

PART 1

CHARTER

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ARTICLE I. INCORPORATION POWERS

Sec. 1.10. Name of City; Corporate Powers.

The inhabitants of the territory hereinafter designated by, and they are hereby constituted and made a body politic under the name and style of City of East Dublin, and by that name and style shall have perpetual succession with the authority in and by said corporation to contract and be contracted with, to sue and be sued, to plead and be impleaded in any court of law or equity in this State, or elsewhere, as their rights may come in question; shall have and use a common seal; shall be able in law and equity or purchase, have, hold, enjoy, receive, possess and retain, to them their successors, and assigns for the use and benefit of said City of East Dublin in perpetuity, or for any terms of years, any estate or estates, and any and all kinds of limits of said city corporate purposes; they shall have the right to borrow money and give evidences of indebtedness for the same, to issue bonds, and to do and perform all and every act and the acts necessary of (or) incident to the raising of funds for the legitimate use of said city; they shall have the right, power and authority to govern themselves by such rules, bylaws, regulations, resolutions, ordinances, or other orders as they may deem proper, not to conflict with this charter, or the Constitution and laws of this State, or of the United States.

Sec. 1.11. Corporate Limits.

The corporate limits of the City of East Dublin shall be as follows:

“Beginning at a point on the eastern bank of the Oconee River, and immediately under and in the center of the railroad trestle, which crosses the Oconee River leading from the City of Dublin, which trestle is jointly used by the Wrightsville and Tennille Railroad Company and the Macon, Dublin and Savannah Railroad Company, and running thence northerly along the center of railroad tracts 67 degrees 30 minutes east 1231 feet to a point; thence from said point along the center of the track of Macon, Dublin, and Savannah Railroad north 79 degrees 15 minutes east 650 feet; thence south 61 degrees 30 minutes east 750 feet; thence continuing along the center of said railroad tracks south 35

degrees east 1300 feet to a point; thence south 78 degrees east 550 feet; thence south 52 degrees 45 minutes east 220 feet; thence south 65 degrees 50 minutes east 2860 feet; thence south 58 degrees 40 minutes east 1300 feet; thence north 71 degrees 30 minutes east 1785 feet; thence north 59 degrees east 720 feet to the point in the center of River Road; thence north 40 degrees 30 minutes east 1193 feet; thence south 68 degrees east 267 feet; thence north 24 degrees east 1550 feet; thence north 77 degrees 30 minutes west 5120 feet to a point in Buckeye Road; thence north 62 degrees west 2500 feet to eastern bank of Oconee River; thence south 15 degrees west along the banks of said Oconee River 2000 feet thence continuing along the bank of said river 41 degrees west 1650 feet; thence continuing south 52 degrees west 231 feet to a point; thence continuing along the banks of said river south 16 degrees west 1000 feet; thence continuing south 26 degrees east 1030 feet to the point of beginning.”

The corporate limits of the city of East Dublin shall also embrace all of that area within the following description:

“Commencing on the eastern right-of-way of the Dublin-Wrightsville highway being State highway number 15, at the point wherein the present corporate limit line of the City of East Dublin intersects with the eastern right-of-way of said Dublin-Wrightsville highway, thence along the eastern right-of-way of said highway north 47 degrees 52 minutes east a distance of 19.68 chains; thence south 47 degrees 08 minutes east a distance of 6.00 chains; thence north 45 degrees 54 minutes east a distance of 17.22 chains; thence north 29 degrees 55 minutes west a distance of 6.00 chains; back to the eastern right-of-way of said Dublin-Wrightsville highway; thence along the eastern right-of-way of said highway north 45 degrees 05 minutes east 34.91 chains; thence continuing along the eastern right-of-way of said highway north 46 degrees 16 minutes east a distance of 5.92 chains to the junction of the Dublin-Wrightsville highway with a public dirt road; thence along the center 29 minutes west a distance of 6.42 chains; thence continuing along the center of said road north 80 degrees 34 minutes west 9.09 chains; thence along the center of said road north 83 degrees 34 minutes west 18.18 chains; thence along the center of said road 82 degrees 34 minutes west 23.39 chains; thence along the center of said road north 71 degrees 44 minutes west 6.77 chains; thence along a land line fence south 43 degrees 34 minutes west 23.00 chains; thence north 44 degrees 06 minutes west 0.75 chains to the western right-of-way of the Buckeye Public Road; thence along the western right-of-way of said Buckeye Public Road South 44 degrees 42 minutes west 19.85 chains; thence along the western right-of-way of said road south 25 degrees 19 minutes west 4.45 chains; thence along the western right-of-way of said road south 27 degrees 55 minutes west 24.07 chains, to the point wherein the present corporate limit line intersects the western right-of-way of the Buckeye Public Road.”

Sec. 1.12. Specific powers.

Subject to the limitations and requirements of general laws, the corporate powers of the government of the City of East Dublin to be exercised by the governing authority may include the following:

- (1) To levy and to provide for the assessment, valuation, revaluation, and collection of taxes on all property subject to taxation;
- (2) To levy and to provide for the collection of license fees and taxes on privileges, occupations, trades, and professions; and to provide for the manner and method of payment of such licenses and taxes; and to revoke such licenses;
- (3) To levy and collect such other taxes as may be allowed now or in the future by state law;
- (4) To make the appropriations for the support of the government of the city, to authorize the expenditure of money for any purposes authorized by this charter and for any purpose for which a municipality is authorized by the laws of the State of Georgia, and to provide for the payment of expenses of the city;
- (5) To appropriate and borrow money for the payment of debts of the city and to issue bonds for the purpose of raising revenue to carry out any project, program, or venture authorized by this charter or the laws of State of Georgia;
- (6) To acquire, dispose of, and hold in trust or otherwise, any real, personal, or mixed property, in fee simple or lesser interest, inside or outside the property limits of the city;
- (7) to accept or refuse gifts, donations, bequests or grants from any source for any purpose related to the powers and duties of the city and the general welfare or it citizens, on such terms and conditions as the donor or grantor may impose;
- (8) To condemn property, inside or outside the corporate limits of the city for present or future use, and for any corporate purpose deemed necessary by the governing authority, under Section 36-202 of the Code of Georgia, 2933, or under other applicable public Acts as are or may be enacted;
- (9) To acquire, lease, construct, operate, maintain, sell, and dispose of public utilities, including but not limited to a system of waterworks, sewers and drains, sewage disposal, gas works, electric light plants, transportation facilities, public airports, and any other public utility; to fix the taxes, charges, rates, fares, fees, assessments, regulations, and penalties and withdrawal of service for refusal or failure to pay same and the manner in which such remedies shall be enforced;
- (10) To grant franchises or make contracts for public utilities, including the power to grant privileges and franchises to any other municipal

corporation to own and operate natural gas distributions systems within the corporate limits of the City of East Dublin; to prescribe rates, fares, regulations and standards and conditions of service applicable to the service to be provided by the franchise grantee or contractor, in so far as not in conflict with such regulations by the Public Service Commission;

- (11) To lay out, open, extend, widen, narrow, establish or change the grade of, abandon, or close, construct, pave, curb, gutter, adorn with shade trees, otherwise improve, maintain, repair, clean, prevent erosion of, and light roads, alleys and walkways within the corporate limits of the city;
- (12) To grant franchises and rights-of-way throughout the streets and road and over the bridges and viaducts for the use of public utilities;
- (13) To provide for the acquisition, construction, building, operation and maintenance of public ways, parks and playgrounds, recreational facilities, cemeteries, markets and market houses, public buildings, libraries, sewers, drains, sewerage treatment, airports, hospitals, and charitable, cultural, educational, recreational, conservation, sport, curative, corrective, detentional, penal and medical institutions, agencies and facilities, and any other public improvements, inside or outside the corporate limits of the city; and to regulate the use thereof, and for such purposes property may be acquired by condemnation under Section 36-202 of the Code of Georgia, 1933, or other applicable public Acts, as are or may be enacted;
- (14) To require real estate owners to repair and maintain in a safe condition the sidewalks adjoining their lots or lands; and to enact ordinances establishing the terms and conditions under which such repairs and maintenance shall be effected, including the penalties to be imposed for failure to do so;
- (15) To regulate the erection and construction of buildings and all other structures; to adopt building, housing, plumbing, electrical, gas, and heating and air-conditioning codes and to regulate all housing, building, and building trades; to license all building trades and to license the construction and erection of buildings and all other structures;
- (16) To provide for the prevention and punishment of drunkenness, riots, and public disturbances;
- (17) To regulate or prohibit junk dealers, pawn shops, the manufacture, sale, transportation or distribution of intoxicating liquors and the use and sale of firearms; and to regulate the transportation, storage and use of combustible, explosive and inflammable materials, the use of lighting and heating equipment, and any business or situation which may be dangerous to persons or property;

- (18) To regulate and control the conduct of peddlers and itinerant trades, theatrical performances, exhibitions, shows of any kind whatever, by taxation or otherwise;
- (19) To license, tax, regulate, or prohibit professional fortune telling, palmistry, adult bookstores, and massage parlors;
- (20) To prohibit or regulate and control the erection, removal, and maintenance of signs, billboards, trees, shrubs, fences, buildings, and any and all other structures or obstructions upon or adjacent to the rights-of way of streets and roads or within view thereof, within or abutting the corporate limits of the city and to prescribe penalties and punishment for violation of such ordinances.
- (21) To prescribe standards of health and sanitation and to provide for the enforcement of such standards;
- (22) To regulate the emission of smoke or other exhaust which pollutes the air and to prevent the pollution of natural streams which flow within the corporate limits of the city;
- (23) To fix and establish fire limits and from time to time to extend, enlarge, or restrict same; to prescribe fire safety regulations not inconsistent with general law, relating to both fire prevention and detection and to firefighting; and to prescribe penalties and punishment for violation thereof;
- (24) To provide for the destruction and removal of any building or other structure which may be or might become dangerous or detrimental to the public;
- (25) To provide for the collection and disposal of garbage, rubbish, refuse, and other solid waste; to regulate the collection and disposal of garbage, rubbish, refuse, and other solid waste by others; to provide for the separate collection of glass, tin, aluminum, cardboard, paper, and other recyclable materials and to provide for the sale of such items; to recover and utilize resources contained in solid waste for production of energy and other purposes;
- (26) To levy, fix assess, and collect a garbage, refuse, and waste collection and disposal and other sanitary service charge, tax or fee, for such services as may be necessary in the operation of the city from all individuals, firms, and corporations residing in or doing business therein benefitting from such services; to enforce the payment of such charges, taxes, or fees, and to provide for the manner and method of collecting such service charges;

- (27) To levy a fee, charge, or sewer tax as necessary to assure the acquiring, construction, equipping, operating, maintaining, and extending of a sewage disposal plant and sewerage systems, and to levy on the users of sewers and sewerage systems a sewer service charge fee or sewer tax for the use of sewers; and to provide for the manner and method of collecting such service charges and for enforcing payment of same;
- (28) To charge, impose, and collect a sewer connection fee or fees, and to charge the same from time to time; such fees to be levied on the users connecting with the sewerage system;
- (29) To define, regulate, and prohibit any act, practice, conduct, or use of property which is detrimental, or likely to be detrimental, to the health, sanitation, cleanliness, welfare, and safety of the inhabitants of the city and to provide for the enforcement of such standards;
- (30) To define a nuisance and provide for its abatement whether on public or private property;
- (31) To provide for the preservation and protection of property and equipment of the city and the administration and use of same by the public and to prescribe penalties and punishment for violations thereof;
- (32) To establish minimum standards for and to regulate building construction and repair, electrical wiring and equipment, gas installation and equipment, plumbing, and housing for the health, sanitation, cleanliness, welfare and safety of inhabitants of the city and to provide for the enforcement of such standards;
- (33) To provide that persons given jail sentences in the municipal court shall work out such sentences in any public works or on the streets, roads, drains, and squares in the city; or to provide for commitment of such persons to any county correctional institution or jail by agreement with the appropriate county officials;
- (34) To adopt ordinances and regulations for the prevention of loitering, disorderly conduct, public drunkenness, and disturbing the peace in the corporate limits of the city; and to prohibit or regulate by ordinance such other conduct and activities within said city which, while not constituting an offense against the laws of this state, is deemed by the governing authority to be detrimental and offensive to the peace and good order of the city or the welfare of the citizens thereof;
- (35) To regulate and license or prohibit the keeping or running at large of animals and fowl and to provide for the impoundment of same, if in

violation of any ordinance or lawful order; also to provide for their disposition by sale, gift, or humane destruction when not redeemed as provided by ordinance; to provide punishment for violation or ordinances enacted hereunder;

- (36) To regulate the operation of motor vehicles and exercise control over all traffic, including parking, upon or across the streets, roads, alleys, and walkways of the city;
- (37) To regulate and license vehicles operating for hire in the city, to limited the number of such vehicles, to require the operators thereof to be licensed, to require public liability insurance on such vehicles in the amounts to be prescribed by ordinance, and to regulate and rent parking spaces in public ways for the use of such vehicles;
- (38) To provide and maintain a system of pensions and retirement for officers and employees of the city;
- (39) To levy and provide for the collection of special assessments to cover the costs for any public improvements;
- (40) To enter into contracts and agreements with other governmental entities and with private persons, firms, and corporations providing for services to be furnished and payments to be made therefor;
- (41) To create, alter, or abolish departments, boards, offices, commissions, and agencies of the city; and to confer upon such agencies the necessary and appropriate authority for carrying out all the powers conferred upon or delegated to same;
- (42) To make, ordain, and establish such bylaws, ordinances, rules and regulations as shall appear necessary for the security, welfare, convenience, and interest of the city and the inhabitants thereof, and for preserving the health, peace, order and good government of the city;
- (43) To provide penalties for violation of any ordinance adopted pursuant to the authority of this charter and the laws of the State of Georgia;
- (44) To exercise the power of arrest through duly appointed policemen and to organize and operate a firefighting agency;
- (45) To establish procedures for determining and proclaiming that an emergency situation exists within or without the city and to make and carry out all reasonable provisions deemed necessary to deal with or meet such an emergency for the protection, safety, health, or well-being of the citizens of the city;

- (46) To provide comprehensive city planning for development by zoning, subdivision regulations, and the like as the city council deems necessary and reasonable to insure a safe, health, and aesthetically pleasing community;
- (47) To organize and operate an urban redevelopment program;
- (48) To organize and operate such public transportation systems as are deemed beneficial;
- (49) To exercise and enjoy all other powers, functions, rights, privileges, and immunities necessary or desirable to promote or protect the safety, health, peace, security, good order, comfort, convenience, or general welfare of the city and its inhabitants; and to exercise all implied powers necessary to carry into execution all powers granted in this charter as if fully enumerated herein; and to exercise all powers now or in the future authorized to be exercised by other municipal governments under other laws of the State of Georgia. No enumeration of particular powers in this charter shall be held to be exclusive of others, nor restrictive of general words and phrases granting powers, but shall be held to be an addition to such powers unless expressly prohibited to municipalities under the Constitution or applicable laws of the State of Georgia;

Sec. 1.13. General Powers.

In addition to all other powers herein granted, the city shall be vested with any and all powers which municipal corporations are, or may hereafter be, authorized or required to exercise under the Constitution and laws of the State of Georgia, as fully and completely as though such powers were specifically enumerated herein; and any and all powers which the city was heretofore authorized to exercise upon the effective date of this Charter.

Sec. 1.14. Construction.

The powers of the City shall be construed liberally and in favor of the City. The specific mention or failure to mention particular powers in this charter shall not be construed as limiting in any way the general power of the City as stated in this charter. It is the intention hereof to grant to the City full power and right to exercise all governmental authority necessary for the effective operation and conduct of the City and all of its affairs.

Sec. 1.15. Exercise of Powers.

All powers, functions, rights, privileges, and immunities of the City, its officers, agencies, or employees shall be carried into execution as provided by this charter. If this charter makes no provision, such powers, functions, rights, privileges, and immunities

shall be carried into execution as provided by ordinance of the governing authority and as provided by pertinent laws of the State of Georgia.

ARTICLE II. GOVERNING BODY

Sec. 2.10. Form of Government.

The government of the City of East Dublin shall be vested in a mayor and city council, said council to be composed of five (5) councilmen chosen as hereinafter provided.

- (A) The mayor shall be elected by majority vote and must be a resident and registered voter of the City of East Dublin.
- (B) Two (2) Council members shall be elected by the voters of the city At Large to be designated as Post #1 and Post #2. In Post #1 and Post #2 At Large elections the candidate receiving the majority of votes shall be declared elected. Any candidate shall be a resident and registered voter of the City of East Dublin. Any candidate for the office of At Large Council member shall designate at the time of qualifying for election that Council Post for which such person is offering.

Three (3) Council members shall be elected from three (3) council districts to be designed as District 1, District 2, and District 3. In all district elections the candidate receiving the majority of votes shall be declared elected. Any candidate for the office of district Council member shall designate at the time of qualifying for election that council district for which such person is offering. A candidate must be a resident and registered voter of the district for which he is offering.
- (C) All persons elected Council members and the person elected mayor shall be elected for four (4) years terms. The election under this Act shall be held on the Tuesday next following the first Monday of 2023 and in accordance with the general election laws thereafter.
- (D) The three (3) Council districts for the City of East Dublin shall be newly defined after each United States ten (10) Year Census.

(Amended 6-29-2020; thru General Assembly, HB 1110)

Sec. 2.11. Legislative Department.

The mayor and council shall constitute the legislative department of said city, and as such shall have full power and authority to establish such rules, laws, ordinances, regulations, and orders as they deem proper respecting any and all municipal affairs, and which they may consider necessary or proper, or incident to the good government of said city, and to the peace, security, health, happiness, welfare, protection or convenience of the

inhabitants thereof, and for the preservation, peace, good order, and dignity of said government.

Sec. 2.12. Compensation and Expenses.

The mayor and councilmen shall receive as compensation for their services an amount prescribed by ordinance passed by the council in conformity with the laws of the State of Georgia. The mayor and councilmen shall be entitled to receive their actual and necessary expenses incurred in the performance of their duties in office.

Sec. 2.13. Prohibitions.

(a) Except as authorized by law, no member of the council shall hold any other elective municipal office or municipal employment in the City of East Dublin during the term for which he or she was elected.

(b) Neither the mayor nor any councilman shall vote upon any question in which he or she is personally interested.

Sec. 2.14. Inquiries and Investigations.

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

Section 2.15. General Power and Authority of the Council.

(a) Except as otherwise provided by law or by this charter, the council shall be vested with all the powers of government of the City of East Dublin provided in Article I.

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

(c) The council may by ordinance create, change, alter, abolish, or consolidate offices, agencies, and departments of the City and may assign additional functions to any of the offices, agencies, and departments express provided for by this charter.

Section 2.16. Duties of Mayor.

The mayor shall be the chief executive officer of the City of East Dublin. He shall possess all of the executive and administrative powers granted to the City under the Constitution and laws of the State of Georgia, and all the executive and administrative powers contained in this charter. The mayor shall:

- (1) Preside at all meetings of the council;
- (2) Vote as a member of the council only at such times as are necessary to break a tie or deadlock of the council;
- (3) Be the official head of the city for the service of process and for ceremonial purposes;
- (4) Have power to administer oaths and to take affidavits;
- (5) Sign all written contracts entered into by the council on behalf of the City and all other contracts and instruments executed by the City which by law are required to be in writing;
- (6) See that all laws and ordinances of the City are faithfully executed;
- (7) The mayor shall have the veto power and may veto any ordinance, order, or resolution of the city council in which event the same shall not become a law unless subsequently passed over his veto by a vote of at least three (3) councilmembers duly recorded on the minutes. Unless the mayor shall file in writing with the city clerk his veto of any measure passed by said council, together with his reason for disapproval within three (3) days after its passage, said measure shall become law, as though approved by him;
- (8) The mayor shall have full authority and power to pardon, suspend, or commute the sentence of any person for a violation of any ordinance of said city;
- (9) Perform other duties as may be required by law, this charter or ordinance.

Section 2.17. Mayor Pro Tempore.

At the first regular meeting of the mayor and council in January of each year the city council shall elect one of its members as mayor pro tempore. The mayor pro tempore shall serve a term of one year. The mayor pro tempore shall, in the absence, disability, or disqualification of the mayor, perform all of the duties and execute all of the rights, powers, and privileges of the office of mayor.

(Amended 3-05-93; thru General Assembly) (Amended 4-30-2019; thru General Assembly, HB 240) (Amended 6-29-2020; thru General Assembly, HB 1110)

Section 2.18. Qualifications for Office.

Any person, resident of said City of East Dublin, and who has been a bona fide resident for six (6) months prior to the time of the election, and who shall be thirty (30) years of age, and a qualified voter of said city, shall be eligible to hold the office of mayor. Any person, resident of said City of East Dublin, and who has been a bona fide resident for six (6) months prior to the time of election, and shall be twenty-one (21) years of age, and a qualified voter of said city, shall be eligible to hold the office of councilman of said city. Should the mayor or any councilman remove his residence from the limits of said city, during his term of office, his office shall thereby become vacant.

Section 2.19. Vacancies - Generally.

(A) In case of a vacancy in the office of any member of the council from death, removal, disability, or any cause whatever, said vacancy shall be filled by the mayor and council, by majority vote, appointing a qualified resident of the city to serve out the unexpired term of office.

(B) In the case of a vacancy in the office of mayor from death, removal, disability, or any cause whatever, said vacancy shall be filled by the council appointing a councilmember, by majority vote, to serve out the unexpired term of office. The vacancy created by the elevation of a councilmember pursuant to this subsection shall be filled as provided in subsection (A) of this section.

(Amended 4-30-2019; thru General Assembly, HB 240) (Amended 6-29-2020; thru General Assembly, HB 1110)

Section 2.20. Same - Notice of Election.

The city clerk, or such other officer as may be designated by the council, shall cause notice of the holding of said election and the time and purpose thereof, to be given by posting at three (3) different public places within the limits of said city.

Section 2.21. Oath.

Before entering upon their duties as mayor and council, of said city, the mayor and council shall take the following oath:

“I do solemnly swear that I will faithfully discharge the duties devolved on me as mayor or councilmember (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.”

Section 2.22. Meetings Generally.

The mayor and council of East Dublin shall have full power to fix the time, place and

rules of procedure of their regular sessions. The mayor shall have power to convene the city council in special sessions whenever he deems it proper, and the mayor and council shall have full authority and power to perform any of their duties or powers at a special or called session.

Section 2.23. Regular and Special Meetings.

(a) The council shall hold regular meetings at such times and places as prescribed by ordinance. The council may recess any regular meeting and continue such meeting on any weekday or hour it may fix and may transact any business at such continued meeting as may be transacted at any regular meeting.

(b) The mayor shall have the power to convene the City Council in a special session when he deems it proper. The mayor and council shall have full authority and power to perform any of their duties or powers at a special or closed session.

Section 2.24. Rules of Procedure.

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

Section 2.25. Quorum; Voting.

The mayor or mayor pro tem, and three (3) councilmembers shall constitute a quorum and shall be authorized to transact business of the council. Voting on the adoption of ordinances shall be taken by voice vote, and the ayes and nays shall be recorded in the journal. Any member of the council shall have the right to request a roll-call vote. The affirmative vote of three (3) councilmembers, or two (2) councilmembers and the mayor in case of a deadlock or tie, shall be required for the adoption of any ordinance, resolution, appointment or motion except as otherwise provided in this charter.

Section 2.26. Enactment of Ordinances.

(a) Except as herein provided, every official action of the council which is to become law shall be by ordinance. Each proposed ordinance shall be introduced in writing and in the form required for final adoption. No ordinance shall contain a subject which is not expressed in its title. The enacting clause shall be: "Be it ordained by the City Council of East Dublin..." Any ordinance shall set forth the ordinance sections or subsections to be repealed or amended.

(b) An ordinance may be introduced by any member of the council and read at a regular or special meeting of the council. Ordinances shall be considered and adopted or rejected by the council in accordance with the rules which it shall establish. Every ordinance shall be signed by the mayor after its adoption.

Section 2.27. Codes of Technical Regulations.

- (a) The Council may adopt any standard code of technical regulations by reference thereto in an adopting ordinance. The procedure and requirements governing such adopting ordinance shall be as generally prescribed for ordinances except that a copy of each adopted code of technical regulations, as well as the adopting ordinance, shall be authenticated and recorded by the clerk pursuant to Section 2.28.
- (b) Copies of any adopted code of technical regulations shall be made available by the clerk for distribution or for purchase at a reasonable price.

Section 2.28. Authentication, Recording and Codification of Ordinances.

- (a) The city clerk shall authenticate by his or her signature and record in full in a properly indexed book kept for that purpose all ordinances adopted by council.
- (b) The council may provide for the preparation of a general codification of all ordinances of the city having the force and effect of law. The general codification may be adopted by the council by ordinance and, if so adopted, shall be known as “The Code of the City of East Dublin, Georgia.” All ordinances enacted subsequent to the adoption of the code shall be incorporated therein.

ARTICLE III. EXECUTIVE BRANCH

Section 3.10. Administrative and Service Departments.

- (a) The council, by ordinance, may establish, abolish, merge, or consolidate offices, position of employment, departments, and agencies of the city as they shall deem necessary for the proper administration of the affairs and government of the city. The council shall prescribe the functions and duties of existing departments, offices, and agencies or any departments, offices, and agencies hereinafter created or established; may provide that the same person shall fill any number of offices and positions of employment; and may transfer or change the function or duties of offices, positions of employment, departments and agencies of the city. All appointments to administrative and service departments shall be made by the council and confirmed by the mayor.
(O.C.G.A. 36-35-3 (b)(1) 4/09/90)
- (b) The operations and responsibilities of each department now or hereafter established in the city shall be distributed among such divisions or bureaus as may be provided by ordinance of the council. Each department shall consist of such officers,

employees, and positions as may be provided by this charter or by ordinance and shall be subject to the general supervision and guidance of the council.

(c) Except as otherwise provided by this charter, the directions of departments and other appointed officers of the city shall serve at the pleasure of the appointing authority. Vacancies occurring in an appointive office shall be filled in the same manner as prescribed by this charter for an original appointment.

(d) Except as otherwise provided by law, the directors of departments and other appointed officers of the city shall be appointed solely on the basis of their respective administrative and professional qualifications.

(e) All appointive officers and directors of departments shall receive such compensation as prescribed by ordinance of the city council.

Section 3.11. Boards, commissions, and authorities.

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

(b) Any vacancy in office or any member of a board, commission, or authority of the city shall be filled for the unexpired term in the manner prescribed herein for original appointment, except as otherwise provided by this charter or any applicable state law.

(c) No member of any board, commission, or authority shall assume office until he shall have executed and filed with the clerk of the city an oath obligating himself to faithfully and impartially perform the duties of his office, such oath to be prescribed by ordinance of the council and administered by the mayor.

(d) Any member of the board, commission, or authority may be removed from office for cause by a two-thirds' vote of the members of council.

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

(f) The qualifications required of members of boards, commissions and authorities shall be prescribed by ordinance.

(g) Except as otherwise provided by this board, commission, or authority of the city government shall elect one of its members as chairman and one member as vice-chairman for terms of one year and may elect as its secretary one of its own members or may appoint as secretary an employee of the city. Each board, commission or authority of the city government may establish such bylaws, rules, regulations, not inconsistent with this

charter, ordinances of the city, or applicable state law, as it deems appropriate and necessary for the conduct of its affairs, copies of which shall be filed with the clerk of the city.

Section 3.12. City Clerk.

The council, with the mayor's confirmation, shall appoint a city clerk, who shall also serve as the city treasurer, with such compensation as shall be determined by the council.

The city clerk shall keep a journal of the proceedings of the city council, maintain in a safe place all records and documents pertaining to the affairs of the city, and perform such other duties as may be required by law or as the council may direct.

Section 3.13. Personnel administration.

The Council may adopt ordinances, rules and regulations consistent with the charter dealing with:

- (1) The method of employee selection and probationary periods of employment;
- (2) Adoption and administration of a position classification and pay plan including methods of promotions and application of service ratings thereto, and transfer of employees within the classification plan;
- (3) Hours of work, vacation, sick leave, and other leaves of absence, overtime pay, and the order and manner in which layoff shall be effected; and
- (4) Such other personnel policies and procedures as may be necessary to provide for adequate and systematic handling of personnel affairs of the City of East Dublin.

ARTICLE IV. JUDICIAL BRANCH

Section 4.10. Municipal Court

There is hereby created a court to be known as the Municipal Court of the City of East Dublin which shall have jurisdiction and authority to try offenses against the laws and ordinances of such said city and to punish for a violation of the same. Such court shall have the power and authority to enforce its judgments by the imposition of such penalties as may be provided by law.

Section 4.11. Judge of the municipal court.

The municipal court shall be presided over by the judge of the municipal court who shall have such qualifications as required by general law. The judge shall be appointed by the

mayor and confirmed by the council. The judge may be removed from office pursuant to the terms of general law.

(Amended 4-30-2019; thru General Assembly, HB 240)

Section 4.12. Convening.

Said court shall be convened at such times as designated by ordinance or at such times as deemed necessary to keep current the dockets thereof.

Section 4.13. Jurisdiction; powers.

(a) The municipal court is specifically vested with all of the jurisdiction and powers throughout the entire area of the City of East Dublin granted by the state laws generally to mayor's, recorder's, and police courts and particularly by such laws as authorize the abatement of nuisances.

(b) The municipal court shall have the authority to punish those in its presence for contempt by a fine not to exceed fifty dollars (\$50.00) or imprisonment not to exceed five (5) days. The municipal court may fix punishment for offenses within its jurisdiction not exceeding one thousand dollars (\$1,000.00) or imprisonment not to exceed twelve (12) months, or any part of such punishments or combination thereof, and as an alternative to such fine or imprisonment, the court may sentence any offender upon conviction to labor in a city work gang or on the streets, sidewalks, squares, or other public works for a period not exceeding twelve (12) months.

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

(d) The municipal court shall have the authority to establish bail and recognizance to insure the presence of those charged with violations before said court and shall have discretionary authority to accept cash or personal or real property as surety for appearance of persons charged with violations. Whenever any person shall give bail for his appearance and shall fail to appear at the time fixed for trial, his bond shall be forfeited by the judge presiding at such time, and an execution shall be issued thereon by serving the defendant and his sureties with a rule nisi at least two (2) days before a hearing on the rule nisi. In the event that cash or property is accepted in lieu of bond for security for the appearance of a defendant at trial, and if such defendant fails to appear at the time and place fixed for trial, the cash so deposited shall be on order of the judge declared forfeited to the City of East Dublin or the property so deposited shall have a lien against it for the value forfeited, which lien shall be enforceable in the same manner and to the same extent as a lien for city property taxes.

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

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

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

Section 4.14. Appeal.

Any person convicted of an offense in the municipal court shall have the right to apply to the superior court of the county in which the portion of the city where the offense was committed lies for a writ of certiorari. Appeal shall be to the Superior Court of Laurens County based on the foregoing rule. The right of appeal and procedures pertaining to appeal bonds to the superior court from the municipal court shall lie in the same manner under the same procedure as generally prescribed for appeals and appeal bonds from the probate court.

ARTICLE V. ELECTIONS

Section 5.10. Applicability of general law.

All primaries and elections in the City of East Dublin shall be held and conducted in accordance with the provisions of the Georgia Municipal Election Code, as now or hereafter amended.

Section 5.11. Municipal elections.

(a) Two councilmembers shall be elected by the voters of the city at large. The two candidates receiving the highest number of votes shall be declared elected councilmembers at large. Three councilmembers shall be elected from three council districts to be designated District 1, District 2, and District 3. In all district elections the candidate receiving the majority of votes shall be declared elected. Any candidate for the office of councilmember shall designate at the time of qualifying for election that council district, if any, for which such person is offering. A candidate must be a resident of the district for which he or she is offering.

(b) The mayor shall be elected by majority vote and must be a resident of the City of East Dublin.

(c) All persons elected councilmembers and the person elected mayor shall be elected for four-year terms. The election under this Act shall be held on the Tuesday next following the first Monday in November, 1995, and in accordance with the general election laws thereafter.

- (d) The three council districts for the City of East Dublin shall be as follows:
- District: 1
 LAURENS COUNTY
 VTD: 0020 SMITH (Part)
 Tract: 9510.
 Block(s): That part of block 530 lying south of Hill St. and east of France St. Block(s): 531, 532, 533, 534, 535, 536, 537, 538, 603A, 604, 607, 608, 609, 610, 611, 612, 618
- District: 2
 LAURENS COUNTY
 VTD: 0020 SMITH (Part)
 Tract: 9510.
 Block(s): 305A, 401A, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 416, 506A, 507A, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 520A, 520B, 522, 523, 524, 525, 526, 527, 528, 529,
 Block(s): That part of block 530 lying north of Hill St. and west of France St.
 Block(s): 539, 540, 541, 542, 543, 544, 545, 613, 614, 615, 616, 617, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 701, 702, 703, 704, 705, 706, 707
- District: 3
 LAURENS COUNTY
 VTD: 0020 SMITH (Part)
 Tract: 9510.
 Block(s): 307, 413, 414, 415, 417, 418, 419, 420, 421, 422, 423A, 424, 425, 426, 427, 428A, 429, 430, 431A, 708, 709, 710, 711, 712A, 713, 714, 715, 716
- (e) For purposes of subsection (d) of this section:
- (1) The terms `Tract,' `Block,' and `VTD' shall mean and describe the same geographical boundaries as provided in the report of the Bureau of the Census for the United States decennial census of 1990 for the State of Georgia;
 - (2) The term `Precinct' is synonymous with the term `voting precinct' and means a geographical area designated by Article 7 of Chapter 3 of Title 21 of the O.C.G.A., within which all electors vote at one polling place;
 - (3) Whenever the description of any city council district refers to a named city, it shall mean the geographical boundaries of that city as shown on the census map for the United States decennial census of 1990 for the State of Georgia;
 - (4) Precinct names and designations following VTD designations are included for convenience only; and in the event the description of any city council district contains a conflict between the geographical boundaries of any VTD and the boundaries of the following named precinct, the geographical boundary of the VTD as shown on the census maps for the United States decennial census of 1990 for the State of Georgia shall

- control;
- (5) Any part of the City of East Dublin which is not included in any city council district described in subsection (d) of this section shall be included within that city council district contiguous to such part which contains the least population according to the United States decennial census of 1990 for the State of Georgia; and
 - (6) Any part of the City of East Dublin which is described in subsection (d) of this section as being included in a particular city council district shall nevertheless not be included within such city council district if such part is not contiguous to such city council district. Such noncontiguous part shall instead be included within that city council district contiguous to such part which contains the least population according to the United States decennial census of 1990 for the State of Georgia."
- (f) (1) The at-large councilmembers provided for in subsection (a) of this section shall be elected to posts designated Post 1 and Post 2. Any candidate for the office of at-large councilmember shall designate at the time of qualifying for election that post for which such person is offering.
- (2) Nothing in this subsection shall affect the term or office of any at-large councilmember serving on the effective date of this Act.
- (g) The three council districts provided for in this section shall be redistricted after each United States decennial census.
(Amended 1994; thru General Assembly) (Amended 6-29-2020; thru General Assembly, HB 1110)

Section 5.12. Election ordinances.

Except as otherwise provided by this charter, the mayor and council of the City of East Dublin shall, by ordinance, prescribe such rules and regulations as it deems appropriate to fulfill any options and duties under the Georgia Municipal Election Code, as now or hereafter amended.

ARTICLE VI. FINANCIAL AND FISCAL MATTERS

Section 6.10. Property taxes.

All property subject to taxation for state or county purposes, assessed as of January 1 in each year, shall be subject to the property tax levied by the City of East Dublin. The council by ordinance shall elect to use the county assessment for the year in which the city taxes are to be levied and shall request the county to furnish appropriate information for such purpose.

Section 6.11. Tax levy.

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

Section 6.12. Millage rate; due dates; tax bills.

The council by ordinance shall establish a millage rate for the city property tax. The council by ordinance may also provide for tax due dates and for the payment of taxes by installments or in one lump sum. Any such ordinance may also authorize the voluntary payment of taxes prior to the time when due.

Section 6.13. Collection of delinquent taxes.

The council may provide by ordinance for the collection of delinquent taxes by fi. fa. Issued by the city clerk and executed by any police officer of the city under the same procedure provided by the laws governing execution of such process from the superior court or by the use of any other available legal processes and remedies. A lien shall exist against all property upon which city property taxes are levied, as of the assessment date of each year, which lien shall be superior to all other liens, except that it shall have equal dignity with those of federal, state or county taxes.

Section 6.14. License fees; occupational taxes; excise taxes.

The council by ordinance shall have full power to levy such license fees and specific or occupational taxes upon the residents of the City of East Dublin, both individual and corporate, and on all those who transact or offer to transact business therein, or who practice or offer to practice any profession or calling therein, as the council may deem expedient for the public health, safety, benefit, convenience, or advantage of the city; to classify business, occupations, professions, or callings for the purpose of such taxations in any way which may be lawful; to require such persons to procure licenses; to compel the payment of such licenses by execution or any other lawful manner; and to make laws and regulations necessary or proper to carry out the powers herein conferred and to prescribe penalties for the violation thereof. The council shall have full power and authority to levy an excise tax not prohibited by general law.

Section 6.15. Sewer service charges.

The council by ordinance shall have the right, power, and authority to assess and collect fees, charges, and tolls for sewer services rendered both within and without the corporate limits of the City of East Dublin, to provide for the cost and expense of providing for the

collection and disposal of sewage through the sewerage facilities of said city. If unpaid, said sewer service charge shall constitute a lien against any property of persons served, which lien shall be second in priority only to taxes and shall be enforceable in the same manner and under the same remedies as a lien for city property taxes.

Section 6.16. Sanitary and health service charge.

The council shall have authority by ordinance to provide for, to enforce, to levy, and to collect the cost of sanitary and health services necessary in the operation of the city from all individuals, firms, and corporations residing in or doing business in said city benefitting from such service. Such authority shall include the power to assess, levy, and collect annual or monthly sanitary taxes or fees in such amount or amounts, and based upon and in accordance with such classification of property and sanitary service or services provided, as may be fixed by ordinance. Said sanitary taxes and the assessment thereof shall be a charge and lien against the real estate owner in respect to which said taxes are so assessed, and the owner or owners thereof, superior to all other liens except liens for county and city property taxes, and shall be enforceable in the same manner and under the same remedies as a lien for city property taxes.

Section 6.17. Special assessments.

The council shall have the power and authority to assess all or part of the cost of constructing, reconstructing, widening or improving any public way, street, sidewalk, curbing, gutters, sewers, or other utility mains and appurtenances, against the abutting property owners, under such terms and conditions as may be prescribed by ordinance. Such special assessments shall become delinquent thirty (30) days after their due dates, shall thereupon be subject, in addition to fi.fa. charges, to a penalty of ten (10) percent, and shall thereafter be subject to interest at the rate of nine (9) percent per annum from date due until paid. A lien shall exist against the abutting property superior to all other liens except that it shall be [of] equal dignity with liens for county and city property taxes, and said lien shall be enforceable by the same procedures and under the same remedies as provided for in this article for city property taxes.

Section 6.18. Construction; other taxes.

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

Section 6.19. Transfer of executions.

The city clerk shall be authorized to assign or transfer any fi.fa. or execution issued for any tax or for any street, sewer, or other assessment in the same manner and to the same extent as provided by Georgia law regarding sales and transfer of tax fi.fas. Such transfer or assignment, when made, shall vest the purchases or transferee with all right, title, and

interest as provided by Georgia law governing sales and transfers of tax fi.fas. Provided that, upon levy of execution and sale of property pursuant to such tax fi.fa., whether assigned, transferred, or executed by the city, the owner of such property, in fee simple or lesser interest, shall not lose his right to redeem the property in accordance with the requirements of redemption of property sold under state or county ad valorem tax fi.fas., as said requirements now exist or as may hereinafter provided by law.

Section 6.20. General obligation bonds.

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

Section 6.21. Revenue bonds.

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

Section 6.22. Fiscal year; preparation and adoption of operating budget.

(a) The council shall set the fiscal year by ordinance. Said fiscal year shall constitute the budget year and the year for financial accounting and reporting unless otherwise provided by state or federal law.

(b) On or before a date fixed by the council prior to the beginning of each fiscal year, the council shall prepare and adopt a budget for the ensuing fiscal year. The council shall provide by ordinance the procedures and requirements for the preparation and execution of said annual budget. The budget and all supporting documents shall be filed in the office of the city clerk and shall be open to public inspection.

ARTICLE VII. GENERAL PROVISIONS

Section 7.10. Official Bonds.

The officers and employees of the City of East Dublin, both elective and appointive, shall execute such official bonds in such amount and upon such terms and conditions as the city council may from time to time require.

Section 7.11. Existing ordinances and regulations.

Existing ordinances and regulations of the City of East Dublin not inconsistent with the provisions of this charter shall continue in effect until they have been repealed, modified, or amended by the council. Existing rules and regulations of departments or agencies of

the City of East Dublin not inconsistent with the provisions of this charter shall continue in effect until they have been repealed, modified, or amended.

Section 7.12. Section captions.

The captions to the several sections of this charter are informative only and are not to be considered as a part thereof.

Section 7.13. Penalties.

The violation of any provision of this charter, for which penalty is not specifically provided for herein, and which has not been amended by home rule action, is hereby declared to be a misdemeanor and shall be punishable by a fine of not more than one thousand dollars (\$1,000.00) or by imprisonment not to exceed twelve (12) months or both such fine and imprisonment.

Section 7.14. Severability.

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

Section 7.15. Effective date.

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

Section 7.16. Specific repealer.

The following Acts incorporating the City of East Dublin and all Acts amendatory thereto are hereby repealed in their entirety; An Act approved March 3, 1947 (Ga. Laws 1947, p.251), an Act approved February 21, 1951 (Ga. Laws 1951, p. 2921), and an Act approved February 12, 1952 (Ga. Laws 1952, p. 2369).

Section 7.17. Repealer.

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