

CHAPTER 2
ADMINISTRATION

(Chapter was amended in its entirety by Ordinance # 2018-03 on 1/14/2018)

Sec. 2.1. Departmental Organization.

The administrative services of the City shall be divided into the following departments and heads thereof.

Sec. 2.2. Department of City Clerk.

- (a) Appointment. The Department of City Clerk shall consist of the Clerk and such other employees as may be provided for by the mayor and council.
- (b) Term. The City Clerk shall be appointed by the Mayor and approved by the City Council and shall be appointed for a period of four (4) years only, and shall serve in this position at the pleasure of the mayor and council, and may be removed from this position with or without cause.
- (c) Bond and Oath. Prior to entering upon the discharge of his duties, the City Clerk of the city shall execute a bond in the amount of \$25,000. And shall take and subscribe to the oath prescribed by this Code.

Duties of the City Clerk.

- (1) To attend all meetings of the city council;
- (2) To keep correct and full minutes of the proceedings of city council together with all ordinances and resolutions passed by it, in a properly indexed book or register kept for that purpose;
- (3) To receive all applications or petitions made to the city and to place them before the mayor and city council at the meeting of the council next succeeding the receipt thereof;
- (4) To issue all licenses, property tax notices, and keeps a record thereof, and all badges and permits authorized by the council;
- (5) To issue all summonses, processes, and subpoenas to witnesses that may be necessary in the enforcement of this Code or other rules, regulations, and ordinances of the city council;
- (6) To be the custodian of the city seal and affix its impression on documents

whenever required; and

- (7) To carefully preserve the records and documents belonging to the city which are not assigned to the custody of some other office, and to maintain a proper index to all such records and documents so that ready access thereto and use thereof may be had.
- (8) Ensure that all equipment, vehicles, machinery and buildings are maintained in clean and working order.
- (9) Ensure that any certification requirements for employee's current job or duties are completed and submitted timely. Copy of complete certification requirements and date submitted shall be filed with the Clerk's Office and Mayor.
- (10) To perform such additional duties as may be required by law or assigned to him the Mayor.

Sec. 2-3. Police Department.

1. Police Chief

- (a) Appointment. The Police Department shall consist of the Police Chief and such other employees as may be provided for by the Mayor and Council.
- (b) Term. The Police Chief shall be appointed by the Mayor and approved by the City Council and shall be appointed for a period of four (4) years only, and shall serve in this position at the pleasure of the Mayor and Council, and may be removed from this position with or without cause.
- (c) Bond and Oath. Prior to entering upon the discharge of his/her duties, the Police Chief of the city shall execute a bond in the amount of \$10,000.00. And shall take and subscribe to the oath prescribed by this Code.

Duties of the Police Chief:

- 1) To attend all meetings of the city council and all trials before the recorder's court;
- 2) To see to the proper service of all summonses, subpoenas, citations, executions, attachments, and rules of the city council;
- 3) To see to the collection of all fines and costs imposed by the recorder's court;
- 4) To see that the ordinances, rules and regulations of the city and all statutes applicable therein are faithfully enforced;
- 5) To preserve the public peace, prevent infractions of the law, and arrest violators thereof;

- 6) To protect the rights of persons and property;
- 7) To oversee the conduct of the officers and men of the police force, and to be held strictly responsible for such conduct and for the general good order of the department;
- 8) To keep adequate records of all personnel and equipment of the department, including a log of all questions, activities, and investigations;
- 9) To submit a monthly report to the city council outlining the number and type of arrests for state offenses, the number and type of cases involving violations of municipal ordinances, and the number of arrests made and cases reported by each police officer;
- 10) To submit monthly to the Georgia Department of Public Safety the "Uniform Crime Report," prescribed by state law;
- 11) Ensure that all equipment, vehicles, machinery and buildings are maintained in clean and working order.
- 12) Ensure that any certification requirements for employee's current job or duties are completed and submitted timely. Copy of complete certification requirements and date submitted shall be filed with the Clerk's Office and Mayor.
- 13) To perform such additional duties as maybe required by law or assigned to him by the Mayor.

2. Police Officers.

- (a) Qualifications. Any person employed by the city as a police officer shall have the following qualifications:
 - 1) Be at least 21 years of age;
 - 2) Be a citizen of the United States;
 - 3) Have a high school diploma or its recognized equivalent;
 - 4) Not have been convicted, by any state or by the federal government, of any crime, the punishment for which could have been imprisonment in a federal or state prison or institution; nor shall he have been convicted of sufficient misdemeanors to establish a pattern of disregard for the law;
 - 5) Be fingerprinted and a search made of local, state, and national fingerprint files to disclose any criminal record;

- 6) Possess good moral character as determined by investigation under procedure established by the Georgia Peace Officers Standards and Training Council;
 - 7) Have an oral interview with the mayor to determine such things as applicant's appearance, background, ability to communicate;
 - 8) Be found, after examination by a licensed physician or surgeon, to be free from any physical, emotional or mental conditions which might adversely affect his exercising the powers or duties of a police officer; and
 - 9) Complete satisfactorily at least a basic course of 114 hours of instruction within 12 months of the date of his appointment as a police officer, except that an extension may be granted by the Georgia Peace Officers Standards and Training Council on account of illness, injury, military service, or other reasons deemed sufficient by said Council.
 - 10) Maintain all equipment, vehicles, machinery and buildings in clean and working order.
 - 11) Obtain and maintain any certification required for your current job and duties. Yearly requirements shall be completed and submitted timely.
- (b) Oath. Prior to entering upon the duties of their respective offices, all officers of the police department shall take and subscribe the oath prescribed by this code.
- (c) Duties. It shall be the duty of the officers of the police department to acquire a full knowledge of and to enforce all of the ordinances of the city and all statutes applicable therein, to become familiar with the rules and regulations established by the police chief concerning the discipline, good order, proper conduct, care, and management of the police department, and to respect and obey all orders of the police chief not in conflict with the law or ordinances of the city.
- (d) Conduct. Every member of the police department shall conduct himself or herself in a proper and law-abiding manner at all times and shall avoid the use of unnecessary force. Prohibited conduct shall include, but not be limited to, the following:
- 1) Absence from regular hours of duty without permission;
 - 2) Sleeping on duty;
 - 3) Insubordination or disobedience of orders;
 - 4) Drinking any malt or intoxicating beverage while on duty or in uniform;
 - 5) Willful maltreatment of any person or prisoner;

- 6) Using profane language;
- 7) Giving out or releasing any information or records covering the affairs, business or operation of the police department without the consent of the public safety director;
- 8) Receiving or accepting a reward from any person, firm, or corporation for any services rendered in the line of duty;
- 9) Accepting bribes of money, gifts, or other articles of apparent or actual value, or accepting any fee, reward or gift of any kind from a person arrested or from any friend in his behalf while he is in custody or after his release or discharge; or
- 10) Active participation in any political campaign to the neglect of his official duty.

- (e) Penalties for improper conduct. Any police officer violating the rules or regulations of the police department or of this Code, upon conviction therefore by the city council, after due notice and hearing, or upon the plea of guilty, shall be reprimanded, fined, suspended, or dismissed by the city council. Any one or more of said penalties may be imposed in the discretion of the city council.
- (f) Arms and Uniforms. Each officer and member of the police department shall be furnished with such uniform, arms, and police equipment as provided for by the city council. Uniforms shall be kept clean and pressed and shall be worn on duty at all times, unless otherwise ordered by a superior officer. The equipment, arms and uniforms furnished by the city shall be and always remain the property of the city and shall be, when a change is ordered or on retirement from office, returned to the city. The members of the department shall be liable on their bonds for any loss or careless destruction of or damage to their arms and uniforms.
- (g) Arrests. Police officers of the city may make arrests for such violations of municipal ordinances and state laws when such violations are committed in their presence or when they have obtained a valid arrest warrant from the judge of the recorder's court or from some other proper authority. In exercising such power of arrest, all police officers shall see that all necessary warnings are given to the accused as required by law.
- (h) Entering private dwellings. No police officer shall enter a private dwelling without a search or arrest warrant unless he is in pursuit of a fugitive who the officer has personal knowledge or probable cause to believe has committed or attempted to commit a felony.
- (i) Disposition of stolen, abandoned, or impounded property. All personal property which comes into the custody of the public safety department, where said property has been stolen or impounded or the ownership is unknown, shall be held for a period of 30 days

awaiting claim by its owner. The owner of said property, upon proving ownership and paying all expenses and costs, including reasonable charges for storage, shall have the right to have such property returned to him. If at the expiration of 30 days the property is unclaimed, the chief of police shall advertise the property for sale in the newspaper in which the city's legal advertisements are printed. Such advertising shall take place at least 10 days before the date set for the sale. If the property is still unclaimed by the time of the sale, it shall be sold as advertised and the proceeds shall be placed in the city treasury.

Sec. 2.4 Fire Department

1. Fire Chief.

- (a) Appointment. The Fire Department shall consist of the Fire Chief and such other employees as may be provided for by the Mayor and Council.
- (b) Term. The Fire Chief shall be appointed by the Mayor and approved by the City Council and shall be appointed for a period of four (4) years only, and shall serve in this position at the pleasure of the Mayor and Council, and may be removed from this position with or without cause.
- (c) Bond and Oath. Prior to entering upon the discharge of his duties, the Fire Chief of the city shall execute a bond in the amount of \$10,000.00. And shall take and subscribe to the oath prescribed by this Code.

Duties of Fire Chief:

- 1) To see to the proper and speedy extinguishment of all accidental or intentionally caused fires;
- 2) To see to the enforcement of the fire prevention code adopted by the mayor and council;
- 3) To keep or cause to be kept adequate records of all fires, inspections, equipment, fire prevention efforts, and other activities of the department;
- 4) To submit a monthly written report to the mayor and council on the activities of the department;
- 5) To establish rules and regulations concerning the disciplines, good order, proper conduct, care, and management of the fire department, subject to approval by the city council;
- 6) To investigate the causes of all extended or destruction fires occurring within the city.

- 7) Ensure that all equipment, vehicles, machinery and buildings are maintained in clean and working order.
- 8) Ensure that any certification requirements for employee's current job or duties are completed and submitted timely. Copy of complete certification requirements and date submitted shall be filed with the Clerk's Office and Mayor.
- 9) To discharge such other duties as may be required of him by the mayor or council.
- 10) To perform such additional duties as may be required by law or assigned to him by the Mayor.

2. Firemen.

1. Qualifications. Any person employed by the city as a fireman shall have the following qualifications:
 - A) Be at least 21 years of age;
 - B) Not have been convicted of a felony within 10 years prior to employment;
 - C) Have good moral character as determined by investigation under procedure approved by the Georgia Firefighters Standards and Training Council;
 - D) Be in good physical condition as determined by a medical examination approved by said Council.
 - E) Complete at least a basic training course of 120 hours of instruction within 12 months after being appointed a full-time paid member of the department (if the department employs three or more firemen); and
 - F) Train, drill, or study in Council-approved school, classes, or courses at least 120 hours in each calendar year following the first year of employment.
 - G) Maintain all equipment, vehicles, machinery and buildings in clean and working order.
 - H) Obtain and maintain any certification required for your current job and duties. Yearly requirements shall be completed and submitted timely.
2. Oath. Prior to entering upon the discharge of their duties, all firemen shall take and subscribe the oath prescribed by this Code.
3. Duties. It shall be the duty of all firemen to become familiar with and proficient in the handling of all of the apparatus of the fire department, to be prepared at a moment's notice to respond to all alarms of fire, to observe all rules and regulations of the fire

department established by the public safety director, and to obey all orders of the commanding officer at all fires.

4. Daily Inspections. Each fire station and its equipment shall be examined daily. Such inspections shall be rigidly made and shall insure that all apparatus is maintained in excellent working conditions at all times, ready for immediate service, and that all fire stations and surroundings are in a clean and sanitary condition.
5. Right-of-way of apparatus. The fire department, including its apparatus, when going to any fire in the city or returning therefrom, shall have the right-of-way over the streets, lanes, and ways of the city to the exclusion of all persons, vehicles, and railroad trains of every kind.
6. Persons permitted on apparatus. No person other than members of the fire department shall be permitted to ride upon the firefighting apparatus in going to or returning from fires.
7. Obstructing firefighting apparatus. It shall be unlawful for any person to obstruct in any manner any firefighting apparatus or any of the officers or members of the fire department in the performance of their duties.
8. Obstructing fire plugs. It shall be unlawful for a person to obstruct any fire plug so as to obstruct approaches to the same by the fire department.
9. Command at fires. In case of fire, the officer of the highest rank at the fire shall take command of the fire department and direct the management thereof for the suppression of the fire in the best manner possible. Such commanding officer may cause buildings to be removed, torn down, or destroyed when such acts are necessary for the protection of other property for the prevention of the spread of the conflagration.
10. Persons permitted within vicinity of fire. No person other than firemen, city officials, police officers, and the property owner or his agent shall be allowed within the immediate vicinity of a fire, unless such persons are given permission to do so by the fire chief.
11. False Alarms. It shall be unlawful for any person to make, give, send or turn in, in any manner or way whatever, a false fire alarm or riot alarm, knowing the same to be false.
12. Use of equipment outside city limits. Upon the mutual fire agreement or the orders of the Fire Chief or the mayor, members of the fire department are authorized to go outside the corporate limits of the city for the purpose of extinguishing fires or rendering aid to other fire departments, or for rendering aid in the case of accidents. Persons who reside outside the city limits who receive the service provided for in this paragraph shall be billed \$500.00.

Sec. 2-5. Department of Public Works.

1. Public Works Superintendent

- (a) Appointment. The department of Public Works shall consist of a Public Works Superintendent and such other employees as may be provided for by the Mayor and Council.
- (b) Term. The Superintendent of Public Works shall be appointed by the Mayor and approved by the City Council and shall be appointed for a period of four (4) years only, and shall serve in this position at the pleasure of the Mayor and Council, and may be removed from this position with or without cause.

Duties of the Superintendent of Public Works.

- 1) To provide for and supervise the care, maintenance, construction, and extension of all streets, sidewalks, street gutters and drains, alleys, and public ways;
- 2) To have charge of and be responsible for the care, maintenance, and operation of the street lighting system;
- 3) To have charge of and supervision over all public property of the city, including all parks, parkways, playgrounds, municipal cemeteries, buildings, and utilities not assigned to some other department or officer;
- 4) To have charge of the collection and disposal of garbage and refuse;
- 5) To have charge of and be responsible for the condition of all motor vehicles and other equipment of the department and of all buildings or places in which the same are housed or kept;
- 6) To be the custodian of all tools, equipment, and other personal property belonging to the city and not assigned to the care of any other public officer of the city; and
- 7) To supervise all duties and employees performing duties in the area of insect control.
- 8) Ensure that all equipment, vehicles, machinery and buildings are maintained in clean and working order.
- 9) Ensure that any certification requirements for employee's current job or duties are completed and submitted timely. Copy of complete certification requirements and date submitted shall be filed with the Clerk's Office and Mayor.
- 10) To perform such additional duties as may be required by law or assigned to him by the Mayor.

Sec. 2-6. Department of Water and Sewer

1. Water and Sewer Superintendent.

- (a) Appointment. The department of Water and Sewer shall consist of Water and Sewer Superintendent and such other employees as may be provided for by the Mayor and Council.
- (b) Term. The Superintendent of Water and Sewer shall be appointed by the Mayor and approved by the City Council and shall be appointed for a period of four (4) years only, and shall serve in this position at the pleasure of the Mayor and Council, and may be removed from this position with or without cause.

Duties of the Superintendent of Water and Sewer.

- 1) To administer the existing ordinances concerning water and sewage as are found in Chapters 17, 20, and 22 of this Code; and
- 2) To have charge of and be responsible for the care, maintenance, and operation of the city water distribution system, the sanitary sewer system and disposal plant.
- 3) To have charge of and be responsible for the condition of all motor vehicles and other equipment of this department, and of all buildings or places in which the same are housed or kept;
- 4) To be the custodian of all tools, equipment, and other personal property belonging to the city, and not assigned to the care of any other public officer of the city; and
- 5) To be responsible for the completion and filing of all necessary reports pertaining to the department; and
- 6) Ensure that all equipment, vehicles, machinery and buildings are maintained in clean and working order.
- 7) Ensure that any certification requirements for employee's current job or duties are completed and submitted timely. Copy of complete certification requirements and date submitted shall be filed with the Clerk's Office and Mayor.
- 8) To perform such additional duties as may be required by law or assigned to him by the Mayor.

Sec. 2-7. City Administrator.

- (a) Appointment. The Department of City Administrator shall consist of the Administrator and such other employees as may be provided for by the Mayor and Council.
- (b) Term. The City Administrator shall be appointed by the Mayor and approved by the

City Council and shall be appointed for a period of four (4) years only, and shall serve in this position at the pleasure of the Mayor and Council, and may be removed from this position with or without cause.

- (c) Bond and Oath. Prior to entering upon the discharge of his/her duties, the City Administrator of the city shall execute a bond in the amount of \$25,000. And shall take and subscribe to the oath prescribed by this Code.

Duties of the City Administrator

- (a) Job summary. This position is responsible for the administration of city government, including personnel, budgets, purchasing, grants, and maintenance.

- (b) Major duties.

- 1) Administers operation of city government under the direction of the Mayor.
- 2) Supervises and evaluates subordinate employees and serves as personnel director.
- 3) Acts as a liaison between Mayor and Council and the public by responding to inquiries and resolving conflicts.
- 4) Develops materials for the meeting of City Council and submitting monthly the status of revenues and expenditures.
- 5) Prepares, with direction of the Mayor, the city budget by consulting with department heads, making recommendations, implementing the recommendations and controlling expenditures.
- 6) Advises Mayor and Council on the availability of funds and grants and develops applications for and administers grants from all sources.
- 7) Coordinates with the Chamber of Commerce and the Industrial Development Authority to try to increase development in the city.
- 8) To perform such additional duties as may be required by law or assigned to him by the Mayor.

- (c) Knowledge requirements.

- 1) Knowledge of city code of ordinances and other regulations, policies and procedures.
- 2) Knowledge of budget preparation and administration.
- 3) Knowledge of the functions, organization, and operations of all city departments;.

- 4) Knowledge of State and Federal Laws in all areas applicable to city government.
 - 5) Skill in written and oral communication.
- (d) Supervisory controls. The Mayor will assign work on the basis of outstanding goals, objectives, and priorities. The City Administrator will provide guidance for problematic situations and spot-check work for the nature and propriety of final results.
 - (e) Guidelines. The guidelines consist of all city ordinances, applicable State and Federal laws, grant application, instructions, city regulations, policies and procedures. These guidelines require selection, judgment, and interpretation in application.
 - (f) Complexity. The purpose of this position is to administer all phases of city government. The work is made complex by the multitude and variety of tasks to be completed and by the necessity for dealing with public input which can be conflictual or critical.
 - (g) Scope and effect. The purpose of this position is to assist the Mayor and Council in seeing that the city's government operates according to state law and city ordinances. Successful performance in this position facilitates the work of all city departments, assures that grant monies are obtained and used properly, assures that city services are delivered, assures that city records are properly retained, and enhances the image of the city.
 - (h) Personal contacts. Contacts are typically with co-workers, employees in all city departments, the Mayor and Council, employees of the State of Georgia, representatives of organizations, and the public at large.
 - (i) Purpose of contacts. Contacts are typically for exchange of information relevant to city administrative activities, provision of guidance to city employees, response to inquiries from the public, and provision of information about the city to the State of Georgia and others.
 - (j) Supervisory and management responsibility. The City Administrator has direct supervision over the City Clerk, Finance Director, Public Works Director, Water and Sewer Director, Police Department, and Fire Department. The position is responsible to insure the enforcement of Planning-Zoning and license, permits, and inspections.

Sec. 2-8. Oath

Before entering upon their duties of said city any duly appointed employee shall take the following oath:

“I do solemnly swear that I will faithfully discharge the duties devolved on me as **(as the case may be)** of the City of East Dublin; that I will faithfully execute and enforce the laws of said city to the best of my ability, skill and knowledge, so help me God.”

Sec. 2-9. Severability.

In the event any portion of this ordinance shall be declared or adjudged invalid or unconstitutional, it is the intention of the City Council of the City of East Dublin that such adjudication shall in no manner affect the other sections, sentences, clauses or phrases of this ordinance which shall remain in full force and effect, as if the invalid or unconstitutional section, sentence, clause or phrase were not originally a part of the ordinance.

(Chapter was amended in its entirety by Ordinance # 2018-03 on 1/14/2018)