at trial, and if such defendant fails to appear at the time and place fixed for trial,  
 661 the cash so deposited shall be on order of the judge declared forfeited to the city, or the  
 662 property so deposited shall have a lien against it for the value forfeited, which lien shall be  
 663 enforceable in the same manner and to the same extent as a lien for city property taxes.

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

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

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

674 **SECTION 4.14.**

675 Certiorari.

676 The right of certiorari from the decision and judgment of the municipal court shall exist in  
 677 all criminal cases and ordinance violation cases, and such certiorari shall be obtained under  
 678 the sanction of a judge of the Superior Court of Chatham County under the laws of the State  
 679 of Georgia regulating the granting and issuance of writs of certiorari.

680 **SECTION 4.15.**

681 Rules for court.

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

689 **ARTICLE V**

690 **ELECTIONS AND REMOVAL**

691 **SECTION 5.10.**

692 Applicability of general law.

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

695

**SECTION 5.11.**

696

Election of the city council.

697 (a) There shall be a municipal general election every odd-numbered year on the Tuesday  
698 next following the first Monday in November, beginning in 2021.

699 (b) There shall be elected two councilmembers and a mayor at one election and at every  
700 other regular election thereafter. The two remaining city council seats shall be filled at the  
701 election alternating with the first election so that a continuing body is created. Terms of  
702 office shall be for four years and until their respective successors are elected and qualified.

703 (c) When qualifying to seek election to the city council, the individual qualifying shall  
704 specify the position for which he or she is offering for election. Members of the city council  
705 shall be elected by the voters of their respective districts, and the mayor shall be elected by  
706 the voters of the city at-large.

707 (d) In the initial election under this charter to be held on the third Tuesday in March, 2019,  
708 the mayor and four council posts shall be filled. The initial terms of office for those  
709 individuals elected to the positions of mayor and Council Districts 1 and 2 shall take office  
710 immediately upon the certification of the results of such initial election and shall serve until  
711 December 31, 2023, and until their respective successors are elected and qualified. The  
712 individuals elected to Council Districts 3 and 4 shall take office immediately upon the  
713 certification of the results of such initial election and shall serve until December 31, 2021,  
714 and until their respective successors are elected and qualified. Thereafter, all members of the  
715 city council shall be elected in November immediately preceding the end of their respective  
716 terms of office and shall take office on January 1 immediately following such election for  
717 terms of office of four years and until their respective successors are elected and qualified.

718 (e) City council members, other than the mayor, shall be limited to three consecutive  
719 four-year terms of office as members of the city council. The mayor shall be limited to two  
720 consecutive four-year terms of office as mayor. The initial terms of office under  
721 subsection (d) of this section of less than four years and partial terms of office shall not be  
722 counted toward this number.

723

**SECTION 5.12.**

724

Nonpartisan elections.

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

727 **SECTION 5.13.**

728 Election by plurality.

729 The candidate receiving the highest number of votes cast for the council seat for which he  
730 or she is offering for election shall be elected, and the candidate receiving the highest number  
731 of votes cast for the office of mayor shall be elected.

732 **SECTION 5.14.**

733 Special elections; vacancies.

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

741 **SECTION 5.15.**

742 Other provisions.

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

746 **SECTION 5.16.**

747 Removal of officers.

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

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

753 (1) Following a hearing at which an impartial panel shall render a decision. In the event  
754 an elected officer is sought to be removed by the action of the city council, such officer  
755 shall be entitled to a written notice specifying the ground or grounds for removal and to a  
756 public hearing which shall be held not less than ten days after the service of such written



757 notice. The city council shall provide by ordinance for the manner in which such hearings  
 758 shall be held. Any elected officer sought to be removed from office as provided in this  
 759 paragraph shall have the right of appeal from the decision of the city council to the  
 760 Superior Court of Chatham County. Such appeal shall be governed by the same rules as  
 761 govern appeals to the superior court from the probate court; or

762 (2) By an order of the Superior Court of Chatham County following a hearing on a  
 763 complaint seeking such removal brought by any resident of the City of Skidaway Island.

764 **ARTICLE VI**  
 765 **FINANCE**  
 766 **SECTION 6.10.**  
 767 **Property tax.**

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

774 **SECTION 6.11.**  
 775 **Millage rate; due dates; payment methods.**

776 The city council, by ordinance, shall establish a millage rate for the city property tax, not to  
 777 exceed 4.13 mills, a due date, and the time period within which these taxes shall be paid.  
 778 The city council, by ordinance, may provide for the payment of these taxes by two  
 779 installments or in one lump sum, as well as authorize the voluntary payment of taxes prior  
 780 to the time when due.

781 **SECTION 6.12.**  
 782 **Occupation and business taxes.**

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

787

**SECTION 6.13.**

788

Regulatory fees; permits.

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

794

**SECTION 6.14.**

795

Franchises.

796 (a) The city council shall have the power to grant franchises for the use of the city's streets  
 797 and alleys for the purposes of railroads, street railways, telephone companies, electric  
 798 companies, electric membership corporations, cable television and other telecommunications  
 799 companies, gas companies, transportation companies, and other similar organizations. The  
 800 city council shall determine the duration, terms, whether the same shall be exclusive or  
 801 nonexclusive, and the consideration for such franchises; provided, however, that no franchise  
 802 shall be granted for a period in excess of 35 years and no franchise shall be granted unless  
 803 the city receives just and adequate compensation therefor. The city council shall provide for  
 804 the registration of all franchises with the city clerk in a registration book kept by the city  
 805 clerk.

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

811

**SECTION 6.15.**

812

Service charges.

813 The city council by ordinance shall have the power to assess and collect fees, charges,  
 814 assessments, and tolls for sewers, sanitary and health services, or any other services provided  
 815 or made available within and without the corporate limits of the city. If unpaid, such charges  
 816 shall be collected as provided in Section 6.18 of this charter.

817 **SECTION 6.16.**

818 Special assessments.

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

823 **SECTION 6.17.**

824 Construction; other taxes and fees.

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

828 **SECTION 6.18.**

829 Collection of delinquent taxes and fees.

830 The city council, by ordinance, may provide generally for the collection of delinquent taxes,  
 831 fees, or other revenue due the city under Sections 6.10 through 6.17 of this charter by  
 832 whatever reasonable means as are not precluded by law. This shall include providing for the  
 833 dates when the taxes or fees are due; late penalties or interest; issuance and execution of  
 834 fi.fa.'s; creation and priority of liens; making delinquent taxes and fees personal debts of the  
 835 persons required to pay the taxes or fees imposed; revoking city permits for failure to pay any  
 836 city taxes or fees; and providing for the assignment or transfer of tax executions.

837 **SECTION 6.19.**

838 General obligation bonds.

839 The city council shall have the power to issue bonds for the purpose of raising revenue to  
 840 carry out any project, program, or venture authorized under this charter or the laws of the  
 841 state. Such bonding authority shall be exercised in accordance with the laws governing bond  
 842 issuance by municipalities in effect at the time such issue is undertaken.

843 **SECTION 6.20.**

844 Revenue bonds.

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

848 **SECTION 6.21.**

849 Short-term loans.

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

852 **SECTION 6.22.**

853 Lease-purchase contracts.

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

861 **SECTION 6.23.**

862 Fiscal year.

863 The city fiscal year shall be set as January 1 through December 31. This fiscal year shall  
864 constitute the budget year and the year for financial accounting and reporting of each and  
865 every office, department, agency, and activity of the city government unless otherwise  
866 provided by state or federal law.

867

**SECTION 6.24.**

868

Preparation of budgets.

869

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871

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

872

**SECTION 6.25.**

873

Submission of operating budget to city council.

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On or before a date fixed by the city council but not later than 90 days prior to the beginning of each fiscal year, the city manager shall submit to the city council a proposed operating budget for the ensuing fiscal year. The budget shall be accompanied by a message from the city manager containing a statement of the general fiscal policies of the city, the important features of the budget, explanations of major changes recommended for the next fiscal year, a general summary of the budget, and such other pertinent comments and information. The operating budget and the capital budget hereinafter provided for, the budget message, and all supporting documents shall be filed in the office of the city clerk and shall be open to public inspection.

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**SECTION 6.26.**

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Action by city council on budget.

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

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

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

903 **SECTION 6.27.**

904 Tax levies.

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

911 **SECTION 6.28.**

912 Changes in appropriations.

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

917 **SECTION 6.29.**

918 Capital budget.

919 (a) On or before the date fixed by the city council but no later than 90 days prior to the  
 920 beginning of each fiscal year, the city manager shall submit to the city council a proposed  
 921 capital improvements plan with a recommended capital budget containing the means of  
 922 financing the improvements proposed for the ensuing fiscal year. The city council shall have  
 923 power to accept, with or without amendments, or reject the proposed plan and proposed  
 924 budget. The city council shall not authorize an expenditure for the construction of any  
 925 building, structure, work, or improvement, unless the appropriations for such project are  
 926 included in the capital budget, except to meet a public emergency as provided in Section 2.24  
 927 of this charter.

928 (b) The city council shall adopt by ordinance the final capital budget for the ensuing fiscal  
 929 year not later than the twentieth day of December of each year. No appropriation provided

930 for in a prior capital budget shall lapse until the purpose for which the appropriation was  
 931 made shall have been accomplished or abandoned; provided, however, that the city manager  
 932 may submit amendments to the capital budget at any time during the fiscal year,  
 933 accompanied by recommendations. Any such amendments to the capital budget shall  
 934 become effective only upon adoption by ordinance.

935 **SECTION 6.30.**

936 Independent audit.

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

942 **SECTION 6.31.**

943 Contracting procedures.

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

- 945 (1) It is in writing;
- 946 (2) It is drawn by or submitted to and reviewed by the city attorney, and as a matter of  
 947 course, is signed by the city attorney to indicate such drafting or review; and
- 948 (3) It is made or authorized by the city council and such approval is entered in the city  
 949 council journal of proceedings pursuant to Section 2.21 of this charter.

950 **SECTION 6.32.**

951 Centralized purchasing.

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

954 **SECTION 6.33.**

955 Sale and lease of city property.

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

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

962 (c) Whenever in opening, extending, or widening any street, avenue, alley, or public place  
 963 of the city, a small parcel or tract of land is cutoff or separated by such work from a larger  
 964 tract or boundary of land owned by the city, the city council may authorize the city manager  
 965 to sell and convey said cut-off or separated parcel or tract of land to an abutting or adjoining  
 966 property owner or owners where such sale and conveyance facilitates the enjoyment of the  
 967 highest and best use of the abutting owner's property. Included in the sales contract shall be  
 968 a provision for the rights-of-way of said street, avenue, alley, or public place. Each abutting  
 969 property owner shall be notified of the availability of the property and given the opportunity  
 970 to purchase said property under such terms and conditions as set out by ordinance. All deeds  
 971 and conveyances heretofore and hereafter so executed and delivered shall convey all title and  
 972 interest the city has in such property, notwithstanding the fact that no public sale after  
 973 advertisement was or is hereafter made.

974 **ARTICLE VII**  
 975 **GENERAL PROVISIONS**  
 976 **SECTION 7.10.**  
 977 **Bonds for officials.**

978 The officers and employees of the city, both elective and appointive, shall execute such  
 979 surety or fidelity bonds in such amounts and upon such terms and conditions as the city  
 980 council shall from time to time require by ordinance or as may be provided by law.

981 **SECTION 7.11.**  
 982 **Construction.**

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

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

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



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**ARTICLE VIII**  
**HOMESTEAD EXEMPTIONS**  
**SECTION 8.10.**  
General homestead exemption.

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

993 (1) "Ad valorem taxes for municipal purposes" means all ad valorem taxes for municipal  
994 purposes levied by, for, or on behalf of the City of Skidaway Island, except for any ad  
995 valorem taxes to pay interest on and to retire municipal bonded indebtedness.

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

998 (b) Each resident of the City of Skidaway Island is granted an exemption on that person's  
999 homestead from City of Skidaway Island ad valorem taxes for municipal purposes in the  
1000 amount of the assessed value of that homestead. The value of that property in excess of such  
1001 exempted amount shall remain subject to taxation.

1002 (c) Any person who as of January 1, 2018, has applied for and is eligible for the \$2,000.00  
1003 exemption from county ad valorem taxation provided in Code Section 48-5-44 of the  
1004 O.C.G.A. shall be eligible for the exemption provided for by subsection (b) of this section  
1005 without applying therefor. Thereafter, a person shall not receive the homestead exemption  
1006 granted by subsection (b) of this section unless such person or person's agent files an  
1007 application with the governing authority of the City of Skidaway Island, or the designee  
1008 thereof, giving such information relative to receiving such exemption as will enable the  
1009 governing authority of the City of Skidaway Island, or the designee thereof, to make a  
1010 determination regarding the initial and continuing eligibility of such person for such  
1011 exemption. The governing authority of the City of Skidaway Island, or the designee thereof,  
1012 shall provide application forms for this purpose.

1013 (d) The exemption shall be claimed and returned as provided in Code Section 48-5-50.1 of  
1014 the O.C.G.A., as amended. The exemption shall be automatically renewed from year to year  
1015 as long as the person granted the homestead exemption under subsection (b) of this section  
1016 occupies the residence as a homestead. After a person has filed the proper application as  
1017 provided in subsection (c) of this section, it shall not be necessary to make application  
1018 thereafter for any year, and the exemption shall continue to be allowed to such person. It  
1019 shall be the duty of any person granted the homestead exemption under subsection (b) of this  
1020 section to notify the governing authority of the City of Skidaway Island, or the designee  
1021 thereof, in the event that person for any reason becomes ineligible for such exemption.

1022 (e) The exemption granted by subsection (b) of this section shall not apply to or affect any  
1023 state ad valorem taxes, county ad valorem taxes for county purposes, or county or

1024 independent school district ad valorem taxes for educational purposes. The homestead  
 1025 exemption granted by subsection (b) of this section shall be in lieu of and not in addition to  
 1026 any other homestead exemption applicable to City of Skidaway Island ad valorem taxes for  
 1027 municipal purposes.

1028 (f) The exemption granted by subsection (b) of this section shall apply to all taxable years  
 1029 beginning on or after July 1, 2019.

### 1030 **SECTION 8.11.**

#### 1031 Homestead exemption; senior citizen; disabled.

1032 (a) As used in this section , the term:

1033 (1) "Ad valorem taxes for municipal purposes" means all ad valorem taxes for municipal  
 1034 purposes levied by, for, or on behalf of the City of Skidaway Island, including, but not  
 1035 limited to, any ad valorem taxes to pay interest on and to retire municipal bonded  
 1036 indebtedness.

1037 (2) "Homestead" means homestead as defined and qualified in Code Section 48-5-40 of  
 1038 the O.C.G.A., as amended.

1039 (3) "Income" means Georgia taxable net income determined pursuant to Chapter 7 of Title  
 1040 48 of the O.C.G.A., as amended, for state income tax purposes, except such term shall not  
 1041 include income received as retirement, survivor, or disability benefits under the federal  
 1042 Social Security Act or under any other public or private retirement, disability, or pension  
 1043 system, except such income which is in excess of the maximum amount authorized to be  
 1044 paid to an individual and such individual's spouse under the federal Social Security Act.  
 1045 Income from such sources in excess of such maximum amount shall be included as income  
 1046 for the purposes of this Act.

1047 (4) "Senior citizen" means a person who is 65 years of age or older on or before January 1  
 1048 of the year in which application for the exemption under subsection (b) of this section is  
 1049 made.

1050 (b) Each resident of the City of Skidaway Island who is disabled or who is a senior citizen  
 1051 is granted an exemption on that person's homestead from City of Skidaway Island ad valorem  
 1052 taxes for municipal purposes in the amount of \$14,000.00 of the assessed value of that  
 1053 homestead. The exemption under this subsection shall only be granted if that person's  
 1054 income, together with the income of the spouse who also occupies and resides at such  
 1055 homestead, does not exceed \$15,000.00 for the immediately preceding year. The value of  
 1056 that property in excess of such exempted amount shall remain subject to taxation.

1057 (c)(1) In order to qualify for the exemption provided for in subsection (b) of this section  
 1058 as being disabled, the person claiming such exemption shall be required to obtain a

1059 certificate from not more than three physicians licensed to practice medicine under Chapter  
 1060 34 of Title 43 of the O.C.G.A., as amended, certifying that in the opinion of such physician  
 1061 or physicians, such person is mentally or physically incapacitated to the extent that such  
 1062 person is unable to be gainfully employed and that such incapacity is likely to be  
 1063 permanent. Such certificate or certificates shall constitute part of and be submitted with  
 1064 the application provided for in paragraph (2) of this subsection.

1065 (2) A person shall not receive the homestead exemption granted by subsection (b) of this  
 1066 section unless such person or person's agent files an application with the governing  
 1067 authority of the City of Skidaway Island, or the designee thereof, giving the person's age,  
 1068 income, and such additional information relative to receiving such exemption as will enable  
 1069 the governing authority of the City of Skidaway Island, or the designee thereof, to make  
 1070 a determination regarding the initial and continuing eligibility of such person for such  
 1071 exemption. The governing authority of the City of Skidaway Island, or the designee  
 1072 thereof, shall provide application forms for this purpose.

1073 (d) The exemption shall be claimed and returned as provided in Code Section 48-5-50.1 of  
 1074 the O.C.G.A., as amended. The exemption shall be automatically renewed from year to year  
 1075 as long as the person granted the homestead exemption under subsection (b) of this section  
 1076 occupies the residence as a homestead. After a person has filed the proper application, as  
 1077 provided in subsection (c) of this section, it shall not be necessary to make application  
 1078 thereafter for any year, and the exemption shall continue to be allowed to such person. It  
 1079 shall be the duty of any person granted the homestead exemption under subsection (b) of this  
 1080 section to notify the governing authority of the City of Skidaway Island, or the designee  
 1081 thereof, in the event that person for any reason becomes ineligible for such exemption.

1082 (e) The exemption granted by subsection (b) of this section shall not apply to or affect any  
 1083 state ad valorem taxes, county ad valorem taxes for county purposes, or county or  
 1084 independent school district ad valorem taxes for educational purposes. The homestead  
 1085 exemption granted by subsection (b) of this section shall be in addition to and not in lieu of  
 1086 any other homestead exemption applicable to City of Skidaway Island ad valorem taxes for  
 1087 municipal purposes.

1088 (f) The exemption granted by subsection (b) of this section shall apply to all taxable years  
 1089 beginning on or after July 1, 2019.

## 1090 **SECTION 8.12.**

1091 Homestead exemption; base year.

1092 (a) As used in this Act, the term:

- 1093 (1) "Ad valorem taxes for municipal purposes" means all municipal ad valorem taxes for  
1094 municipal purposes levied by, for, or on behalf of the City of Skidaway Island, except for  
1095 any ad valorem taxes to pay interest on and to retire municipal bonded indebtedness.
- 1096 (2) "Base year" means the taxable year immediately preceding the taxable year in which  
1097 the exemption under subsection (b) of this section is first granted to the most recent owner  
1098 of such homestead, provided that, for any resident who is receiving a base year homestead  
1099 exemption from Chatham County taxes on January 1, 2019, the base year for such Chatham  
1100 County base year homestead exemption shall be the base year for the exemption under  
1101 subsection (b) of this section until such resident becomes ineligible for such exemption  
1102 under this section.
- 1103 (3) "Homestead" means homestead as defined and qualified in Code Section 48-5-40 of  
1104 the O.C.G.A., as amended, with the additional qualification that it shall include not more  
1105 than five contiguous acres of homestead property.
- 1106 (b) Each resident of the City of Skidaway Island is granted an exemption on that person's  
1107 homestead from City of Skidaway Island ad valorem taxes for municipal purposes in an  
1108 amount equal to the amount by which the current year assessed value of that homestead  
1109 exceeds the base year assessed value of that homestead. This exemption shall not apply to  
1110 taxes assessed on improvements to such homestead or additional land that is added to such  
1111 homestead after January 1 of the base year. If any real property is removed from such  
1112 homestead, the base year assessed value shall be adjusted to reflect such removal, and the  
1113 exemption shall be recalculated accordingly. The value of that property in excess of such  
1114 exempted amount shall remain subject to taxation.
- 1115 (c) The unremarried surviving spouse of a deceased spouse who had been granted the  
1116 exemption provided for in subsection (b) of this section shall continue to receive the  
1117 exemption provided under subsection (b) of this section so long as that unremarried surviving  
1118 spouse continues to occupy the home as a residence and homestead.
- 1119 (d) A person shall not receive the homestead exemption granted by subsection (b) of this  
1120 section unless such person or person's agent files an application with the governing authority  
1121 of the City of Skidaway Island, or the designee thereof, giving such information relative to  
1122 receiving such exemption as will enable the governing authority of the City of Skidaway  
1123 Island, or the designee thereof, to make a determination regarding the initial and continuing  
1124 eligibility of such person for such exemption. The governing authority of the City of  
1125 Skidaway Island, or the designee thereof, shall provide application forms for this purpose.
- 1126 (e) The exemption shall be claimed and returned as provided in Code Section 48-5-50.1 of  
1127 the O.C.G.A., as amended. The exemption shall be automatically renewed from year to year  
1128 as long as the person granted the homestead exemption under subsection (b) of this section  
1129 occupies the residence as a homestead. After a person has filed the proper application as

1130 provided in subsection (d) of this section, it shall not be necessary to make application  
 1131 thereafter for any year, and the exemption shall continue to be allowed to such person. It  
 1132 shall be the duty of any person granted the homestead exemption under subsection (b) of this  
 1133 section to notify the governing authority of the City of Skidaway Island, or the designee  
 1134 thereof, in the event that person for any reason becomes ineligible for such exemption.

1135 (f) The exemption granted by subsection (b) of this section shall not apply to or affect any  
 1136 state ad valorem taxes, county ad valorem taxes for county purposes, or county or  
 1137 independent school district ad valorem taxes for educational purposes. The homestead  
 1138 exemption granted by subsection (b) of this section shall be in addition to and not in lieu of  
 1139 any other homestead exemption applicable to City of Skidaway Island ad valorem taxes for  
 1140 municipal purposes.

1141 (g) The exemption granted by subsection (b) of this section shall apply to all taxable years  
 1142 beginning on or after July 1, 2019.

## 1143 ARTICLE IX

### 1144 REFERENDUM AND TRANSITION

#### 1145 SECTION 9.10.

#### 1146 Qualified electors.

1147 (a) For the purposes of the referendum election provided for in Section 9.11 of this charter  
 1148 and for the purposes of the special election to be held on the third Tuesday in March, 2019,  
 1149 the qualified electors of the City of Skidaway Island shall be those qualified electors of  
 1150 Chatham County residing within the corporate limits of the City of Skidaway Island as  
 1151 described by Section 1.11 of this charter. At subsequent municipal elections, the qualified  
 1152 electors of the City of Skidaway Island shall be determined pursuant to the authority of  
 1153 Chapter 2 of Title 21 of the O.C.G.A., the "Georgia Election Code."

1154 (b) Only for the purpose of holding and conducting the referendum election provided for by  
 1155 Section 9.11 of this charter and only for the purpose of holding and conducting the special  
 1156 election of the City of Skidaway Island to be held on the third Tuesday in March, 2019, the  
 1157 election superintendent of Chatham County is vested with the powers and duties of the  
 1158 election superintendent of the City of Skidaway Island and the powers and duties of the  
 1159 governing authority of the City of Skidaway Island.

1160 **SECTION 9.11.**

1161 Referendum.

1162 The election superintendent of Chatham County shall call a special election for the purpose  
 1163 of submitting this Act to the qualified voters of the proposed City of Skidaway Island, as  
 1164 provided in Section 9.10 of this charter, for approval or rejection. The superintendent shall  
 1165 set the date of such election for the date of the 2018 November general election. The  
 1166 superintendent shall issue the call for such election at least 60 days prior to the date thereof.  
 1167 The superintendent shall cause the date and purpose of the election to be published once a  
 1168 week for two weeks immediately preceding the date thereof in the official organ of Chatham  
 1169 County. The ballot shall have written or printed thereon the words:

1170 "( ) YES Shall the Act incorporating the City of Skidaway Island in Chatham County  
 1171 ( ) NO and granting the homestead exemptions described therein be approved?"

1172 All persons desiring to vote for approval of the Act shall vote "Yes," and those persons  
 1173 desiring to vote for rejection of the Act shall vote "No." If more than one-half of the votes  
 1174 cast on such question are for approval of the Act, it shall become of full force and effect as  
 1175 provided in Section 9.12 of this charter; otherwise, it shall thereafter be void and of no force  
 1176 and effect. The expense of the special election set forth in this section shall be borne by  
 1177 Chatham County. It shall be the duty of the superintendent to hold and conduct such  
 1178 election. It shall be his or her further duty to certify the result thereof to the Secretary of  
 1179 State.

1180 **SECTION 9.12.**

1181 Effective dates.

1182 (a) Sections 1.10 and 1.11 of this charter and those provisions of this charter necessary for  
 1183 the special election provided for in Section 9.11 of this charter shall become effective  
 1184 immediately upon its approval by the Governor or upon its becoming law without such  
 1185 approval.

1186 (b) Those provisions of this Act necessary for the special election to be held on the third  
 1187 Tuesday in March, 2019, shall be effective upon the certification of the results of the  
 1188 referendum election provided for by Section 9.11 of this charter, if this Act is approved at  
 1189 such referendum election.

1190 (c) The remaining provisions of this Act shall become of full force and effect for all  
 1191 purposes on July 1, 2019, except that the initial mayor and councilmembers shall take office  
 1192 immediately following their election and by action of a quorum may prior to July 1, 2019,  
 1193 meet and take actions binding on the city.

1194 **SECTION 9.13.**

1195 Transition.

1196 (a) A period of time will be needed for an orderly transition of various government functions  
 1197 from Chatham County to the City of Skidaway Island. Accordingly, there shall be a  
 1198 transition period beginning on July 1, 2019, and ending at midnight on the last day of the  
 1199 twenty-fourth month following such date. During such transition period, all provisions of  
 1200 this charter shall be effective as law, but not all provisions of this charter shall be  
 1201 implemented.

1202 (b) During such transition period, Chatham County shall continue to provide within the  
 1203 territorial limits of the City of Skidaway Island all government services and functions which  
 1204 Chatham County provided in that area during 2018 and at the same actual cost, except to the  
 1205 extent otherwise provided in this section; provided, however, that upon at least 30 days' prior  
 1206 written notice to Chatham County by the City of Skidaway Island, responsibility for any such  
 1207 service or function shall be transferred to the City of Skidaway Island. Beginning on July 1,  
 1208 2019, the City of Skidaway Island shall collect taxes, fees, assessments, fines and forfeitures,  
 1209 and other moneys within the territorial limits of the City of Skidaway Island; provided,  
 1210 however, that upon at least 30 days' prior written notice to Chatham County by the City of  
 1211 Skidaway Island, the authority to collect any tax, fee, assessment, fine or forfeiture, or other  
 1212 moneys shall remain with Chatham County after July 1, 2019, until such time as Chatham  
 1213 County receives subsequent notice from the City of Skidaway Island that such authority shall  
 1214 be transferred to the City of Skidaway Island.

1215 (c) During the transition period, the governing authority of the City of Skidaway Island:

- 1216 (1) Shall hold regular meetings and may hold special meetings as provided in this charter;  
 1217 (2) May enact ordinances and resolutions as provided in this charter;  
 1218 (3) May amend this charter by home rule action as provided by general law;  
 1219 (4) May accept gifts and grants;  
 1220 (5) May borrow money and incur indebtedness to the extent authorized by this charter and  
 1221 general law;  
 1222 (6) May levy and collect an ad valorem tax for calendar years 2019 and 2020;  
 1223 (7) May establish a fiscal year and budget;  
 1224 (8) May create, alter, or abolish departments, boards, offices, commissions, and agencies  
 1225 of the city; appoint and remove officers and employees; and exercise all necessary or  
 1226 appropriate personnel and management functions; and  
 1227 (9) May generally exercise any power granted by this charter or general law, except to the  
 1228 extent that a power is specifically and integrally related to the provision of a governmental  
 1229 service, function, or responsibility not yet provided or carried out by the city.

1230 (d) Except as otherwise provided in this section, during the transition period, the Municipal  
 1231 Court of the City of Skidaway Island shall not exercise its jurisdiction. During the transition  
 1232 period, all ordinances of Chatham County shall remain applicable within the territorial limits  
 1233 of the City of Skidaway Island and the appropriate court or courts of Chatham County shall  
 1234 retain jurisdiction to enforce such ordinances. However, by appropriate agreement (and  
 1235 concurrent resolutions and ordinances if needed) Chatham County and the City of Skidaway  
 1236 Island may during the transition period transfer all or part of such regulatory authority and  
 1237 the appropriate court jurisdiction to the City of Skidaway Island. Any transfer of jurisdiction  
 1238 to the City of Skidaway Island during or at the end of the transition period shall not in and  
 1239 of itself abate any judicial proceeding pending in Chatham County or the pending  
 1240 prosecution of any violation of any ordinance of Chatham County.

1241 (e) During the transition period, the governing authority of Skidaway Island may at any  
 1242 time, without the necessity of any agreement by Chatham County, commence to exercise its  
 1243 planning and zoning powers; provided, however, that the city shall give the county notice of  
 1244 the date on which the city will assume the exercise of such powers. Upon the governing  
 1245 authority of Skidaway Island commencing to exercise its planning and zoning powers, the  
 1246 Municipal Court of the City of Skidaway Island shall immediately have jurisdiction to  
 1247 enforce the planning and zoning ordinances of the city. The provisions of this subsection  
 1248 shall control over any conflicting provisions of any other subsection of this section.

1249 (f) Effective upon the termination of the transition period, subsections (b) through (e) of this  
 1250 section shall cease to apply except for the last sentence of subsection (d) which shall remain  
 1251 effective. Effective upon the termination of the transition period, the City of Skidaway  
 1252 Island shall be a full functioning municipal corporation and subject to all general laws of this  
 1253 state.

1254 **SECTION 9.14.**

1255 Directory nature of dates.

1256 It is the intention of the General Assembly that this Act be construed as directory rather than  
 1257 mandatory with respect to any date prescribed in this Act. If it is necessary to delay any  
 1258 action called for in this Act for providential cause or any other reason, it is the intention of  
 1259 the General Assembly that the action be delayed rather than abandoned. Any delay in  
 1260 performing any action under this Act, whether for cause or otherwise, shall not operate to  
 1261 frustrate the overall intent of this Act. Without limiting the generality of the foregoing it is  
 1262 specifically provided that:



1263 (1) If it is not possible to hold the referendum election provided for in Section 9.11 of this  
 1264 Act on the date specified in that section, then such referendum shall be held as soon  
 1265 thereafter as is reasonably practicable; and

1266 (2) If it is not possible to hold the first municipal election provided for in Section 2.11 of  
 1267 this Act on the date specified in that section, then there shall be a special election for the  
 1268 initial members of the governing authority to be held as soon thereafter as is reasonably  
 1269 practicable, and the commencement of the initial terms of office shall be delayed  
 1270 accordingly.

1271 **SECTION 9.15.**

1272 General repealer.

1273 All laws and parts of laws in conflict with this Act are repealed.

1274 APPENDIX A

1275 CORPORATE LIMITS

1276 CITY OF SKIDAWAY ISLAND

1277 The City of Skidaway Island shall include all the territory embraced within the following  
 1278 census blocks based upon the 2010 United States decennial census:

1279 Plan: skidaway-city-2017

1280 Plan Type: Local

1281 Administrator: H166

1282 User: Gina

1283 District SKIDAWAY

1284 Chatham County

1285 VTD: 0511-12

1286 011006:

1287 1004 1005

1288 VTD: 0514-12

1289 011005:

1290 3011 3062 3063 3064 3065 3068 3069 3073 3074 3075 3076 3077

1291 3079 3083

1292 011006:

1293 1000 1001 1002 1003 1007 1008 1009 1011 1038 1039 1040 2004

1294 2005 2007 2008 2009 2010 2011 2012 2014 2015 2017 2018 2019  
 1295 2020 2032 2033 2034  
 1296 VTD: 0514-13  
 1297 011005:  
 1298 1000 1001 1002 1003 1005 1006 1007 1008 1009 1010 2024 4000  
 1299 4001 4002 4003 4004 4005 4006 4007 4008 4009 4010 4011 4012  
 1300 4013 4014 4015 4016 4017 4019 4023 4035  
 1301 011006:  
 1302 1037  
 1303 VTD: 0514-14  
 1304 011005:  
 1305 2005 2009 2010 2011 2012 2013 2014 2015 2016 2017 2018 2019  
 1306 2020 2021 2022 2023 2025 2026 2027 2028 2029 2030 2031 2032  
 1307 2033 2034 2035 2036 2037 2038 2039 2040 2041 2045 2046 2047  
 1308 2057 3066 3067 3070 3071 3072 3078 3080  
 1309 VTD: 0514-15  
 1310 011005:  
 1311 1004  
 1312 011006:  
 1313 1006 1010 1012 1013 1014 1015 1016 1017 1018 1019 1020 1021  
 1314 1022 1023 1024 1025 1026 1027 1028 1029 1030 1031 1032 1033  
 1315 1034 1041 1043 2006 2013 2016 2035 2036 2037 2038 2039 2040

1316 For the purposes of this description, the term "VTD" shall mean and describe the same  
 1317 geographical boundaries as provided in the report of the Bureau of the Census for the United  
 1318 States decennial census of 2010 for the State of Georgia. The separate numeric designations  
 1319 in the description which are underneath a VTD heading shall mean and describe individual  
 1320 blocks within a VTD as provided in the report of the Bureau of the Census for the United  
 1321 States decennial census of 2010 for the State of Georgia.

1322 APPENDIX B  
 1323 CITY COUNCIL DISTRICTS  
 1324 CITY OF SKIDAWAY ISLAND

1325 Plan: skidcc-4d-2017  
 1326 Plan Type: Local  
 1327 Administrator: H166  
 1328 User: Gina

1329 District 001  
 1330 Chatham County  
 1331 VTD: 0511-12  
 1332 011006:  
 1333 1004 1005  
 1334 VTD: 0514-12  
 1335 011006:  
 1336 1000 1001 1002 1003 1007 1008 1009 1011 1038 1039 1040 2014  
 1337 2019 2020  
 1338 VTD: 0514-15  
 1339 011006:  
 1340 1006 1010 1012 1013 1014 1015 1017 1018 1020 1021 1022 1023  
 1341 1024 1025 1026 1033 1034 1041 1043 2006 2013 2016 2035 2036  
 1342 2037 2038 2039 2040

1343 District 002  
 1344 Chatham County  
 1345 VTD: 0514-12  
 1346 011005:  
 1347 3011 3062 3063 3064 3065 3068 3069 3073 3074 3075 3076 3077  
 1348 3079 3083  
 1349 011006:  
 1350 2004 2005 2007 2008 2009 2010 2011 2012 2015 2017 2018 2032  
 1351 2033 2034  
 1352 VTD: 0514-14  
 1353 011005:  
 1354 3067 3070 3071 3072 3078 3080

1355 District 003  
 1356 Chatham County  
 1357 VTD: 0514-13  
 1358 011005:  
 1359 1005 1006 1007 1008 1009 1010 2024  
 1360 VTD: 0514-14  
 1361 011005:  
 1362 2005 2009 2010 2011 2012 2013 2014 2015 2016 2017 2018 2019  
 1363 2020 2021 2022 2023 2025 2026 2027 2028 2029 2030 2031 2032  
 1364 2033 2034 2035 2036 2037 2038 2039 2040 2041 2045 2046 2047  
 1365 2057 3066  
  
 1366 District 004  
 1367 Chatham County  
 1368 VTD: 0514-13  
 1369 011005:  
 1370 1000 1001 1002 1003 4000 4001 4002 4003 4004 4005 4006 4007  
 1371 4008 4009 4010 4011 4012 4013 4014 4015 4016 4017 4019 4023  
 1372 4035  
 1373 011006:  
 1374 1037  
 1375 VTD: 0514-15  
 1376 011005:  
 1377 1004  
 1378 011006:  
 1379 1016 1019 1027 1028 1029 1030 1031 1032

1380 For the purposes of this plan (skidcc-4d-2017):

1381 (1) The term "VTD" shall mean and describe the same geographical boundaries as  
 1382 provided in the report of the Bureau of the Census for the United States decennial census  
 1383 of 2010 for the State of Georgia. The separate numeric designations in a district  
 1384 description which are underneath a VTD heading shall mean and describe individual  
 1385 blocks within a VTD as provided in the report of the Bureau of the Census for the United  
 1386 States decennial census of 2010 for the State of Georgia;  
 1387 (2) Except as otherwise provided in the description of any district, whenever the  
 1388 description of any district refers to a named city, it shall mean the geographical

1389 boundaries of that city as shown on the census maps for the United States decennial  
 1390 census of 2010 for the State of Georgia;

1391 (3) Any part of the City of Skidaway Island which is not included in any district  
 1392 described in this plan (skidcc-4d-2017) shall be included within that district contiguous  
 1393 to such part which contains the least population according to the United States decennial  
 1394 census of 2010 for the State of Georgia; and

1395 (4) Any part of the City of Skidaway Island which is described in this plan  
 1396 (skidcc-4d-2017) as being included in a particular district shall nevertheless not be  
 1397 included within such district if such part is not contiguous to such district. Such  
 1398 noncontiguous part shall instead be included within that district contiguous to such part  
 1399 which contains the least population according to the United States decennial census of  
 1400 2010 for the State of Georgia.

1401 APPENDIX C

1402 CERTIFICATE AS TO MINIMUM STANDARDS

1403 FOR INCORPORATION OF A NEW MUNICIPAL CORPORATION

1404 I, Senator Ben Watson, Georgia State Senator from the 1st District and the author of this bill  
 1405 introduced at the 2017 session of the General Assembly of Georgia, which grants an original  
 1406 municipal charter to the City of Skidaway Island, do hereby certify that this bill is in  
 1407 compliance with the minimum standards required by Chapter 31 of Title 36 of the O.C.G.A.  
 1408 in that the area embraced within the original incorporation in this bill is in all respects in  
 1409 compliance with the minimum standards required by Chapter 31 of Title 36 of the O.C.G.A.  
 1410 This certificate is executed to conform to the requirements of Code Section 36-31-5 of the  
 1411 O.C.G.A.

1412 So certified, this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

1413 \_\_\_\_\_  
 1414 Honorable Ben Watson  
 1415 Senator, 1st District  
 1416 Georgia State Senate