

The House Committee on Governmental Affairs offers the following substitute to HB 644:

A BILL TO BE ENTITLED
AN ACT

1 To provide for the incorporation of the City of Greenhaven in DeKalb County, Georgia; to
2 provide for the name and corporate boundaries; to provide for municipal powers; to provide
3 for city council and its members, manner of election, terms of office, manner of filling
4 vacancies, conflicts of interest, duties and authority, compensation, officers, and procedures;
5 to provide for the powers and duties of the mayor, to provide for a chief operating officer;
6 to provide for community area planning units; to provide for administrative and service
7 departments; to provide for a city attorney, chief financial officer, and city clerk; to provide
8 for boards and authorities; to provide for the regulation of employees; to provide for a
9 municipal court and the operation thereof; to provide for elections and removal; to provide
10 for taxation, franchises, service charges, bonds, and other fiscal matters; to provide for
11 budgeting and audits; to provide for purchasing and contracting; to provide for economic
12 development; to provide for bonds; to provide for related matters; to provide an effective
13 date; to repeal conflicting laws; and for other purposes.

14 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

15 ARTICLE I
16 INCORPORATION AND POWERS
17 SECTION 1.10.
18 Incorporation.

19 This city and the inhabitants thereof, are incorporated by the enactment of this charter and
20 are hereby constituted and declared a body politic and corporate under the name and style
21 "City of Greenhaven", and by that name shall have perpetual succession.

SECTION 1.11.

Corporate boundaries.

(a) The corporate boundaries of this city shall be as described and set forth in Appendix A attached hereto and said Appendix A is incorporated into and made a part of this charter.

(b) The city council may provide for changes in Appendix A by ordinance to reflect lawful changes in the corporate boundaries. The city clerk shall maintain a current map and written legal description of the corporate boundaries of the city, and such map and description shall incorporate any changes which may hereafter be made in such corporate boundaries.

SECTION 1.12.

Municipal powers.

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

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

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

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

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

(4) Business Regulation and Taxation. To levy and to provide for the collection of regulatory fees and taxes on privileges, occupations, trades, and professions as authorized by Title 48 of the O.C.G.A., or other such applicable laws as are or may hereafter be enacted; to permit and regulate the same; to provide for the manner and method of

56 payment of such regulatory fees and taxes; and to revoke such permits after due process
57 for failure to pay any city taxes or fees;

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

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

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

68 (8) Environmental Protection. To protect and preserve the natural resources,
69 environment, and vital areas of the city, the region, and the state through the preservation
70 and improvement of air quality, the restoration and maintenance of water resources, the
71 control of erosion and sedimentation, the management of stormwater and establishment
72 of a stormwater utility, the management of solid and hazardous waste, and other
73 necessary actions for the protection of the environment;

74 (9) Fire Regulations. To fix and establish fire limits and from time to time to extend,
75 enlarge, or restrict the same; to prescribe fire safety regulations not inconsistent with
76 general law, relating to both fire prevention and detection and to fire fighting; and to
77 prescribe penalties and punishment for violations thereof;

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

84 (11) General Health, Safety, and Welfare. To define, regulate, and prohibit any act,
85 practice, conduct, or use of property which is detrimental to health, sanitation,
86 cleanliness, welfare, and safety of the inhabitants of the city, and to provide for the
87 enforcement of such standards;

88 (12) Gifts. To accept or refuse gifts, donations, bequests, or grants from any source for
89 any purpose related to powers and duties of the city and the general welfare of its
90 citizens, on such terms and conditions as the donor or grantor may impose;

91 (13) Health and Sanitation. To prescribe standards of health and sanitation and to
92 provide for the enforcement of such standards;

- 93 (14) Homestead Exemption. To establish and maintain procedures for offering
94 homestead exemptions to residents of the city and maintaining current homestead
95 exemptions of residents of the city as authorized by Act of the General Assembly;
- 96 (15) Jail Sentences. To provide that persons given jail sentences in the city's court may
97 work out such sentences in any public works or on the streets, roads, drains, and other
98 public property in the city, to provide for commitment of such persons to any jail, to
99 provide for the use of pretrial diversion and any alternative sentencing allowed by law,
100 or to provide for commitment of such persons to any county work camp or county jail by
101 agreement with the appropriate county officials;
- 102 (16) Motor Vehicles. To regulate the operation of motor vehicles and exercise control
103 over all traffic, including parking upon or across the streets, roads, alleys, and walkways
104 of the city;
- 105 (17) Municipal Agencies and Delegation of Power. To create, alter, or abolish
106 departments, boards, offices, commissions, and agencies of the city, and to confer upon
107 such agencies the necessary and appropriate authority for carrying out all the powers
108 conferred upon or delegated to the same;
- 109 (18) Municipal Courts. To create a municipal court with a judge or judge and associate
110 judges as may be necessary and to authorize the creation of a municipal court clerk's
111 office or make said clerk's duties a part of the duties of the city clerk as designated by the
112 city council;
- 113 (19) Municipal Debts. To appropriate and borrow money for the payment of debts of the
114 city and to issue bonds for the purpose of raising revenue to carry out any project,
115 program, or venture authorized by this charter or the laws of the State of Georgia;
- 116 (20) Municipal Property Ownership. To acquire, dispose of, lease, and hold in trust or
117 otherwise, any real, personal, or mixed property, in fee simple or lesser interest, inside
118 or outside the property limits of the city;
- 119 (21) Municipal Property Protection. To provide for the preservation and protection of
120 property and equipment of the city, and the administration and use of same by the public;
121 and to prescribe penalties and punishment for violations thereof;
- 122 (22) Municipal Utilities. To acquire, lease, construct, operate, maintain, sell, and dispose
123 of public utilities, including, but not limited to, a system of waterworks, sewers and
124 drains, sewage disposal, stormwater management, gas works, electric light plants, cable
125 television and other telecommunications, transportation facilities, public airports, and any
126 other public utility; and to fix the taxes, charges, rates, fares, fees, assessments,
127 regulations, and penalties, and to provide for the withdrawal of service for refusal or
128 failure to pay the same;

- 129 (23) Nuisance. To define a nuisance and provide for its abatement whether on public or
130 private property;
- 131 (24) Penalties. To provide penalties for violation of any ordinances adopted pursuant to
132 the authority of this charter and the laws of the State of Georgia;
- 133 (25) Planning and Zoning. To provide comprehensive city planning for development by
134 zoning; to provide technical assistance to CAPU's and CAR's to assist them in making
135 recommendations; and to provide subdivision regulation and the like as the city council
136 deems necessary and reasonable to insure a safe, healthy, and aesthetically pleasing
137 community;
- 138 (26) Police and Fire Protection. To exercise the power of arrest through duly appointed
139 police officers, and to establish, operate, or contract for a police and a firefighting
140 agency;
- 141 (27) Public Hazards: Removal. To provide for the destruction and removal of any
142 building or other structure which is or may become dangerous or detrimental to the
143 public;
- 144 (28) Public Improvements. To provide for the acquisition, construction, building,
145 operation, and maintenance of public ways, parks and playgrounds, recreational facilities,
146 cemeteries, markets and market houses, public buildings, libraries, public housing,
147 airports, hospitals, terminals, docks, parking facilities, or charitable, cultural, educational,
148 recreational, conservation, sport, curative, corrective, detentional, penal, and medical
149 institutions, agencies, and facilities; and to provide any other public improvements, inside
150 or outside the corporate limits of the city; to regulate the use of public improvements; and
151 for such purposes, property may be acquired by condemnation under Title 22 of the
152 O.C.G.A., or such other applicable laws as are or may hereafter be enacted;
- 153 (29) Public Peace. To provide for the prevention and punishment of loitering, disorderly
154 conduct, drunkenness, riots, and public disturbances;
- 155 (30) Public Transportation. To organize and operate such public transportation systems
156 as are deemed beneficial;
- 157 (31) Public Utilities and Services. To grant franchises or make contracts for, or impose
158 taxes on public utilities and public service companies; and to prescribe the rates, fares,
159 regulations, and standards and conditions of service applicable to the service to be
160 provided by the franchise grantee or contractor, insofar as not in conflict with valid
161 regulations of the Public Service Commission;
- 162 (32) Regulation of Roadside Areas. To prohibit or regulate and control the erection,
163 removal, and maintenance of signs, billboards, trees, shrubs, fences, buildings, and any
164 and all other structures or obstructions upon or adjacent to the rights-of-way of streets and

165 roads or within view thereof, within or abutting the corporate limits of the city; and to
166 prescribe penalties and punishment for violation of such ordinances;

167 (33) Retirement. To provide and maintain a retirement plan and other employee benefit
168 plans and programs for officers and employees of the city;

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

177 (35) Sewer Fees. To levy a fee, charge, or sewer tax as necessary to assure the acquiring,
178 constructing, equipping, operating, maintaining, and extending of a sewage disposal plant
179 and sewerage system, and to levy on those to whom sewers and sewerage systems are
180 made available a sewer service fee, charge, or sewer tax for the availability or use of the
181 sewers; to provide for the manner and method of collecting such service charges and for
182 enforcing payment of the same; and to charge, impose, and collect a sewer connection fee
183 or fees to those connected with the system;

184 (36) Solid Waste Disposal. To provide for the collection and disposal of garbage,
185 rubbish, and refuse, and to regulate the collection and disposal of garbage, rubbish, and
186 refuse by others; and to provide for the separate collection of glass, tin, aluminum,
187 cardboard, paper, and other recyclable materials, and to provide for the sale of such
188 items;

189 (37) Special Areas of Public Regulation. To regulate or prohibit junk dealers, the
190 manufacture and sale of intoxicating liquors; to regulate the transportation, storage, and
191 use of combustible, explosive, and inflammable materials, the use of lighting and heating
192 equipment, and any other business or situation which may be dangerous to persons or
193 property; to regulate and control the conduct of peddlers and itinerant traders, theatrical
194 performances, exhibitions, and shows of any kind, by taxation or otherwise; to license
195 and tax professional fortunetelling, palmistry, and massage parlors; and to restrict adult
196 bookstores to certain areas;

197 (38) Special Assessments. To levy and provide for the collection of special assessments
198 to cover the costs for any public improvements;

199 (39) Taxes: Ad Valorem. To levy and provide for the assessment, valuation, revaluation,
200 and collection of taxes on all property subject to taxation.

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

203 (41) Taxicabs. To regulate and license vehicles operated for hire in the city; to limit the
 204 number of such vehicles; to require the operators thereof to be licensed; to require public
 205 liability insurance on such vehicles in the amounts to be prescribed by ordinance; and to
 206 regulate the parking of such vehicles;

207 (42) Tourism, conventions, and trade shows. To provide for the structure, operation, and
 208 management of the Greenhaven Convention and Visitors Bureau created pursuant to
 209 Section 1.14 of this charter and to authorize the City of Greenhaven to contract with
 210 private sector nonprofit organizations or other governmental agencies to promote tourism,
 211 conventions, and trade shows;

212 (43) Urban Redevelopment. To organize and operate an urban redevelopment program;

213 (44) Other Powers. To exercise and enjoy all other powers, functions, rights, privileges,
 214 and immunities necessary or desirable to promote or protect the safety, health, peace,
 215 security, good order, comfort, convenience, or general welfare of the city and its
 216 inhabitants; and to exercise all implied powers necessary or desirable to carry into
 217 execution all powers granted in this charter as fully and completely as if such powers
 218 were fully stated herein; and to exercise all powers now or in the future authorized to be
 219 exercised by other municipal governments under other laws of the State of Georgia; and
 220 no listing of particular powers in this charter shall be held to be exclusive of others, nor
 221 restrictive of general words and phrases granting powers, but shall be held to be in
 222 addition to such powers unless expressly prohibited to municipalities under the
 223 Constitution or applicable laws of the State of Georgia.

224 **SECTION 1.13.**

225 Exercise of powers.

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

230 **SECTION 1.14.**

231 Tourism, conventions, and trade shows.

232 The Greenhaven Convention and Visitors Bureau is hereby authorized to be created which
 233 may be activated by an ordinance of the city council. When activated, the bureau shall

234 consist of a board of seven members appointed by the city council. The bureau shall report
 235 to the chief operating officer on a regular basis and shall send an annual report to the mayor
 236 and the city council in January of each year.

237 **ARTICLE II**

238 **LEGISLATIVE BRANCH**

239 **SECTION 2.10.**

240 City council creation; number; election.

241 (a) The legislative authority of the government of the City of Greenhaven, except as
 242 otherwise specifically provided in this charter, shall be vested in a city council to be
 243 composed of seven councilmembers. The councilmembers shall be elected in the manner
 244 provided by general law and this charter.

245 (b) For the purpose of electing the seven councilmembers, there shall be six council districts,
 246 designated Council Districts 1 through 6, as described in Appendix B of this charter. The
 247 council districts shall be aligned with the community area planning units (CAPU's)
 248 established by this charter. Each person desiring to offer as a candidate for councilmember
 249 shall designate the council district for which he or she is offering.

250 (c) The six council districts shall correspond to the following community area planning
 251 units:

252 District 1: CAPU West

253 District 2: CAPU South

254 District 3: CAPU South Central

255 District 4: CAPU North Central

256 District 5: CAPU North

257 District 6: CAPU East

258 (d) One councilperson shall be elected from each of the six council districts and shall hold
 259 Council Posts 1, 2, 3, 4, 5 and 6, respectively. Each person desiring to offer as a candidate
 260 for councilmember for such posts shall designate the council district for which he or she is
 261 offering. Councilmembers for such posts shall be elected by a majority vote of the qualified
 262 electors of the respective council districts voting at the elections of the city. In the event that
 263 no candidate for a council post obtains a majority vote of the qualified electors of the council
 264 district for the election, then a run-off election shall be held. The candidates receiving the
 265 two highest numbers of votes in the election for such council post will be included in the
 266 run-off election. The person receiving the highest number of votes of the qualified electors
 267 of the council district voting at such run-off election shall be elected.

268 (e) The president of the council shall be elected from the city at large and shall represent
269 Council Post 7. The president of the council shall be elected by a majority vote of the
270 qualified electors of the City of Greenhaven voting at the elections of the city. In the event
271 that no candidate obtains a majority vote of the qualified electors of the city voting in the
272 election, then a run-off election shall be held. The candidates receiving the two highest
273 numbers of votes in the election for such office shall be included in the run-off election. The
274 person receiving the highest number of votes of the qualified electors of the city voting at
275 such run-off election shall be elected.

276 (f) With the exception of the initial terms set forth in this section, councilmembers shall be
277 elected to terms of four years and until their successors are elected and qualified.
278 Councilmembers shall be elected on a staggered basis in alternate election cycles such that
279 every two years three or four councilmembers are up for election. In order to assure
280 staggered elections of the councilmembers, in the first election of the city council, the terms
281 for the candidates elected for Council Posts 1, 3, 5, and 7 shall expire upon the administration
282 of the oath of office to their successors elected in the regular elections held in
283 November, 2019. The terms for the candidates elected for Council Posts 2, 4, and 6 along
284 with the mayor shall expire upon the administration of the oath of office to their successors
285 elected in the regular elections held in November, 2021. Thereafter, a successor to each
286 councilmember shall be elected at the November election immediately preceding the end of
287 such councilmember's term of office and the term of each councilmember shall expire upon
288 the administration of the oath of office to his or her successor.

289 (g) Political parties shall not conduct primaries for any city offices and all names of
290 candidates for city offices shall be listed without party designations.

291 (h)(1) Except for minor traffic violations, candidates for any office in the City of
292 Greenhaven shall disclose any prior criminal history.

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

296 (i)(1) The mayor, councilmembers, or other appointed officers provided for in this charter
297 shall be removed from office for any one or more of the causes provided in Title 45 of
298 the O.C.G.A., or such other applicable laws as are or may hereafter be enacted.

299 (2) Removal of an officer pursuant to subsection (a) of this section shall be accomplished
300 one of the following methods:

301 (A) Following a hearing, which can be requested by a resident of the city, at which an
302 impartial panel shall render a decision. In the event an elected officer is sought to be
303 removed by the action of the city council, such officer shall be entitled to a written
304 notice specifying the ground or grounds for removal and to a public hearing which shall

305 be held not less than ten days and not more than 30 days after the service of such
 306 written notice. The city council shall provide by ordinance for the manner in which
 307 such hearings shall be held.

308 (B) The city council may adopt a final resolution of removal, which may be made
 309 effective immediately, by affirmative vote of four of its members at any time after five
 310 days from the date when a copy of preliminary resolution was delivered to the chief
 311 operating officer, if he or she has not requested a public hearing, or at any time after the
 312 public hearing if he or she has requested one.

313 (C) The chief operating officer shall continue to receive his or her salary until the
 314 effective date of a final resolution of his or her removal. The action of the city council
 315 in suspending or removing the chief operating officer shall not be subject to review by
 316 any court or agency.

317 **SECTION 2.11.**

318 City council terms.

319 The members of the city council shall serve for terms of four years and until their respective
 320 successors are elected and qualified. Any councilmember who has been elected for two
 321 consecutive four-year terms under the provisions of this charter shall not be eligible to be
 322 elected for the succeeding term except for the initial electees of Council Posts 1, 3, 5, and 7
 323 who shall be eligible to serve for three consecutive terms but shall not be elected for the
 324 succeeding term.

325 **SECTION 2.12.**

326 Qualifications for office.

327 (a) To be eligible to qualify for election as a councilmember, a person:

328 (1) Shall be at least 18 years of age;

329 (2) Shall be a resident of the city and of the council district from which he or she seeks
 330 to qualify for at least one year immediately preceding the date of his or her election; and

331 (3) Shall be a registered voter of the city.

332 (b) To hold office as a councilmember, a person:

333 (1) Shall continue to possess the qualifications prescribed in subsection (a) of this
 334 section;

335 (2) Shall continue to reside in the same council district from which elected; and

336 (3) Shall not hold any other elected public office.

337 (c) Whenever the terms "reside," "residence," or "residency" appear in this section, the same
338 shall be interpreted to mean domicile.

339 (d) No person who was a member of the General Assembly at the time of the enactment of
340 this charter shall be eligible for election or to serve as mayor or councilmember of the City
341 of Greenhaven during the first ten years of the city's existence.

342 **SECTION 2.13.**

343 Vacancy; filling of vacancies.

344 (a) The office of councilmember, president of the council, and mayor shall become vacant
345 upon the incumbent's death, resignation, forfeiture of office, declaration of intent to run for
346 another office, ceasing to be a resident, removal from office, assumption of or temporary or
347 permanent appointment to another office, disability rendering that person ineligible, or
348 occurrence of any event specified by the Constitution of the State of Georgia, Title 45 of the
349 O.C.G.A., or such other applicable laws as are or may hereafter be enacted.

350 (b) In the event the office of mayor, president of the council, or councilmember shall
351 become vacant by reason of death, resignation, or any other cause, the council shall,
352 within 15 days after the occurrence of such vacancy, call a special election to fill the balance
353 of the unexpired term of such office by giving notice thereof in one or more newspapers of
354 general circulation within the city, except:

355 (1) If a regular election for the office of mayor is to be held within six months after the
356 date that a vacancy in the office of mayor occurs, the president of the council shall
357 assume and discharge the powers and duties of the office of mayor for the duration of the
358 mayor's unexpired term. If a regular election for the office of the president of the council
359 is to be held within six months after the date that a vacancy occurs in the office of the
360 president of the council, the remaining council members shall select one of the existing
361 councilmembers to temporarily assume the position of president of the council.

362 (2) If a regular election for the office of councilmember, other than the president of the
363 council, is to be held within six months after the date that a vacancy occurs in the office
364 of councilmember, the remaining members of the council shall by majority vote appoint
365 a qualified person from the district to fill the vacancy. The members of the council shall
366 appoint such person within 30 days of the date the vacancy occurs.

367 (3) If the office of mayor or council president is expected to be temporarily vacant (the
368 incumbent will return within six months or less), then the processes outlined in this
369 subsection shall be considered temporary appointments and the appointed people shall
370 resume their previous position upon a return to office of the original elected official.

371 (c) If any elected officer of the city qualifies for another municipal, county, state, or federal
 372 elected office, his or her resignation shall be governed solely by Article II, Section II,
 373 Paragraph V, of the Constitution of the State of Georgia.

374 (d) This section shall also apply to a temporary vacancy created by the suspension from
 375 office of the mayor or any councilmember.

376 **SECTION 2.14.**

377 Compensation and expenses.

378 The annual salary of the councilmember shall be \$12,000.00. The annual salary of the
 379 president of the council shall be \$16,000.00. The annual salary of the mayor shall be
 380 \$16,000.00. Such salary shall be paid from municipal funds in bi-monthly installments. City
 381 councilmembers are accountable and responsible for diligently and actively representing their
 382 constituency in the fulfillment of the strategic plan. The city council may provide by
 383 ordinance for the provision of insurance, retirement, workers' compensation, and other
 384 employee benefits to the members of city council and may provide by ordinance for the
 385 reimbursement of expenses actually and necessarily incurred by the members of city council
 386 in carrying out their official duties.

387 **SECTION 2.15.**

388 President of the council.

389 (a) The president of the council shall be elected from the city at-large for a term of four
 390 years commencing on the first Monday in January after each regular municipal election as
 391 provided in this charter and shall serve until his or her successor takes office.

392 (b)(1) To qualify for election as president of the council, a person:

393 (A) Shall be at least 18 years of age;

394 (B) Shall be a resident of the city for at least one year immediately preceding the date
 395 of his or her election;

396 (C) Shall be a qualified elector of the city; and

397 (D) Shall not be an employee of the city.

398 (2) To hold office as president of the council, a person:

399 (A) Shall continue to possess the qualifications prescribed in subsection (a) of this
 400 section; and

401 (B) Shall not hold any elected public office.

402 (c) The president of the council:

403 (1) Shall preside at meetings of the council;

- 404 (2) Shall vote only in the case of a tie vote of the city council;
- 405 (3) Shall appoint the members and chairpersons of such committees as may be
 406 established by the city council pursuant to its rules, and fill vacancies therein, provided
 407 any such appointments shall be subject to rejection by a majority vote of the total
 408 membership of the city council; and the president of the council shall not be a member
 409 of any such committees;
- 410 (4) Shall exercise all powers and discharge all duties of the mayor in the case of a
 411 vacancy in the office of mayor or during the disability of the mayor;
- 412 (5) Shall be authorized to compel the attendance of councilmembers by subpoena,
 413 subject to the rules of the city council;
- 414 (6) Shall have such further powers and perform such other duties consistent with law as
 415 may be provided by ordinance or resolution of the city council; and
- 416 (7) May speak to any pending matter before the city council but shall not introduce
 417 ordinances or resolutions.
- 418 (d) If the president of the council speaks to a matter pending before the city council, the
 419 president of the council shall temporarily relinquish his or her role as presiding officer to the
 420 president pro tempore while speaking to such matter.
- 421 (e) If the president of the council exercises the powers and discharges the duties of the
 422 mayor as provided in subsection (c) of this section, he or she shall not exercise any of the
 423 powers and duties enumerated in this section.

424 **SECTION 2.16.**

425 Conflicts of interest; holding other offices.

- 426 (a) Elected and appointed officers of the city are trustees and servants of the residents of the
 427 city and shall act in a fiduciary capacity for the benefit of such residents.
- 428 (b) No elected official, appointed officer, or employee of the city or any agency or political
 429 entity to which this charter applies shall knowingly:
- 430 (1) Engage in any business or transaction, or have a financial or other personal interest,
 431 direct or indirect, which is incompatible with the proper discharge of that person's official
 432 duties or which would tend to impair the independence of the official's judgment or action
 433 in the performance of those official duties;
- 434 (2) Engage in or accept private employment, or render services for private interests when
 435 such employment or service is incompatible with the proper discharge of that person's
 436 official duties or would tend to impair the independence of the official's judgment or
 437 action in the performance of those official duties;

- 438 (3) Disclose confidential information, including information obtained at meetings which
439 are closed pursuant to Chapter 14 of Title 50 of the O.C.G.A., concerning the property,
440 government, or affairs of the governmental body by which the official is engaged without
441 proper legal authorization; or use such information to advance the financial or other
442 private interest of the official or others;
- 443 (4) Accept any valuable gift, whether in the form of service, loan, thing, or promise,
444 from any person, firm, or corporation which to the official's knowledge is interested,
445 directly or indirectly, in any manner whatsoever, in business dealings with the
446 governmental body by which the official is engaged; provided, however, that an elected
447 official who is a candidate for public office may accept campaign contributions and
448 services in connection with any such campaign;
- 449 (5) Represent other private interests in any action or proceeding against this city or any
450 portion of its government; or
- 451 (6) Vote or otherwise participate in the negotiation or in the making of any contract with
452 any business or entity in which the official has a financial interest.
- 453 (c) Any elected official, appointed officer, or employee who shall have any financial
454 interest, directly or indirectly, in any contract or matter pending before or within any
455 department of the city shall disclose such interest to the city council. The mayor or any
456 councilmember who has a financial interest in any matter pending before the city council
457 shall disclose such interest and such disclosure shall be entered on the records of the city
458 council, and that official shall disqualify himself or herself from participating in any decision
459 or vote relating thereto. Any elected official, appointed officer, or employee of any agency
460 or political entity to which this charter applies who shall have any financial interest, directly
461 or indirectly, in any contract or matter pending before or within such entity shall disclose
462 such interest to the governing body of such agency or entity.
- 463 (d) After investigation and due process proceedings, upon determination of breach of
464 conflict of interest, the councilmember shall be subject to suspension and a fine or
465 termination, both to be determined by the ethics board. Upon a second breach of conflict of
466 interest, the councilmember's term of office shall be terminated.
- 467 (e) No elected official, appointed officer, or employee of the city or any agency or entity to
468 which this charter applies shall use property owned by such governmental entity for personal
469 benefit or profit but shall use such property only in their capacity as an officer or employee
470 of the city.
- 471 (f) Any violation of this section which occurs with the knowledge, express or implied, of a
472 party to a contract or sale shall render said contract or sale voidable at the option of the city
473 council and any expenses incurred with a voidable contract shall be reimbursable to the city.

474 (g) Except where authorized by law, neither the mayor nor any councilmember shall hold
 475 any other elective or appointive office in the city or otherwise be employed by such
 476 government or any agency thereof during the term for which that official was elected. No
 477 former mayor and no former councilmember shall hold any appointive office in the city until
 478 one year after the expiration of the term for which that official was elected.

479 (h) No appointive officer of the city shall continue in such employment upon qualifying as
 480 a candidate for nomination or election to any public office. No employee of the city shall
 481 continue in such employment upon qualifying for or election to any public office in this city
 482 or any other public office which is inconsistent, incompatible, or in conflict with the duties
 483 of the city employee. Such determination shall be made by the ethics board either
 484 immediately upon election or at any time such conflict may arise.

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

488 (2) Any officer or employee of the city who shall forfeit an office or position as
 489 described in paragraph (1) of this subsection shall be ineligible for appointment or
 490 election to or employment in a position in the city government for a period of three years
 491 thereafter.

492 **SECTION 2.17.**

493 Inquiries and investigations.

494 The city council, under the guidance of the city attorney's office, may make inquiries and
 495 investigations into the affairs of the city and conduct of any department, office, or agency
 496 thereof and for this purpose may subpoena witnesses, administer oaths, take testimony, and
 497 require the production of evidence. Any person who fails or refuses to obey a lawful order
 498 issued in the exercise of these powers by the city council shall be punished as may be
 499 provided by ordinance.

500 **SECTION 2.18.**

501 General power and authority of the city council.

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

504 (b) In addition to all other powers conferred upon it by law, the council shall have the
 505 authority to adopt and provide for the execution of such ordinances, resolutions, rules, and
 506 regulations, not inconsistent with this charter and the Constitution and the laws of the State

507 of Georgia, which it shall deem necessary, expedient, or helpful for the peace, good order,
 508 protection of life and property, health, welfare, sanitation, comfort, convenience, prosperity,
 509 or well-being of the inhabitants of the City of Greenhaven and may enforce such ordinances
 510 by imposing penalties for violation thereof.

511 **SECTION 2.19.**

512 Eminent domain.

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

521 **SECTION 2.20.**

522 Organizational meeting.

523 (a) The city council shall meet for organization in the council chamber, or any other
 524 designated public place, on the first Monday in January following each regular election, or,
 525 if such Monday is a legal holiday, then on the next following day not a legal holiday.

526 (b) At such organizational meeting, the mayor and councilmembers shall take and subscribe
 527 before a judge of the superior court, or any official authorized to administer oaths, the
 528 following oath of office:

529 "I do solemnly swear that I will faithfully perform the duties of councilmember (or mayor
 530 or president of the council) of the City of Greenhaven, Georgia, and that I will support and
 531 defend the charter thereof as well as the Constitution and laws of the State of Georgia and
 532 of the United States of America. I am not the holder of any unaccounted for public money
 533 due this state or any political subdivision or authority thereof. I am not the holder of any
 534 office of trust under the government of the United States, any other state, or any foreign
 535 state which I by the laws of the State of Georgia am prohibited from holding. I am
 536 otherwise qualified to hold said office according to the Constitution and laws of Georgia.
 537 I have been a resident [of my district and] the City of Greenhaven for the time required by
 538 the Constitution and laws of this state and by the municipal charter. I will perform the

539 duties of my office in the best interest of the City of Greenhaven to the best of my ability
540 without fear, favor, affection, reward, or expectation thereof."

541 (c)(1) The mayor and councilmembers shall, following each regular municipal general
542 election or such election held in place thereof, attend a mandatory training session that
543 shall include, but not be limited to, matters of campaign and financial disclosure
544 requirements, standards of conduct, ethics code, and the legislative process. The city
545 clerk shall hold, or cause to be held, a training session for all current and newly elected
546 City of Greenhaven officials on two separate dates, but no later than July 1 of the year
547 following each municipal general election or no later than 60 days following any election
548 held in lieu thereof, and no later than 60 days following a special election held to fill a
549 vacancy in office. Persons required to attend shall be present at the entirety of a session,
550 or at a combination of the offered sessions whereby all training modules designated for
551 the particular office held are covered. Attendance shall be mandatory. Each official shall
552 be required to sign an affidavit stating that he or she has completed training, with such
553 affidavit to be certified by the city clerk or the city clerk's designee.

554 (2) Any official required to attend who has not completed the mandatory training by the
555 end of the second available training session, shall be deemed non-compliant and shall be
556 immediately fined \$50.00. An additional \$100.00 fine shall continuously be assessed
557 each noncompliant official every 30 days after the date of non-compliance in which an
558 official has not paid the assessed fine or received a waiver and completed a makeup
559 training session as outlined in paragraphs (6) and (7) of this subsection.

560 (3) All payments of fines shall be paid to the City of Greenhaven and shall be submitted
561 to the city clerk or the city clerk's designee who shall then record that the fine has been
562 received and forward each payment to the chief financial officer.

563 (4) Immediately following the second offered training session, and if necessary upon the
564 assessment of further fines, the city clerk shall notify, by certified mail, each official who
565 has not completed mandatory training that he or she is in non-compliance of the law and
566 of the penalty thereby imposed. The city clerk shall simultaneously notify the chief
567 financial officer of the city and the president of the council of any official's
568 non-compliance. However, failure of receipt of such notification does not relieve the
569 official of the obligation to attend the mandatory training and to pay the assessed fine.

570 (5) Any noncompliant official may submit a written appeal to the president of the council
571 requesting a waiver of the assessed fine. Supporting evidence of the reason or reasons
572 for his or her non-compliance shall be presented in the appeal. If due cause is shown, the
573 city council may adopt a resolution, by majority vote, to waive the fine.

574 (6) In all such cases, whether the assessed fine is paid or waived, any non-compliant
575 official shall be required to attend a make-up training session scheduled by appointment

576 with the city clerk. Such session may be provided through a videotaped session but shall
 577 cover in its entirety all required training modules. The non-compliant official's signed
 578 affidavit of completion of training and the city clerk's or the city clerk's designee's
 579 certification of same shall be required to avoid further assessments of fines. There shall
 580 be no waiver of training attendance granted under any circumstances.

581 (7) The city clerk shall develop, or cause to be developed, a manual detailing all of the
 582 provisions of this subsection.

583 **SECTION 2.21.**

584 Special meetings.

585 (a) Special meetings of the city council may be held on call of the mayor or the president of
 586 the council or upon the written demand of at least four members of the city council. Notice
 587 of such special meetings shall be served on all other members personally, or by telephone
 588 personally, at least 48 hours in advance of the meeting. Such notice to councilmembers shall
 589 not be required if the mayor and all councilmembers are present when the special meeting
 590 is called. Such notice of any special meeting may be waived by a councilmember in writing
 591 before or after such a meeting, and attendance at the meeting shall also constitute a waiver
 592 of notice on any business transacted in such councilmember's presence. Only the business
 593 stated in the call may be transacted at the special meeting. Alternative modes of participation
 594 which can be duly recorded such as conference calls, video conferencing, or other accepted
 595 forms of communication shall be permitted.

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

600 **SECTION 2.22.**

601 Rules of procedure.

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

605 (b) All committees and committee chairpersons and officers of the city council shall be
 606 appointed by the president of the council and shall serve at the pleasure of the city council.
 607 The president of the council shall have the power to appoint new members to any committee
 608 at any time.

609 **SECTION 2.23.**

610 Quorum: voting.

611 (a) A majority of the city council excluding the president of the council shall constitute a
 612 quorum but a smaller number may adjourn from time to time and may compel the attendance
 613 of absent members. The city council may by ordinance provide methods to compel the
 614 attendance of its members and to punish for the violation thereof.

615 (b) The affirmative vote of a majority of the councilmembers shall be required for the
 616 transaction of business and the passage of ordinances and resolutions, except as otherwise
 617 provided by law. Where no quorum can be assembled except by the filling of vacancies, the
 618 members may transact business by a majority vote of members present to the extent
 619 necessary to fill such vacancies in the membership of the city council as provided by this
 620 charter and by law.

621 (c) Voting on the adoption of ordinances shall be by voice vote and the vote shall be
 622 recorded in the journal, but any member of the city council shall have the right to request a
 623 roll call vote and such vote shall be recorded in the journal. Except as otherwise provided
 624 in this charter, the affirmative vote of four councilmembers shall be required for the adoption
 625 of any ordinance, resolution, or motion. If an affirmative vote of four councilmembers is not
 626 obtained, the proposed ordinance, resolution, or motion is considered closed until and unless
 627 it is introduced again.

628 (d) No member of the city council shall abstain from voting on any matter properly brought
 629 before the city council for official action except when such councilmember has a conflict of
 630 interest which is disclosed in writing prior to or at the meeting and made a part of the
 631 minutes. Any member of the city council present and eligible to vote on a matter and
 632 refusing to do so for any reason other than a properly disclosed and recorded conflict of
 633 interest shall be deemed to have voted no.

634 **SECTION 2.24.**

635 Ordinance form; procedures.

636 (a) Every proposed ordinance shall be introduced in writing and in the form required for
 637 final adoption. No ordinance shall contain a subject which is not expressed in its title. The
 638 enacting clause shall be "It is hereby ordained by the governing authority of the City of
 639 Greenhaven" and every ordinance shall so begin.

640 (b) An ordinance may be introduced by any councilmember and be read at a regular or
 641 special meeting of the city council. Ordinances shall be considered and adopted or rejected

642 by the city council in accordance with the rules which it shall establish; provided, however,
 643 that an ordinance shall not be adopted the same day it is introduced, except for emergency
 644 ordinances provided in Section 2.26 of this charter. Upon introduction of any ordinance, the
 645 city clerk shall as soon as possible distribute a copy to the mayor and to each councilmember
 646 and shall file a reasonable number of copies in the office of the city clerk and at such other
 647 public places as the city council may designate.

648 **SECTION 2.25.**

649 Action requiring an ordinance.

650 Acts of the city council which have the force and effect of law shall be enacted by ordinance.

651 **SECTION 2.26.**

652 Emergencies.

653 (a) To meet a public emergency affecting life, health, property, or public peace, the city
 654 council may convene on call of the mayor, president of the council, or councilmembers and
 655 promptly adopt an emergency ordinance, but such ordinance may not levy taxes; grant,
 656 renew, or extend a franchise; regulate the rate charged by any public utility for its services;
 657 or authorize the borrowing of money except for loans to be repaid within 30 days. An
 658 emergency ordinance shall be introduced in the form prescribed for ordinances generally,
 659 except that it shall be plainly designated as an emergency ordinance and shall contain, after
 660 the enacting clause, a declaration stating that an emergency exists, and describing the
 661 emergency in clear and specific terms. An emergency ordinance may be adopted, with or
 662 without amendment, or rejected at the meeting at which it is introduced, but the affirmative
 663 vote of at least a majority of council members shall be required for adoption. It shall become
 664 effective upon adoption or at such later time as it may specify. Every emergency ordinance
 665 shall automatically stand repealed 30 days following the date upon which it was adopted, but
 666 this shall not prevent reenactment of the ordinance in the manner specified in this section if
 667 the emergency still exists. An emergency ordinance may also be repealed by adoption of a
 668 repealing ordinance in the same manner specified in this section for adoption of emergency
 669 ordinances.

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

674

SECTION 2.27.

675

Codes of technical regulations.

676 (a) The city council may adopt any standard code of technical regulations by reference
677 thereto in an adopting ordinance. The procedure and requirements governing such adopting
678 ordinance shall be as prescribed for ordinances generally except that: (1) the requirements
679 of Section 2.24 of this charter for distribution and filing of copies of the ordinance shall be
680 construed to include copies of any code of technical regulations, as well as the adopting
681 ordinance; and (2) a copy of each adopted code of technical regulations, as well as the
682 adopting ordinance, shall be authenticated and recorded by the clerk pursuant to Section 2.28
683 of this charter.

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

686

SECTION 2.28.

687

Signing; authenticating; recording; codification; printing.

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

690 (b) The city council shall provide for the preparation of a general codification of all the
691 ordinances of the city having the force and effect of law. The general codification shall be
692 adopted by the city council by ordinance and shall be published promptly, together with all
693 amendments thereto and such codes of technical regulations and other rules and regulations
694 as the city council may specify. This compilation shall be known and cited officially as "The
695 Code of City of Greenhaven, Georgia." Copies of the code shall be furnished to all officers,
696 departments and agencies of the city, and made available for purchase by the public at a
697 reasonable price as fixed by the city council.

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

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709
710

ARTICLE III
EXECUTIVE BRANCH
SECTION 3.10.
Powers and duties.

711 (a) The mayor shall be the chief executive officer of the city and he or she shall have the
712 power and it shall be his or her duty to:

713 (1) Execute and enforce the provisions of this charter, the ordinances of this city, and all
714 other laws;

715 (2) Exercise supervision over all the administration of all departments of the city and
716 delegate all or part of such supervision to the chief operating officer;

717 (3) Prepare periodically, but not less than annually, and submit to the city council for
718 approval a comprehensive state of the city policy which shall consider the city's physical,
719 economic, and social aspects and state the goals and objectives of City of Greenhaven
720 and its citizens and the necessary recommendations, policies, plans, programs, and
721 priorities for attaining them;

722 (4) Submit the recommended annual budget, which is matched to the objectives outlined
723 in the comprehensive state of the city policy, to the appropriate committee of the city
724 council;

725 (5) Approve or veto proposed ordinances and resolutions as provided in this charter;

726 (6) Convene special meetings of the city council at his or her discretion in accordance
727 with this charter;

728 (7) At his or her discretion, conduct studies and make investigations and reports to the
729 city council concerning the operations of departments, offices, and agencies of the city
730 and require any department, board, commission, or agency under his or her jurisdiction
731 to submit written reports and information;

732 (8) Prescribe, require, publish, and implement standards of administrative, management,
733 and operating practices and procedures to be followed and adhered to by all offices,
734 departments, boards, commissions, authorities, and other agencies of the city subject to
735 his or her supervision and jurisdiction or delegate all or part of such responsibilities to the
736 chief operating officer;

737 (9) Advise the council as to the financial condition, future needs, and general welfare of
738 the city and make such recommendations to the council concerning the affairs of the city
739 as he or she deems desirable;

740 (10) When authorized by the city council, negotiate deeds, bonds, contracts, and other
741 instruments and documents on behalf of the city and execute same after final approval by
742 the city council;

- 743 (11) Represent the city in affairs of intergovernmental relations, promote and improve
 744 the government of the city, encourage the growth of the city, and promote and develop
 745 the prosperity and social well-being of its people;
- 746 (12) At his or her discretion, initiate such administrative reorganization within city
 747 government as he or she may deem desirable;
- 748 (13) Perform such duties as may be required by law, and in his or her discretion perform
 749 such other duties as may be authorized by law; and
- 750 (14) Purchase supplies, material, equipment, and personal property of every type and
 751 description, and services of every type and description including for the rental, repair, or
 752 maintenance of equipment, machinery, and other city-owned property; provided,
 753 however, that the purchase amount does not exceed \$50,000.00 in aggregate to any one
 754 vendor; it is in accordance with an approved budget, and such purchase conforms with
 755 the provisions of this charter and any purchasing and procurement ordinances of the city,
 756 and a duly enacted appropriation by the council authorizes expenditures for such
 757 purposes. Any award of contract not competitively procured in accordance with this
 758 charter, the approved budget, or ordinances of the city, or not awarded to the lowest
 759 bidder or offeror, or any contract that exceeds the aggregate amount of \$50,000.00 to any
 760 one vendor shall be approved by the city council prior to an award.

761 **SECTION 3.11.**

762 Delegation of powers and duties; prohibition.

763 In no event shall the mayor delegate to the chief operating officer or any other appointed
 764 officer or employee the power to approve or veto ordinances or resolutions; convene
 765 meetings of the council; serve as acting mayor; remove the city attorney, chief financial
 766 officer, or chief operating officer; or amend budgets.

767 **SECTION 3.12.**

768 Mayor's staff.

769 The mayor may hire such staff to aid in the discharge of the mayor's duties, including a chief
 770 of staff, as authorized by the city council through an approved budget. The chief of staff
 771 shall have such duties as assigned by the mayor but shall not be assigned any supervisory or
 772 management duties outside of the mayor's office or duties which are inconsistent with the
 773 provisions of this charter. Such persons shall serve at the pleasure of the mayor.

774

SECTION 3.13.

775

Submission of ordinances to the mayor; veto power.

776 (a) Every ordinance adopted by the city council shall be presented promptly by the city clerk
777 to the mayor.

778 (b) The mayor, within ten calendar days of receipt of an ordinance, shall return it to the city
779 clerk with mayor's approval or disapproval. If the ordinance has been approved by the
780 mayor, it shall become law upon its return to the city clerk; if the ordinance is neither
781 approved nor disapproved, it shall become law at twelve o'clock Noon on the tenth calendar
782 day after its adoption; if the ordinance is disapproved, the mayor shall submit to the city
783 council through the city clerk a written statement of reasons for the veto. The city clerk shall
784 record upon the ordinance the date of its delivery to and receipt from the mayor.

785 (c) Ordinances vetoed by the mayor shall be presented by the city clerk to the city council
786 at its next meeting. If the city council then or at its next meeting adopts the ordinance by an
787 affirmative vote of two-thirds of its members, it shall become law.

788 (d) The mayor may disapprove or reduce any item or items of appropriation in any
789 ordinance. The approved part or parts of any ordinance making appropriations shall become
790 law, and the part or parts disapproved shall not become law unless subsequently passed by
791 the city council over the mayor's veto as provided herein. The reduced part or parts shall be
792 presented to city council as though disapproved and shall not become law unless overridden
793 by the council as provided in subsection (c) of this section.

794

SECTION 3.14.

795

City council interference with administration.

796 Except for the purpose of inquiries and investigations under Section 2.17 of this charter, the
797 city council or its members shall deal with city officers and employees who are subject to the
798 direction and supervision of the chief operating officer solely through the mayor, and neither
799 the city council nor its members shall give orders to any such officer or employee, either
800 publicly or privately.

801

SECTION 3.15.

802

Chief operating officer.

803 (a) The mayor shall hire, subject to the confirmation by a majority vote of the entire city
804 council, an officer whose title shall be "chief operating officer."

805 (b) The chief operating officer shall have a graduate or professional degree plus a minimum
806 of ten years of progressively responsible administrative experience in the public or private
807 section which has included responsibility for supervising a large scale service delivery
808 program with a substantial budget. The qualifications herein may be waived by the city
809 council upon a three-fourths' vote of its membership.

810 (c) The chief operating officer shall receive such compensation as fixed by the council.

811 (d) The chief operating officer shall hold office at the pleasure of the mayor and may not be
812 dismissed by the mayor without the approval of the city council.

813 (e) The mayor, with the approval of the city council, may appoint any person to exercise all
814 powers, duties, and functions of the chief operating officer during the chief operating
815 officer's suspension under this charter, temporary absence from the city, or during the chief
816 operating officer's disability.

817 (f) The chief operating officer shall have the following powers and duties:

818 (1) To the extent delegated by the mayor, to exercise supervision over all activities of
819 city departments and the boards and commissions connected with such departments and
820 be the contact officer between the mayor and such departments, boards, and
821 commissions;

822 (2) To make periodic reports with such recommendations to the mayor regarding the
823 activities of the various departments, bureaus, boards, commissions, authorities, and other
824 agencies of the city under his or her jurisdiction and make or cause to be made
825 investigations and studies of the organization and procedures thereof and to require such
826 reports therefrom as deemed necessary;

827 (3) To ensure that an annual budget is constructed whereby anticipated expenses will be
828 met by projected income in an effort to achieve a balanced budget.

829 (4) To ensure that periodic reviews, not less than quarterly, shall be conducted of the
830 finances of city departments to ensure that expenditures are aligned with approved
831 appropriations or to make adjustments accordingly. This is supportive of a balanced
832 budget;

833 (5) To provide liaison, coordination, and communications between and among city
834 departments and agencies and the various agencies of the federal, state, and local
835 governments and other public and private agencies concerning the affairs of the city;

836 (6) To provide direction on participation in federal and state grant-in-aid programs,
837 monitoring and evaluation of grant contract programs, and communication of program
838 policies and priorities;

839 (7) To conduct research and make information available to the mayor, city council, and
840 the various departments, offices, and agencies of the city;

- 841 (8) To attend meetings of the city council and its committees and to make available such
 842 information as may be requested; and
 843 (9) To perform all other duties as required by this charter or lawfully delegated to him
 844 or her by the mayor.

845 **ARTICLE IV**

846 **COMMUNITY AREA PLANNING UNITS**

847 **SECTION 4.10.**

848 **Purpose.**

849 Community area planning units (CAPU's) shall make recommendations to the mayor and city
 850 council on zoning, land use, and other planning related issues. CAPU's provide an
 851 opportunity both for the citizenry formally to provide input into the comprehensive
 852 development plan of the city and to provide a means by which information concerning the
 853 operation of city government can be provided to the citizens of City of Greenhaven. Further,
 854 it is the policy of the city to coordinate the recommendations of community area planning
 855 units with the formulation of the city's budget, both capital and operating. In addition,
 856 CAPU's may make recommendations to the city council and the mayor on other issues
 857 relevant to the quality of community life within the City of Greenhaven.

858 **SECTION 4.11.**

859 **Structure.**

- 860 (a) The City of Greenhaven shall be divided into six community area planning units.
 861 Nothing in this charter shall preclude the option to further subdivide the community area
 862 planning units.
- 863 (b) The CAPU's shall be designated as follows with boundaries as outlined in Appendix B:
 864 Council District 1: CAPU West
 865 Council District 2: CAPU South
 866 Council District 3: CAPU South Central
 867 Council District 4: CAPU North Central
 868 Council District 5: CAPU North
 869 Council District 6: CAPU East
- 870 (c) Each CAPU shall have six months from the CAPU start date to complete bylaws that will
 871 define its structure. CAPU's shall begin operating after receiving training from the City of
 872 Greenhaven and within three months of the implementation of the City of Greenhaven.

873 (d) Each CAPU shall elect an odd number of representatives to comprise its CAPU board.
874 The CAPU board shall help guide the CAPU and act as a liaison between the City of
875 Greenhaven city government and the residents of the CAPU. The number of people on the
876 board shall be determined by each CAPU but shall consist of an odd number of not less than
877 five and not more than 19 person and shall be written into its bylaws

878 (e) As a liaison between the city government and the residents of the CAPU, CAPU board
879 members are not entitled to any additional rights or privileges. Except where this charter
880 expressly permits such, CAPU members or boardmembers shall deal with city officers and
881 employees solely through the mayor.

882 **SECTION 4.12.**

883 Election; term.

884 (a) Members of the CAPU boards shall be elected for two-year terms in every odd-numbered
885 year. Elections shall take place in October or November of such year. If an election has not
886 been held by November 30 in an odd-numbered year, such election shall be conducted by the
887 planning department of the city during the month of December.

888 (b) The initial CAPU board shall be elected after the City of Greenhaven has provided
889 technical assistance and training to the residents of the CAPU. CAPU elections and boards
890 shall be held within three months after the City of Greenhaven begins operations.

891 (c) Any person desiring to be elected to the CAPU Board shall be:

892 (1) A person of 18 years of age or older;

893 (2) A resident of the CAPU for one year prior to the election; and

894 (3) A registered voter of DeKalb County;

895 (d) CAPU board members shall be elected by residents, homeowners, and property owners
896 within the designated boundaries of that CAPU. Eligible voters can prove residency by the
897 use of a driver's license, utility bill, or voter registration card. Every individual 18 years of
898 age and older shall be eligible to vote.

899 (e) Residents, homeowners, and property owners shall establish in their bylaws the odd
900 number of CAPU board members they wish to elect. Voting procedures shall be established
901 by each community area planning unit. Although the procedure may vary, bylaws describing
902 the voting procedures shall contain provisions delineating the voting process for issues as
903 well as officer elections.

904 **SECTION 4.13.**

905 Governance.

906 (a) Each CAPU shall be guided by boards composed of an odd number of members
 907 numbering from five to 19 members. The board may elect four positions from amongst the
 908 CAPU members:

909 (1) Coordinator – The coordinator shall maintain regularly scheduled meetings; facilitate
 910 regular meetings; and be selected as one of the community area representatives (CAR's).

911 (2) Deputy Coordinator – The deputy coordinator shall fulfill the roles and
 912 responsibilities of the coordinator in his or her absence.

913 (3) Secretary – The secretary shall keep records of all the individual members,
 914 homeowner associations, condo associations, and civic associations in the CAPU; keep
 915 records of the minutes of each regularly public and council scheduled meetings; and keep
 916 records of all correspondence.

917 (4) Treasurer – The treasurer shall keep track of all funds raised and received; produce
 918 a monthly report detailing such funds; and help maintain the financial solvency of the
 919 CAPU.

920 (b) CAPU's shall meet at regularly determined times to inform, discuss, and address issues
 921 related to planning and quality of life. There shall be regular meetings for the purpose of
 922 providing input into a comprehensive strategic economic and community plan for the City
 923 of Greenhaven,

924 **SECTION 4.14.**

925 CAPU powers.

926 CAPU's shall have the power to:

927 (1) Make recommendations to the city council about zoning, land-use, and planning
 928 issues within their district;

929 (2) Make recommendations to the city council about other quality of life issues within
 930 their district; and

931 (3) Participate in ensuring that a comprehensive, coordinated, community economic
 932 development vision is developed and implemented for the City of Greenhaven.

933

SECTION 4.15.

934

Community area representatives.

935 (a) Each CAPU board shall select two people to be known as community area
 936 representatives (CAR's). Community area representatives from each CAPU shall be selected
 937 at the first CAPU board meeting after CAPU board elections. The names and contact
 938 information shall be provided to the city clerk after CAPU selection.

939 (b) CAR's shall be representatives of the CAPU's and should seek the advice of CAPU
 940 members through discussions at CAPU meetings when making recommendations and
 941 decisions at CAR's meetings. CAR's shall discuss any common issues and ensure there is
 942 coordination between the six CAPU's.

943 (c) CAR's shall meet at regularly designated times to discuss joint CAPU issues. CAR's can
 944 create standing or temporary committees which are open to any CAPU resident in good
 945 standing. These standing committees shall report to the CAR's for the purpose of providing
 946 input to the comprehensive plan and also to the mayor and city council regarding the
 947 operational and budgetary needs and concerns of the city, discussing any common issues, and
 948 ensuring there is coordination between the six CAPU's.

949 (d) CAR's shall have all the power of the CAPU's as well as the power to, in conjunction
 950 with other CAR's to:

951 (1) Initiate regularly scheduled CAR meetings open to the public;

952 (2) Create standing and temporary committees on issues of joint concern to CAPU's.
 953 The committees will be composed of CAPU members;

954 (3) Make recommendations to the city council about joint CAPU quality of life issues;
 955 and

956 (4) Assist in the process of selecting candidates for the City of Greenhaven board of
 957 ethics as provided in subsection (b) of Section 5.17 of this charter.

958

SECTION 4.16.

959

Responsibilities of the City of Greenhaven.

960 The City of Greenhaven will ensure that each CAPU receives the following:

961 (1) Training on the CAPU structure, duties, and responsibilities;

962 (2) Technical assistance in creating bylaws;

963 (3) Assistance with notification of meetings to other residents in the CAPU;

964 (4) Assistance with copying the agenda and other relevant documents or providing a
 965 projector and other resources that will display the agenda for regularly scheduled
 966 meetings;

- 967 (5) A space free of charge for the CAPU to hold regular meetings; and
 968 (6) Provision of a city planner that will provide technical information to the CAPU's
 969 about the zoning, land-use, and planning proposals that require citizen input.

970 ARTICLE V

971 ADMINISTRATIVE AFFAIRS

972 SECTION 5.10.

973 Administrative and service departments.

974 (a) Except where another meaning is clearly intended, the word "department" in this charter
 975 shall mean any agency in the executive branch of the city government. The departments of
 976 the city shall be created and established by ordinance, and the departments shall be
 977 responsible for the performance of the functions and services enumerated therein.

978 (b) The operations and responsibilities of such departments shall be distributed accordingly:
 979 that the first degree of organization shall be department; that the second degree of
 980 organization shall be office; that the third degree of organization shall be division, and that
 981 the fourth degree of organization shall be bureau. The assignment of organizational structure
 982 shall be accomplished by the administrative branch of government and shall be published to
 983 the governing body through a communication that shall set forth the organizational structure
 984 of each department. The departments shall consist of such officers, employees, and positions
 985 as may be authorized by ordinance.

986 (c) There shall be a director of each department who shall be the principal officer thereof.
 987 Each director shall, subject to the direction and supervision of the chief operating officer, be
 988 responsible for the administration and direction of the affairs and operations of his or her
 989 department and shall exercise general management and control thereof.

990 (d) Vacancies occurring in an appointed office shall be filled in the same manner as
 991 prescribed by this charter for original appointments.

992 (e) The directors of departments and other appointed officers shall be appointed solely on
 993 the basis of their respective executive, administrative, and professional qualifications which
 994 shall be prescribed by ordinance.

995 (f) All appointed officers and directors under the supervision of the chief operating officer
 996 shall be nominated by the mayor with confirmation of appointment by the city council. All
 997 appointed officers and directors shall be employees at-will and subject to removal or
 998 suspension at any time by the mayor unless otherwise provided by law or ordinance.

999 (g) The compensation of appointed officers and directors of departments shall be fixed by
 1000 the council.

1001 (h) The mayor may initiate or create additional departments, or propose the abolishment of
 1002 departments, subject to the provisions of this charter and approval by the city council.

1003 **SECTION 5.11.**

1004 Commissioners of departments - appointment; removal; residency.

1005 (a) The mayor shall appoint all directors of departments, subject to confirmation by a
 1006 majority of the city council. As used in this section, "director" means the administrative head
 1007 of each department regardless of the title of a particular department head. Directors may be
 1008 removed by the mayor upon approval by a majority of the city council.

1009 (b) Directors of departments shall have the power and duty to appoint and remove deputy
 1010 directors and bureau administrators.

1011 **SECTION 5.12.**

1012 Administrative reorganization.

1013 (a) The mayor, as chief executive of the city, is hereby empowered, subject to any
 1014 limitations of this charter, to initiate, direct, and implement the reorganization of any
 1015 department.

1016 (b) The mayor shall prepare and sign a plan of reorganization of any department or
 1017 departments and shall submit such plan to the city council. Any plan presented shall be in
 1018 the form of a proposed ordinance and the city council shall by majority vote approve,
 1019 modify, or reject any such plan within 60 days of its submission to the city council. No
 1020 reorganization shall become effective until the city council has acted or 60 days have elapsed
 1021 from the date of submission, whichever first occurs.

1022 **SECTION 5.13.**

1023 City attorney.

1024 (a) There shall be a city attorney who shall be appointed by the mayor subject to
 1025 confirmation by a majority vote of the city council. The city attorney may be removed at the
 1026 pleasure of the mayor or the city council by a three-fourths' vote of its membership.

1027 (b) The city attorney shall be an active member of the State Bar of Georgia in good standing
 1028 and shall have at least ten years' experience in the active practice of municipal law
 1029 immediately preceding his or her appointment. The number of years' experience herein may
 1030 be waived by the city council upon a three-fourths' vote of its membership.

1031 (c) The city attorney shall serve as the chief legal advisor of the city and shall be the director
1032 of the department of law. He or she shall perform such duties as prescribed by this charter,
1033 ordinance, or law.

1034 (d) The city attorney shall be responsible to the mayor and to the city council.

1035 **SECTION 5.14.**

1036 Chief financial officer.

1037 (a) There shall be a chief financial officer who shall be appointed by the mayor, subject to
1038 the confirmation by a majority vote of the city council. The chief financial officer may be
1039 removed at the pleasure of the mayor with approval by a majority vote of the city council.

1040 (b) The chief financial officer shall have at least ten years' experience in the management
1041 of fiscal operations or public finance and proven administrative ability or have served at least
1042 ten years as a comptroller or financial head of a business with a substantial budget. The
1043 number of years' experience herein may be waived by the city council upon a three-fourths'
1044 vote of its membership.

1045 (c) The chief financial officer shall be the director of the department of finance and shall
1046 perform such duties as shall be provided by this charter or by ordinance or resolution or
1047 required by law.

1048 (d) The chief financial officer shall be responsible to the mayor but available to
1049 councilmembers for budgetary questions.

1050 (e) The chief financial officer shall prepare a quarterly report on the budget status and
1051 economic trends in conjunction with the budget office. In addition, the third quarter report
1052 shall include revenue and expenditure projections through the end of the fiscal year so that
1053 projected overruns and underruns can be considered for use in the subsequent budget year.

1054 **SECTION 5.15.**

1055 City clerk.

1056 (a) There shall be a city clerk who shall be appointed by the council and who shall not be
1057 a member thereof. To be eligible to occupy this position, the city clerk shall be designated
1058 a certified city clerk by the Georgia City Clerks and Finance Officers Association, or by an
1059 equivalent certifying agency from another state, or shall receive such certification within one
1060 year following his or her appointment. The city clerk shall be appointed and removed at the
1061 pleasure of the mayor upon a majority vote of the city council membership.

1062 (b) The city clerk shall be the custodian of the official seal and of all records and documents
1063 of the city which are not assigned to the custody of some other officer. The clerk or his or

1064 her designee shall keep the rules of the city council and the minutes of the proceedings of the
 1065 council, maintain a current and comprehensive index of all ordinances and resolutions,
 1066 publish notice of ordinances proposed for adoption under rules prescribed by the city council
 1067 or required by this charter or law, and perform such other duties as may be assigned by this
 1068 charter or by ordinance.

1069 (c) The city clerk shall be responsible to the city council president and shall perform the
 1070 duties of his or her office under the direction and supervision of the president of the council
 1071 and the committee designated by the council, acting through its chairperson.

1072 **SECTION 5.16.**

1073 Office of economic development.

1074 The City of Greenhaven has the authority to create an office of economic development for
 1075 the purposes of promoting, encouraging, attracting and retaining business and commercial
 1076 development for the City of Greenhaven.

1077 **SECTION 5.17.**

1078 Boards; commissions; authorities.

1079 (a) As related to corporate, municipal, governmental, or public purposes and for the security
 1080 of the peace, health, and good government of the city, the council shall have the authority to
 1081 create commissions, councils, boards, authorities, or other similar bodies which shall perform
 1082 duties prescribed by the council, including, but not limited to, making studies, conducting
 1083 research and investigations, holding hearings, and preparing recommendations as to needed
 1084 ordinances and resolutions. All members of such boards, commissions, councils, authorities,
 1085 or other similar bodies shall be legal residents of the city. The chairperson of each board,
 1086 commission, council, authority or other similar body shall provide to the city clerk the names
 1087 and addresses of its members.

1088 (b) The city council shall have the authority to provide for the composition of such
 1089 commissions, councils, boards, authorities, or other similar bodies, their periods of existence,
 1090 and for the compensation of their members and employees, in whole or in part. The city
 1091 council may provide by ordinance for reimbursement of the actual and necessary expenses
 1092 incurred by the members thereof in the performance of their official duties. The city council
 1093 shall have the authority to annually appropriate and donate money, derived from taxation,
 1094 contributions, or otherwise, for and to such commissions, councils, boards, authorities, and
 1095 other similar bodies to provide for their operation, either in whole or in part.

1096 (c) All regular, full-time employees of commissions, councils, boards, authorities, or other
1097 similar bodies which have been created by the city council shall be considered to be
1098 employees of the city. Such employees shall be entitled to all of the benefits and privileges
1099 as are other employees of the city and shall be subject to all laws, ordinances, and resolutions
1100 governing employees of the city except as otherwise specifically prescribed in the code of
1101 ordinances. Such employees shall be within the unclassified service of the civil service
1102 unless the council shall provide by ordinance for other terms and conditions of employment
1103 and personnel matters relating to such employees. No member of a board, commission,
1104 council, authority, or similar body shall be deemed an employee of the city under the
1105 provisions of this subsection.

1106 (d) Any vacancy in office of any member of a board, commission, council, authority, or
1107 similar body shall be filled for the unexpired term in the manner prescribed for the original
1108 appointment. The chair shall provide to the city clerk the name and address of its new
1109 members.

1110 (e) No member of any board, commission, council, authority, or similar body shall assume
1111 office until he or she has executed and filed with the city clerk an oath or affirmation
1112 obligating himself or herself to faithfully and impartially perform the duties of his or her
1113 office, such oath or affirmation to be prescribed by ordinance and administered by the mayor
1114 or the city clerk.

1115 (f) Any member of a board, commission, council, authority, or similar body created by the
1116 council may be removed from office for cause by a majority vote of the councilmembers
1117 present.

1118 (g) Each board, commission, council, authority, and similar body may establish such bylaws,
1119 rules, and regulations, not inconsistent with this charter, ordinances of the city council, or
1120 applicable state law, as it deems appropriate and necessary for the conduct of its affairs,
1121 copies of which shall be filed with the city clerk.

1122 (h) All boards, commissions, councils, authorities, and other similar bodies and their
1123 employees shall comply with the budgetary procedures of the city as provided in this charter.

1124 (i) The functions of boards, commissions, councils, authorities, and other similar bodies of
1125 the city, whether established by Acts of the General Assembly or the city council, shall be
1126 provided for by ordinances or resolutions of the city council. However, any boards,
1127 commissions, councils, authorities, and other similar bodies which derive their powers from
1128 general law shall continue to exercise such powers.

1129 (j) The mayor may initiate the creation of additional boards, commissions, councils,
1130 authorities, and other similar bodies subject to the approval of the city council.

1131 (k) All boards, commissions, councils, authorities, and other similar bodies shall keep an
1132 attendance record of every meeting for each member.

1133 (l) The appointing authority shall attach a summary of attendance for the period of time
 1134 served to the appointment communication when re-appointing any individual to the board,
 1135 commission, council, authority, or similar body.

1136 (m) The chairpersons of city boards, commissions, councils, authorities, and other similar
 1137 bodies or their designees shall promptly notify the mayor and city council in writing of any
 1138 membership vacancies, resignations, excessive absences, no-shows, tardiness, or failure to
 1139 perform.

1140 (n) Any member of a board, commission, council, authority, or similar body, serving an
 1141 expired term, shall continue to serve until he or she is re-appointed or a successor is
 1142 appointed.

1143 (o) New members shall be contacted and invited to the first meeting by the chairperson or
 1144 his or her designee and shall be provided with copies of bylaws, rules, regulations, and
 1145 previous year's minutes.

1146 (p) The chairperson of each board, commission, council, authority, and similar body or his
 1147 or her designee shall prepare and submit an annual standardized report for all boards,
 1148 commissions, authorities, and other agencies outlining activities and accomplishments to the
 1149 mayor and city council.

1150 **SECTION 5.18.**

1151 Board of ethics.

1152 (a) There is created the board of ethics to be composed of seven citizens of the City of
 1153 Greenhaven to be appointed as provided in subsection (b) of this section. Each member of
 1154 the board of ethics shall have been a resident of City of Greenhaven for at least one year
 1155 immediately preceding the date of taking office and shall remain a resident of the city while
 1156 serving as a member of the board of ethics. No person shall serve as a member of the board
 1157 of ethics if the person has, or has had within the immediately preceding two-year period, any
 1158 interest in any contract, transaction, or official action with the City of Greenhaven.

1159 (b) Two members of the board of ethics shall be appointed by the mayor, five members shall
 1160 be appointed by a majority vote of the community area representatives (CAR's). Each
 1161 member shall be appointed for a term of three years. One member appointed by the mayor
 1162 shall be appointed for an initial term of one year and the other shall be appointed for an initial
 1163 term of three years. Of the five members appointed by the CAR's, two shall be appointed for
 1164 initial terms of one year and three shall be appointed for initial terms of three years. The
 1165 appointing authorities shall designate the initial terms of their respective appointees.
 1166 Successors to the first members of the board of ethics and future successors shall be
 1167 appointed by the respective appointing authorities for terms of three years upon the

1168 expiration of the respective terms of office. All members of the board of ethics shall serve
 1169 until their successors are appointed and qualified. The initial seven members of the board
 1170 of ethics shall be appointed to take office on a date to be determined by the mayor but not
 1171 later than one year after the City of Greenhaven begins operations.

1172 **SECTION 5.19.**

1173 Discrimination prohibited.

1174 It shall be the policy of the city, its departments, and boards that all personnel matters shall
 1175 be determined solely on the basis of merit and qualification, without respect to race, color,
 1176 creed, religion, sex, domestic relationship status, parental status, familial status, sexual
 1177 orientation, national origin, political affiliation, gender identity, or racial profiling.

1178 **SECTION 5.20.**

1179 Reserved.

1180 **SECTION 5.21.**

1181 Temporary engagement of person retired under municipal laws.

1182 (a) The mayor and city council may authorize the engagement of any person who has retired
 1183 under any of the pension laws, notwithstanding the age of such person, to render any special
 1184 or particular service as an independent contractor, provided that such contract shall be for a
 1185 period not exceeding 520 business days, whether continuously or in several separate
 1186 engagements. Such employees shall be entitled to receive their regular pension payments but
 1187 shall acquire no further pension or civil service rights by virtue of such temporary contractual
 1188 arrangement. No contractual engagement shall commence pursuant to this subsection until
 1189 such time as the department head or chief judge of the court, as applicable, and chief
 1190 financial officer shall confer with the mayor to confirm the exigency of retaining such
 1191 particularized expertise within city government.

1192 (b) The mayor and city council may authorize the engagement of sworn public safety
 1193 personnel retired under any of the pension laws, notwithstanding the age of such person, to
 1194 render public safety services as an independent contractor. Such contracts shall not be
 1195 subject to the 520 business day limitation provided in subsections (a) and (c) of this section.
 1196 Such sworn employees shall be entitled to receive their regular pension payments but shall
 1197 acquire no further pension or civil service rights by virtue of such temporary contractual
 1198 arrangement. No contractual engagement shall commence pursuant to this subsection until
 1199 such time as the department head or chief judge of the court, as applicable, and chief

1200 financial officer shall confer with the mayor to confirm the exigency of retaining such
1201 particularized expertise within city government.

1202 (c) In the event the particularized services required by the city are not amenable to an
1203 independent contractor agreement with a retiree, the City of Greenhaven may reemploy a
1204 retiree for the purpose of availing the city of some particularized skill possessed by such
1205 retiree under the following circumstances:

1206 (1) The reemployment for any single period of time, or any several periods of time, shall
1207 not exceed 520 business days, whether continuously or in separate days of employment;

1208 (2) With the reemployment request, the reemploying department provides a plan,
1209 including a timetable for the permanent provision of the services which are temporarily
1210 being provided by the reemployed retiree; and

1211 (3) Single or concurrent multiple reemployment periods shall not exceed 120 business
1212 days without reauthorization by city council.

1213 (d) Nothing herein contained shall prevent any retiree from holding any office which is filled
1214 by an election by the people. No additional pension or civil service rights or privileges shall
1215 accrue to such officer or employee during such period and said retiree shall be entitled to
1216 continue to receive his or her regular pension payments.

1217 **SECTION 5.22.**

1218 Compulsory retirement, waiver of penalties.

1219 (a) No employee of the city shall be required to retire from employment with the city based
1220 solely upon the age of any such employee.

1221 (b) Any employee of the city who has completed at least five years of service with the city
1222 and who retires under a pension plan covering city employees shall be entitled to retire upon
1223 attaining 65 years of age which may be set forth under any such pension plan.

1224 **SECTION 5.23.**

1225 Modification of pension plans.

1226 As authorized by the provisions of the Constitution of the State of Georgia of 1983,
1227 Article IX, Section II, Paragraph III(a)(14), the Acts, approved February 15, 1933,
1228 August 13, 1927, and August 20, 1974 (found respectively at Ga. L. 1933, p. 213, et seq.;
1229 Ga. L. 1927, p. 265, et seq.; Ga. L. 1924, p. 167, et seq., all as amended), providing for
1230 pensions for officials and employees of cities having a population of 300,000 or more
1231 according to the United States Census of 1920 or any subsequent census thereof, shall be

1232 modified, insofar as they appertain to employees and officials of the City of Greenhaven in
1233 accordance with the following rules and procedures:

1234 (1) Any other provisions in this charter notwithstanding, any pension law modification
1235 shall be effected only by ordinance adopted by at least two-thirds of the total membership
1236 of the council and duly approved by the mayor;

1237 (2) Any such ordinance shall be considered for final action by the council only after
1238 receipt of:

1239 (A) An investigation by an independent actuary of any such proposed modification,
1240 evidenced by a written report from such actuary which shall include, but not be limited
1241 to, such actuary's analysis of the funding requirements relating to any such modification
1242 and the opinion of such actuary as to the propriety of any such modification. Any such
1243 opinion shall state that such modification is in conformity with applicable state laws
1244 governing the funding requirements for modifications to such pension plans. Such
1245 opinion shall be accompanied by the written recommendations of the city attorney and
1246 chief financial officer; and

1247 (B) A written communication to the board of trustees of each of the respective pension
1248 funds affected by such modification to provide notice of the proposed modification of
1249 a provision of the pension plan and to request their non-binding recommendation in
1250 favor or against the proposed modification within 45 days from the date of introduction
1251 of the legislation, unless extended by ordinance;

1252 (3) No substitute or amendment to any ordinances presented to the city council hereunder
1253 shall be considered without a subsequent investigation of such proposed substitute or
1254 amendment by an independent actuary and recommendations of the city attorney and
1255 chief financial officer as provided in subparagraph (A) of paragraph (2) of this section,
1256 and the communication providing notice and requesting a recommendation from the
1257 boards of trustees of the respective pension fund affected by such modification as set
1258 forth in subparagraph (B) of paragraph (2) of this section; and

1259 (4) No ordinance which modifies any of the aforesaid pension laws and has a fiscal
1260 impact on the pension systems established by such laws shall be adopted by the city
1261 council or approved by the mayor until adequate provision for funding such modification
1262 has been made to defray the fiscal impact of such modification.

SECTION 5.24.

Regulation of complaints, fraud, waste, and abuse definitions.

When a pay plan has been adopted, the city council shall not increase or decrease the salary range applicable to any position except by amendment of such pay plan. For purposes of this section, all elected and appointed city officials are not city employees.

SECTION 5.25.

Personnel policies.

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

ARTICLE VI

JUDICIAL BRANCH

SECTION 6.10.

Creation; name.

There shall be a court to be known as the Municipal Court of the City of Greenhaven.

SECTION 6.11.

Convening.

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

SECTION 6.12.

Jurisdiction, authority, and powers generally.

(a) The municipal court and each judge thereof shall have jurisdiction and power coextensive with the territorial limits of City of Greenhaven, Georgia, to:

- (1) Try and punish violations of this charter, all city ordinances, and such other violations as provided by law;
- (2) Try, hear, and abate nuisances as provided by the laws of this state;
- (3) Hear, try, and determine as a committing court all warrants for the violation of any state law and, while acting under the authority of the laws of the State of Georgia, to bind over such persons to an appropriate higher court for the eventual trial of such case;

- 1290 (4) Punish those in its presence for contempt, provided that such punishment shall not
 1291 exceed \$200.00 or ten days in jail or both;
- 1292 (5) Punish for violations within its jurisdiction not exceeding a fine of \$1,000.00 or
 1293 imprisonment for six months or both such fine and imprisonment or may fix punishment
 1294 by fine, imprisonment, or alternative sentencing as now or hereafter provided by law;
- 1295 (6) Establish bail and recognizance to ensure the presence of those charged with
 1296 violations before such court;
- 1297 (7) Compel the production of books, papers, and other evidence in the possession of any
 1298 party with the same authority as magistrates of the state;
- 1299 (8) Compel the presence of witnesses or all parties necessary to a proper disposal of each
 1300 case by issuance of summonses, subpoenas, warrants, orders, and all other process in
 1301 cases within its jurisdiction arising under the laws of the State of Georgia or this charter
 1302 or ordinances of the city with full power to enforce the same;
- 1303 (9) Enforce obedience to its orders, judgments, and sentences with the same authority as
 1304 magistrates of the state;
- 1305 (10) Administer all oaths as are necessary with the same authority as magistrates of the
 1306 state and take affidavits and attest other papers;
- 1307 (11) Issue warrants for the arrest of persons charged with offenses against any ordinance
 1308 of the city, and each judge of the municipal court shall have the authority as magistrate
 1309 of the state to issue warrants for offenses against state laws committed within the city;
 1310 and
- 1311 (12) Such other powers and duties as shall be provided by law or ordinance.
- 1312 (b) The municipal court shall have authority to establish a schedule of fees to defray the cost
 1313 of operation, and shall be entitled to reimbursement of the cost of meals, transportation, and
 1314 caretaking of prisoners bound over to superior courts for violations of state law.
- 1315 (c) The municipal court shall have authority to establish bail and recognizances to ensure
 1316 the presence of those charged with violations before said court, and shall have discretionary
 1317 authority to accept cash or personal or real property as surety for the appearance of persons
 1318 charged with violations. Whenever any person shall give bail for that person's appearance
 1319 and shall fail to appear at the time fixed for trial, the bond shall be forfeited by the judge
 1320 presiding at such time, and an execution issued thereon by serving the defendant and the
 1321 defendant's sureties with a rule nisi, at least two days before a hearing on the rule nisi. In
 1322 the event that cash or property is accepted in lieu of bond for security for the appearance of
 1323 a defendant at trial, and if such defendant fails to appear at the time and place fixed for trial,
 1324 the cash so deposited shall be on order of the judge declared forfeited to the city, or the
 1325 property so deposited shall have a lien against it for the value forfeited which lien shall be
 1326 enforceable in the same manner and to the same extent as a lien for city property taxes.

SECTION 6.13.

Appellate review.

The orders, verdicts, judgments, and sentences of the court shall be subject to appellate review by writ of certiorari in the appropriate superior court or as otherwise provided by general law.

SECTION 6.14.

Judges; qualifications; term of office; appointment; vacancies.

(a) The municipal court shall be presided over by such number of municipal court judges as shall be authorized by the city council. The city council may determine whether the municipal court judges are part-time or full-time.

(b) To qualify for appointment as a judge of the municipal court, a person shall be at least 25 years of age, a resident of the city for at least one year, a member of the State Bar of Georgia, and a practicing attorney with a minimum of five years' experience. To hold office as a judge after such appointment, a person shall continue to possess said qualifications and shall not hold or qualify for any other public office.

(c) The city council shall appoint a person to the position of municipal court judge in accordance with the provisions of this article.

(d) A judge of the municipal court shall be appointed for a term of four years and, upon completion of such term, such judge shall continue to serve at the pleasure of the city council. Judges may be removed from the position by a two-thirds vote of the entire membership of the city council or shall be removed upon action taken by the State Judicial Qualifications Commission for:

(1) Willful misconduct in office;

(2) Willful and persistent failure to perform duties;

(3) Habitual intemperance;

(4) Conduct prejudicial to the administration of justice which brings the judicial office into disrepute; or

(5) Disability seriously interfering with the performance of duties, which is, or is likely to become, of a permanent character.

(e) Before assuming office, each judge shall take and subscribe an oath or affirmation, before some officer authorized to administer oaths, faithfully to discharge the duties of the office. The oath shall be filed with the city clerk.

1359 (f) In the event of any vacancy in the office of a municipal court judge for any cause,
 1360 whether by death, resignation, or removal, the city council shall appoint some qualified
 1361 person to fill such vacancy in accordance with the provisions of this article.

1362 **SECTION 6.15.**

1363 Chief judge.

1364 (a) The municipal court shall be presided over by a chief judge and such part-time, full-time,
 1365 or stand-by judges as shall be provided by ordinance.

1366 (b) If three or more judges are provided by ordinance, the municipal court judges shall by
 1367 a majority vote select a chief judge to serve at their pleasure. If two judges are provided by
 1368 ordinance, the senior judge shall be the chief judge.

1369 (c) The chief judge shall be responsible for the general supervision of the municipal court
 1370 and shall promulgate all rules necessary for the supervision, conduct, and administration of
 1371 the court, including, but not limited to, the number of divisions into which the court is
 1372 divided and the assignment of judges to duty therein; the hours of operation of the court; the
 1373 preparation of calendars deemed necessary and proper; and a system for keeping court
 1374 records and shall require such reports from the judges, solicitor, public defender,
 1375 clerk/administrator, and other court personnel as deemed necessary and proper. Such rules
 1376 so promulgated shall be reduced to writing. The chief judge shall be responsible also for the
 1377 preparation and submission of budgets of such court to the mayor and city council and
 1378 appropriate departments, committees, and agencies. He or she shall further perform other
 1379 duties as the city council may provide by ordinance or as required by law.

1380 (d) In the event of a vacancy, incapacity, or inability of the chief judge to perform his or her
 1381 duties, the remaining judges of the court, by a majority vote, shall select another chief judge
 1382 in accordance with this section.

1383 (e) Judges serve at-will and may be removed from office at any time by the city council
 1384 unless otherwise provided by ordinance.

1385 **SECTION 6.16.**

1386 Codes of ethics.

1387 (a) The Code of Judicial Conduct, as adopted by the Supreme Court of Georgia, as now or
 1388 hereafter amended, shall govern the conduct of the judges of the municipal court.

1389 (b) The Code of Professional Responsibility, as adopted by the Supreme Court of Georgia,
 1390 as now or hereafter amended, shall govern the conduct of the solicitor, public defender, and
 1391 their assistants of the municipal court.

1392 (c) Such codes are hereby incorporated herein by reference as if set out at length in this
 1393 section, and copies thereof shall be maintained on file in the office of the city clerk.

1394 **ARTICLE VII**
 1395 **FINANCE**
 1396 **SECTION 7.10.**
 1397 **Property tax.**

1398 The city council may assess, levy, and collect an ad valorem tax on all real and personal
 1399 property within the corporate limits of the city that is subject to such taxation by the state and
 1400 county. This tax is for the purpose of raising revenues to defray the costs of operating the
 1401 city government, of providing governmental services, for the repayment of principal and
 1402 interest on general obligations, and for any other public purpose as determined by the city
 1403 council in its discretion.

1404 **SECTION 7.11.**
 1405 **Millage rate; due dates; payment methods.**

1406 The city council, by ordinance, shall establish a millage rate for the city property tax, a due
 1407 date, and the time period within which these taxes shall be paid. The city council, by
 1408 ordinance, may provide for the payment of these taxes by two installments or in one lump
 1409 sum, as well as authorize the voluntary payment of taxes prior to the time when due. Once
 1410 the millage rate is established, the City of Greenhaven shall be authorized to increase the
 1411 millage rate up to 1.5 mills after which any increase shall require a resolution by the city
 1412 council and approval by a majority of the qualified voters of City of Greenhaven voting in
 1413 a referendum to approve such increase.

1414 **SECTION 7.12.**
 1415 **Occupation and business taxes.**

1416 The city council by ordinance shall have the power to levy such occupation or business taxes
 1417 that are not denied by law. The city council may classify businesses, occupations, or
 1418 professions for the purpose of such taxation in any way which may be lawful and may
 1419 compel the payment of such taxes.

1420 **SECTION 7.13.**

1421 Regulatory fees; permits.

1422 The city council by ordinance shall have the power to require businesses or practitioners
 1423 doing business within this city to obtain a permit for such activity from the city and pay a
 1424 reasonable regulatory fee for such permit as provided by general law. Such fees shall reflect
 1425 the total cost to the city of regulating the activity, and if unpaid, shall be collected as
 1426 provided in Section 7.18 of this charter.

1427 **SECTION 7.14.**

1428 Franchises.

1429 (a) The city council shall have the power to grant franchises for the use of this city's streets
 1430 and alleys for the purposes of railroads, street railways, telephone companies, electric
 1431 companies, electric membership corporations, cable television and other telecommunications
 1432 companies, gas companies, transportation companies, and other similar organizations. The
 1433 city council shall determine the duration, terms, whether the same shall be exclusive or
 1434 nonexclusive, and the consideration for such franchises; provided, however, that no franchise
 1435 shall be granted for a period in excess of 35 years and no franchise shall be granted unless
 1436 the city receives just and adequate compensation therefor. The city council shall provide for
 1437 the registration of all franchises with the city clerk in a registration book kept by the clerk.
 1438 The city council may provide by ordinance for the registration within a reasonable time of
 1439 all franchises previously granted.

1440 (b) If no franchise agreement is in effect, the city council has the authority to impose a tax
 1441 on gross receipts for the use of this city's streets and alleys for the purposes of railroads,
 1442 street railways, telephone companies, electric companies, electric membership corporations,
 1443 cable television and other telecommunications companies, gas companies, transportation
 1444 companies, and other similar organizations.

1445 **SECTION 7.15.**

1446 Service charges.

1447 The city council by ordinance shall have the power to assess and collect fees, charges,
 1448 assessments, and tolls for sewers, sanitary and health services, or any other services provided
 1449 or made available within and without the corporate limits of the city. If unpaid, such charges
 1450 shall be collected as provided in Section 7.18 of this charter.

1451 **SECTION 7.16.**

1452 Special assessments.

1453 The city council by ordinance shall have the power to assess and collect the cost of
 1454 constructing, reconstructing, widening, or improving any public way, street, sidewalk,
 1455 curbing, gutters, sewers, or other utility mains and appurtenances from the abutting property
 1456 owners. If unpaid, such charges shall be collected as provided in Section 7.18 of this charter.

1457 **SECTION 7.17.**

1458 Construction; other taxes and fees.

1459 This city shall be empowered to levy any other tax or fee allowed now or hereafter by law,
 1460 and the specific mention of any right, power, or authority in this article shall not be construed
 1461 as limiting in any way the general powers of this city to govern its local affairs.

1462 **SECTION 7.18.**

1463 Collection of delinquent taxes and fees.

1464 The city council, by ordinance, may provide generally for the collection of delinquent taxes,
 1465 fees, or other revenue due the city under Sections 7.10 through 7.17 of this charter by
 1466 whatever reasonable means as are not precluded by law. This shall include providing for the
 1467 dates when the taxes or fees are due; late penalties or interest; issuance and execution of
 1468 fi. fas.; creation and priority of liens; making delinquent taxes and fees personal debts of the
 1469 persons required to pay the taxes or fees imposed; revoking city permits for failure to pay any
 1470 city taxes or fees; and providing for the assignment or transfer of tax executions.

1471 **SECTION 7.19.**

1472 General obligation bonds.

1473 The city council shall have the power to issue bonds for the purpose of raising revenue to
 1474 carry out any project, program, or venture authorized under this charter or the laws of the
 1475 state. Such bonding authority shall be exercised in accordance with the laws governing bond
 1476 issuance by municipalities in effect at the time said issue is undertaken.

1477 **SECTION 7.20.**

1478 Revenue bonds.

1479 Revenue bonds may be issued by the city council as state law now or hereafter provides.
 1480 Such bonds are to be paid out of any revenue produced by the project, program, or venture
 1481 for which they were issued.

1482 **SECTION 7.21.**

1483 Short-term loans.

1484 The city may obtain short-term loans, but shall repay such loans not later than the end of each
 1485 fiscal year unless otherwise provided by law.

1486 **SECTION 7.22.**

1487 Lease-purchase contracts.

1488 The city may enter into multiyear lease, purchase, or lease purchase contracts for the
 1489 acquisition of goods, materials, real and personal property, services, and supplies provided
 1490 the contract terminates without further obligation on the part of the municipality at the close
 1491 of the calendar or fiscal year in which it was executed and at the close of each succeeding
 1492 calendar or fiscal year for which it may be renewed. Contracts shall be executed in
 1493 accordance with the requirements of Code Section 36-60-13 of the O.C.G.A., or other such
 1494 applicable laws as are or may hereafter be enacted.

1495 **SECTION 7.23.**

1496 Fiscal year.

1497 The fiscal year shall be from July 1 to June 30. This fiscal year shall constitute the budget
 1498 year and the year for financial accounting and reporting of each and every office, department,
 1499 agency, and activity of the city government unless otherwise provided by state or federal law.

1500 **SECTION 7.24.**

1501 Preparation of budgets.

1502 The city council shall provide an ordinance on the procedures and requirements for the
 1503 preparation and execution of an annual operating budget, a capital improvement plan, and

1504 a capital budget, including requirements as to the scope, content, and form of such budgets
1505 and plans.

1506 **SECTION 7.25.**

1507 Submission of operating budget to city council.

1508 (a) On or before a date fixed by the city council but not later than 90 days prior to the
1509 beginning of each fiscal year, the mayor shall submit to the city council a proposed operating
1510 budget for the ensuing fiscal year. The budget shall be accompanied by a message from the
1511 mayor containing a statement of the general fiscal policies of the city, the important features
1512 of the budget, explanations of major changes recommended for the next fiscal year, a general
1513 summary of the budget, and such other pertinent comments and information. The operating
1514 budget and the capital budget hereinafter provided for, the budget message, and all
1515 supporting documents shall be filed in the office of the city clerk and shall be open to public
1516 inspection.

1517 (b) Prior to passage of the budget, the city council shall hold a special public hearing at
1518 which the budget shall be presented and public comment on the budget shall be solicited.
1519 The date, time, and place of the special public hearing shall be announced not less than 30
1520 days prior to the scheduled date for such hearing.

1521 (c) All unencumbered balances of appropriations in the current operating budget at the end
1522 of the fiscal year shall lapse into the unappropriated surplus or reserves of the fund or funds
1523 from which such appropriations were made. When a supplemental appropriation is certified
1524 by the mayor to exist, these appropriations may be spent during the current fiscal year
1525 following passage of a supplemental appropriation ordinance.

1526 **SECTION 7.26.**

1527 Action by city council on budget.

1528 (a) The city council may amend the operating budget proposed by the mayor; provided,
1529 however, that the budget as finally amended and adopted shall provide for all expenditures
1530 required by state law or by other provisions of this charter and for all debt service
1531 requirements for the ensuing fiscal year, and the total appropriations from any fund shall not
1532 exceed the estimated fund balance, reserves, and revenues.

1533 (b) The city council by ordinance shall adopt the final operating budget for the ensuing fiscal
1534 year not later than the first day of the twelfth month of the fiscal year currently ending. If
1535 the city council fails to adopt the budget by the prescribed deadline, the operating budget and

1536 capital budget proposed by the mayor shall be adopted without further action by the city
1537 council.

1538 **SECTION 7.27.**

1539 Tax levies.

1540 The city council shall levy by ordinance such taxes as are necessary. The taxes and tax rates
1541 set by such ordinances shall be such that reasonable estimates of revenues from such levy
1542 shall at least be sufficient, together with other anticipated revenues, fund balances, and
1543 applicable reserves, to equal the total amount appropriated for each of the several funds set
1544 forth in the annual operating budget for defraying the expenses of the general government
1545 of this city.

1546 **SECTION 7.28.**

1547 Independent audit.

1548 (a) There shall be an annual independent audit of all city accounts, funds, and financial
1549 transactions by a certified public accountant selected by the city council. The audit shall be
1550 conducted according to generally accepted auditing principles. Copies of annual audit
1551 reports shall be available at printing costs to the public.

1552 (b) As a minimum, all audits and budgets of the city shall satisfy the requirements of
1553 Chapter 81 of Title 36 of the O.C.G.A., relating to local government audits and budgets.

1554 (c) The city council shall appoint the independent auditor.

1555 **SECTION 7.29.**

1556 Contracting procedures.

1557 No contract with the city shall be binding on the city unless:

1558 (1) It is in writing;

1559 (2) It is drawn by or submitted to and reviewed by the city attorney, and as a matter
1560 of course, is signed by the city attorney to indicate such drafting or review; and

1561 (3) It is made or authorized by the city council and such approval is entered in the city
1562 council journal of proceedings pursuant to subsection (a) of Section 2.22 of this charter.

1563 **SECTION 7.30.**

1564 Centralized purchasing.

1565 The city council shall by ordinance prescribe procedures upon the recommendation of the
1566 mayor for a system of centralized purchasing for the city.

1567 **SECTION 7.31.**

1568 Sale and lease of city property.

1569 (a) The city council may sell and convey, or lease any real or personal property owned or
1570 held by the city for governmental or other purposes as now or hereafter provided by law.

1571 (b) The city council may quitclaim any rights it may have in property not needed for public
1572 purposes upon report by the mayor and adoption of a resolution, both finding that the
1573 property is not needed for public or other purposes and that the interest of the city has no
1574 readily ascertainable monetary value.

1575 (c) Whenever in opening, extending, or widening any street, avenue, alley, or public place
1576 of the city, a small parcel or tract of land is cut-off or separated by such work from a larger
1577 tract or boundary of land owned by the city, the city council may authorize the mayor to sell
1578 and convey said cut-off or separated parcel or tract of land to an abutting or adjoining
1579 property owner or owners where such sale and conveyance facilitates the enjoyment of the
1580 highest and best use of the abutting owner's property. Included in the sales contract shall be
1581 a provision for the rights-of-way of said street, avenue, alley, or public place. Each abutting
1582 property owner shall be notified of the availability of the property and given the opportunity
1583 to purchase such property under such terms and conditions as set out by ordinance. All deeds
1584 and conveyances so executed and delivered shall convey all title and interest the city has in
1585 such property, notwithstanding the fact that no public sale after advertisement was or is
1586 hereafter made.

1587 **SECTION 7.32.**

1588 Homestead exemption; freeze.

1589 (a) As used in this section, the term:

1590 (1) "Ad valorem taxes for municipal purposes" means all municipal ad valorem taxes for
1591 municipal purposes levied by, for, or on behalf of the City of Greenhaven, including, but
1592 not limited to, ad valorem taxes to pay interest on and to retire municipal bonded
1593 indebtedness.

1594 (2) "Base year" means the taxable year immediately preceding the taxable year in which
1595 the exemption under this section is first granted to the most recent owner of such
1596 homestead.

1597 (3) "Homestead" means homestead as defined and qualified in Code Section 48-5-40 of
1598 the O.C.G.A., as amended, with the additional qualification that it shall include not more
1599 than five contiguous acres of homestead property.

1600 (b) Each resident of the City of Greenhaven is granted an exemption on that person's
1601 homestead from City of Greenhaven ad valorem taxes for municipal purposes in an amount
1602 equal to the amount by which the current year assessed value of that homestead exceeds the
1603 base year assessed value of that homestead. This exemption shall not apply to taxes assessed
1604 on improvements to the homestead or additional land that is added to the homestead after
1605 January 1 of the base year. If any real property is added to or removed from the homestead,
1606 the base year assessed value shall be adjusted to reflect such addition or removal, and the
1607 exemption shall be recalculated accordingly. The value of that property in excess of such
1608 exempted amount shall remain subject to taxation.

1609 (c) A person shall not receive the homestead exemption granted by subsection (b) of this
1610 section unless the person or person's agent files an application with the governing authority
1611 of the City of Greenhaven, or the designee thereof, giving such information relative to
1612 receiving such exemption as will enable the governing authority of the City of Greenhaven,
1613 or the designee thereof, to make a determination regarding the initial and continuing
1614 eligibility of such owner for such exemption. The governing authority of the City of
1615 Greenhaven, or the designee thereof, shall provide application forms for this purpose.

1616 (d) The exemption shall be claimed and returned as provided in Code Section 48-5-50.1 of
1617 the O.C.G.A., as amended. The exemption shall be automatically renewed from year to year
1618 so long as the owner occupies the residence as a homestead. After a person has filed the
1619 proper application as provided in subsection (c) of this section, it shall not be necessary to
1620 make application thereafter for any year, and the exemption shall continue to be allowed to
1621 such person. It shall be the duty of any person granted the homestead exemption under
1622 subsection (b) of this section to notify the governing authority of the City of Greenhaven, or
1623 the designee thereof, in the event that person for any reason becomes ineligible for that
1624 exemption.

1625 (e) The exemption granted by subsection (b) of this section shall not apply to or affect state
1626 ad valorem taxes, county ad valorem taxes for county purposes, or county or independent
1627 school district ad valorem taxes for educational purposes. The homestead exemption granted
1628 by subsection (b) of this section shall be in addition to and not in lieu of any other homestead
1629 exemption applicable to municipal ad valorem taxes for municipal purposes.

1630 (f) The exemption granted by subsection (b) of this section shall apply to all taxable years
 1631 beginning on or after January 1, 2019.

1632 **SECTION 7.33.**

1633 Homestead exemption; senior citizens; disabled.

1634 (a) As used in this section, the term:

1635 (1) "Ad valorem taxes for municipal purposes" means all ad valorem taxes for municipal
 1636 purposes levied by, for, or on behalf of the City of Greenhaven, including, but not limited
 1637 to, any ad valorem taxes to pay interest on and to retire municipal bonded indebtedness.

1638 (2) "Homestead" means homestead as defined and qualified in Code Section 48-5-40 of
 1639 the O.C.G.A., as amended.

1640 (3) "Income" means Georgia taxable net income determined pursuant to Chapter 7 of
 1641 Title 48 of the O.C.G.A., as amended, for state income tax purposes, except income shall
 1642 not include income received as retirement, survivor, or disability benefits under the
 1643 federal Social Security Act or under any other public or private retirement, disability, or
 1644 pension system, except such income which is in excess of the maximum amount
 1645 authorized to be paid to an individual and such individual's spouse under the federal
 1646 Social Security Act. Income from such sources in excess of such maximum amount shall
 1647 be included as income for the purposes of this charter.

1648 (4) "Senior citizen" means a person who is 65 years of age or over on or before January 1
 1649 of the year in which application for the exemption under subsection (b) of this section is
 1650 made.

1651 (b) Each resident of the City of Greenhaven who is disabled or is a senior citizen is granted
 1652 an exemption on that person's homestead from City of Greenhaven ad valorem taxes for
 1653 municipal purposes in the amount of \$14,000.00 of the assessed value of that homestead.
 1654 The exemption granted by this subsection shall only be granted if that person's income,
 1655 together with the income of the spouse who also occupies and resides at such homestead,
 1656 does not exceed \$15,000.00 for the immediately preceding year. The value of that property
 1657 in excess of such exempted amount shall remain subject to taxation.

1658 (c)(1) In order to qualify for the exemption provided for in subsection (b) of this section
 1659 due to being disabled, the person claiming such exemption shall be required to obtain a
 1660 certificate from not more than three physicians licensed to practice medicine under
 1661 Chapter 34 of Title 43 of the O.C.G.A., as amended, certifying that, in the opinion of
 1662 such physician or physicians, such person is mentally or physically incapacitated to the
 1663 extent that such person is unable to be gainfully employed and that such incapacity is

1664 likely to be permanent. Such certificate or certificates shall constitute part of and be
 1665 submitted with the application provided for in paragraph (2) of this subsection.

1666 (2) A person shall not receive the homestead exemption granted by subsection (b) of this
 1667 section unless the person or person's agent files an application with the governing
 1668 authority of the City of Greenhaven, or the designee thereof, giving the person's age,
 1669 income, and such additional information relative to receiving such exemption as will
 1670 enable the governing authority of the City of Greenhaven, or the designee thereof, to
 1671 make a determination regarding the initial and continuing eligibility of such owner for
 1672 such exemption. The governing authority of the City of Greenhaven, or the designee
 1673 thereof, shall provide application forms for this purpose.

1674 (d) The exemption shall be claimed and returned as provided in Code Section 48-5-50.1 of
 1675 the O.C.G.A., as amended. The exemption shall be automatically renewed from year to year
 1676 so long as the owner occupies the residence as a homestead. After a person has filed the
 1677 proper application, as provided in subsection (c) of this section, it shall not be necessary to
 1678 make application thereafter for any year and the exemption shall continue to be allowed to
 1679 such person. It shall be the duty of any person granted the homestead exemption under
 1680 subsection (b) of this section to notify the governing authority of the City of Greenhaven, or
 1681 the designee thereof, in the event that person for any reason becomes ineligible for that
 1682 exemption.

1683 (e) The exemption granted by subsection (b) of this section shall not apply to or affect state
 1684 ad valorem taxes, county ad valorem taxes for county purposes, or county or independent
 1685 school district ad valorem taxes for educational purposes. The homestead exemption granted
 1686 by subsection (b) of this section shall be in addition to and not in lieu of any other homestead
 1687 exemption applicable to municipal ad valorem taxes for municipal purposes.

1688 (f) The exemption granted by subsection (b) of this section shall apply to all taxable year
 1689 beginning on or after January 1, 2019.

1690 **SECTION 7.34.**

1691 Homestead exemption; general.

1692 (a) As used in this section, the term:

1693 (1) "Ad valorem taxes for municipal purposes" means all ad valorem taxes for municipal
 1694 purposes levied by, for, or on behalf of the City of Greenhaven, including, but not limited
 1695 to, any ad valorem taxes to pay interest on and to retire municipal bonded indebtedness.

1696 (2) "Homestead" means homestead as defined and qualified in Code Section 48-5-40 of
 1697 the O.C.G.A., as amended.

1698 (b) Each resident of the City of Greenhaven is granted an exemption on that person's
 1699 homestead from City of Greenhaven ad valorem taxes for municipal purposes in the amount
 1700 of \$10,000.00 of the assessed value of that homestead. The value of that property in excess
 1701 of such exempted amount shall remain subject to taxation.

1702 (c) A person shall not receive the homestead exemption granted by subsection (b) of this
 1703 section unless the person or person's agent files an application with the governing authority
 1704 of the City of Greenhaven, or the designee thereof, giving such information relative to
 1705 receiving such exemption as will enable the governing authority of the City of Greenhaven,
 1706 or the designee thereof, to make a determination regarding the initial and continuing
 1707 eligibility of such owner for such exemption. The governing authority of the City of
 1708 Greenhaven, or the designee thereof, shall provide application forms for this purpose.

1709 (d) The exemption shall be claimed and returned as provided in Code Section 48-5-50.1 of
 1710 the O.C.G.A., as amended. The exemption shall be automatically renewed from year to year
 1711 so long as the owner occupies the residence as a homestead. After a person has filed the
 1712 proper application, as provided in subsection (c) of this section, it shall not be necessary to
 1713 make application thereafter for any year and the exemption shall continue to be allowed to
 1714 such person. It shall be the duty of any person granted the homestead exemption under
 1715 subsection (b) of this section to notify the governing authority of the City of Greenhaven, or
 1716 the designee thereof, in the event that person for any reason becomes ineligible for that
 1717 exemption.

1718 (e) The exemption granted by subsection (b) of this section shall not apply to or affect state
 1719 ad valorem taxes, county ad valorem taxes for county purposes, or county or independent
 1720 school district ad valorem taxes for educational purposes. The homestead exemption granted
 1721 by subsection (b) of this section shall be in addition to and not in lieu of any other homestead
 1722 exemption applicable to municipal ad valorem taxes for municipal purposes.

1723 (f) The exemption granted by subsection (b) of this section shall apply to all taxable years
 1724 beginning on or after January 1, 2019.

1725 **SECTION 7.35.**

1726 Homestead exemption; surviving spouses.

1727 (a) As used in this section, the term:

1728 (1) "Ad valorem taxes for municipal purposes" means all ad valorem taxes for municipal
 1729 purposes levied by, for, or on behalf of the City of Greenhaven, including, but not limited
 1730 to, ad valorem taxes to pay interest on and to retire municipal bonded indebtedness.

1731 (2) "Homestead" means homestead as defined and qualified in Code Section 48-5-40 of
 1732 the O.C.G.A., as amended.

1733 (3) "Unremarried surviving spouse" of a member of the armed forces includes the
1734 unmarried widow or widower of a member of the armed forces who is receiving spousal
1735 benefits from the United States Department of Veterans Affairs.

1736 (b) Any person who is a resident of the City of Greenhaven and who is an unremarried
1737 surviving spouse of a member of the armed forces of the United States, which member has
1738 been killed in or has died as a result of any war or armed conflict in which the armed forces
1739 of the United States engaged, whether under United States command or otherwise, shall be
1740 granted a homestead exemption from all City of Greenhaven ad valorem taxation for
1741 municipal purposes in the amount of the greater of \$32,500.00 or the maximum amount
1742 which may be granted to a disabled veteran under Section 2102 of Title 38 of the United
1743 States Code, as amended. As of January 1, 2013, the maximum amount which may be
1744 granted to a disabled veteran under Section 2102 of Title 38 of the United States Code, as
1745 amended, is \$50,000.00. The exemption shall be on the homestead which the unremarried
1746 surviving spouse owns and actually occupies as a residence and homestead. In the event
1747 such surviving spouse remarries, such person shall cease to be qualified to continue the
1748 exemption under this Act effective December 31 of the taxable year in which such person
1749 remarries. The value of all property in excess of such exemption granted to such unremarried
1750 surviving spouse shall remain subject to taxation.

1751 (c) In order to qualify for the exemption provided for in this Act, the unremarried surviving
1752 spouse shall furnish to the governing authority of the City of Greenhaven, or the designee
1753 thereof, documents from the Secretary of Defense evidencing that such unremarried
1754 surviving spouse receives spousal benefits as a result of the death of such person's spouse
1755 who as a member of the armed forces of the United States was killed or died as a result of
1756 a war or armed conflict while on active duty or while performing authorized travel to or from
1757 active duty during such war or armed conflict in which the armed forces of the United States
1758 engaged, whether under United States command or otherwise, pursuant to the Survivor
1759 Benefit Plan under Subchapter II of Chapter 73 of Title 10 of the United States Code or
1760 pursuant to any preceding or subsequent federal law which provides survivor benefits for
1761 spouses of members of the armed forces who were killed or who died as a result of any war
1762 or armed conflict.

1763 (d) An unremarried surviving spouse filing for the exemption under this section shall be
1764 required to file with the governing authority of the City of Greenhaven, or the designee
1765 thereof, information relative to marital status and such other information which the governing
1766 authority of the City of Greenhaven, or the designee thereof, deems necessary to determine
1767 eligibility for the exemption. Each unremarried surviving spouse shall file for the exemption
1768 only once with the governing authority of the City of Greenhaven or the designee thereof.
1769 Once filed, the exemption shall automatically be renewed from year to year, except that the

1770 governing authority of the City of Greenhaven, or the designee thereof, may require annually
 1771 that the holder of an exemption substantiate his or her continuing eligibility for the
 1772 exemption. It shall be the duty of any person granted the homestead exemption under this
 1773 section to notify the governing authority of the City of Greenhaven, or the designee thereof,
 1774 in the event that person for any reason becomes ineligible for such exemption.

1775 (e) The exemption granted by this section shall be in lieu of and not in addition to any other
 1776 exemption from ad valorem taxation for municipal purposes which is equal to or lower in
 1777 amount than such exemption granted by this section. If the amount of any other exemption
 1778 from ad valorem taxation for municipal purposes applicable to any resident qualifying under
 1779 this section is greater than or is increased to an amount greater than the amount of the
 1780 applicable exemption granted by this section, such other exemption shall apply and shall be
 1781 in lieu of and not in addition to the exemption granted by this section.

1782 (f) The exemptions granted by this section shall apply to all tax years beginning on or after
 1783 January 1, 2019.

1784 **SECTION 7.36.**

1785 Homestead exemption; one mill equivalent.

1786 (a) As used in this section, the term:

1787 (1) "Ad valorem taxes for municipal purposes" means all ad valorem taxes for municipal
 1788 purposes levied by, for, or on behalf of the City of Greenhaven, including, but not limited
 1789 to, any ad valorem taxes to pay interest on and to retire municipal bonded indebtedness.

1790 (2) "Homestead" means homestead as defined and qualified in Code Section 48-5-40 of
 1791 the O.C.G.A., as amended.

1792 (b) Each resident of the City of Greenhaven is granted an exemption on such person's
 1793 homestead from City of Greenhaven ad valorem taxes for municipal purposes in an amount
 1794 that provides the dollar equivalent of a one mill reduction of the millage rate applicable to
 1795 the homestead property with respect to ad valorem taxes for municipal purposes for the
 1796 taxable year. The value of such property in excess of such exempted amount shall remain
 1797 subject to taxation.

1798 (c) A person shall not receive the homestead exemption granted by subsection (b) of this
 1799 section unless the person or person's agent files an application with the governing authority
 1800 of the City of Greenhaven, or the designee thereof, giving such information relative to
 1801 receiving such exemption as will enable the governing authority of the City of Greenhaven,
 1802 or the designee thereof, to make a determination regarding the initial and continuing
 1803 eligibility of such owner for such exemption. The governing authority of the City of
 1804 Greenhaven, or the designee thereof, shall provide application forms for this purpose.

1805 (d) The exemption shall be claimed and returned as provided in Code Section 48-5-50.1 of
 1806 the O.C.G.A., as amended. The exemption shall be automatically renewed from year to year
 1807 so long as the owner occupies the residence as a homestead. After a person has filed the
 1808 proper application as provided in subsection (c) of this section, it shall not be necessary to
 1809 make application thereafter for any year, and the exemption shall continue to be allowed to
 1810 such person. It shall be the duty of any person granted the homestead exemption under
 1811 subsection (b) of this section to notify the governing authority of the City of Greenhaven, or
 1812 the designee thereof, in the event such person for any reason becomes ineligible for such
 1813 exemption.

1814 (e) The exemption granted by subsection (b) of this section shall not apply to or affect state
 1815 ad valorem taxes, county ad valorem taxes for county purposes, or county or independent
 1816 school district ad valorem taxes for educational purposes. The homestead exemption granted
 1817 by subsection (b) of this section shall be in addition to and not in lieu of any other homestead
 1818 exemption applicable to municipal ad valorem taxes for municipal purposes.

1819 (f) The exemption granted by subsection (b) of this section shall apply to all taxable years
 1820 beginning on or after January 1, 2019.

1821 **SECTION 7.37.**

1822 Homestead exemption; fire services tax district HOST equivalent.

1823 (a) As used in this section, the term:

1824 (1) "Ad valorem taxes for fire services" means all ad valorem taxes for the purpose of
 1825 providing fire services levied by, for, or on behalf of the City of Greenhaven, including,
 1826 but not limited to, any ad valorem taxes to pay interest on and to retire municipal bonded
 1827 indebtedness.

1828 (2) "Homestead" means homestead as defined and qualified in Code Section 48-5-40 of
 1829 the O.C.G.A., as amended.

1830 (b) In the event that the City of Greenhaven assumes responsibility for the transfer of fire
 1831 services from DeKalb County, each resident of the City of Greenhaven is granted an annual
 1832 exemption on such person's homestead from City of Greenhaven ad valorem taxes in a fixed
 1833 amount equal to the HOST tax credit provided to DeKalb County residences who participate
 1834 in the Fire Services Special Tax District at a level equal to the average percentage credit for
 1835 the five years immediately preceding the cutover of fire services. The value of such property
 1836 in excess of such exempted amount shall remain subject to taxation.

1837 (c) A person shall receive the homestead exemption granted by subsection (b) of this section
 1838 provided that the person or person's agent has filed or files an application with the governing
 1839 authority of the City of Greenhaven in accordance with subsection (c) of Section 7.34 or

1840 subsection (c) of Section 7.36 of this charter giving such information relative to receiving
 1841 such exemption as will enable the governing authority of the City of Greenhaven, or the
 1842 designee thereof, to make a determination regarding the initial and continuing eligibility of
 1843 such owner for such exemption. No additional homestead exemption form or application is
 1844 required to grant the homestead exemption under this section.

1845 (d) The exemption shall be automatically renewed from year to year so long as the owner
 1846 occupies the residence as a homestead. After a person has filed the proper application, it
 1847 shall not be necessary to make application thereafter for any year, and the exemption shall
 1848 continue to be allowed to such person. It shall be the duty of any person granted the
 1849 homestead exemption under subsection (b) of this section to notify the governing authority
 1850 of the City of Greenhaven, or the designee thereof, in the event such person for any reason
 1851 becomes ineligible for such exemption.

1852 (e) The exemption granted by subsection (b) of this section shall not apply to or affect state
 1853 ad valorem taxes, county ad valorem taxes for county purposes, or county or independent
 1854 school district ad valorem taxes for educational purposes. The homestead exemption granted
 1855 by subsection (b) of this section shall be in addition to and not in lieu of any other homestead
 1856 exemption applicable to municipal ad valorem taxes for municipal purposes.

1857 (f) The exemption granted by subsection (b) of this section shall apply to all taxable years
 1858 beginning in the year in which the City of Greenhaven assumes responsibility for the transfer
 1859 of fire services from DeKalb County. In the event that the transfer of fire services does not
 1860 coincide with a taxable year end, the homestead exemption shall be prorated in the first year
 1861 in an amount equal to the percent of the first year in which Greenhaven provides fire
 1862 services.

1863 ARTICLE VIII

1864 ECONOMIC DEVELOPMENT PROVISIONS

1865 SECTION 8.10.

1866 Creation of office of economic development

1867 As provided in Section 5.16 of this charter, an Office of Economic Development shall be
 1868 created in the executive branch.

1869 SECTION 8.11.

1870 Creation of development authorities.

1871 The City of Greenhaven shall have the authority to create one or more statutory agencies for
 1872 the purpose of promoting trade, commerce, industry, and employment opportunities for the

1873 public good and to promote the general welfare of the city. The statutory agencies, when
1874 permitted by law, may develop financing packages including, but not limited to, provision
1875 of taxable and tax-exempt bonds for companies based on the type and number of jobs
1876 produced.

1877 **SECTION 8.12.**

1878 Urban redevelopment agency.

1879 The City of Greenhaven shall have the authority to create an urban redevelopment agency
1880 with all the powers, rights, and authorities that attend its creation including all financing
1881 capability.

1882 **SECTION 8.13.**

1883 Cooperation with community area planning Units (CAPU's).

1884 (a) CAPU's shall develop a comprehensive community economic development vision and
1885 plan for their designated area with the technical assistance of the City of Greenhaven Office
1886 of Economic Development.

1887 (b) The City of Greenhaven's office of economic development shall work with existing
1888 economic development agencies in the City of Greenhaven to implement the CAPU's vision.

1889 **SECTION 8.14.**

1890 Eminent domain for economic development.

1891 The City of Greenhaven's statutory agencies may engage in the use of eminent domain when
1892 necessary for economic development purposes, provided it is consistent with state law.

1893 **ARTICLE IX**

1894 **GENERAL PROVISIONS**

1895 **SECTION 9.10.**

1896 DeKalb County special services tax district.

1897 For the taxable years beginning on or after January 1, 2019, the adjusted ad valorem tax
1898 millage rate and amount for service charges or fees for district services for the City of
1899 Greenhaven special services tax district shall be 0 percent. This section is enacted pursuant
1900 to the authority granted to the General Assembly under Section 1 of that local constitutional
1901 amendment providing that certain municipalities in DeKalb County shall constitute special

1902 services tax districts, Resolution Act No 168; House Resolution No. 715-1916; Ga. L. 1978,
 1903 p. 2468, to control the subject matter of such local constitutional amendment. Municipal
 1904 services provided by DeKalb County for the City of Greenhaven shall be established through
 1905 intergovernmental agreements or established as otherwise authorized by statute.

1906 **SECTION 9.11.**

1907 Referendum and initial election.

1908 (a) The election superintendent of DeKalb County shall call a special election for the
 1909 purpose of submitting this Act to the qualified voters of the proposed City of Greenhaven for
 1910 approval or rejection. The superintendent shall set the date of such election for the Tuesday
 1911 after the first Monday in November 2018. The superintendent shall issue the call for such
 1912 election at least 60 days prior to the date thereof. The superintendent shall cause the date and
 1913 purpose of the election to be published once a week for two weeks immediately preceding
 1914 the date thereof in the official organ of DeKalb County. The ballot shall have written or
 1915 printed thereon the words:

1916 "() YES Shall the Act incorporating the City of Greenhaven in DeKalb County
 according to the charter contained in the Act and the homestead exemptions
 1917 () NO described in the Act be approved?"

1918 All persons desiring to vote for approval of the Act shall vote "Yes," and all persons desiring
 1919 to vote for rejection of the Act shall vote "No." If more than one-half of the votes cast on
 1920 such question are for approval of the Act, it shall become of full force and effect as provided
 1921 in this charter, otherwise it shall be void and of no force and effect. The initial expense of
 1922 such election shall be borne by DeKalb County. Within two years after the elections if the
 1923 incorporation is approved, the City of Greenhaven shall reimburse DeKalb County for the
 1924 actual cost of printing and personnel services for such election and for the initial election of
 1925 the mayor and councilmember's pursuant to subsection (f) of Section 2.10 of this charter. It
 1926 shall be the duty of the superintendent to hold and conduct such election. It shall be his or
 1927 her further duty to certify the result thereof to the Secretary of State.

1928 (b) For the purposes of the referendum election provided for in subsection (a) of this section
 1929 and for the purposes of the special election of the City of Greenhaven to be held on the third
 1930 Tuesday in March 2019, the qualified electors of the City of Greenhaven shall be those
 1931 qualified electors of DeKalb County residing within the corporate limits of the City of
 1932 Greenhaven as described by Appendix A of this charter. The qualified voters for each
 1933 District, as stated in subsection (f) of Section 2.10 of this charter and specified in Appendix
 1934 B shall be the qualified electors of DeKalb County residing within each of the districts within
 1935 the City of Greenhaven with the exception of the president of the council and the mayor who

1936 shall be elected at-large within the City of Greenhaven. At subsequent municipal elections,
 1937 the qualified electors of the City of Greenhaven shall be determined pursuant to the authority
 1938 of Chapter 2 of Title 21 of the O.C.G.A., the "Georgia Election Code."

1939 (c) Only for the purposes of holding and conducting the referendum election provided for
 1940 by subsection (a) of this section and holding and conducting the special election of the City
 1941 of Greenhaven provided for by subsection (a) of this section, the election superintendent of
 1942 DeKalb County is vested with the powers and duties of the election superintendent of the
 1943 City of Greenhaven and the powers and duties of the governing authority of the City of
 1944 Greenhaven.

1945 **SECTION 9.12.**

1946 Effective dates and transition.

1947 (a) The initial mayor and councilmembers shall take the oath of office the next business day
 1948 after certification of the election of such officers and by action of any four members of the
 1949 governing authority may, prior to the first day of the second month immediately following
 1950 the special election provided for in subsection (a) of Section 9.11, meet and take actions
 1951 binding on the city.

1952 (b) A period of time will be needed for an orderly transition of various government functions
 1953 from DeKalb County to the City of Greenhaven. Accordingly, there shall be a two-year
 1954 transition period as allowed by law beginning at 12:01 A.M. on July 1, 2019.

1955 (c) During such transition period, DeKalb County shall continue to provide within the
 1956 territorial limits of the city all government services and functions which DeKalb County
 1957 provided in 2018 and at the same actual direct cost and level of service, except to the extent
 1958 otherwise provided in this section; provided, however, that upon at least 30 days' prior
 1959 written notice to the governing authority of DeKalb County by the governing authority of the
 1960 City of Greenhaven, responsibility for any such service or function shall be transferred to the
 1961 City of Greenhaven. The governing authority of the City of Greenhaven shall determine the
 1962 date of commencement of collection of taxes, fees, assessments, fines and forfeitures, and
 1963 other monies within the territorial limits of the city and the date upon which the City of
 1964 Greenhaven is considered removed from the special services tax district.

1965 (d) During the transition period, the governing authority of the City of Greenhaven may
 1966 generally exercise any power granted by this charter or general law, except to the extent that
 1967 a power is specifically and integrally related to the provision of a governmental service,
 1968 function, or responsibility not yet provided or carried out by the city.

1969 (e) During the transition period, all ordinances of DeKalb County shall remain applicable
 1970 within the territorial limits of the city unless otherwise amended, repealed, or replaced by the

1971 City of Greenhaven. Any transfer of jurisdiction to the City of Greenhaven during or at the
 1972 end of the transition period shall not in and of itself abate any judicial proceeding pending
 1973 in DeKalb County or the pending prosecution of any violation of any ordinance of DeKalb
 1974 County.

1975 (f) During the transition period, the governing authority of the City of Greenhaven may at
 1976 any time, without the necessity of any agreement by DeKalb County, commence to exercise
 1977 its planning and zoning powers; provided, however, that the city shall give the county notice
 1978 of the date on which the city will assume the exercise of such powers. Upon the governing
 1979 authority of the City of Greenhaven commencing to exercise its planning and zoning powers,
 1980 the Municipal Court of City of Greenhaven shall immediately have jurisdiction to enforce
 1981 the planning and zoning ordinances of the city. The provisions of this subsection shall
 1982 control over any conflicting provisions of any other subsection of this section.

1983 (g) Effective upon the termination of the transition period, subsections (b) through (f) of this
 1984 section shall cease to apply except for the last sentence of subsection (e) which shall remain
 1985 effective. Effective upon the termination of the transition period, the City of Greenhaven
 1986 shall be a full functioning municipal corporation and subject to all general laws of this state.

1987 **SECTION 9.13.**

1988 Directory nature of dates.

1989 It is the intention of the General Assembly that this Act be construed as directory rather than
 1990 mandatory with respect to any date prescribed in this Act. If it is necessary to delay any
 1991 action called for in this Act for providential cause or any other reason, it is the intention of
 1992 the General Assembly that the action be delayed rather than abandoned. Any delay in
 1993 performing any action under this Act, whether for cause or otherwise, shall not operate to
 1994 frustrate the overall intent of this Act. Without limiting the generality of the foregoing, it is
 1995 specifically provided that, if it is not possible to hold the referendum election provided for
 1996 in subsection (a) of Section 9.11 of this charter on the date specified in that section, then such
 1997 referendum shall be held as soon thereafter as is reasonably practicable. If the referendum
 1998 election provided for in subsection (a) of Section 9.11 of this charter is conducted on or
 1999 before the Tuesday after the first Monday in November, 2018, the special election for the
 2000 initial members of the governing authority shall be conducted on the date specified in
 2001 subsection (b) of Section 9.11 of this charter. If the referendum election provided for under
 2002 subsection (a) of Section 9.11 of this charter is conducted after the Tuesday after the first
 2003 Monday in November, 2018, then the special election for the initial members of the
 2004 governing authority shall be held as soon thereafter as is reasonably practicable, and the
 2005 commencement of the initial terms of office shall be delayed accordingly. If the first election

2006 provided for in subsection (b) of Section 9.11 of this charter occurs after the date specified
 2007 in such subsection, the city council shall be authorized to delay the dates otherwise specified
 2008 in Section 9.12 of this charter.

2009 **SECTION 9.14.**

2010 Charter commission.

2011 Not later than five years after the inception of the City of Greenhaven, the mayor and the city
 2012 council shall call for a charter commission to review the city's experience and recommend
 2013 to the General Assembly any changes to the charter. Members of the charter commission
 2014 shall be appointed as follows: one member by the mayor, six community area representatives
 2015 (one chosen by each councilperson from Districts 1-6), two businesses selected by one of the
 2016 entities created by Article VIII (Economic Development Provisions) of this charter, and one
 2017 member appointed by a vote of the Georgia House of Representatives and one member
 2018 appointed by vote of the Georgia Senate, both of whose districts lie wholly or partially within
 2019 the corporate boundaries of the City of Greenhaven. All members of the charter commission
 2020 shall reside in the City of Greenhaven. The commission shall complete the recommendations
 2021 within the time frame required by the city council.

2022 **SECTION 9.15.**

2023 Bonds for officials.

2024 The officers and employees of this city, both elective and appointive, shall execute such
 2025 surety or fidelity bonds in such amounts and upon such terms and conditions as the city
 2026 council shall from time to time require by ordinance or as may be provided by law.

2027 **SECTION 9.16.**

2028 Severability.

2029 If any article, section, subsection, paragraph, sentence, or part thereof of this charter shall be
 2030 held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect
 2031 or impair other parts of this charter unless it clearly appears that such other parts are wholly
 2032 and necessarily dependent upon the part held to be invalid or unconstitutional, it being the
 2033 legislative intent in enacting this charter that each article, section, subsection, paragraph,
 2034 sentence or part thereof be enacted separately and independent of each other.

2035 **SECTION 9.17.**

2036 Effective date.

2037 This Act shall become effective upon its approval by the Governor or upon its becoming law
 2038 without such approval.

2039 **SECTION 9.18.**

2040 Repealer.

2041 All laws and parts of laws in conflict with this Act are repealed.

2042 **APPENDIX A**2043 **LEGAL DESCRIPTION**2044 **CORPORATE LIMITS**2045 **CITY OF GREENHAVEN, DEKALB COUNTY, GEORGIA**

2046 Plan: greenhaven-city-2018

2047 Plan Type: local

2048 Administrator: greenhaven

2049 User: bak

2050 District GREENHAVEN

2051 DeKalb County

2052 VTD: 089AA - ALLGOOD ELEMENTARY

2053 023204:

2054 1004 1005 1007 1008 1010 1011 1012 2000 2001 2002 2003 2004

2055 2005 2006 2007 2008 2009 2010 2011 2012 2013 2014 2015

2056 VTD: 089AC - ATHERTON ELEMENTARY

2057 VTD: 089AE - AVONDALE (AVO)

2058 023102:

2059 1013

2060 VTD: 089AF - HOOPER ALEXANDER

2061 022900:

2062 3028

2063 023101:

2064 2002 2003 2013 2014

2065 VTD: 089AM - AVONDALE MIDDLE
 2066 023112:
 2067 1007
 2068 023113:
 2069 2010
 2070 023115:
 2071 1000 1007
 2072 VTD: 089BJ - BROWN'S MILL ELEMENTARY
 2073 023426:
 2074 1001 1002 1003 1005 1006 1007 1008 1009 1010 1011 1012 1013
 2075 1014 1015 1016 1017 1018 1019 1024 1025 1031 2015 2030 2031
 2076 2032
 2077 VTD: 089BL - BOULDERCREST RD
 2078 VTD: 089BM - BETHUNE MIDDLE
 2079 VTD: 089CA - COLUMBIA DRIVE
 2080 VTD: 089CB - CANBY LANE ELEMENTARY
 2081 VTD: 089CC - COLUMBIA ELEMENTARY
 2082 VTD: 089CD - CEDAR GROVE ELEMENTARY
 2083 VTD: 089CG - CHAPEL HILL ELEMENTARY
 2084 VTD: 089CL - CLIFTON ELEMENTARY
 2085 VTD: 089CM - COLUMBIA MIDDLE
 2086 VTD: 089CP - CROSSROADS
 2087 VTD: 089CQ - CANDLER
 2088 VTD: 089CR - CEDAR GROVE MIDDLE
 2089 VTD: 089CS - CEDAR GROVE SOUTH
 2090 VTD: 089CT - COVINGTON HWY L
 2091 VTD: 089DE - DUNAIRE ELEM
 2092 VTD: 089EB - EASTLAND
 2093 VTD: 089FC - FLAT SHOALS ELEM
 2094 VTD: 089FE - FLAT SHOALS PARKWAY
 2095 VTD: 089FJ - FLAT SHOALS
 2096 VTD: 089FK - FLAKES MILL FIRE
 2097 VTD: 089FL - FLAT SHOALS LIBRARY
 2098 VTD: 089FM - FREEDOM MIDDLE
 2099 VTD: 089GB - GLENHAVEN
 2100 VTD: 089GC - GRESHAM PARK ELEM
 2101 VTD: 089GE - GLENHAVEN ELEM

2102 VTD: 089HA - HAMBRICK ELEM
 2103 021908:
 2104 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011
 2105 1012 1013 1014
 2106 021909:
 2107 1000 1001 1007 2000 3000
 2108 022004:
 2109 2000 2001 2002 2003 2004 2005 2006 3000 3001 3002 3003 3004
 2110 3005 3006 3007 3008 3009 3010 3011
 2111 022005:
 2112 3000
 2113 VTD: 089HH - NARVIE J HARRIS
 2114 VTD: 089IB - INDIAN CREEK ELEM
 2115 022005:
 2116 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1015
 2117 2002 2003 2004 2005 2006 2007 2008 2009 2010
 2118 022007:
 2119 1003 1004 2015 2017 2019 2020 2021
 2120 022008:
 2121 2005 2006 2007 2009 2010 4006
 2122 VTD: 089JB - JOLLY ELEM
 2123 022010:
 2124 1000 1004 1005 1006 1019 1020 1021
 2125 VTD: 089KA - KELLEY LAKE ELEM
 2126 VTD: 089KC - KELLEY CHAPEL
 2127 VTD: 089KD - ML KING JR HIGH
 2128 VTD: 089KE - KNOLLWOOD ELEM
 2129 VTD: 089LH - LITHONIA HIGH SCHOOL
 2130 023309:
 2131 3015 3016 3017 3018 3019 3020 3021 3022 3023 3024 3025 3026
 2132 3027 3028 3029 3030 3031 3032
 2133 VTD: 089MA - ELDRIDGE L MILL
 2134 VTD: 089MC - MARBUT ELEM
 2135 023309:
 2136 1000 1001 1002 1003 1004 2000 2001 2002 2003 2004 2007 4000
 2137 4001 4002 4003 4004 4005 4006

2138 023314:
 2139 3015
 2140 VTD: 089MI - MILLER GROVE MIDDLE SCHOOL
 2141 023214:
 2142 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011
 2143 1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023
 2144 1024 2004 2005 2006 2007 2015 2016 2017 2018 2019 2020 2021
 2145 2025
 2146 VTD: 089ML - MEADOWVIEW ELEM
 2147 VTD: 089MM - MEMORIAL NORTH
 2148 022004:
 2149 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011
 2150 1012 1013 1014 1015 1016 1017 1018 1019 1020 1021
 2151 022005:
 2152 2000 2001 3001 3005 3006 3007 3008 3009 3010 3011 3012 3013
 2153 3014
 2154 022008:
 2155 1000 1001 1005 1006 1007 1008 1009 1015 1016 3000 3003 3004
 2156 3005 3006
 2157 VTD: 089MN - MEMORIAL SOUTH
 2158 VTD: 089MO - MIDWAY ELEM
 2159 023102:
 2160 1020 1021 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009
 2161 2010 2011 2012 2013 2014 2015 2016 2017
 2162 023107:
 2163 1017 1018 1023 1024 1025 1026 3000 3001 3002 3003 3004 3005
 2164 3006 3007 3008 3009 3010 3011 3012 3013 3014 3015
 2165 VTD: 089MP - MCNAIR MIDDLE
 2166 VTD: 089MR - BOB MATHIS ELEM
 2167 VTD: 089NC - NORTH HAIRSTON
 2168 021910:
 2169 1001 1002 1003 1004 1005 1006 1007 1008 2001 2002 2003 2004
 2170 2005 2006 2007 2008 2009 2010 2011
 2171 VTD: 089OV - OAK VIEW ELEM
 2172 VTD: 089PA - PEACHCREST ELEM
 2173 VTD: 089PC - PRINCETON ELEM

2174 023306:
 2175 3000 3001 3002 3003 3004 3009 3010 3011 3017 3018 3019
 2176 VTD: 089PH - PANOLA
 2177 VTD: 089PI - PANOLA WAY ELEM
 2178 023211:
 2179 2004 2007 2008 2010 2011 2012 2013 2015 2016
 2180 023212:
 2181 2000 2001 2003 2004 2005 2006 2007 2008 2009 2010 2011 2012
 2182 VTD: 089PN - PINEY GROVE
 2183 VTD: 089RA - RAINBOW ELEM
 2184 VTD: 089RC - REDAN ELEM
 2185 VTD: 089RE - ROCKBRIDGE ELEM
 2186 VTD: 089RF - ROCK CHAPEL ELEM
 2187 VTD: 089RG - ROWLAND ELEM
 2188 VTD: 089RH - REDAN-TROTTI
 2189 023313:
 2190 1000 1001 1002 2000 2001 2002 2003 2004 2005 2006 2007 2008
 2191 2009 2010 2011
 2192 VTD: 089RI - ROCKBRIDGE ROAD
 2193 VTD: 089RJ - ROWLAND ROAD
 2194 VTD: 089RK - REDAN ROAD
 2195 VTD: 089RL - ROCK CHAPEL ROAD
 2196 023303:
 2197 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1013
 2198 1014 1015 2000 2001 2002 2003 2004 2011 2013 2014 2015 2016
 2199 2017 2018 2036
 2200 023315:
 2201 2018 2019 2020 2021 2022 2023 2024 2025 2026 2027 2028 2029
 2202 2030 2031 2032 2033 2034 2035 2037 2038 2039 2040 2041
 2203 VTD: 089RM - REDAN MIDDLE
 2204 VTD: 089SC - SCOTTDALE
 2205 022001:
 2206 2032 2035
 2207 022007:
 2208 1007 1009 1010 2018
 2209 022100:
 2210 1000 1001 1002 1003 1004

2211 VTD: 089SD - STN MTN ELEMENTARY
 2212 021906:
 2213 1002 2007 2008 2012 2013 2014 2015 2019 2020 2021 2022
 2214 021907:
 2215 1000 1012 1013 1014 1015 1016 1017 1018 1019 1021 1022 1023
 2216 1024 1025 1026 1027 1028 1029 1030 1031 1032 1033 1034 1035
 2217 1036 1037 1038 1039 1040 1051 1052 1053 1054 1055 1056 1057
 2218 1058 1059 1060 1061 1062 1063 1064 1065 1066 1068 2015 2016
 2219 2024 2025 2026 2027 2028 2029 2032 2036 2037 2038 2039 2040
 2220 2041 2042 2043 2044 2045 2046 2048 2049 2050 2051 2052 2053
 2221 3001 3002 3003 3004 3011 3012 3013 3025 3027 3062 3063
 2222 VTD: 089SG - SNAPFINGER ELEM
 2223 VTD: 089SI - STN MTN MIDDLE
 2224 021907:
 2225 3026
 2226 VTD: 089SJ - STONE MILL ELEM
 2227 021906:
 2228 3008 3009 3010 3011 3012 3013 3014 3015 3016 3017 3018
 2229 021907:
 2230 3028 3029 3031 3034 3060 3061
 2231 021908:
 2232 2000 2001 2002 2003
 2233 021911:
 2234 1000 1001 1002 1003 1004 1005 2003 2004 2005 2006 2007 2008
 2235 2009 2010 2011
 2236 021913:
 2237 3001 3004 3005 3006 3007 3008
 2238 VTD: 089SK - SHADOW ROCK ELEM
 2239 VTD: 089SL - STONEVIEW ELEM
 2240 023303:
 2241 2005 2006 2007 2008 2009 2010 2030 3000 3001 3010 3011 3025
 2242 3026 3030 3031 3032 3033 3034 3035 3036
 2243 VTD: 089SO - SOUTH DESHON
 2244 VTD: 089SP - STN MTN CHAMPION
 2245 021906:
 2246 1004 1005 1010 3022 3026 3027
 2247 VTD: 089SR - SNAPFINGER ROAD

2248 VTD: 089SS - SNAPPINGER ROAD
 2249 023414:
 2250 1013 1015 1016 1017 1018 1019 1020 1021 1022 1023 1024 1025
 2251 1026
 2252 VTD: 089ST - STEPHENSON MIDDLE
 2253 VTD: 089SU - SOUTH HAIRSTON
 2254 VTD: 089SV - STEPHENSON HIGH
 2255 VTD: 089TA - TERRY MILL ELEM
 2256 VTD: 089TB - TILSON ELEM
 2257 VTD: 089TC - TONEY ELEM
 2258 VTD: 089WA - WADSWORTH ELEM
 2259 VTD: 089WB - WESLEY CHAPEL SOUTH
 2260 VTD: 089WG - WOODRIDGE ELEM
 2261 VTD: 089WK - WHITE OAK
 2262 VTD: 089WN - WYNBROOKE ELEM
 2263 VTD: 089YA - YOUNG ROAD

2264 As used in this appendix, the term "VTD" (voting tabulation district) shall mean and describe
 2265 the same geographical boundaries as provided in the report of the Bureau of the Census for
 2266 the United States decennial census of 2010 for the State of Georgia. The separate numeric
 2267 designations which are underneath a VTD heading shall mean and describe individual blocks
 2268 within a VTD as provided in the report of the Bureau of the Census for the United States
 2269 decennial census of 2010 for the State of Georgia. Any part of the territory described in this
 2270 appendix that has been annexed into another municipality before July 1, 2018, shall
 2271 nevertheless not be included in any of the districts described in this appendix.

2272 APPENDIX B
 2273 COUNCIL DISTRICTS
 2274 CITY OF GREENHAVEN, DEKALB COUNTY, GEORGIA

2275 Plan: greenhaven-dist-2018
 2276 Plan Type: local
 2277 Administrator: greenhaven
 2278 User: bak

2279 District 001
 2280 DeKalb County

2281 VTD: 089AA - ALLGOOD ELEMENTARY
 2282 023204:
 2283 1004 1005 1007 1008 1010 1011 1012 2000 2001 2002 2003 2004
 2284 2005 2006 2007 2008 2009 2010 2011 2012 2013 2014 2015
 2285 VTD: 089AM - AVONDALE MIDDLE
 2286 023112:
 2287 1007
 2288 023113:
 2289 2010
 2290 023115:
 2291 1000 1007
 2292 VTD: 089CT - COVINGTON HWY L
 2293 VTD: 089DE - DUNAIRE ELEM
 2294 VTD: 089HA - HAMBRICK ELEM
 2295 021908:
 2296 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011
 2297 1012 1013 1014
 2298 021909:
 2299 1000 1001 1007 2000 3000
 2300 022004:
 2301 2000 2001 2002 2003 2004 2005 2006 3000 3001 3002 3003 3004
 2302 3005 3006 3007 3008 3009 3010 3011
 2303 022005:
 2304 3000
 2305 VTD: 089IB - INDIAN CREEK ELEM
 2306 022005:
 2307 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1015
 2308 2002 2003 2004 2005 2006 2007 2008 2009 2010
 2309 022007:
 2310 1003 1004 2015 2017 2019 2020 2021
 2311 022008:
 2312 2005 2006 2007 2009 2010 4006
 2313 VTD: 089JB - JOLLY ELEM
 2314 022010:
 2315 1000 1004 1005 1006 1019 1020 1021
 2316 VTD: 089MM - MEMORIAL NORTH

2317 022004:
 2318 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011
 2319 1012 1013 1014 1015 1016 1017 1018 1019 1020 1021
 2320 022005:
 2321 2000 2001 3001 3005 3006 3007 3008 3009 3010 3011 3012 3013
 2322 3014
 2323 022008:
 2324 1000 1001 1005 1006 1007 1008 1009 1015 1016 3000 3003 3004
 2325 3005 3006
 2326 VTD: 089MN - MEMORIAL SOUTH
 2327 VTD: 089NC - NORTH HAIRSTON
 2328 021910:
 2329 1001 1002 1003 1004 1005 1006 1007 1008 2001 2002 2003 2004
 2330 2005 2006 2007 2008 2009 2010 2011
 2331 VTD: 089RE - ROCKBRIDGE ELEM
 2332 VTD: 089RG - ROWLAND ELEM
 2333 023111:
 2334 1000 1001 1002 1003 1004 1005 1007 1008 1010 1011 1021
 2335 023112:
 2336 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011
 2337 2012 3000 3001 3002 3003 3004 3005 3006 3007 3008
 2338 023115:
 2339 1001 1002 1003 1004 1005 1006 1008
 2340 VTD: 089SC - SCOTTDALE
 2341 022001:
 2342 2032 2035
 2343 022007:
 2344 1007 1009 1010 2018
 2345 022100:
 2346 1000 1001 1002 1003 1004
 2347 VTD: 089SJ - STONE MILL ELEM
 2348 021906:
 2349 3008 3009 3010 3011 3012 3013 3014 3015 3016 3017 3018
 2350 021907:
 2351 3028 3029 3031 3034 3060 3061
 2352 021908:
 2353 2000 2001 2002 2003

2354 021911:
 2355 1000 1001 1002 1003 1004 1005 2003 2004 2005 2006 2007 2008
 2356 2009 2010 2011
 2357 021913:
 2358 3001 3004 3005 3006 3007 3008
 2359 VTD: 089SP - STN MTN CHAMPION
 2360 021906:
 2361 1004 1005 3022 3026 3027

 2362 District 002
 2363 DeKalb County
 2364 VTD: 089LH - LITHONIA HIGH SCHOOL
 2365 023309:
 2366 3015 3016 3017 3018 3019 3020 3021 3022 3023 3024 3025 3026
 2367 3027 3028 3029 3030 3031 3032
 2368 VTD: 089PC - PRINCETON ELEM
 2369 023306:
 2370 3000 3001 3002 3003 3004 3009 3010 3011 3017 3018 3019
 2371 VTD: 089RC - REDAN ELEM
 2372 VTD: 089RF - ROCK CHAPEL ELEM
 2373 VTD: 089RH - REDAN-TROTTI
 2374 023313:
 2375 1000 1001 1002 2000 2001 2002 2003 2004 2005 2006 2007 2008
 2376 2009 2010 2011
 2377 VTD: 089RI - ROCKBRIDGE ROAD
 2378 VTD: 089RL - ROCK CHAPEL ROAD
 2379 023303:
 2380 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1013
 2381 1014 1015 2000 2001 2002 2003 2004 2011 2013 2014 2015 2016
 2382 2017 2018 2036
 2383 023315:
 2384 2018 2019 2020 2021 2022 2023 2024 2025 2026 2027 2028 2029
 2385 2030 2031 2032 2033 2034 2035 2037 2038 2039 2040 2041
 2386 VTD: 089SD - STN MTN ELEMENTARY
 2387 021906:
 2388 1002 2007 2008 2012 2013 2014 2015 2019 2020 2021 2022

2389 021907:
 2390 1000 1012 1013 1014 1015 1016 1017 1018 1019 1021 1022 1023
 2391 1024 1025 1026 1027 1028 1029 1030 1031 1032 1033 1034 1035
 2392 1036 1037 1038 1039 1040 1051 1052 1053 1054 1055 1056 1057
 2393 1058 1059 1060 1061 1062 1063 1064 1065 1066 1068 2015 2016
 2394 2024 2025 2026 2027 2028 2029 2032 2036 2037 2038 2039 2040
 2395 2041 2042 2043 2044 2045 2046 2048 2049 2050 2051 2052 2053
 2396 3001 3002 3003 3004 3011 3012 3013 3025 3027 3062 3063
 2397 VTD: 089SI - STN MTN MIDDLE
 2398 021907:
 2399 3026
 2400 VTD: 089SK - SHADOW ROCK ELEM
 2401 VTD: 089SL - STONEVIEW ELEM
 2402 023303:
 2403 2005 2006 2007 2008 2009 2010 2030 3000 3001 3010 3011 3025
 2404 3026 3030 3031 3032 3033 3034 3035 3036
 2405 VTD: 089SO - SOUTH DESHON
 2406 VTD: 089SP - STN MTN CHAMPION
 2407 021906:
 2408 1010
 2409 VTD: 089ST - STEPHENSON MIDDLE
 2410 VTD: 089SV - STEPHENSON HIGH
 2411 VTD: 089WN - WYNBROOKE ELEM

 2412 District 003
 2413 DeKalb County
 2414 VTD: 089AC - ATHERTON ELEMENTARY
 2415 023206:
 2416 1009 1014 1015 1016
 2417 VTD: 089CP - CROSSROADS
 2418 VTD: 089FM - FREEDOM MIDDLE
 2419 VTD: 089GB - GLENHAVEN
 2420 VTD: 089MA - ELDRIDGE L MILL
 2421 VTD: 089MC - MARBUT ELEM
 2422 023309:
 2423 1000 1001 1002 1003 1004 2000 2001 2002 2003 2004 2007 4000
 2424 4001 4002 4003 4004 4005 4006

2425 023314:
 2426 3015
 2427 VTD: 089PH - PANOLA
 2428 VTD: 089PI - PANOLA WAY ELEM
 2429 023211:
 2430 2004 2007 2008 2010 2011 2012 2013 2015 2016
 2431 023212:
 2432 2000 2001 2003 2004 2005 2006 2007 2008 2009 2010 2011 2012
 2433 VTD: 089RG - ROWLAND ELEM
 2434 023111:
 2435 1006 1012 1013 1014 1015 1016 1017 1018 1019 1020 1022 1023
 2436 1024 1025 1026 1027 1028
 2437 VTD: 089RJ - ROWLAND ROAD
 2438 VTD: 089RK - REDAN ROAD
 2439 VTD: 089RM - REDAN MIDDLE
 2440 VTD: 089SU - SOUTH HAIRSTON
 2441 VTD: 089WG - WOODRIDGE ELEM
 2442 VTD: 089WK - WHITE OAK
 2443 VTD: 089YA - YOUNG ROAD

 2444 District 004
 2445 DeKalb County
 2446 VTD: 089AC - ATHERTON ELEMENTARY
 2447 023108:
 2448 1003 1004 1005 1006 1014 1015 1016 1017 1018 1019 1020 1021
 2449 1022 1023 1024 1025 1026 1027 1028 1029 1030 1031
 2450 VTD: 089AE - AVONDALE (AVO)
 2451 023102:
 2452 1013
 2453 VTD: 089AF - HOOPER ALEXANDER
 2454 022900:
 2455 3028
 2456 023101:
 2457 2002 2003 2013 2014
 2458 VTD: 089BM - BETHUNE MIDDLE
 2459 VTD: 089CA - COLUMBIA DRIVE
 2460 VTD: 089CB - CANBY LANE ELEMENTARY

2461 VTD: 089CM - COLUMBIA MIDDLE
 2462 VTD: 089FL - FLAT SHOALS LIBRARY
 2463 VTD: 089GE - GLENHAVEN ELEM
 2464 VTD: 089KE - KNOLLWOOD ELEM
 2465 VTD: 089MI - MILLER GROVE MIDDLE SCHOOL
 2466 023214:
 2467 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011
 2468 1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023
 2469 1024 2004 2005 2006 2007 2015 2016 2017 2018 2019 2020 2021
 2470 2025
 2471 VTD: 089MO - MIDWAY ELEM
 2472 023102:
 2473 1020 1021 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009
 2474 2010 2011 2012 2013 2014 2015 2016 2017
 2475 023107:
 2476 1017 1018 1023 1024 1025 1026 3000 3001 3002 3003 3004 3005
 2477 3006 3007 3008 3009 3010 3011 3012 3013 3014 3015
 2478 VTD: 089MR - BOB MATHIS ELEM
 2479 VTD: 089PA - PEACHCREST ELEM
 2480 VTD: 089RA - RAINBOW ELEM
 2481 VTD: 089SG - SNAPFINGER ELEM
 2482 VTD: 089SR - SNAPFINGER ROAD

 2483 District 005
 2484 DeKalb County
 2485 VTD: 089BL - BOULDERCREST RD
 2486 023423:
 2487 3010 3028 3029 3030
 2488 VTD: 089CC - COLUMBIA ELEMENTARY
 2489 VTD: 089CL - CLIFTON ELEMENTARY
 2490 VTD: 089CQ - CANDLER
 2491 VTD: 089CR - CEDAR GROVE MIDDLE
 2492 023423:
 2493 3000 3001 3002 3003 3011
 2494 023802:
 2495 2024
 2496 VTD: 089EB - EASTLAND

2497 VTD: 089FC - FLAT SHOALS ELEM
 2498 VTD: 089FJ - FLAT SHOALS
 2499 VTD: 089GC - GRESHAM PARK ELEM
 2500 VTD: 089KA - KELLEY LAKE ELEM
 2501 VTD: 089ML - MEADOWVIEW ELEM
 2502 VTD: 089MP - MCNAIR MIDDLE
 2503 VTD: 089PN - PINEY GROVE
 2504 VTD: 089TA - TERRY MILL ELEM
 2505 VTD: 089TB - TILSON ELEM
 2506 VTD: 089TC - TONEY ELEM
 2507 VTD: 089WA - WADSWORTH ELEM

 2508 District 006
 2509 DeKalb County
 2510 VTD: 089BJ - BROWN'S MILL ELEMENTARY
 2511 023426:
 2512 1001 1002 1003 1005 1006 1007 1008 1009 1010 1011 1012 1013
 2513 1014 1015 1016 1017 1018 1019 1024 1025 1031 2015 2030 2031
 2514 2032
 2515 VTD: 089BL - BOULDERCREST RD
 2516 023423:
 2517 1013 1014 1015 3008 3009 3012 3013 3014 3015 3016 3017 3019
 2518 3020 3021 3022 3023 3024 3025 3026 3027 3037 3049 3050 3051
 2519 3052 3053 3054 3055 3056 3057 3058 3059 3060 3061 3062 3063
 2520 3064 3065 3066 3067 3068 3069 3070 3071 3072 3073 3074 3075
 2521 3076 3077 3078 3079 3080 3081 3082
 2522 VTD: 089CD - CEDAR GROVE ELEMENTARY
 2523 VTD: 089CG - CHAPEL HILL ELEMENTARY
 2524 VTD: 089CR - CEDAR GROVE MIDDLE
 2525 023421:
 2526 1007 1008 1009 1010 1011
 2527 023423:
 2528 2003 2004 2005 2006 2007 2008 2009 2010 2011 2012 2013 2014
 2529 2026 2027 2028 2029 3004 3005 3006 3007
 2530 VTD: 089CS - CEDAR GROVE SOUTH
 2531 VTD: 089FE - FLAT SHOALS PARKWAY
 2532 VTD: 089FK - FLAKES MILL FIRE

2533 VTD: 089HH - NARVIE J HARRIS

2534 VTD: 089KC - KELLEY CHAPEL

2535 VTD: 089KD - ML KING JR HIGH

2536 VTD: 089OV - OAK VIEW ELEM

2537 VTD: 089SS - SNAPFINGER ROAD

2538 023414:

2539 1013 1015 1016 1017 1018 1019 1020 1021 1022 1023 1024 1025

2540 1026

2541 VTD: 089WB - WESLEY CHAPEL SOUTH

2542 As used in this appendix, the term "VTD" (voting tabulation district) shall mean and describe
 2543 the same geographical boundaries as provided in the report of the Bureau of the Census for
 2544 the United States decennial census of 2010 for the State of Georgia. The separate numeric
 2545 designations in a district description which are underneath a VTD heading shall mean and
 2546 describe individual blocks within a VTD as provided in the report of the Bureau of the
 2547 Census for the United States decennial census of 2010 for the State of Georgia. Any part of
 2548 the city which is not included in District 1, 2, 3, 4, 5, or 6 as described in this appendix shall
 2549 be included within that district contiguous to such part which contains the least population
 2550 according to the United States decennial census of 2010 for the State of Georgia. Any part
 2551 of the city which is described in this appendix as being in District 1, 2, 3, 4, 5, or 6 shall
 2552 nevertheless not be included within such district if such part is not contiguous to such district.
 2553 Such noncontiguous part shall instead be included within the post that is contiguous to such
 2554 part which contains the least population according to the United States decennial census of
 2555 2010 for the State of Georgia. Except as otherwise provided in the description of any district,
 2556 whenever the description of such district refers to a named city, it shall mean the
 2557 geographical boundaries of that city as shown on the census map for the United States
 2558 decennial census of 2010 for the State of Georgia. Any part of the territory described in this
 2559 appendix that has been annexed into another municipality before July 1, 2018, shall
 2560 nevertheless not be included in any of the districts described in this appendix.

2561 APPENDIX C

2562 CERTIFICATE AS TO MINIMUM STANDARDS

2563 FOR INCORPORATION OF A NEW MUNICIPAL CORPORATION

2564 I, Billy Mitchell, Representative from the 88th District, and the author of this bill introduced
 2565 at the 2017 session of the General Assembly of Georgia, which grants an original municipal
 2566 charter to the City of Greenhaven, do hereby certify that this bill is in compliance with the

2567 minimum standards required by Chapter 31 of Title 36 of the O.C.G.A. in that the area
2568 embraced within the original incorporation in this bill is in all respects in compliance with
2569 the minimum standards required by Chapter 31 of Title 36 of the O.C.G.A. This certificate
2570 is executed to conform to the requirements of Code Section 36-31-5 of the O.C.G.A.

2571 So certified this _____ day of _____, 2017.

2572

2573

2574

2575

Honorable Billy Mitchell

Representative, District 88

Georgia State House of Representatives