

House Bill 618 (AS PASSED HOUSE AND SENATE)

By: Representative Petrea of the 166th

A BILL TO BE ENTITLED
AN ACT

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

18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

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

26

SECTION 1.11.

27

Corporate boundaries.

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

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

34

SECTION 1.12.

35

Powers and construction.

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

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

43

SECTION 1.13.

44

Examples of powers.

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

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

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

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

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

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

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

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

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

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

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

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

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

166 use of public utilities; and to require real estate owners to repair and maintain in a safe
167 condition the sidewalks adjoining their lots or lands and to impose penalties for failure
168 to do so.

169 (33) Sewer fees. To levy a fee, charge, or sewer tax as necessary to assure the acquiring,
170 constructing, equipping, operating, maintaining, and extending of a sewage disposal plant
171 and sewerage system, and to levy on those to whom sewers and sewerage systems are
172 made available a sewer service fee, charge, or sewer tax for the availability or use of the
173 sewers; to provide for the manner and method of collecting such service charges and for
174 enforcing payment of the same; and to charge, impose, and collect a sewer connection fee
175 or fees to those connected with the system.

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

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

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

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

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

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

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

199 (41) Other powers. To exercise and enjoy all other powers, functions, rights, privileges,
200 and immunities necessary or desirable to promote or protect the safety, health, peace,
201 security, good order, comfort, convenience, or general welfare of the city and its
202 inhabitants; to exercise all implied powers necessary or desirable to carry into execution

203 all powers granted in this charter as fully and completely as if such powers were fully
 204 stated herein; and to exercise all powers now or in the future authorized to be exercised
 205 by other municipal governments under other laws of the State of Georgia. No listing of
 206 particular powers in this charter shall be held to be exclusive of others, nor restrictive of
 207 general words and phrases granting powers, but shall be held to be in addition to such
 208 powers unless expressly prohibited to municipalities under the Constitution or applicable
 209 laws of the State of Georgia.

210 **SECTION 1.14.**

211 Exercise of powers.

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

216 **ARTICLE II**

217 **GOVERNMENT STRUCTURE**

218 **SECTION 2.10.**

219 City council; creation; number; election.

220 The legislative authority of the government of this city, except as otherwise specifically
 221 provided in this charter, shall be vested in a city council to be composed of a mayor and six
 222 councilmembers. The councilmembers shall be elected in the manner provided by general
 223 law and this charter. The ~~members of the council~~members shall be elected at-large by the
 224 voters of
 225 the entire city in accordance with provisions of Article V of this charter. The mayor shall be
 226 elected as provided in Section 2.32 and Article V of this charter.

226 **SECTION 2.11.**

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

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

234 vote in municipal elections of this city.

235 (b) For the purpose of electing members of the council, the City of Skidaway Island shall
 236 consist of six council posts which shall be designated Council Posts 1, 2, 3, 4, 5, and 6.
 237 Except for the initial election under this charter, at the time of qualifying, each candidate for
 238 election to the council other than the mayor shall designate the council post that he or she
 239 seeks to represent. To be eligible to seek and to hold Council Post 1, in addition to the other
 240 qualifications specified in subsection (a) of this section, the person shall be a resident of the
 241 area within the city that is not contained in the subdivision known as "The Landings on
Skidaway Island."

242 Persons elected to Council Posts 2, 3, 4, 5, and 6 may reside anywhere within the city.

243 (c) The first election for mayor and councilmembers shall be a special election held on the
 244 third Tuesday in ~~March~~June, 2019. At such election, the mayor and councilmembers
 from

245 Council Posts 1, 2, and 3 shall be elected for initial terms of office beginning immediately
 246 after their election and expiring on December 31, 2023. The councilmembers elected from
 247 Council Posts 4, 5, and 6 shall be elected for initial terms of office beginning immediately
 248 after their election and expiring on December 31, 2021. Thereafter, their successors shall be
 249 elected for terms of four years. All members shall serve until their successors are elected and
 250 qualified.

251

SECTION 2.12.

252

Vacancy; filling of vacancies.

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

257 (b) A vacancy in the office of mayor ~~or councilmember~~ shall be filled for the remainder of
 258 the unexpired term, if any, by ~~appointment by the city council or those members~~
~~remaining the mayor pro tem~~

259 if less than 12 months remains in the unexpired term. A vacancy in the office of a
councilmember shall be filled for the remainder of the unexpired term, if any, by
appointment by the city council or those members remaining if less than 12 months
remains in the unexpired term. If such a vacancy of the office of mayor or councilmember
 occurs 12 months or

260 more prior to the expiration of the term of that office, ~~it~~such vacancy shall be filled for the
 remainder of

261 the unexpired term by a special election, as provided for in Section 5.14 of this charter and
 262 in accordance with Titles 21 and 45 of the O.C.G.A., or other such laws as are or may
 263 hereafter be enacted.

264 (c) This provision shall also apply to a temporary vacancy created by the suspension from

265 office of the mayor or any councilmember.

266 SECTION 2.13.

267 Compensation and expenses.

268 The mayor shall receive a salary of \$4,000.00 per annum to be paid in equal monthly
 269 amounts from funds of the city, and councilmembers shall receive a salary of \$3,000.00 per
 270 annum to be paid in equal monthly amounts from funds of the city for their services. In
 271 addition, the mayor and councilmembers shall be reimbursed for their necessary and actual
 272 expenses incurred in the performance of their duties of office as provided by ordinance.

273 SECTION 2.14.

274 Holding other office; voting when financially interested.

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

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

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

281 SECTION 2.15.

282 Inquiries and Investigations.

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

289 SECTION 2.16.

290 General power and authority of the city council.

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

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

296 of Georgia, which it shall deem necessary, expedient, or helpful for the peace, good order,
297 protection of life and property, health, welfare, sanitation, comfort, convenience, prosperity,
298 or well-being of the inhabitants of the City of Skidaway Island and may enforce such
299 ordinances by imposing penalties for violation thereof.

300 **SECTION 2.17.**

301 Eminent domain.

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

306 **SECTION 2.18.**

307 Organizational meetings.

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

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

325

SECTION 2.19.

326

Regular and special meetings.

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

329 (b) Special meetings of the city council may be held on call of the mayor or two members
330 of the city council. Notice of such special meetings shall be served on all other members
331 personally, or by telephone personally, at least 48 hours in advance of the meeting. Such
332 notice to such members shall not be required if the mayor and all councilmembers are present
333 when the special meeting is called. Such notice of any special meeting may be waived by
334 the mayor or a councilmember in writing before or after such a meeting, and attendance at
335 the meeting shall also constitute a waiver of notice on any business transacted in such
336 councilmember's presence. Only the business stated in the call may be transacted at the
337 special meeting, and no other business may be transacted at such meeting.

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

342

SECTION 2.20.

343

Rules of procedure.

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

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

350

SECTION 2.21.

351

Quorum: voting

352 (a) A majority of councilmembers shall constitute a quorum and shall be authorized to
353 transact business of the city council. Voting on the adoption of ordinances shall be by voice
354 vote and the vote shall be recorded in the journal, but any member of the city council shall
355 have the right to request a roll call vote and such vote shall be recorded in the journal.
356 Except as otherwise provided in this charter, the affirmative vote of a majority of

357 councilmembers present shall be required for the adoption of any ordinance, resolution, or
 358 motion; provided, however, that no ordinance shall be enacted except upon the affirmative
 359 vote of four ~~councilmembers~~members of the city council.

360 (b) No member of the city council shall abstain from voting on any matter properly brought
 361 before the city council for official action except when such councilmember has a conflict of
 362 interest which is disclosed in writing prior to or at the meeting and made a part of the
 363 minutes. Any member of the city council present and eligible to vote on a matter and
 364 refusing to do so for any reason other than a properly disclosed and recorded conflict of
 365 interest shall be deemed to have acquiesced or concurred with the members of the majority
 366 who did vote on the question involved.

367 **SECTION 2.22.**

368 Ordinance form; procedures.

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

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

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

385 **SECTION 2.23.**

386 Action requiring an ordinance.

387 Actions of the city council which have the force and effect of law shall be enacted by
 388 ordinance. Every action of a general or permanent nature, including, but not limited to,
 389 granting a franchise, levying a tax, appropriating money, contracting indebtedness to be

390 evidenced by the issuance of bonds or notes, for the purchase, lease, sale, or transfer of real
391 property or for establishing an offense and fixing the penalty therefor shall be taken by
392 ordinance in the manner provided in this charter.

393 **SECTION 2.24.**

394 Emergencies.

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

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

416 **SECTION 2.25.**

417 Codes of technical regulations.

418 (a) The city council may adopt any standard code of technical regulations by reference
419 thereto in an adopting ordinance. The procedure and requirements governing such adopting
420 ordinance shall be as prescribed for ordinances generally except that the requirements of
421 subsection (b) of Section 2.22 of this charter for distribution and filing of copies of the
422 ordinance shall be construed to include copies of any code of technical regulations, as well
423 as the adopting ordinance and a copy of each adopted code of technical regulations, as well

424 as the adopting ordinance, and shall be authenticated and recorded by the city clerk pursuant
425 to Section 2.26 of this charter.

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

428 SECTION 2.26.

429 Signing; authenticating; recording; codification; printing.

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

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

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

449 SECTION 2.27.

450 City manager; appointment; qualifications; compensation.

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

454 SECTION 2.28.

455 Removal of city manager.

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

457 by the city council.

458 SECTION 2.29.

459 Acting city manager.

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

466 SECTION 2.30.

467 Powers and duties of the city manager.

468 The city manager shall be the chief administrative officer of the city. The city manager shall
 469 be responsible to the city council for the administration of all city affairs placed in the city
 470 manager's charge by or under this charter. As the chief administrative officer, the city
 471 manager shall:

- 472 (1) Appoint and, when the city manager deems it necessary for the good of the city,
 473 suspend or remove any city employee and administrative officer that the city manager
 474 appoints, except as otherwise provided by law or personnel ordinances adopted pursuant
 475 to this charter. The city manager may authorize any administrative officer who is subject
 476 to the city manager's direction and supervision to exercise these powers with respect to
 477 subordinates in that officer's department, office, or agency;
- 478 (2) Direct and supervise the administration of all departments, offices, and agencies of
 479 the city, except as otherwise provided by this charter or by law;
- 480 (3) Attend all city council meetings except for closed meetings held for the purposes of
 481 deliberating on the appointment, discipline, or removal of the city manager and have the
 482 right to take part in discussion but not vote;
- 483 (4) See that all laws, provisions of this charter, and acts of the city council, subject to
 484 enforcement by the city manager or by officers subject to the city manager's direction and
 485 supervision, are faithfully executed;
- 486 (5) Prepare and submit the annual operating budget and capital budget to the city
 487 council;
- 488 (6) Submit to the city council and make available to the public a complete report on the
 489 finances and administrative activities of the city as of the end of each fiscal year;
- 490 (7) Fulfill state reporting requirements of Code Section 36-80-16 of the O.C.G.A., the

491 "Local Government Authorities Registration Act"; the Department of Community Affairs
 492 local planning requirements for "Qualified Local Government" (QLG) status; and the
 493 requirements of Article 2 of Chapter 70 of Title 36 of the O.C.G.A., regarding service
 494 delivery;

495 (8) Make such other reports as the city council may require concerning the operations
 496 of city departments, offices, and agencies subject to the city manager's direction and
 497 supervision;

498 (9) Keep the city council fully advised as to the financial condition and future needs of
 499 the city and make such recommendations to the city council concerning the affairs of the
 500 city as the city manager deems desirable; and

501 (10) Perform other such duties as are specified in this charter or as may be required by
 502 the city council.

503 **SECTION 2.31.**

504 Council interference with administration.

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

510 **SECTION 2.32.**

511 Selection of mayor and mayor pro tem.

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

519 ~~if a vacancy occurs, the mayor pro tem shall become mayor for the remainder of the expired~~
 520 ~~term.~~

521 **SECTION 2.33.**

522 Powers and duties of mayor.

523 The mayor shall:

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

531 **SECTION 2.34.**

532 Position of mayor pro tem.

533 During the absence or physical or mental disability of the mayor for any reason, the mayor

534 pro tem, or in the mayor pro tem's absence or disability for any reason, any one of the

535 councilmembers chosen by a majority vote of the city council, shall be clothed with all the

536 rights and privileges of the mayor and shall perform the duties of the office of the mayor so

537 long as such absence or disability shall continue. Any such absence or disability shall be

538 declared by majority vote of all councilmembers. The mayor pro tem or selected

539 councilmember shall sign all contracts and ordinances in which the mayor has a disqualifying

540 financial interest as provided in Section 2.14 of this charter. When acting as mayor, the

541 mayor pro tem shall continue to have only one vote as a member of the council.

542 **ARTICLE III**

543 **ADMINISTRATIVE STRUCTURE**

544 **SECTION 3.10.**

545 Administrative and service departments.

546 (a) Except as otherwise provided in this charter, the city council, by ordinance, shall

547 prescribe the functions or duties, and establish, abolish, alter, consolidate, or leave vacant all

548 nonelective offices, positions of employment, departments, and agencies of the city, as

549 necessary for the proper administration of the affairs and government of this city.

550 (b) Except as otherwise provided by this charter or by law, the directors of departments and

551 other appointed officers of the city shall be appointed solely on the basis of their respective

552 administrative and professional qualifications.

553 (c) All appointive officers and directors of departments shall receive such compensation as

554 prescribed by ordinance or resolution.

555 (d) There may be a director of each department or agency who shall be its principal officer.

556 Each director shall, subject to the direction and supervision of the city manager, be

557 responsible for the administration and direction of the affairs and operations of that director's
558 department or agency.

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

563 **SECTION 3.11.**

564 Consolidation of functions.

565 The city manager may consolidate any two or more positions or functions or may assign the
566 functions of any one or more positions to the holder or holders of any other positions. The
567 city manager may also perform all or part of the functions of any of the positions or offices
568 in lieu of the appointment of other persons to perform the same.

569 **SECTION 3.12.**

570 Boards, commissions, and authorities.

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

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

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

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

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

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

590 (g) All board members serve at-will and may be removed at any time by a vote of

~~three~~four

591 members of the city council unless otherwise provided by law.

592 (h) Except as otherwise provided by this charter or by law, each board, commission, or
593 authority of the city shall elect one of its members as chairperson and one member as
594 vice-chairperson and may elect as its secretary one of its own members or may appoint as
595 secretary an employee of the city. Each board, commission, or authority of the city
596 government may establish such bylaws, rules, and regulations, not inconsistent with this
597 charter, ordinances of the city, or law, as it deems appropriate and necessary for the
598 fulfillment of its duties or the conduct of its affairs. Approval of such bylaws, rules, and
599 regulations shall be authorized by the affirmative vote of city council. Copies of such
600 bylaws, rules, and regulations shall be filed with the city clerk.

601 **SECTION 3.13.**

602 City attorney.

603 The city council shall appoint a city attorney, together with such assistant city attorneys as
604 may be authorized, and shall provide for the payment of such attorney or attorneys for
605 services rendered to the city. The city attorney shall be responsible for providing for the
606 representation and defense of the city in all litigation in which the city is a party; may be the
607 prosecuting officer in the municipal court; shall attend the meetings of the council as
608 directed; shall advise the city council, mayor, and other officers and employees of the city
609 concerning legal aspects of the city's affairs; and shall perform such other duties as may be
610 required by virtue of the person's position as city attorney. The city attorney shall not be a
611 public official of the city and shall not take an oath of office. The city attorney shall at all
612 times be an independent contractor. A law firm, rather than an individual, may be designated
613 as the city attorney.

614 **SECTION 3.14.**

615 City clerk.

616 The city council shall appoint a city clerk who shall not be a councilmember. The city clerk
617 shall be custodian of the official city seal and city records; maintain city council records
618 required by this charter; and perform such other duties as may be required by the city
619 council.

620 **SECTION 3.15.**

621 Position classification and pay plans.

622 The city manager shall be responsible for the preparation of a position classification and pay
623 plan which shall be submitted to the city council for approval. Such pay plan may apply to
624 all employees of the city and any of its agencies, departments, boards, commissions, or 625
authorities. When a pay plan has been adopted, the city council shall not increase or decrease 626
the salary range applicable to any position except by amendment of such pay plan. For 627
purposes of this section, all elected and appointed city officials are not city employees.

628 **ARTICLE IV**

629 **JUDICIAL BRANCH**

630 **SECTION 4.10.**

631 Creation; name.

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

633 **SECTION 4.11.**

634 Chief judge; associate judge.

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

637 (b) No person shall be qualified or eligible to serve as a judge on the municipal court unless
638 that person shall have attained the age of 21 years, shall be a member of the State Bar of

639 Georgia, and shall possess all qualifications required by law. All judges shall be appointed
640 by the city council and shall serve for a minimum term of one year and until a successor is
641 appointed or if the judge is removed from office as provided in Code Section 36-32-2.1 of
642 the O.C.G.A. Such term shall be memorialized in a written agreement between such

643 individual and the governing authority of the city or in an ordinance.

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

645 (d) Except as otherwise provided in subsection (b) of this section, judges serve at-will and
646 may be removed from office at any time by the city council unless otherwise provided by
647 ordinance.

648 (e) Before assuming office, each judge shall take an oath, given by the mayor, that the judge
649 will honestly and faithfully discharge the duties of the office to the best of that person's 650
ability and without fear, favor, or partiality. The oath shall be entered upon the minutes of 651
the city council journal required in Section 2.20 of this charter.

652 SECTION 4.12.

653 Convening.

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

655 SECTION 4.13.

656 Jurisdiction; powers.

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

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

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

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

667 (e) The municipal court shall have authority to establish bail and recognizances to ensure
668 the presence of those charged with violations before such court and shall have discretionary
669 authority to accept cash or personal or real property as surety for the appearance of persons
670 charged with violations. Whenever any person shall give bail for that person's appearance
671 and shall fail to appear at the time fixed for trial, the bond shall be forfeited by the judge
672 presiding at such time and an execution issued thereon by serving the defendant and the
673 defendant's sureties with a rule nisi at least two days before a hearing on the rule nisi. In the
674 event that cash or property is accepted in lieu of bond for security for the appearance of a
675 defendant at trial, and if such defendant fails to appear at the time and place fixed for trial,
676 the cash so deposited shall be on order of the judge declared forfeited to the city, or the

677 property so deposited shall have a lien against it for the value forfeited, which lien shall be
678 enforceable in the same manner and to the same extent as a lien for city property taxes.

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

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

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

689 **SECTION 4.14.**

690 Certiorari.

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

695 **SECTION 4.15.**

696 Rules for court.

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

738 certification of the results of such initial election and shall serve until December 31, 2021,
 739 and until their respective successors are elected and qualified. Thereafter, all members of the
 740 city council shall be elected in November immediately preceding the end of their respective
 741 terms of office and shall take office on January 1 immediately following such election for
 742 terms of office of four years and until their respective successors are elected and qualified.
 743 (e) City council members, other than the mayor, shall be limited to three consecutive
 744 four-year terms of office as members of the city council. The mayor shall be limited to two
 745 consecutive four-year terms of office as mayor. The initial terms of office under
 746 subsection (d) of this section of less than four years and partial terms of office shall not be
 747 counted toward this number.

748 **SECTION 5.12.**

749 Nonpartisan elections.

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

752 **SECTION 5.13.**

753 Election by plurality.

754 The candidate receiving the highest number of votes cast for the council seat-post for which
 he

755 or she is offering for election shall be elected, and the candidate receiving the highest number
 756 of votes cast for the office of mayor shall be elected.

757 **SECTION 5.14.**

758 Special elections; vacancies.

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

766 **SECTION 5.15.**

767 Other provisions.

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

771 **SECTION 5.16.**

772 **Removal of officers.**

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

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

778 (1) Following a hearing at which an impartial panel shall render a decision. In the event

779 an elected officer is sought to be removed by the action of the city council, such officer

780 shall be entitled to a written notice specifying the ground or grounds for removal and to

781 a public hearing which shall be held not less than ten days after the service of such

782 written notice. The city council shall provide by ordinance for the manner in which such

783 hearings shall be held. Any elected officer sought to be removed from office as provided

784 in this paragraph shall have the right of appeal from the decision of the city council to the

785 Superior Court of Chatham County. Such appeal shall be governed by the same rules as

786 govern appeals to the superior court from the probate court; or

787 (2) By an order of the Superior Court of Chatham County following a hearing on a

788 complaint seeking such removal brought by any resident of the City of Skidaway Island.

789 **ARTICLE VI**

790 **FINANCE**

791 **SECTION 6.10.**

792 **Property tax.**

793 The city council may assess, levy, and collect an ad valorem tax on all real and personal
 794 property within the corporate limits of the city that is subject to such taxation by the state and
 795 county. This tax is for the purpose of raising revenues to defray the costs of operating the
 796 city government, of providing governmental services, for the repayment of principal and
 797 interest on general obligations, and for any other public purpose as determined by the city

798 council in its discretion.

799 **SECTION 6.11.**

800 Millage rate; due dates; payment methods.

801 The city council, by ordinance, shall establish a millage rate for the city property tax, ~~not to~~
802 ~~exceed 4.13 mills~~, a due date, and the time period within which these taxes shall be paid.

803 The city council, by ordinance, may provide for the payment of these taxes by two
804 installments or in one lump sum, as well as authorize the voluntary payment of taxes prior
805 to the time when due. For all years, the millage rate imposed for ad valorem taxes on real
property for operating budget purposes shall not exceed 4.13 mills unless a higher limit is
recommended by a resolution of the city council and voted on in a nonbinding referendum of the
qualified voters of the city; provided, however, that for the purposes of compliance with Code
Section 48-8-91 of the O.C.G.A., the millage rate may be adjusted upward for the sole purpose of
complying with the millage rate rollback provisions set forth therein. For the purposes of this
section, the term 'qualified voters' means those voters of the city who are qualified to vote in city
elections and cast a vote for or against such measure in such referendum. The question to be
presented to the voters in any referendum on increasing the millage rate shall be 'Do you approve
increasing taxes on residential and nonresidential property for City of Skidaway Island property
owners by raising from [current millage rate] to [proposed millage rate] the operating budget millage
rate, which was capped in the original charter for the city?' Following certification of the results of
such a referendum, the city council shall, at its next regular or special called meeting, introduce and
vote upon a resolution that increases the millage rate to the amount specified in the question
presented to the voters in the referendum. The city council shall nevertheless be authorized to
increase the millage rate if the millage rate increase is not approved by the qualified voters of the
City of Skidaway Island voting in the referendum, but shall not be authorized to increase the millage
rate above the amount specified."

806 **SECTION 6.12.**

807 Occupation and business taxes.

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

812 **SECTION 6.13.**

813 Regulatory fees; permits.

814 The city council by ordinance shall have the power to require businesses or practitioners
815 doing business within this city to obtain a permit for such activity from the city and pay a
816 reasonable regulatory fee for such permit as provided by general law. Such fees shall reflect
817 the total cost to the city of regulating the activity, and if unpaid, shall be collected as

818 provided in Section 6.18 of this charter.

819 **SECTION 6.14.**

820 Franchises.

821 (a) The city council shall have the power to grant franchises for the use of the city's streets
 822 and alleys for the purposes of railroads, street railways, telephone companies, electric
 823 companies, electric membership corporations, cable television and other telecommunications
 824 companies, gas companies, transportation companies, and other similar organizations. The
 825 city council shall determine the duration, terms, whether the same shall be exclusive or
 826 nonexclusive, and the consideration for such franchises; provided, however, that no franchise
 827 shall be granted for a period in excess of 35 years and no franchise shall be granted unless
 828 the city receives just and adequate compensation therefor. The city council shall provide for
 829 the registration of all franchises with the city clerk in a registration book kept by the city
 830 clerk.

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

836 **SECTION 6.15.**

837 Service charges.

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

842 **SECTION 6.16.**

843 Special assessments.

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

848 **SECTION 6.17.**

849 Construction; other taxes and fees.

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

853 **SECTION 6.18.**

854 Collection of delinquent taxes and fees.

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

862 **SECTION 6.19.**

863 General obligation bonds.

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

868 **SECTION 6.20.**

869 Revenue bonds.

870 Revenue bonds may be issued by the city council as state law now or hereafter provides.

871 Such bonds are to be paid out of any revenue produced by the project, program, or venture
872 for which they were issued.

873 **SECTION 6.21.**

874 Short-term loans.

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

877 SECTION 6.22.

878 Lease-purchase contracts.

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

886 SECTION 6.23.

887 Fiscal year.

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

892 SECTION 6.24.

893 Preparation of budgets.

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

897 SECTION 6.25.

898 Submission of operating budget to city council.

899 On or before a date fixed by the city council but not later than 90 days prior to the beginning
900 of each fiscal year, the city manager shall submit to the city council a proposed operating
901 budget for the ensuing fiscal year. The budget shall be accompanied by a message from the
902 city manager containing a statement of the general fiscal policies of the city, the important

903 features of the budget, explanations of major changes recommended for the next fiscal year,
 904 a general summary of the budget, and such other pertinent comments and information. The
 905 operating budget and the capital budget hereinafter provided for, the budget message, and
 906 all supporting documents shall be filed in the office of the city clerk and shall be open to
 907 public inspection.

908 **SECTION 6.26.**

909 Action by city council on budget.

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

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

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

928 **SECTION 6.27.**

929 Tax levies.

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

935 of this city.

936 **SECTION 6.28.**

937 Changes in appropriations.

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

942 **SECTION 6.29.**

943 Capital budget.

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

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

960 **SECTION 6.30.**

961 Independent audit.

962 There shall be an annual independent audit of all city accounts, funds, and financial
 963 transactions by a certified public accountant selected by the city council. The audit shall be
 964 conducted according to generally accepted auditing principles. Any audit of any funds by

965 the state or federal government may be accepted as satisfying the requirements of this
 966 charter. Copies of annual audit reports shall be available at printing costs to the public.

967 **SECTION 6.31.**

968 Contracting procedures.

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

970 (1) It is in writing;

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

973 (3) It is made or authorized by the city council and such approval is entered in the city
 974 council journal of proceedings pursuant to Section 2.21 of this charter.

975 **SECTION 6.32.**

976 Centralized purchasing.

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

979 **SECTION 6.33.**

980 Sale and lease of city property.

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

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

987 (c) Whenever in opening, extending, or widening any street, avenue, alley, or public place
 988 of the city, a small parcel or tract of land is cutoff or separated by such work from a larger
 989 tract or boundary of land owned by the city, the city council may authorize the city manager
 990 to sell and convey said cut-off or separated parcel or tract of land to an abutting or adjoining
 991 property owner or owners where such sale and conveyance facilitates the enjoyment of the
 992 highest and best use of the abutting owner's property. Included in the sales contract shall be
 993 a provision for the rights-of-way of said street, avenue, alley, or public place. Each abutting
 994 property owner shall be notified of the availability of the property and given the opportunity
 995 to purchase said property under such terms and conditions as set out by ordinance. All deeds
 996 and conveyances heretofore and hereafter so executed and delivered shall convey all title and
 997 interest the city has in such property, notwithstanding the fact that no public sale after

998 advertisement was or is hereaftermade.

999 ARTICLE VII
1000 GENERAL PROVISIONS

1001 SECTION 7.10.

1002 Bonds for officials.

1003 The officers and employees of the city, both elective and appointive, shall execute such
1004 surety or fidelity bonds in such amounts and upon such terms and conditions as the city
1005 council shall from time to time require by ordinance or as may be provided by law.

1006 SECTION 7.11.

1007 Construction.

1008 (a) Section captions in this charter are informative only and are not to be considered as a part
1009 thereof.

1010 (b) The word "shall" is mandatory and the word "may" is permissive.

1011 (c) The singular shall include the plural, the masculine shall include the feminine, and vice
1012 versa.

1013 ARTICLE VIII
1014 HOMESTEAD EXEMPTIONS

1015 SECTION 8.10.

1016 General homestead exemption.

1017 (a) As used in this section, the term:

1018 (1) "Ad valorem taxes for municipal purposes" means all ad valorem taxes for municipal
1019 purposes levied by, for, or on behalf of the City of Skidaway Island, except for any ad
1020 valorem taxes to pay interest on and to retire municipal bonded indebtedness.

1021 (2) "Homestead" means homestead as defined and qualified in Code Section 48-5-40 of
1022 the O.C.G.A., as amended.

1023 (b) Each resident of the City of Skidaway Island is granted an exemption on that person's
1024 homestead from City of Skidaway Island ad valorem taxes for municipal purposes in the
1025 amount of \$12,000 of the assessed value of that homestead. The value of that property in
1026 excess of such exempted amount shall remain subject to taxation.

1027 (c) Any person who as of January 1, 201~~8~~⁹, has applied for and is eligible for the
1028 \$2,000.00 exemption from county ad valorem taxation provided in Code Section 48-5-44 of the
1029 O.C.G.A. shall be eligible for the exemption provided for by subsection (b) of this section

1030 without applying therefor. Thereafter, a person shall not receive the homestead exemption
1031 granted by subsection (b) of this section unless such person or person's agent files an
1032 application with the governing authority of the City of Skidaway Island, or the designee
1033 thereof, giving such information relative to receiving such exemption as will enable the
1034 governing authority of the City of Skidaway Island, or the designee thereof, to make a
1035 determination regarding the initial and continuing eligibility of such person for such
1036 exemption. The governing authority of the City of Skidaway Island, or the designee thereof,
1037 shall provide application forms for this purpose.

1038 (d) The exemption shall be claimed and returned as provided in Code Section 48-5-50.1 of
1039 the O.C.G.A., as amended. The exemption shall be automatically renewed from year to year
1040 as long as the person granted the homestead exemption under subsection (b) of this section
1041 occupies the residence as a homestead. After a person has filed the proper application as
1042 provided in subsection (c) of this section, it shall not be necessary to make application
1043 thereafter for any year, and the exemption shall continue to be allowed to such person. It
1044 shall be the duty of any person granted the homestead exemption under subsection (b) of this
1045 section to notify the governing authority of the City of Skidaway Island, or the designee
1046 thereof, in the event that person for any reason becomes ineligible for such exemption.

1047 (e) The exemption granted by subsection (b) of this section shall not apply to or affect any
1048 state ad valorem taxes, county ad valorem taxes for county purposes, or county or
1049 independent school district ad valorem taxes for educational purposes. The homestead
1050 exemption granted by subsection (b) of this section shall be in lieu of and not in addition to
1051 any other homestead exemption applicable to City of Skidaway Island ad valorem taxes for
1052 municipal purposes.

1053 (f) The exemption granted by subsection (b) of this section shall apply to all taxable years
1054 beginning on or after July 1, 2019.

1055 **SECTION 8.11.**

1056 Homestead exemption; senior citizen; disabled.

1057 (a) As used in this section, the term:

1058 (1) "Ad valorem taxes for municipal purposes" means all ad valorem taxes for municipal
 1059 purposes levied by, for, or on behalf of the City of Skidaway Island, ~~including, but not~~
 1060 ~~except for limited to,~~ any ad valorem taxes to pay interest on and to retire municipal bonded
 1061 indebtedness.

1062 (2) "Homestead" means homestead as defined and qualified in Code Section 48-5-40 of
 1063 the O.C.G.A., as amended.

1064 (3) "Income" means Georgia taxable net income determined pursuant to Chapter 7 of
 1065 Title 48 of the O.C.G.A., as amended, for state income tax purposes, except such term
 1066 shall not include income received as retirement, survivor, or disability benefits under the
 1067 federal Social Security Act or under any other public or private retirement, disability, or
 1068 pension system, except such income which is in excess of the maximum amount
 1069 authorized to be paid to an individual and such individual's spouse under the federal
 1070 Social Security Act. Income from such sources in excess of such maximum amount shall
 1071 be included as income for the purposes of this Act.

1072 (4) "Senior citizen" means a person who is 65 years of age or older on or before
 1073 January 1 of the year in which application for the exemption under subsection (b) of this
 1074 section is made.

1075 (b) Each resident of the City of Skidaway Island who is disabled or who is a senior citizen
 1076 is granted an exemption on that person's homestead from City of Skidaway Island ad valorem
 1077 taxes for municipal purposes in the amount of \$14,000.00 of the assessed value of that
 1078 homestead. The exemption under this subsection shall only be granted if that person's
 1079 income, together with the income of the spouse who also occupies and resides at such
 1080 homestead, does not exceed \$15,000.00 for the immediately preceding year. The value of
 1081 that property in excess of such exempted amount shall remain subject to taxation.

1082 (c)(1) In order to qualify for the exemption provided for in subsection (b) of this section
 1083 as being disabled, the person claiming such exemption shall be required to obtain a
 1084 certificate from not more than three physicians licensed to practice medicine under
 1085 Chapter 34 of Title 43 of the O.C.G.A., as amended, certifying that in the opinion of such
 1086 physician or physicians, such person is mentally or physically incapacitated to the extent
 1087 that such person is unable to be gainfully employed and that such incapacity is likely to
 1088 be permanent. Such certificate or certificates shall constitute part of and be submitted
 1089 with the application provided for in paragraph (2) of this subsection.

1090 (2) A person shall not receive the homestead exemption granted by subsection (b) of this
 1091 section unless such person or person's agent files an application with the governing
 1092 authority of the City of Skidaway Island, or the designee thereof, giving the person's age,

1093 income, and such additional information relative to receiving such exemption as will
1094 enable the governing authority of the City of Skidaway Island, or the designee thereof,
1095 to make a determination regarding the initial and continuing eligibility of such person for
1096 such exemption. The governing authority of the City of Skidaway Island, or the designee
1097 thereof, shall provide application forms for this purpose.

1098 (d) The exemption shall be claimed and returned as provided in Code Section 48-5-50.1 of
1099 the O.C.G.A., as amended. The exemption shall be automatically renewed from year to year
1100 as long as the person granted the homestead exemption under subsection (b) of this section
1101 occupies the residence as a homestead. After a person has filed the proper application, as
1102 provided in subsection (c) of this section, it shall not be necessary to make application
1103 thereafter for any year, and the exemption shall continue to be allowed to such person. It
1104 shall be the duty of any person granted the homestead exemption under subsection (b) of this
1105 section to notify the governing authority of the City of Skidaway Island, or the designee
1106 thereof, in the event that person for any reason becomes ineligible for such exemption.

1107 (e) The exemption granted by subsection (b) of this section shall not apply to or affect any
1108 state ad valorem taxes, county ad valorem taxes for county purposes, or county or
1109 independent school district ad valorem taxes for educational purposes. The homestead
1110 exemption granted by subsection (b) of this section shall be in addition to and not in lieu of
1111 any other homestead exemption applicable to City of Skidaway Island ad valorem taxes for
1112 municipal purposes.

1113 (f) The exemption granted by subsection (b) of this section shall apply to all taxable years
1114 beginning on or after July 1, 2019.

1115 **SECTION 8.12.**

1116 Homestead exemption; base year.

1117 (a) As used in this Act, the term:

1118 (1) "Ad valorem taxes for municipal purposes" means all municipal ad valorem taxes for
1119 municipal purposes levied by, for, or on behalf of the City of Skidaway Island, except for
1120 any ad valorem taxes to pay interest on and to retire municipal bonded indebtedness.

1121 (2) "Base year" means the taxable year immediately preceding the taxable year in which
1122 the exemption under subsection (b) of this section is first granted to the most recent
1123 owner of such homestead, provided that, for any resident who is receiving a base year
1124 homestead exemption from Chatham County taxes on January 1, 2019, the base year for
1125 such Chatham County base year homestead exemption shall be the base year for the
1126 exemption under subsection (b) of this section until such resident becomes ineligible for
1127 such exemption under this section.

1128 (3) "Homestead" means homestead as defined and qualified in Code Section 48-5-40 of
1129 the O.C.G.A., as amended, with the additional qualification that it shall include not more
1130 than five contiguous acres of homestead property.

1131 (b) Each resident of the City of Skidaway Island is granted an exemption on that person's
1132 homestead from City of Skidaway Island ad valorem taxes for municipal purposes in an
1133 amount equal to the amount by which the current year assessed value of that homestead
1134 exceeds the base year assessed value of that homestead. This exemption shall not apply to
1135 taxes assessed on improvements to such homestead or additional land that is added to such
1136 homestead after January 1 of the base year. If any real property is added to or removed
1137 homestead, the base year assessed value shall be adjusted to reflect such addition or
1138 exemption shall be recalculated accordingly. The value of that property in excess of such
1139 exempted amount shall remain subject to taxation.

1140 (c) The unremarried surviving spouse of a deceased spouse who had been granted the
1141 exemption provided for in subsection (b) of this section shall continue to receive the
1142 exemption provided under subsection (b) of this section so long as that unremarried surviving
1143 spouse continues to occupy the home as a residence and homestead.

1144 (d) A person shall not receive the homestead exemption granted by subsection (b) of this
1145 section unless such person or person's agent files an application with the governing authority
1146 of the City of Skidaway Island, or the designee thereof, giving such information relative to
1147 receiving such exemption as will enable the governing authority of the City of Skidaway
1148 Island, or the designee thereof, to make a determination regarding the initial and continuing
1149 eligibility of such person for such exemption. The governing authority of the City of

1150 Skidaway Island, or the designee thereof, shall provide application forms for this purpose.

- 1151 (e) The exemption shall be claimed and returned as provided in Code Section 48-5-50.1 of
 1152 the O.C.G.A., as amended. The exemption shall be automatically renewed from year to year
 1153 as long as the person granted the homestead exemption under subsection (b) of this section
 1154 occupies the residence as a homestead. After a person has filed the proper application as
 1155 provided in subsection (d) of this section, it shall not be necessary to make application
 1156 thereafter for any year, and the exemption shall continue to be allowed to such person. It
 1157 shall be the duty of any person granted the homestead exemption under subsection (b) of this
 1158 section to notify the governing authority of the City of Skidaway Island, or the designee
 1159 thereof, in the event that person for any reason becomes ineligible for such exemption.
- 1160 (f) The exemption granted by subsection (b) of this section shall not apply to or affect any
 1161 state ad valorem taxes, county ad valorem taxes for county purposes, or county or
 1162 independent school district ad valorem taxes for educational purposes. The homestead
 1163 exemption granted by subsection (b) of this section shall be in addition to and not in lieu of
 1164 any other homestead exemption applicable to City of Skidaway Island ad valorem taxes for
 1165 municipal purposes.
- 1166 (g) The exemption granted by subsection (b) of this section shall apply to all taxable years
 1167 beginning on or after July 1, 2019.

1168 ARTICLE IX

1169 REFERENDUM AND TRANSITION

1170 SECTION 9.10.

1171 Qualified electors.

- 1172 (a) For the purposes of the referendum election provided for in Section 9.11 of this charter
 1173 and for the purposes of the special election to be held on the third Tuesday in ~~March~~June,
 2019,
 1174 the qualified electors of the City of Skidaway Island shall be those qualified electors of
 1175 Chatham County residing within the corporate limits of the City of Skidaway Island as
 1176 described by Section 1.11 of this charter. At subsequent municipal elections, the qualified
 1177 electors of the City of Skidaway Island shall be determined pursuant to the authority of
 1178 Chapter 2 of Title 21 of the O.C.G.A., the "Georgia Election Code."
- 1179 (b) Only for the purpose of holding and conducting the referendum election provided for by
 1180 Section 9.11 of this charter and only for the purpose of holding and conducting the special
 1181 election of the City of Skidaway Island to be held on the third Tuesday in ~~March~~June,
 2019, the
 1182 election superintendent of Chatham County is vested with the powers and duties of the
 1183 election superintendent of the City of Skidaway Island and the powers and duties of the
 1184 governing authority of the City of Skidaway Island.

1185 **Section 9.11.**
1186 Referendum.

1187 The election superintendent of Chatham County shall call a special election for the
1188 purpose
1189 of submitting this Act to the qualified voters of the proposed City of Skidaway Island, as
1190 provided in Section 9.10 of this charter, for approval or rejection. The superintendent shall
1191 issue the call for the election in accordance with the provisions of Chapter 2 of Title 21 of
1192 the O.C.G.A., the “Georgia Election Code.” The superintendent shall
1193 set the date of such election for the ~~date of the 2018 November general election. The~~third
1194 Tuesday in March, 2019.
1195 ~~superintendent shall issue the call for such election at least 60 days prior to the date~~
1196 ~~thereof.~~
1197 The superintendent shall cause the date and purpose of the election to be published once a
1198 week for two weeks immediately preceding the date thereof in the official organ of
1199 Chatham
1200 County. The ballot shall have written or printed thereon the words:
1201 " YES Shall the Act incorporating the City of Skidaway Island in Chatham County
1202 NO and granting the homestead exemptions described therein be approved?"
1203 All persons desiring to vote for approval of the Act shall vote "Yes," and those persons
1204 desiring to vote for rejection of the Act shall vote "No." If more than one-half of the votes
1205 cast on such question are for approval of the Act, it shall become of full force and effect as
1206 provided in Section 9.12 of this charter; otherwise, it shall thereafter be void and of no force
1207 and effect. The expense of the special election set forth in this section shall be borne by
1208 Chatham County. It shall be the duty of the superintendent to hold and conduct such
1209 election. It shall be his or her further duty to certify the result thereof to the Secretary of
1210 State.

1205 **SECTION 9.12.**
1206 Effective dates.

1207 (a) Sections ~~1.10, Section and~~ 1.11, and this section of this charter and those provisions of
1208 this charter necessary for
1209 the special election provided for in Section 9.11 of this charter shall become effective
1210 immediately upon its approval by the Governor or upon its becoming law without such
1211 approval.
1212 (b) Those provisions of this Act necessary for the special election to be held on the third
1213 Tuesday in ~~March~~June, 2019, shall be effective upon the certification of the results of the
1214 referendum election provided for by Section 9.11 of this charter, if this Act is approved at

1214 such referendum election.

1215 (c) The remaining provisions of this Act shall become of full force and effect for all
1216 purposes on July 1, 2019, except that the initial mayor and councilmembers shall take office
1217 immediately following their election and by action of a quorum may prior to July 1, 2019,
1218 meet and take actions binding on the city.

1219 **SECTION 9.13.**

1220 Transition.

1221 (a) A period of time will be needed for an orderly transition of various government functions
 1222 from Chatham County to the City of Skidaway Island. Accordingly, there shall be a
 1223 transition period beginning on July 1, 2019, and ending at midnight on the last day of the
 1224 twenty-fourth month following such date. During such transition period, all provisions of
 1225 this charter shall be effective as law, but not all provisions of this charter shall be
 1226 implemented.

1227 (b) During such transition period, Chatham County shall continue to provide within the
 1228 territorial limits of the City of Skidaway Island all government services and functions which
 1229 Chatham County provided in that area prior to the referendum election provided for in Section 9.11 of
 1230 this charter during 2018 and at the same actual cost, except to the
 1231 extent otherwise provided in this section; provided, however, that upon at least 30 days' prior
 1232 written notice to Chatham County by the City of Skidaway Island, responsibility for any such
 1233 service or function shall be transferred to the City of Skidaway Island. The governing
 1234 authority of the City of Skidaway Island shall determine the date of commencement of
 1235 collection of -Beginning on July 1,
 1236 2019, the City of Skidaway Island shall collect taxes, fees, assessments, fines and forfeitures,
 1237 and other moneys within the territorial limits of the City of Skidaway Island; provided,
 1238 however, that upon at least 30 days' prior written notice to Chatham County by the City of
 1239 Skidaway Island, the authority to collect any tax, fee, assessment, fine or forfeiture, or other
 1240 moneys shall remain with Chatham County after July 1, 2019, until such time as Chatham
 1241 County receives subsequent notice from the City of Skidaway Island that such authority shall
 1242 be transferred to the City of Skidaway Island.

1240 (c) During the transition period, the governing authority of the City of Skidaway Island:

- 1241 (1) Shall hold regular meetings and may hold special meetings as provided in this
 1242 charter;
- 1243 (2) May enact ordinances and resolutions as provided in this charter;
- 1244 (3) May amend this charter by home rule action as provided by general law;
- 1245 (4) May accept gifts and grants;
- 1246 (5) May borrow money and incur indebtedness to the extent authorized by this charter
 1247 and general law;
- 1248 (6) May levy and collect an ad valorem tax for calendar years 2019 and 2020;
- 1249 (7) May establish a fiscal year and budget;
- 1250 (8) May create, alter, or abolish departments, boards, offices, commissions, and agencies
 1251 of the city; appoint and remove officers and employees; and exercise all necessary or
 1252 appropriate personnel and management functions; and
- 1253 (9) May generally exercise any power granted by this charter or general law, except to

SECTION 9.13.

1219
1254

the extent that a power is specifically and integrally related to the provision of a

1255 governmental service, function, or responsibility not yet provided or carried out by the
1256 city.

1257 (d) Except as otherwise provided in this section, during the transition period, the Municipal
1258 Court of the City of Skidaway Island shall not exercise its jurisdiction. During the transition
1259 period, all ordinances of Chatham County shall remain applicable within the territorial limits
1260 of the City of Skidaway Island and the appropriate court or courts of Chatham County shall
1261 retain jurisdiction to enforce such ordinances. However, by appropriate agreement (and
1262 concurrent resolutions and ordinances if needed) Chatham County and the City of Skidaway
1263 Island may during the transition period transfer all or part of such regulatory authority and
1264 the appropriate court jurisdiction to the City of Skidaway Island. Any transfer of jurisdiction
1265 to the City of Skidaway Island during or at the end of the transition period shall not in and
1266 of itself abate any judicial proceeding pending in Chatham County or the pending
1267 prosecution of any violation of any ordinance of Chatham County.

1268 (e) During the transition period, the governing authority of Skidaway Island may at any
1269 time, without the necessity of any agreement by Chatham County, commence to exercise its
1270 planning and zoning powers; provided, however, that the city shall give the county notice of
1271 the date on which the city will assume the exercise of such powers. Upon the governing
1272 authority of Skidaway Island commencing to exercise its planning and zoning powers, the
1273 Municipal Court of the City of Skidaway Island shall immediately have jurisdiction to
1274 enforce the planning and zoning ordinances of the city. The provisions of this subsection
1275 shall control over any conflicting provisions of any other subsection of this section.

1276 (f) Effective upon the termination of the transition period, subsections (b) through (e) of this
1277 section shall cease to apply except for the last sentence of subsection (d) which shall remain
1278 effective. Effective upon the termination of the transition period, the City of Skidaway
1279 Island shall be a full functioning municipal corporation and subject to all general laws of this
1280 state.

1281 **SECTION 9.14.**

1282 Directory nature of dates.

1283 It is the intention of the General Assembly that this Act be construed as directory rather than
1284 mandatory with respect to any date prescribed in this Act. If it is necessary to delay any
1285 action called for in this Act for providential cause or any other reason, it is the intention of
1286 the General Assembly that the action be delayed rather than abandoned. Any delay in
1287 performing any action under this Act, whether for cause or otherwise, shall not operate to
1288 frustrate the overall intent of this Act. Without limiting the generality of the foregoing it is
1289 specifically provided that:

1290 (1) If it is not possible to hold the referendum election provided for in Section 9.11 of
 1291 this Act on the date specified in that section, then such referendum shall be held as soon
 1292 thereafter as is reasonably practicable; and

1293 (2) If it is not possible to hold the first municipal election provided for in Section 2.11
 1294 of this Act on the date specified in that section, then there shall be a special election for
 1295 the initial members of the governing authority to be held as soon thereafter as is
 1296 reasonably practicable, and the commencement of the initial terms of office shall be
 1297 delayed accordingly.

In accordance with the requirements of Article VII, Section II, Paragraph II(a)(1) of the
 Constitution of the State of Georgia, this Act shall not become law unless it receives the
 requisite two-thirds' majority vote in both the Senate and the House of
 Representatives.

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

1298 **SECTION 9.15.**

1299 General repealer.

1300 All laws and parts of laws in conflict with this Act are repealed.

1301 APPENDIX A
 1302 CORPORATE LIMITS
 1303 CITY OF SKIDAWAY ISLAND

1304 The City of Skidaway Island shall include all the territory embraced within the following
 1305 census blocks based upon the 2010 United States decennial census:

1306 Plan: skidaway-city-2017

1307 Plan Type: Local

1308 Administrator: H166

1309 User: Gina

1310 District SKIDAWAY

1311 Chatham County

1312 VTD: 0511-12

1313 011006:

1314 1004 1005

1315 VTD: 0514-12

1316 011005:

1317 3011 3062 3063 3064 3065 3068 3069 3073 3074 3075 3076 3077

1318 3079 3083

1319 011006:

1320 1000 1001 1002 1003 1007 1008 1009 1011 1038 1039 1040 2004

1321 2005 2007 2008 2009 2010 2011 2012 2014 2015 2017 2018 2019
 1322 2020 2032 2033 2034
 1323 VTD: 0514-13
 1324 011005:
 1325 1000 1001 1002 1003 1005 1006 1007 1008 1009 1010 2024 4000
 1326 4001 4002 4003 4004 4005 4006 4007 4008 4009 4010 4011 4012
 1327 4013 4014 4015 4016 4017 4019 4023 4035
 1328 011006:
 1329 1037
 1330 VTD: 0514-14
 1331 011005:
 1332 2005 2009 2010 2011 2012 2013 2014 2015 2016 2017 2018 2019
 1333 2020 2021 2022 2023 2025 2026 2027 2028 2029 2030 2031 2032
 1334 2033 2034 2035 2036 2037 2038 2039 2040 2041 2045 2046 2047
 1335 2057 3066 3067 3070 3071 3072 3078 3080
 1336 VTD: 0514-15
 1337 011005:
 1338 1004
 1339 011006:
 1340 1006 1010 1012 1013 1014 1015 1016 1017 1018 1019 1020 1021
 1341 1022 1023 1024 1025 1026 1027 1028 1029 1030 1031 1032 1033
 1342 1034 1041 1043 2006 2013 2016 2035 2036 2037 2038 2039 2040

1343 For the purposes of this description, the term "VTD" shall mean and describe the same
 1344 geographical boundaries as provided in the report of the Bureau of the Census for the United
 1345 States decennial census of 2010 for the State of Georgia. The separate numeric designations
 1346 in the description which are underneath a VTD heading shall mean and describe individual
 1347 blocks within a VTD as provided in the report of the Bureau of the Census for the United
 1348 States decennial census of 2010 for the State of Georgia.

1349 APPENDIX B
 1350 CERTIFICATE AS TO MINIMUM STANDARDS
 1351 FOR INCORPORATION OF A NEW MUNICIPAL CORPORATION

1352 I, Representative Jesse Petrea, Georgia State Representative from the 166th District and the
 1353 author of this bill introduced at the 2017 session of the General Assembly of Georgia, which
 1354 grants an original municipal charter to the City of Skidaway Island, do hereby certify that this

1355 bill is in compliance with the minimum standards required by Chapter 31 of Title 36 of the
1356 O.C.G.A. in that the area embraced within the original incorporation in this bill is in all
1357 respects in compliance with the minimum standards required by Chapter 31 of Title 36 of the
1358 O.C.G.A. This certificate is executed to conform to the requirements of Code
1359 Section 36-31-5 of the O.C.G.A.

1360 So certified, this _____ day of _____, 2017.

1361

Honorable Jesse Petrea

1362

Representative, 166th District

1363

Georgia State House of Representatives

1364