

House Bill 1001

By: Representative Taylor of the 79th

A BILL TO BE ENTITLED
AN ACT

1 To incorporate the City of Vista Grove in DeKalb County; to provide for a charter for the
2 City of Vista Grove; to provide for incorporation, boundaries, and powers of the city; to
3 provide for general powers and limitations on powers; to provide for a governing authority
4 of such city and the powers, duties, authority, election, terms, method of filling vacancies,
5 compensation, expenses, qualifications, prohibitions, and districts relative to members of
6 such governing authority; to provide for inquiries and investigations; to provide for
7 organization and procedures; to provide for ordinances; to provide for codes; to provide for
8 a Governor's Commission; to provide for the office of mayor and certain duties and powers
9 relative to the office of mayor; to provide for administrative responsibilities; to provide for
10 boards, commissions, and authorities; to provide for a city manager, a city attorney, a city
11 clerk, a city accountant, and other personnel; to provide for a municipal court and the judge
12 or judges thereof; to provide for practices and procedures; to provide for ethics and
13 disclosures; to provide for taxation, licenses, and fees; to provide for franchises, service
14 charges, and assessments; to provide for bonded and other indebtedness; to provide for
15 accounting and budgeting; to provide for purchases; to provide for homestead exemptions;
16 to provide for bonds for officials; to provide for other matters relative to the foregoing; to
17 provide for a referendum; to provide effective dates and transitional provisions governing the
18 transfer of various functions and responsibilities from DeKalb County to the City of Vista
19 Grove; to provide for severability; to provide an effective date; to repeal conflicting laws;
20 and for other purposes.

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

22 ARTICLE I

23 CREATION, INCORPORATION, POWERS

24 SECTION 1.01.

25 Incorporation.

26 This Act shall constitute the charter of the City of Vista Grove, Georgia. The City of Vista
 27 Grove, Georgia, in the County of DeKalb, and the inhabitants thereof, are constituted and
 28 declared a body politic and corporate under the same name and style of the "City of Vista
 29 Grove" and by that name shall have perpetual succession, may sue and be sued, plead and
 30 be impleaded, in all courts of law and equity, and in all actions whatsoever, and may have
 31 and use a common seal.

32 SECTION 1.02.

33 Corporate boundaries.

34 The boundaries of the City of Vista Grove shall be those set forth and described in
 35 Appendix A of this charter, and such Appendix A is incorporated into and made a part of this
 36 charter. The city clerk shall maintain a current map and written legal description of the
 37 corporate boundaries of the city, and such map and description shall incorporate any changes
 38 which may hereafter be made in such corporate boundaries.

39 SECTION 1.03.

40 Powers and construction.

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

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

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

- 53 (2) Appropriations and expenditures. To make appropriations for the support of the
54 government of the city; to authorize the expenditure of money for any purposes
55 authorized by this charter and for any purpose for which a municipality is authorized by
56 the laws of the State of Georgia; and to provide for the payment of expenses of the city;
- 57 (3) Building regulation. To regulate and to license the erection and construction of
58 buildings and all other structures; to adopt building, housing, plumbing, electrical, gas,
59 and heating and air conditioning codes; and to regulate all housing and building trades
60 to the extent permitted by general law;
- 61 (4) Business regulation and taxation. To levy and to provide for the collection of
62 regulatory fees and taxes on privileges, occupations, trades, and professions as authorized
63 by Title 48 of the O.C.G.A. or other such applicable laws as are or may hereafter be
64 enacted; to permit and regulate the same; to provide for the manner and method of
65 payment of such regulatory fees and taxes; and to revoke such permits after due process
66 for failure to pay any city taxes or fees;
- 67 (5) Condemnation.
- 68 (A) To condemn property inside the corporate limits of the city for present or future
69 use and for any public purpose deemed necessary by the city council utilizing
70 procedures enumerated in Title 22 of the O.C.G.A. or such other applicable laws as are
71 or may hereafter be enacted;
- 72 (B) The city shall have the right to condemn and cause to be remediated or removed
73 any building, structure, or existing condition within its corporate limits that is
74 dangerous to life, limb, or property, by reasons of decay, dilapidation, or unsanitary
75 condition. Nothing in this subparagraph shall be construed to relieve the city of any
76 duty to give owners or interested persons reasonable notice and opportunity to remedy
77 the situation. Nothing in this subparagraph shall be construed as relieving the city of
78 liability to any interested person for damages to person or property taken or destroyed
79 in furtherance of this subparagraph. This subparagraph shall not be construed as
80 authorizing the doing of any act or thing contrary to the Constitution of this state and
81 the policy of the general laws of this state. The city shall have authority to adopt
82 reasonable ordinances and resolutions for the purpose of carrying out this subparagraph;
- 83 (6) Contracts. To enter into contracts and agreements with other governmental entities
84 and with private persons, firms, and corporations;
- 85 (7) Emergencies. To establish procedures for determining and proclaiming that an
86 emergency situation exists within or without the city, and to make and carry out all
87 reasonable provisions deemed necessary to deal with or meet such an emergency for the
88 protection, safety, health, or well-being of the citizens of the city;

89 (8) Employee benefits. To provide and maintain a retirement plan, insurance, and such
90 other employee benefits for appointed officers and employees of the city as are
91 determined by the city council;

92 (9) Environmental protection. To protect and preserve the natural resources,
93 environment, and vital areas of the city, the region, and the state through the enactment
94 of ordinances that preserve and improve air quality, restore and maintain water resources,
95 the control of erosion and sedimentation, manage storm water and establish a storm-water
96 utility, manage solid and hazardous waste, and provide other necessary or beneficial
97 actions for the protection of the environment. These ordinances shall include, without
98 limitation, ordinances that protect, maintain, and enhance the public health, safety,
99 environment, and general welfare and minimize public and private losses due to flood
100 conditions in flood hazard areas, as well as protect the beneficial uses of flood plain areas
101 for water quality protection, stream bank and stream corridor protection, wetlands
102 preservation, and ecological and environmental protection. Such ordinances may require
103 that users vulnerable to floods, including facilities which serve such uses, be protected
104 against flood damage at the time of initial construction; restrict or prohibit uses which are
105 dangerous to health, safety, and property due to flooding or erosion hazards, or which
106 increase flood heights, velocities, or erosion; control filling, grading, dredging, and other
107 development which may increase flood damage or erosion; prevent or regulate the
108 construction of flood barriers which will unnaturally divert flood waters or which may
109 increase flood hazards to other lands; limit the alteration of natural flood plains, stream
110 channels, and natural protective barriers which are involved in the accommodation of
111 flood waters; and protect the storm-water management, water quality, stream bank
112 protection, stream corridor protection, wetland preservation, and ecological functions of
113 natural flood plain areas;

114 (10) Ethics. To adopt ethics ordinances and regulations governing such things as, but
115 not limited to, the conduct of municipal elected officials, appointed officials, contractors,
116 vendors, and employees, establishing procedures for ethics complaints, and setting forth
117 penalties for violations of such rules and procedures;

118 (11) Fire regulations. To fix and establish fire limits and from time to time to extend,
119 enlarge, or restrict the same; to prescribe fire safety regulations not inconsistent with
120 general law, relating to both fire prevention and detection and to fire fighting; and to
121 prescribe penalties and punishment for violations thereof;

122 (12) Garbage fees. To levy, fix, assess, and collect a garbage, refuse, and trash collection
123 and disposal and other sanitary service charge, tax, or fee for such services as may be
124 necessary in the operation of the city from all individuals, firms, and corporations
125 residing in or doing business therein benefiting from such services; to enforce the

126 payment of such charges, taxes, or fees; and to provide for the manner and method of
127 collecting such service charges, taxes, or fees;

128 (13) General health, safety, and welfare. To define, regulate, and prohibit any act,
129 practice, conduct, or use of property which is detrimental to health, sanitation,
130 cleanliness, welfare, and safety of the inhabitants of the city, and to provide for the
131 enforcement of such standards;

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

135 (15) Health and sanitation. To prescribe standards of health and sanitation and to
136 provide for the enforcement of such standards;

137 (16) Homestead exemption. To establish and maintain procedures for offering
138 homestead exemptions to residents of the city and maintaining current homestead
139 exemptions of residents of the city as authorized by an Act of the General Assembly;

140 (17) Jail sentences. To provide that persons given jail sentences in the city's court may
141 work out such sentences in any public works or on the streets, roads, drains, and other
142 public property in the city; to provide for commitment of such persons to any jail; to
143 provide for the use of pretrial diversion and any alternative sentencing allowed by law;
144 or to provide for commitment of such persons to any county work camp or county jail by
145 agreement with the appropriate county officials;

146 (18) Motor vehicles. To regulate the operation of motor vehicles and exercise control
147 over all traffic, including parking upon or across the streets, roads, alleys, and walkways
148 of the city;

149 (19) Municipal agencies and delegation of power. To create, alter, or abolish
150 departments, boards, offices not specified in this charter, commissions, authorities, and
151 agencies of the city; and to confer upon such agencies the necessary and appropriate
152 authority for carrying out all the powers conferred upon or delegated to such municipal
153 agencies;

154 (20) Municipal debts. To appropriate and borrow money for the payment of debts of the
155 city and to issue bonds for the purpose of raising revenue to carry out any project,
156 program, or venture authorized by this charter or the laws of the State of Georgia;

157 (21) Municipal property ownership. To acquire, dispose of, lease, and hold in trust or
158 otherwise any real, personal, or mixed property, in fee simple or lesser interest, inside or
159 outside the property limits of the city;

160 (22) Municipal property protection. To provide for the preservation and protection of
161 property and equipment of the city and the administration and use of same by the public;
162 and to prescribe penalties and punishment for violations thereof;

163 (23) Municipal utilities. To acquire, lease, construct, operate, maintain, sell, and dispose
164 of public utilities, including, but not limited to, a system of waterworks, sewers and
165 drains, sewage disposal, storm-water management, gasworks, electricity generating
166 plants, cable television and other telecommunications, transportation facilities, public
167 airports, and any other public utility; to fix the taxes, charges, rates, fares, fees,
168 assessments, regulations, and penalties; and to provide for the withdrawal of service for
169 refusal or failure to pay such taxes, charges, rates, fares, fees, assessments, regulations,
170 and penalties;

171 (24) Nuisance. To define a nuisance and provide for its abatement whether on public or
172 private property;

173 (25) Penalties. To provide penalties for violation of any ordinances adopted pursuant to
174 the authority of this charter and the laws of the State of Georgia;

175 (26) Planning and zoning. To provide comprehensive city planning for city land use,
176 signage and outside advertising, and development by zoning; and to provide subdivision
177 regulation and the like as the city council deems necessary and reasonable to ensure a
178 safe, healthy, and aesthetically pleasing community;

179 (27) Police and fire protection. To exercise the power of arrest through duly appointed
180 police officers, and to establish, operate, or contract for a police and a fire-fighting
181 agency;

182 (28) Public hazards; removal. To provide for the destruction and removal of any
183 building or other structure that is or may become dangerous or detrimental to the public;

184 (29) Public improvements. To provide for the acquisition, construction, building,
185 operation, maintenance, or abolition of public ways, parks and playgrounds, recreational
186 facilities, cemeteries, public buildings, libraries, public housing, parking facilities, and
187 charitable, cultural, educational, recreational, conservation, sport, detentional, penal, and
188 medical institutions, agencies, and facilities; to provide any other public improvements
189 inside the corporate limits of the city and to regulate the use of public improvements; and
190 for such purposes, property may be acquired by condemnation under Title 22 of the
191 O.C.G.A. or such other applicable laws as are or may hereafter be enacted;

192 (30) Public peace. To provide for the prevention and punishment of loitering, disorderly
193 conduct, drunkenness, riots, and public disturbances;

194 (31) Public transportation. To organize and operate such public transportation systems
195 as are deemed beneficial;

196 (32) Public utilities and services. To grant franchises or make contracts for, or impose
197 taxes on, public utilities and public service companies; and to prescribe the rates, fares,
198 regulations, and standards and conditions of service applicable to the service to be

199 provided by the franchise grantee or contractor, insofar as not in conflict with valid
200 regulations of the Public Service Commission;

201 (33) Regulation of roadside areas. To prohibit or regulate and control the erection,
202 removal, and maintenance of signs, billboards, trees, shrubs, fences, buildings, and any
203 and all other structures or obstructions upon or adjacent to the rights of way of streets and
204 roads or within view thereof, within or abutting the corporate limits of the city; and to
205 prescribe penalties and punishment for violation of such ordinances;

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

213 (35) Solid waste disposal. To provide for the collection and disposal of garbage, rubbish,
214 and refuse and to regulate the collection and disposal of garbage, rubbish, and refuse by
215 others; and to provide for the separate collection of glass, tin, aluminum, cardboard,
216 paper, and other recyclable materials and to provide for the sale of such items;

217 (36) Special assessments. To levy and provide for the collection of special assessments
218 to cover the costs for any public improvements, subject to referendum;

219 (37) Taxes: ad valorem. To levy and provide for the assessment, valuation, revaluation,
220 and collection of taxes on all property subject to taxation; and, for all years, the fair
221 market value of all property subject to taxation shall be determined according to the tax
222 digest of DeKalb County, as provided in Code Section 48-5-352 of the O.C.G.A.;

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

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

230 (40) Tourism, conventions, and trade shows. To provide for the structure, operation, or
231 management of the Vista Grove Convention and Visitors Bureau created pursuant to
232 Section 1.05 of this charter and to authorize the City of Vista Grove to contract with
233 private sector nonprofit organizations or other governmental agencies to promote tourism,
234 conventions, and trade shows;

235 (41) Urban redevelopment. To organize and operate an urban redevelopment program;
 236 and
 237 (42) Other powers. To exercise and enjoy all other powers, functions, rights, privileges,
 238 and immunities necessary or desirable to promote or protect the safety, health, peace,
 239 security, good order, comfort, convenience, or general welfare of the city and its
 240 inhabitants; to exercise all implied powers necessary or desirable to carry into execution
 241 all powers granted in this charter as fully and completely as if such powers were fully
 242 stated herein; and to exercise all powers now or in the future authorized to be exercised
 243 by other municipal governments under other laws of the State of Georgia; and any listing
 244 of particular powers in this charter shall not be held to be exclusive of others or restrictive
 245 of general words and phrases granting powers, but shall be held to be in addition to such
 246 powers unless expressly prohibited to municipalities under the Constitution or applicable
 247 laws of the State of Georgia.

248 **SECTION 1.04.**

249 Exercise of powers.

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

254 **SECTION 1.05.**

255 Tourism, conventions, and trade shows.

256 The Vista Grove Convention and Visitors Bureau is hereby created.

257 **ARTICLE II**

258 **GOVERNMENT STRUCTURE, ELECTIONS,**
 259 **AND LEGISLATIVE BRANCH**

260 **SECTION 2.01.**

261 City council creation; number; election.

262 (a) The legislative authority of the government of the City of Vista Grove, except as
 263 otherwise specifically provided in this charter, shall be vested in a city council of which the
 264 mayor shall be a voting member to the extent provided in subsection (a) of Section 2.10 of
 265 this charter.

- 266 (b)(1) The city council of Vista Grove shall consist of six members, plus the mayor.
- 267 (2)(A) For the purposes of electing members of the city council, the City of Vista
- 268 Grove shall be divided into six council districts, designated Council Districts 1 through
- 269 6. Such six districts shall be and correspond to those six numbered districts described
- 270 in and attached to and made a part of this Act as Appendix B and further identified as
- 271 "Plan: vistagrove-p1-dist-2018 Plan Type: Local Administrator: User: bak."
- 272 (B)(i) For the purposes of such plan:
- 273 (I) The term 'VTD' shall mean and describe the same geographical boundaries as
- 274 provided in the report of the Bureau of the Census for the United States decennial
- 275 census of 2010 for the State of Georgia. The separate numeric designations in a
- 276 district description which are underneath a VTD heading shall mean and describe
- 277 individual Blocks within a VTD as provided in the report of the Bureau of the
- 278 Census for the United States decennial census of 2010 for the State of Georgia; and
- 279 (II) Except as otherwise provided in the description of any district, whenever the
- 280 description of any district refers to a named city, it shall mean the geographical
- 281 boundaries of that city as shown on the census maps for the United States decennial
- 282 census of 2010 for the State of Georgia.
- 283 (ii) Any part of the City of Vista Grove which is not included in any district
- 284 described in subparagraph (A) of this paragraph shall be included within that district
- 285 contiguous to such part which contains the least population according to the United
- 286 States decennial census of 2010 for the State of Georgia.
- 287 (iii) Any part of the City of Vista Grove which is described in subparagraph (A) of
- 288 this paragraph as being included in a particular district shall nevertheless not be
- 289 included within such district if such part is not contiguous to such district. Such
- 290 noncontiguous part shall instead be included within that district contiguous to such
- 291 part which contains the least population according to the United States decennial
- 292 census of 2010 for the State of Georgia.
- 293 (iv) Any part of the City of Vista Grove which is described in subparagraph (A) of
- 294 this paragraph as being included in a particular district which, on the effective date
- 295 of this charter is within the corporate boundaries of another municipality, shall not be
- 296 included within such district.
- 297 (v) Any part of the City of Vista Grove which is described in subparagraph (A) of
- 298 this paragraph as being included in a particular district which is not within the
- 299 corporate boundaries of the City of Vista Grove shall not be included within such
- 300 district.

301 (C) Following each decennial census, the city council shall revise such districts
302 pursuant to Code Section 36-35-4.1 of the O.C.G.A. to maintain a proper population
303 balance among such districts.

304 (3) One councilmember shall be elected from each of the six council districts. Each
305 person desiring to offer as a candidate for councilmember shall designate the council
306 district for which he or she is offering. Councilmembers shall be elected by a majority
307 vote of the qualified electors of the respective council districts voting at the elections of
308 the city. In the event that no candidate for a council district obtains a majority vote of the
309 qualified electors of the council district voting in the election, then a run-off election shall
310 be held. The candidates receiving the two highest numbers of votes in the election for
311 such council district shall be included in the run-off election. The person receiving the
312 highest number of votes of the qualified electors of the council district voting at such
313 run-off election shall be elected. Each candidate for election to the city council shall
314 reside in the district he or she seeks to represent.

315 (c) With the exception of the initial terms set forth in subsection (d) of this section,
316 councilmembers shall be elected to terms of four years and until their successors are elected
317 and qualified on a staggered basis in alternate election cycles such that every two years three
318 councilmembers are up for election.

319 (d) In order to assure staggered elections of the councilmembers, in the first election of the
320 city council the terms for the candidates elected for Council Districts 2, 4, and 6 shall expire
321 upon the administration of the oath of office to their successors elected in the regular
322 elections held in November, 2021, as provided in subsection (b) of Section 2.02 of this
323 charter. The terms for the candidates elected for Council Districts 1, 3, and 5 shall expire
324 upon the administration of the oath of office to their successors elected in the regular
325 elections held in November, 2023, as provided in subsection (b) of Section 2.02 of this
326 charter. Thereafter, a successor to each councilmember shall be elected at the November
327 election immediately preceding the end of such councilmember's term of office and the term
328 of each councilmember shall expire upon the administration of the oath of office to his or her
329 successor.

330 (e) With the exception of the initial term of office, the mayor of the City of Vista Grove,
331 with the powers and duties specified herein, shall be elected to a term of four years and until
332 his or her successor is elected and qualified. The mayor shall be elected by a majority vote
333 of the qualified electors of the city at large voting at the elections of the city. In the event
334 that no candidate for mayor obtains a majority vote of the qualified electors of the city at
335 large voting at the elections of the city, then a run-off election shall be held. The candidates
336 receiving the two highest numbers of votes in the election shall be included in the run-off
337 election and the candidate receiving the highest number of votes in the runoff of the qualified

338 electors of the city at large voting at such runoff shall be elected. The term of the first
 339 elected mayor shall expire upon the administration of the oath of office to his or her
 340 successor elected in the regular election held in November, 2023, as provided in
 341 subsection (b) of Section 2.02 of this charter. Thereafter, a successor to each mayor shall be
 342 elected at the November election immediately preceding the end of such mayor's term of
 343 office and the term of each mayor shall expire upon the administration of the oath of office
 344 to his or her successor.

345 **SECTION 2.02.**

346 Mayor and councilmembers; terms and qualifications for office.

347 (a) For all elections subsequent to the first election, the mayor and councilmembers shall
 348 serve for terms of four years and until their terms shall expire upon the administration of the
 349 oath of office to their successors. No person shall be eligible to serve as mayor or
 350 councilmember unless that person has been a resident of the City of Vista Grove for a
 351 continuous period of at least 12 months immediately prior to the date of the election for
 352 mayor or councilmember, shall continue to reside therein during that person's period of
 353 service, and shall continue to be registered and qualified to vote in municipal elections of the
 354 City of Vista Grove. In addition to the above requirements, no person shall be eligible to
 355 serve as a councilmember representing a council district unless that person has been a
 356 resident of the district such person seeks to represent for a continuous period of at least six
 357 months immediately prior to the date of the election for councilmember and continues to
 358 reside in such district during that person's period of service.

359 (b) An election shall be held on the date of and in conjunction with the 2020 presidential
 360 preference primary to elect the first mayor and city council. At such election, the first mayor
 361 and council shall be elected to serve for the initial terms of office specified in subsections (d)
 362 and (e) of Section 2.01 of this charter. Thereafter, the time for holding regular municipal
 363 elections shall be on the Tuesday next following the first Monday in November of each
 364 odd-numbered year beginning in 2021.

365 (c) The number of consecutive terms an individual may hold a position as a councilmember
 366 shall be unlimited.

367 (d) The number of consecutive terms an individual may hold the position of mayor shall be
 368 limited to two terms.

369 (e) No person who has been convicted of a felony or a crime of moral turpitude shall be
 370 eligible for election or to serve as mayor or councilmember of the City of Vista Grove.

371 (f) No person who was a member of the General Assembly at the time of the enactment of
372 this charter shall be eligible for election or to serve as mayor or councilmember of the City
373 of Vista Grove during the first four years of the city's existence.

374 **SECTION 2.03.**

375 Vacancy; filling of vacancies; suspensions.

376 (a) Elected officials of the city cannot hold other elective or public offices. The elective
377 offices of the city's government shall become vacant upon the member's death, resignation,
378 forfeiture of office, or removal from office. The following shall result in an elected city
379 official forfeiting his or her office:

380 (1) Violating the provisions of this charter;

381 (2) Being convicted of, or pleading guilty or "no contest" to, a felony or a crime of moral
382 turpitude; or

383 (3) Failing to attend one-third of the regular meetings of the council in a three-month
384 period without being excused by the council.

385 (b) The office of mayor shall become vacant upon the incumbent's death, resignation,
386 forfeiture of office, or removal from office in any manner authorized by this charter or the
387 general laws of the State of Georgia. A vacancy in the office of mayor shall be filled for the
388 remainder of the unexpired term by a special election if such vacancy occurs 12 months or
389 more prior to the expiration of the term of that office. If such vacancy occurs within 12
390 months of the expiration of the term of that office, the city council or those members
391 remaining shall appoint a successor for the remainder of the term. This provision shall also
392 apply to a temporary vacancy created by the suspension from office of the mayor.

393 (c) The office of a councilmember shall become vacant upon the incumbent's death,
394 resignation, forfeiture of office, or removal from office in any manner authorized by this
395 charter or the general laws of the State of Georgia. A vacancy in the office of a
396 councilmember shall be filled for the remainder of the unexpired term by a special election
397 if such vacancy occurs 12 months or more prior to the expiration of the term of that office.
398 If such vacancy occurs within 12 months of the expiration of the term of that office, the
399 mayor shall appoint a successor for the remainder of the term subject to the approval of the
400 city council or those members remaining. This provision shall also apply to a temporary
401 vacancy created by the suspension from office of a councilmember.

402 **SECTION 2.04.**

403 Nonpartisan elections.

404 Political parties shall not conduct primaries for city offices and all names of candidates for
405 city offices shall be listed without party designation.

406 **SECTION 2.05.**

407 Election votes.

408 The candidate for mayor who receives a majority vote of the qualified electors of the city at
409 large voting at the elections of the city shall be elected. The candidates for Council
410 Districts 1, 2, 3, 4, 5, and 6 who receive a majority vote of the qualified electors of Council
411 Districts 1, 2, 3, 4, 5, and 6, respectively, voting at the elections of the city shall be elected.

412 **SECTION 2.06.**

413 Applicability of general laws; qualifying; other provisions.

414 All elections shall be held and conducted in accordance with Chapter 2 of Title 21 of the
415 O.C.G.A., the "Georgia Election Code," as now or hereafter amended or otherwise provided
416 by law. Except as otherwise provided by this charter, the city council shall, by ordinance or
417 resolution, prescribe such rules and regulations as it deems appropriate, including, but not
418 limited to, the establishment of qualifying fees, to fulfill any options and duties under
419 Chapter 2 of Title 21 of the O.C.G.A., the "Georgia Election Code," as now or hereafter
420 amended or otherwise provided by law.

421 **SECTION 2.07.**

422 Compensation and expenses.

423 The annual salary of the mayor shall be \$16,000.00 and the annual salary for each
424 councilmember shall be \$12,000.00. Such salaries shall be paid from municipal funds in
425 monthly installments. The mayor shall be provided an annual expense allowance of
426 \$5,000.00 and each councilmember shall be provided an annual expense allowance of
427 \$3,000.00 for the reimbursement of expenses actually and necessarily incurred by the mayor
428 and councilmembers in carrying out their duties as elected officials of the city.

429

SECTION 2.08.

430

Inquiries and investigations.

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

436

SECTION 2.09.

437

Meetings, oath of office, and mayor pro tempore.

438 (a) The city council shall meet on the first working day in January immediately following
 439 each regular municipal election. The meeting shall be called to order by the mayor-elect and
 440 the oath of office shall be administered to the newly elected mayor and councilmembers
 441 collectively by a judicial officer authorized to administer oaths. The oath shall, to the extent
 442 that it comports with federal and state law, be as follows:

443 "I do solemnly swear (or affirm) that I will faithfully execute the office of [councilmember
 444 or mayor, as the case may be] of the City of Vista Grove, and will to the best of my ability
 445 support and defend the Constitution of the United States, the Constitution of Georgia, and
 446 the charter, ordinances, and regulations of the City of Vista Grove. I am not the holder of
 447 any unaccounted for public money due this state or any political subdivision or authority
 448 thereof. I am not the holder of any office of trust under the government of the United
 449 States, any other state, or any foreign state which I, by the laws of the State of Georgia, am
 450 prohibited from holding. I am otherwise qualified to hold such office according to the
 451 Constitution and laws of Georgia. I have been a resident of my district and the City of
 452 Vista Grove for the time required by the Constitution and laws of this state and by the
 453 municipal charter. I will perform the duties of my office in the best interests of the City
 454 of Vista Grove to the best of my ability without fear, favor, affection, reward, or
 455 expectation thereof."

456 (b) Following the induction of the mayor and councilmembers, the city council, by a
 457 majority vote of the councilmembers, shall elect a councilmember to be mayor pro tempore,
 458 who shall serve for a term of two years and until a successor is elected and qualified. The
 459 number of successive terms an individual may hold a position as mayor pro tempore shall
 460 be unlimited.

461 (c) The mayor pro tempore shall assume the duties and powers of the mayor during the
 462 mayor's temporary disability, suspension, or absence. If the mayor pro tempore is absent

463 because of sickness or disqualification, any one of the remaining councilmembers, chosen
 464 by the councilmembers present, shall be vested with all the rights and privileges of the mayor
 465 as described herein and shall perform the mayor's duties in the same manner as the mayor
 466 pro tempore.

467 (d) The city council shall, at least once a month, hold regular meetings at such times and
 468 places as prescribed by ordinance. The city council may recess any regular meeting and
 469 continue such meeting on any day or hour it may fix and may transact any business at such
 470 continued meeting as may be transacted at any regular meeting.

471 (e) Special meetings of the city council may be held on the call of either the mayor and one
 472 councilmember or three councilmembers. Notice of such special meetings shall be delivered
 473 to all councilmembers, the mayor, and the city manager personally, by registered mail, or by
 474 electronic means at least 24 hours in advance of the meeting. Such notice shall not be
 475 required if the mayor, all councilmembers, and city manager are present when the special
 476 meeting is called. Such notice of any special meeting may be waived by the mayor, a
 477 councilmember, or the city manager in writing before or after such a meeting and attendance
 478 at the meeting shall also constitute a waiver of notice. The notice of such special meeting
 479 shall state what business is to be transacted at the special meeting. Only the business stated
 480 in the call may be transacted at the special meeting.

481 **SECTION 2.10.**

482 Quorum; voting.

483 (a) Five councilmembers shall constitute a quorum and shall be authorized to transact
 484 business for the city council. Voting on the adoption of ordinances shall be taken by voice
 485 vote and the yeas and nays shall be recorded in the minutes, but on the request of any
 486 member, there shall be a roll-call vote. In order for any ordinance, resolution, motion, or
 487 other action of the city council to be adopted, the measure must receive at least three
 488 affirmative votes. No member of the city council shall abstain from voting on any matter
 489 properly brought before the city council for official action except when such councilmember
 490 has a conflict of interest which is disclosed in writing prior to or at the meeting and made a
 491 part of the minutes. Any member of the city council present and eligible to vote on a matter
 492 and refusing to do so for any reason, other than a properly disclosed and recorded conflict
 493 of interest, shall be deemed to have acquiesced or concurred with the members of the
 494 majority who did vote on the question involved. The mayor shall vote only in the case of a
 495 tie or in the case where his or her vote will provide the number of votes necessary for
 496 approval of a matter.

497 (b) The following types of actions require an ordinance in order to have the force of law:

- 498 (1) Adopting or amending an administrative code or establishing, altering, or abolishing
 499 a department, agency, or office not specified in this charter;
- 500 (2) Providing a fine or other penalty;
- 501 (3) Levying taxes;
- 502 (4) Granting, renewing, or extending a franchise;
- 503 (5) Regulating a rate for a public utility;
- 504 (6) Authorizing the borrowing of money;
- 505 (7) Conveying, leasing, or encumbering city land;
- 506 (8) Regulating land use and development; and
- 507 (9) Amending or repealing an ordinance already adopted.
- 508 (c) The city council shall establish by ordinance procedures for convening emergency
 509 meetings. In an emergency, an ordinance may be passed without notice or hearings if the
 510 city council passes the ordinance by three-fourths' vote; provided, however, that the city
 511 council cannot in an emergency meeting:
- 512 (1) Levy taxes;
- 513 (2) Grant, renew, or extend a franchise;
- 514 (3) Regulate a rate for a public utility; or
- 515 (4) Borrow money.

516 **SECTION 2.11.**

517 General power and authority of the city council.

- 518 (a) Except as otherwise provided by law or by this charter, the city council shall be vested
 519 with all the powers of government of the City of Vista Grove as provided by Article I of this
 520 charter.
- 521 (b) In addition to all other powers conferred upon it by law, the city council shall have the
 522 authority to adopt and provide for the execution of such ordinances, resolutions, rules, and
 523 regulations, not inconsistent with this charter and the Constitution and the laws of the State
 524 of Georgia, which it shall deem necessary, expedient, or helpful for the peace, good order,
 525 protection of life and property, health, welfare, sanitation, comfort, convenience, prosperity,
 526 or well-being of the inhabitants of the City of Vista Grove and may enforce such ordinances
 527 by imposing penalties for violation thereof.

528

SECTION 2.12.

529

Administrative and service departments.

530 (a) Except for the office of city manager and the elected positions provided for in this
 531 charter, the city council, by ordinance, may establish, abolish, merge, or consolidate offices
 532 not specified in this charter, positions of employment, departments, and agencies of the city
 533 as it shall deem necessary for the proper administration of the affairs and government of the
 534 city. The city council shall prescribe the functions and duties of existing departments,
 535 offices, and agencies or of any departments, offices, and agencies hereinafter created or
 536 established; may provide that the same person shall fill any number of offices and positions
 537 of employment; and may transfer or change the functions and duties of offices, positions of
 538 employment, departments, and agencies of the city.

539 (b) The operations and responsibilities of each department now or hereafter established in
 540 the city shall be distributed among such divisions or bureaus as may be provided by
 541 ordinance of the city council. Each department shall consist of such officers, employees, and
 542 positions as may be provided by this charter or by ordinance and shall be subject to the
 543 general supervision and guidance of the mayor and city council.

544

SECTION 2.13.

545

Prohibitions.

546 (a) No elected official, appointed officer, or employee of the city or any agency or political
 547 entity to which this charter applies shall knowingly:

548 (1) Engage in any business or transaction or have a financial or other personal interest,
 549 direct or indirect, which is incompatible with the proper discharge of official duties or
 550 which would tend to impair the independence of his or her judgment or action in the
 551 performance of official duties;

552 (2) Engage in or accept private employment or render services for private interests when
 553 such employment or service is incompatible with the proper discharge of official duties
 554 or would tend to impair the independence of his or her judgment or action in the
 555 performance of official duties;

556 (3) Disclose confidential information concerning the property, government, or affairs of
 557 the governmental body by which engaged without proper legal authorization or use such
 558 information to advance the financial or other private interest of himself or herself or
 559 others, except as required by law;

560 (4) Accept any valuable gift, whether in the form of service, loan, object, or promise,
 561 from any person, firm, or corporation which to his or her knowledge is interested, directly

562 or indirectly, in any manner whatsoever in business dealings with the governmental body
 563 by which he or she is engaged. "Valuable" shall be an amount determined by the city
 564 council; provided, however, that the amount shall not exceed \$100.00;

565 (5) Represent other private interests in any action or proceeding against this city or any
 566 portion of its government; or

567 (6) Vote or otherwise participate in the negotiation or in the making of any contract with
 568 any business or entity in which he or she, or members of his or her immediate family, has
 569 a financial interest.

570 (b) Any elected official, appointed officer, or employee who has any private financial
 571 interest, directly or indirectly, in any contract or matter pending before or within any
 572 department of the city shall disclose such private interest to the city council. "Private
 573 financial interest" shall include interests of immediate family. The mayor or any
 574 councilmember who has a private interest in any matter pending before the city council shall
 575 disclose in writing such private interest and such disclosure shall be entered on the records
 576 of the city council, and he or she shall disqualify himself or herself from participating in any
 577 decision or vote relating thereto. Any elected official, appointed officer, or employee of any
 578 agency or political entity to which this charter applies who has any private financial interest,
 579 directly or indirectly, in any contract or matter pending before or within such entity shall
 580 disclose such private interest to the governing body of such agency or entity.

581 (c) No elected official, appointed officer, or employee of the city or any agency or entity to
 582 which this charter applies shall use property owned by such governmental entity for personal
 583 benefit, convenience, or profit, except in accordance with policies promulgated by the city
 584 council or the governing body of such agency or entity.

585 (d) Any violation of this section which occurs with the knowledge, express or implied, of
 586 a party to a contract or sale shall render such contract or sale voidable at the option of the city
 587 council.

588 (e) Except as authorized by law, no member of the city council shall hold any other elective
 589 city office or be employed by any city or county government during the term for which
 590 elected.

591 **SECTION 2.14.**

592 **Boards, commissions, and authorities.**

593 (a) All members of boards, commissions, and authorities of the city shall be appointed by
 594 the mayor subject to confirmation by the city council for such terms of office and such
 595 manner of appointment as provided by ordinance, except where other appointing authority,

596 term of office, or manner of appointment is prescribed by this charter or by applicable state
597 law.

598 (b) No member of any board, commission, or authority of the city shall hold any elective
599 office in the city. Councilmembers and the mayor, however, may serve as ex officio
600 members of such boards, commissions, or authorities, without a vote.

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

604 (d) No member of any board, commission, or authority shall assume office until he or she
605 has executed and filed with the designated officer of the city an oath obligating himself or
606 herself to faithfully and impartially perform the duties of his or her office, such oath to be
607 prescribed by ordinance of the city council and administered by the mayor or a judicial
608 officer authorized to administer oaths.

609 (e) Any member of a board, commission, or authority may be removed from office for cause
610 by a vote of a majority of the councilmembers in accordance with state laws.

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

613 (g) Except as otherwise provided by this charter or by applicable state law, each board,
614 commission, or authority of the city government shall elect one of its members as
615 chairperson and one member as vice chairperson for terms of one year and may elect as its
616 secretary one of its own members or may appoint as secretary an employee of the city. Each
617 board, commission, or authority of the city government may establish such bylaws, rules, and
618 regulations not inconsistent with this charter, ordinances of the city, or applicable state law
619 as it deems appropriate and necessary for the conduct of its affairs, copies of which shall be
620 filed with the designated officer of the city.

621 **SECTION 2.15.**

622 Ordinance form; procedures.

623 (a) Every proposed ordinance and resolution shall be introduced in writing and the city
624 council shall have the authority to approve, disapprove, or amend each such proposed
625 ordinance and resolution. A resolution may be passed at the time it is offered, but an
626 ordinance shall not be adopted until the title of such ordinance has been read at two city
627 council meetings, provided that the beginnings of such meetings are not less than 24 hours
628 nor more than 60 days apart. This requirement of two readings shall not apply to emergency
629 ordinances, to ordinances passed during the first 90 days from the date on which the city
630 begins operation, to ordinances adopted at the first business meeting of the city council in a

631 calendar year, or to ordinances adopted at the first meeting of the initial city council elected
 632 under subsection (b) of Section 2.02 of this charter. The guide words of sections of this
 633 charter or any ordinance printed in boldface type, italics, or otherwise are intended as mere
 634 catchwords to indicate the contents of the section, and:

635 (1) Shall not be deemed or taken to be titles of such sections or as any part of the section;
 636 and

637 (2) Shall not be so deemed when any of such sections, including the guide words, are
 638 amended or reenacted unless expressly provided to the contrary.

639 Furthermore, the article and section headings contained in this charter shall not be deemed
 640 to govern, limit, or modify or in any manner affect the scope, meaning, or intent of the
 641 provisions of any article or section hereof.

642 (b) The city council may, by ordinance or resolution, adopt rules and bylaws to govern the
 643 conduct of its business, including procedures and penalties for compelling the attendance of
 644 absent councilmembers. Such rules may include punishment for contemptuous behavior
 645 conducted in the presence of the city council.

646 **SECTION 2.16.**

647 Submission of ordinances to the city clerk.

648 (a) Every ordinance, resolution, and other action adopted by the city council shall be
 649 presented to the city clerk within 15 days of its adoption or approval. The city clerk shall
 650 record upon the ordinance the date of its delivery from the city council.

651 (b) An ordinance or resolution that has been passed by the city council shall become
 652 effective on the date the ordinance is passed by the city council or on such other date as may
 653 be specified in the ordinance.

654 **ARTICLE III**

655 **EXECUTIVE BRANCH**

656 **SECTION 3.01.**

657 Powers and duties of the mayor.

658 (a) The mayor shall:

659 (1) Preside over all meetings of the city council;

660 (2) Set the agenda for meetings of the city council; provided, however, that additional
 661 items shall be added to the agenda upon the written request of any two or more members
 662 of the city council;

- 663 (3) Serve as the ceremonial head of the city and as its official representative to federal,
 664 state, and local governmental bodies and officials;
- 665 (4) Sign all orders, checks, and warrants for payment of money within a level of
 666 authorization as established by the city council;
- 667 (5) Execute all contracts, deeds, and other obligations of the city within a level of
 668 authorization as established by the city council;
- 669 (6) Vote in matters before the city council to the extent provided in subsection (a) of
 670 Section 2.10 of this charter;
- 671 (7) Make all appointments of city officers as provided by this charter, subject to
 672 confirmation by the city council;
- 673 (8) Serve in a part-time capacity and be compensated accordingly; and
- 674 (9) Perform any other duties and exercise any other powers required by state or federal
 675 law or authorized by a duly adopted ordinance that is not in conflict with this charter.
- 676 (b) The mayor shall have the authority to transfer appropriations within a department, fund,
 677 service, strategy, or organizational unit but only with approval of the city council.
- 678 (c) The mayor shall have the authority to certify that a supplemental appropriation is
 679 possible due to unexpected revenue increases but only with approval of the city council.
- 680 (d) The mayor shall have all of the powers specifically granted to the mayor elsewhere in
 681 this charter regardless of whether such powers are enumerated in this section.

682 **SECTION 3.02.**

683 City manager; appointment and qualification.

684 The mayor shall appoint, subject to confirmation by the city council, an officer whose title
 685 shall be the city manager. The city manager shall be appointed without regard to political
 686 beliefs and solely on the basis of his or her education and experience in the accepted
 687 competencies and practices of local government management.

688 **SECTION 3.03.**

689 City manager; chief administrative officer.

690 The city manager shall be the chief administrative officer of the government of the city. The
 691 city manager must devote all of his or her working time and attention to the affairs of the city
 692 and shall be responsible to the mayor and city council for the proper and efficient
 693 administration of the affairs of the city over which such officer has jurisdiction.

694

SECTION 3.04.

695

City manager; powers and duties enumerated.

696 The city manager shall have the power and it shall be his or her duty to:

697

(1) See that all laws and ordinances are enforced;

698

(2) Appoint and employ all necessary employees of the city, provided that the power of

699

this appointment shall not include officers and employees who by this charter are

700

appointed or elected by the mayor and the city council or departments not under the

701

jurisdiction of the city manager;

702

(3) Remove employees appointed and employed under paragraph (2) of this section

703

without the consent of the city council and without assigning any reason therefor;

704

(4) Exercise supervision and control of all departments and all divisions created in this

705

charter or that may hereafter be created by the city council except as otherwise provided

706

in this charter;

707

(5) Attend all meetings of the city council, without a right to vote, but with a right to take

708

part in the discussions as seen fit by the chair; provided, however, that regardless of the

709

decision of the meeting chair, the city manager may take part in any discussion and report

710

on any matter requested and approved by the city council at such meeting. The city

711

manager shall be entitled to notice of all special meetings;

712

(6) Recommend to the city council, after prior review and comment by the mayor, the

713

adoption of such measures as the city manager may deem necessary or expedient;

714

(7) See that all terms and conditions imposed in favor of the city or its inhabitants in any

715

public utility franchise are faithfully kept and performed and upon knowledge of any

716

violation thereof to call the same to the attention of the city attorney, whose duty it shall

717

be forthwith to take such steps as are necessary to protect and enforce the same;

718

(8) Make and execute all lawful contracts on behalf of the city as to matters within the

719

city manager's level of authorization as established by the city council to the extent that

720

such contracts are funded in the city's budget, except such as may be otherwise provided

721

by law; provided, however, that no contract purchase or obligation requiring a budget

722

amendment shall be valid and binding until after approval of the city council;

723

(9) Sign all orders, checks, and warrants for payment of money within the city manager's

724

level of authorization as established by the city council to the extent that such contracts

725

are funded in the city's budget, except such as may be otherwise provided by law;

726

provided, however, that no such order, check, or warrant requiring a budget amendment

727

shall be valid and binding until after approval of the city council;

728

(10) Act as budget officer to prepare and submit to the city council, after review and

729

comment by the mayor, prior to the beginning of each fiscal year a budget of proposed

730 expenditures for the ensuing year, showing in as much detail as practicable the amounts
 731 allotted to each department of the city government and the reasons for such estimated
 732 expenditures;

733 (11) Keep the city council at all times fully advised as to the financial condition and
 734 needs of the city;

735 (12) Make a full written report to the city council on the fifteenth of each month showing
 736 the operations and expenditures of each department of the city government for the
 737 preceding month, and a synopsis of such reports shall be published by the city clerk;

738 (13) Fix all salaries and compensation of city employees in accordance with the city
 739 budget and the city pay and classification plan; and

740 (14) Perform such other duties as may be prescribed by this charter or required by
 741 ordinance or resolution of the city council.

742 **SECTION 3.05.**

743 City council interference with administration.

744 Except for the purpose of inquiries and investigations under Section 2.08 of this charter, the
 745 mayor or city council or its members shall deal with city officers and employees who are
 746 subject to the direction or supervision of the city manager solely through the city manager,
 747 and neither the mayor, the city council, nor its members shall give orders to any such officer
 748 or employee, either publicly or privately.

749 **SECTION 3.06.**

750 City manager; removal.

751 (a) The mayor and city council may suspend the city manager from office by a vote at least
 752 five members. The mayor and city council, by a vote of at least five members, may remove
 753 the city manager from office at a subsequent meeting of the city council held on a different
 754 day following the suspension of the city manager. The mayor shall be permitted to vote on
 755 the suspension and removal of the city manager notwithstanding the provisions of
 756 subsection (a) of Section 2.10 of this charter. This provision may be supplemented, but not
 757 supplanted, by an employment contract of the city manager which provides for additional
 758 procedures for suspension or removal from office.

759 (b) The city manager shall continue to receive his or her salary until the effective date of a
 760 final resolution of his or her removal. The action of the city council in suspending or
 761 removing the city manager shall not be subject to review by any court or agency.

762 (c) If the city manager is suspended in accordance with subsection (a) of this section or
 763 becomes disabled and is unable to carry out the duties of the office or if the city manager
 764 dies, the acting city manager shall perform the duties of the city manager until the city
 765 manager's disability is removed or until the city manager is replaced. Removal of the city
 766 manager because of disability shall be carried out in accordance with the provisions of
 767 subsection (a) of this section.

768 **SECTION 3.07.**

769 Acting city manager.

770 (a) The mayor with the approval of the city council may appoint any person to exercise all
 771 powers, duties, and functions of the city manager during the city manager's suspension under
 772 subsection (a) of Section 3.06, temporary absence from the city, or during the city manager's
 773 disability.

774 (b) In the event of a vacancy in the office of city manager, the mayor may designate with the
 775 approval of the city council a person as acting city manager, who shall exercise all powers,
 776 duties, and functions of the city manager until a city manager is appointed.

777 **SECTION 3.08.**

778 City attorney.

779 The mayor shall appoint the city attorney together with such assistant city attorneys as may
 780 be deemed appropriate subject to confirmation by the city council and shall provide for the
 781 payment of such attorney for services rendered to the city. The rates or salary paid to any
 782 city attorney or assistant city attorney shall be approved in advance by the city council. The
 783 city attorney shall be responsible for representing and defending the city in all litigation in
 784 which the city is a party; may be the prosecuting officer in the municipal court; shall attend
 785 the meetings of the city council as directed; shall advise the city council, mayor, other
 786 officers, and employees of the city concerning legal aspects of the city's affairs; and shall
 787 perform such other duties as may be required by virtue of his or her position as city attorney.
 788 The city attorney shall review all contracts of the city but shall not have the power to bind
 789 the city. No person who was a member of the General Assembly at the time of the enactment
 790 of this charter shall be eligible to serve as city attorney during the first four years of the city's
 791 existence.

792 **SECTION 3.09.**

793 City clerk.

794 The mayor may appoint a city clerk subject to confirmation by the city council to keep a
795 journal of the proceedings of the city council; to maintain in a safe place all records and
796 documents pertaining to the affairs of the city; and to perform such duties as may be required
797 by law or ordinance or as the mayor or city manager may direct.

798 **SECTION 3.10.**

799 City accountant.

800 The mayor may appoint a city accountant subject to confirmation by the city council to
801 perform the duties of an accountant. The city accountant shall also act as tax collector to
802 collect all taxes, licenses, fees, and other moneys belonging to the city subject to the
803 provisions of this charter and the ordinances of the city; and such tax collector shall
804 diligently comply with and enforce all general laws of Georgia relating to the collection, sale,
805 or foreclosure of taxes by municipalities.

806 **SECTION 3.11.**

807 City internal auditor.

808 The city council shall appoint an internal auditor to audit the financial records and
809 expenditures of city funds and to report the results of such audits in writing to the city
810 council at times and intervals set by the city council but no less than quarterly. Such audit
811 reports shall, at a minimum, identify all city expenditures and other financial matters that the
812 internal auditor either determines are not in compliance with or cannot conclusively be
813 determined to be in compliance with the provisions of this charter, the applicable city budget,
814 and applicable ordinances, resolutions, or other actions duly adopted or approved under the
815 provisions of this charter.

816 **SECTION 3.12.**

817 Consolidation of functions.

818 The city manager, with the approval of the city council, may consolidate the positions of city
819 clerk and city accountant, or any other positions, or may assign the functions of any one or
820 more of such positions to the holder or holders of any other positions. The city manager may

821 also, with the approval of the city council, perform all or any part of the functions of any of
822 the positions or offices in lieu of the appointment of other persons to perform the same.

823 **SECTION 3.13.**

824 Position classification and pay plans; employment at will.

825 The city manager shall be responsible for the preparation of a position classification and a
826 pay plan which shall be submitted to the city council for adoption. Such plan may apply to
827 all employees of the City of Vista Grove and any of its agencies and offices. When a pay
828 plan has been adopted by the city council, neither the city council nor the city manager shall
829 increase or decrease the salaries of individual employees except in conformity with such pay
830 plan or pursuant to an amendment of such pay plan duly adopted by the city council. Except
831 as otherwise provided in this charter, all employees of the city shall be subject to removal or
832 discharge, with or without cause, at any time.

833 **ARTICLE IV**

834 **MUNICIPAL COURT**

835 **SECTION 4.01.**

836 Creation.

837 There is established a court to be known as the Municipal Court of the City of Vista Grove
838 which shall have jurisdiction and authority to try offenses against the laws and ordinances
839 of such city and to punish for a violation of the same. Such court shall have the power to
840 enforce its judgments by the imposition of such penalties as may be provided by law,
841 including ordinances of the city; to punish witnesses for nonattendance and to punish also
842 any person who may counsel or advise, aid, encourage, or persuade another whose testimony
843 is desired or material in any proceeding before such court to go or move beyond the reach
844 of the process of the court; to try all offenses within the territorial limits of the city
845 constituting traffic cases which, under the laws of Georgia, are placed within the jurisdiction
846 of municipal courts to the extent of, and in accordance with, the provisions of such laws and
847 all laws subsequently enacted amendatory thereof. Such court shall be presided over by the
848 judge of such court. In the absence or disqualification of the judge, the judge pro tempore
849 shall preside and shall exercise the same powers and duties as the judge when so acting.

850

SECTION 4.02.

851

Judge.

852 (a) No person shall be qualified or eligible to serve as judge unless he or she has attained the
 853 age of 28 years and has been a member of the State Bar of Georgia for a minimum of three
 854 years. The judge shall be nominated by the mayor subject to approval by the city council.
 855 The compensation and number of the judges shall be fixed by the city council.

856 (b) The judge pro tempore shall serve as requested by the judge, shall have the same
 857 qualifications as the judge, shall be nominated by the mayor subject to approval of the city
 858 council, and shall take the same oath as the judge.

859 (c) Before entering on duties of his or her office, the judge and judge pro tempore shall take
 860 an oath before an officer duly authorized to administer oaths in this state declaring that he
 861 or she will truly, honestly, and faithfully discharge the duties of his or her office to the best
 862 of his or her ability without fear, favor, or partiality. The oath shall be entered upon the
 863 minutes of the city council.

864 (d) The judge, or judge pro tempore, shall serve for a term of two years but may be removed
 865 from the position by a two-thirds' vote of the entire membership of the mayor and city
 866 council, notwithstanding the provisions of subsection (a) of Section 2.10 of this charter, or
 867 shall be removed upon action taken by the Judicial Qualifications Commission for:

- 868 (1) Willful misconduct in office;
- 869 (2) Willful and persistent failure to perform duties;
- 870 (3) Habitual intemperance;
- 871 (4) Conduct prejudicial to the administration of justice which brings the judicial office
 872 into disrepute; or
- 873 (5) Disability seriously interfering with the performance of duties which is, or is likely
 874 to become, of a permanent character.

875

SECTION 4.03.

876

Convening.

877 The municipal court shall be convened at such times as designated by ordinance or at such
 878 times as deemed necessary by the judge to keep current the dockets thereof.

879

SECTION 4.04.

880

Jurisdiction; powers.

881 (a) The municipal court shall try and punish for crimes against the City of Vista Grove and
 882 for violation of its ordinances. The municipal court may fix punishment for offenses within
 883 its jurisdiction to the fullest extent allowed by state law.

884 (b) The municipal court shall have authority to recommend to the city council for approval
 885 a schedule of fees to defray the cost of operation.

886 (c) The municipal court shall have authority to establish bail and recognizance to ensure the
 887 presence of those charged with violations before such court and shall have discretionary
 888 authority to accept cash or personal or real property as security for appearances of persons
 889 charged with violations. Whenever any person shall give bail for his or her appearance and
 890 shall fail to appear at the time fixed for trial, the bond shall be forfeited to the judge presiding
 891 at such time and an execution issued thereon by serving the defendant and his or her sureties
 892 with a rule nisi at least two days before a hearing on the rule nisi. In the event that cash or
 893 property is accepted in lieu of bond for security for the appearance of a defendant at trial, and
 894 if such defendant fails to appear at the time and place fixed for trial, the cash so deposited
 895 shall be on order of the judge declared forfeited to the City of Vista Grove, or the property
 896 so deposited shall have a lien against it for the value forfeited.

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

899 (e) The municipal court shall have the authority to administer oaths and to perform all other
 900 acts necessary or proper to the conduct of such court.

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

904 (g) The municipal court is specifically vested with all of the judicial jurisdiction and judicial
 905 powers throughout the entire area of the City of Vista Grove granted by state laws generally
 906 to municipal courts and particularly by such laws as authorize the abatement of nuisances.

907

SECTION 4.05.

908

Certiorari.

909 The right of certiorari from the decision and judgment of the municipal court shall exist in
 910 all criminal cases and ordinance violation cases, and such certiorari shall be obtained under
 911 the sanction of a judge of the Superior Court of DeKalb County under the laws of the State
 912 of Georgia regulating the granting and issuance of writs of certiorari.

913 **SECTION 4.06.**

914 Rules for court.

915 With the approval of the city council, the judge shall have full power and authority to make
 916 reasonable rules and regulations necessary and proper to secure the efficient and successful
 917 administration of the municipal court.

918 **ARTICLE V**

919 **FINANCE AND FISCAL**

920 **SECTION 5.01.**

921 Fiscal year.

922 The city council shall set the fiscal year by ordinance. Such fiscal year shall constitute the
 923 budget year and the year for financial accounting and reporting of each and every office,
 924 department, or institution, agency, and activity of the city government, unless otherwise
 925 provided by state or federal law.

926 **SECTION 5.02.**

927 Preparation of budgets.

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

931 **SECTION 5.03.**

932 Submission of operating budget to city council.

933 (a) On or before a date fixed by the city council, but no later than 45 days prior to the end
 934 of the current fiscal year, the city manager shall, after input, review, and comment by the
 935 mayor, submit to the city council a proposed operating budget and capital budget for the
 936 ensuing fiscal year. The budget shall be accompanied by a message from the mayor and city
 937 manager containing a statement of the general fiscal policies of the city, the important
 938 features of the budget, explanations of major changes recommended for the next fiscal year,
 939 a general summary of the budget, and such other comments and information as they may
 940 deem pertinent. The operating budget, capital budget, budget message, and all supporting
 941 documents shall be filed in the office of the city manager and shall be open to public
 942 inspection.

943 (b) In each year of the city's operation, the city manager and mayor shall present to the city
944 council a budget which is balanced in projected spending and revenues.

945 (c) Prior to passage of the budget, the city council shall hold a special public hearing at
946 which the budget will be presented and public comment on the budget will be solicited. The
947 date, time, and place of such special public hearing shall be announced no less than 30 days
948 prior to the scheduled date for such hearing.

949 (d) All unencumbered balances of appropriations in the current operating budget at the end
950 of the fiscal year shall lapse into the unappropriated surplus or reserves of the fund or funds
951 from which such appropriations were made. When a supplemental appropriation is certified
952 by the mayor to exist pursuant to subsection (c) of Section 3.01 of this charter, these
953 appropriations can be spent during the current fiscal year following passage of a
954 supplemental appropriation ordinance.

955 **SECTION 5.04.**

956 Action by city council on budget.

957 (a) The city council may amend the operating budget or capital budget proposed by the city
958 manager in accordance with subsection (a) of Section 5.03 of this charter except that the
959 budget, as finally amended and adopted, must provide for all expenditures required by law
960 or by other provisions of this charter and for all debt service requirements for the ensuing
961 fiscal year; and the total appropriations from any fund shall not exceed the estimated fund
962 balance, reserves, and revenues constituting the fund availability of such fund.

963 (b) The city council shall adopt a budget on or before the last day of the current fiscal year.
964 If the city council fails to adopt the budget by the prescribed deadline, the operating budget
965 and capital budget proposed by the mayor and city manager shall be adopted without further
966 action by the city council.

967 **SECTION 5.05.**

968 Procurement and property management.

969 No contract with the city shall be binding on the city unless it is in writing. The city council
970 may adopt procedures for the authorization of certain contracts without city attorney review
971 or city council approval. Absent the foregoing, no contract with the city shall be binding on
972 the city unless:

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

975 (2) It is made or authorized by the city council and such approval is entered in the city
976 council journal of proceedings.

977 **SECTION 5.06.**

978 Purchasing.

979 The city council shall by ordinance prescribe procedures for a system of centralized
980 purchasing for the city in accordance with recognized public purchasing standards and with
981 the requirements of state law.

982 **SECTION 5.07.**

983 Audits.

984 (a) There shall be an annual independent audit of all city accounts, funds, and financial
985 transactions by a certified public accountant selected by the city council. The audit shall be
986 conducted according to generally accepted accounting principles, general audit standards,
987 and state law. Copies of all audit reports shall be available at printing cost to the public.

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

990 **SECTION 5.08.**

991 Homestead exemption; freeze.

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

993 (1) "Ad valorem taxes for municipal purposes" means all municipal ad valorem taxes for
994 municipal purposes levied by, for, or on behalf of the City of Vista Grove, including, but
995 not limited to, ad valorem taxes to pay interest on and to retire municipal bonded
996 indebtedness.

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

1000 (3) "Homestead" means homestead as defined and qualified in Code Section 48-5-40 of
1001 the O.C.G.A., as amended, with the additional qualification that it shall include not more
1002 than five contiguous acres of homestead property.

1003 (b) Each resident of the City of Vista Grove is granted an exemption on that person's
1004 homestead from City of Vista Grove ad valorem taxes for municipal purposes in an amount
1005 equal to the amount by which the current year assessed value of that homestead exceeds base

1006 year assessed value of that homestead. This exemption shall not apply to taxes assessed on
 1007 improvements to the homestead or additional land that is added to the homestead after
 1008 January 1 of the base year. If any real property is added to or removed from the homestead,
 1009 the base year assessed value shall be adjusted to reflect such addition or removal, and the
 1010 exemption shall be recalculated accordingly. The value of that property in excess of such
 1011 exempted amount shall remain subject to taxation.

1012 (c) A person shall not receive the homestead exemption granted by subsection (b) of this
 1013 section unless such person or person's agent files an application with the governing authority
 1014 of the City of Vista Grove, or the designee thereof, giving such information relative to
 1015 receiving such exemption as will enable the governing authority of the City of Vista Grove,
 1016 or the designee thereof, to make a determination regarding the initial and continuing
 1017 eligibility of such person for such exemption. The governing authority of the City of Vista
 1018 Grove, or the designee thereof, shall provide application forms for this purpose.

1019 (d) The exemption shall be claimed and returned as provided in Code Section 48-5-50.1 of
 1020 the O.C.G.A., as amended. The exemption shall be automatically renewed from year to year
 1021 so long as the owner occupies the residence as a homestead. After a person has filed the
 1022 proper application as provided in subsection (c) of this section, it shall not be necessary to
 1023 make application thereafter for any year, and the exemption shall continue to be allowed to
 1024 such person. It shall be the duty of any person granted the homestead exemption under
 1025 subsection (b) of this section to notify the governing authority of the City of Vista Grove, or
 1026 the designee thereof, in the event that person for any reason becomes ineligible for that
 1027 exemption.

1028 (e) The exemption granted by subsection (b) of this section shall not apply to or affect state
 1029 ad valorem taxes, county ad valorem taxes for county purposes, or county or independent
 1030 school district ad valorem taxes for educational purposes. The homestead exemption granted
 1031 by subsection (b) of this section shall be in addition to and not in lieu of any other homestead
 1032 exemption applicable to municipal ad valorem taxes for municipal purposes.

1033 (f) The exemption granted by subsection (b) of this section shall apply to all taxable years
 1034 beginning on or after January 1, 2020.

1035 **SECTION 5.09.**

1036 Homestead exemption; senior citizens; disabled.

1037 (a) As used in this section, the term:

1038 (1) "Ad valorem taxes for municipal purposes" means all ad valorem taxes for municipal
 1039 purposes levied by, for, or on behalf of the City of Vista Grove, including, but not limited
 1040 to, any ad valorem taxes to pay interest on and to retire municipal bonded indebtedness.

1041 (2) "Homestead" means homestead as defined and qualified in Code Section 48-5-40 of
1042 the O.C.G.A., as amended.

1043 (3) "Income" means Georgia taxable net income determined pursuant to Chapter 7 of
1044 Title 48 of the O.C.G.A., as amended, for state income tax purposes, except income shall
1045 not include income received as retirement, survivor, or disability benefits under the
1046 federal Social Security Act or under any other public or private retirement, disability, or
1047 pension system, except such income which is in excess of the maximum amount
1048 authorized to be paid to an individual and such individual's spouse under the federal
1049 Social Security Act. Income from such sources in excess of such maximum amount shall
1050 be included as income for the purposes of this charter.

1051 (4) "Senior citizen" means a person who is 65 years of age or over on or before January 1
1052 of the year in which application for the exemption under subsection (b) of this section is
1053 made.

1054 (b) Each resident of the City of Vista Grove who is disabled or is a senior citizen is granted
1055 an exemption on that person's homestead from City of Vista Grove ad valorem taxes for
1056 municipal purposes in the amount of \$14,000.00 of the assessed value of that homestead.
1057 The exemption granted by this subsection shall only be granted if that person's income,
1058 together with the income of the spouse who also occupies and resides at such homestead does
1059 not exceed \$15,000.00 for the immediately preceding year. The value of that property in
1060 excess of such exempted amount shall remain subject to taxation.

1061 (c)(1) In order to qualify for the exemption provided for in subsection (b) of this section
1062 as being disabled, the person claiming such exemption shall be required to obtain a
1063 certificate from not more than three physicians licensed to practice medicine under
1064 Chapter 34 of Title 43 of the O.C.G.A., as amended, certifying that in the opinion of such
1065 physician or physicians such person is mentally or physically incapacitated to the extent
1066 that such person is unable to be gainfully employed and that such incapacity is likely to
1067 be permanent. Such certificate or certificates shall constitute part of and be submitted
1068 with the application provided for in paragraph (2) of this subsection.

1069 (2) A person shall not receive the homestead exemption granted by subsection (b) of this
1070 section unless such person or person's agent files an application with the governing
1071 authority of the City of Vista Grove, or the designee thereof, giving such person's age,
1072 income, and such additional information relative to receiving such exemption as will
1073 enable the governing authority of the City of Vista Grove, or the designee thereof, to
1074 make a determination regarding the initial and continuing eligibility of such person for
1075 such exemption. The governing authority of the City of Vista Grove, or the designee
1076 thereof, shall provide application forms for this purpose.

1077 (d) The exemption shall be claimed and returned as provided in Code Section 48-5-50.1 of
 1078 the O.C.G.A., as amended. The exemption shall be automatically renewed from year to year
 1079 so long as the owner occupies the residence as a homestead. After a person has filed the
 1080 proper application, as provided in subsection (c) of this section, it shall not be necessary to
 1081 make application thereafter for any year and the exemption shall continue to be allowed to
 1082 such person. It shall be the duty of any person granted the homestead exemption under
 1083 subsection (b) of this section to notify the governing authority of the City of Vista Grove, or
 1084 the designee thereof, in the event that person for any reason becomes ineligible for that
 1085 exemption.

1086 (e) The exemption granted by subsection (b) of this section shall not apply to or affect state
 1087 ad valorem taxes, county ad valorem taxes for county purposes, or county or independent
 1088 school district ad valorem taxes for educational purposes. The homestead exemption granted
 1089 by subsection (b) of this section shall be in addition to and not in lieu of any other homestead
 1090 exemption applicable to municipal ad valorem taxes for municipal purposes.

1091 (f) The exemption granted by subsection (b) of this section shall apply to all taxable years
 1092 beginning on or after January 1, 2020.

1093 **SECTION 5.10.**

1094 Homestead exemption; general.

1095 (a) As used in this section, the term:

1096 (1) "Ad valorem taxes for municipal purposes" means all ad valorem taxes for municipal
 1097 purposes levied by, for, or on behalf of the City of Vista Grove, including, but not limited
 1098 to, any ad valorem taxes to pay interest on and to retire municipal bonded indebtedness.

1099 (2) "Homestead" means homestead as defined and qualified in Code Section 48-5-40 of
 1100 the O.C.G.A., as amended.

1101 (b) Each resident of the City of Vista Grove is granted an exemption on that person's
 1102 homestead from City of Vista Grove ad valorem taxes for municipal purposes in the amount
 1103 of \$20,000.00 of the assessed value of that homestead. The value of that property in excess
 1104 of such exempted amount shall remain subject to taxation.

1105 (c) A person shall not receive the homestead exemption granted by subsection (b) of this
 1106 section unless such person or person's agent files an application with the governing authority
 1107 of the City of Vista Grove, or the designee thereof, giving such information relative to
 1108 receiving such exemption as will enable the governing authority of the City of Vista Grove,
 1109 or the designee thereof, to make a determination regarding the initial and continuing
 1110 eligibility of such owner for such exemption. The governing authority of the City of Vista
 1111 Grove, or the designee thereof, shall provide application forms for this purpose.

1112 (d) The exemption shall be claimed and returned as provided in Code Section 48-5-50.1 of
 1113 the O.C.G.A., as amended. The exemption shall be automatically renewed from year to year
 1114 so long as the owner occupies the residence as a homestead. After a person has filed the
 1115 proper application, as provided in subsection (c) of this section, it shall not be necessary to
 1116 make application thereafter for any year and the exemption shall continue to be allowed to
 1117 such person. It shall be the duty of any person granted the homestead exemption under
 1118 subsection (b) of this section to notify the governing authority of the City of Vista Grove, or
 1119 the designee thereof, in the event that person for any reason becomes ineligible for that
 1120 exemption.

1121 (e) The exemption granted by subsection (b) of this section shall not apply to or affect state
 1122 ad valorem taxes, county ad valorem taxes for county purposes, or county or independent
 1123 school district ad valorem taxes for educational purposes. The homestead exemption granted
 1124 by subsection (b) of this section shall be in addition to and not in lieu of any other homestead
 1125 exemption applicable to municipal ad valorem taxes for municipal purposes.

1126 (f) The exemption granted by subsection (b) of this section shall apply to all taxable years
 1127 beginning on or after January 1, 2020.

1128 **SECTION 5.11.**

1129 Homestead exemption; surviving spouses.

1130 (a) As used in this section, the term:

1131 (1) "Ad valorem taxes for municipal purposes" means all ad valorem taxes for municipal
 1132 purposes levied by, for, or on behalf of the City of Vista Grove, including, but not limited
 1133 to, ad valorem taxes to pay interest on and to retire municipal bonded indebtedness.

1134 (2) "Homestead" means homestead as defined and qualified in Code Section 48-5-40 of
 1135 the O.C.G.A., as amended.

1136 (3) "Unremarried surviving spouse" of a member of the armed forces includes the
 1137 unmarried widow or widower of a member of the armed forces who is receiving spousal
 1138 benefits from the United States Department of Veterans Affairs.

1139 (b) Any person who is a resident of the City of Vista Grove and who is an unremarried
 1140 surviving spouse of a member of the armed forces of the United States who has been killed
 1141 in or has died as a result of any war or armed conflict in which the armed forces of the United
 1142 States engaged, whether under United States command or otherwise, shall be granted a
 1143 homestead exemption from all City of Vista Grove ad valorem taxation for municipal
 1144 purposes in the amount of the greater of \$32,500.00 or the maximum amount which may be
 1145 granted to a disabled veteran under Section 2102 of Title 38 of the United States Code, as
 1146 amended. The exemption shall be on the homestead which the unremarried surviving spouse

1147 owns and actually occupies as a residence and homestead. In the event such surviving
1148 spouse remarries, such person shall cease to be qualified to continue the exemption under this
1149 section effective December 31 of the taxable year in which such person remarries. The value
1150 of all property in excess of such exemption granted to such unremarried surviving spouse
1151 shall remain subject to taxation.

1152 (c) In order to qualify for the exemption provided for in this section, the unremarried
1153 surviving spouse shall furnish to the governing authority of the City of Vista Grove, or the
1154 designee thereof, documents from the United States Secretary of Defense evidencing that
1155 such unremarried surviving spouse receives spousal benefits as a result of the death of such
1156 person's spouse who as a member of the armed forces of the United States was killed or died
1157 as a result of a war or armed conflict while on active duty or while performing authorized
1158 travel to or from active duty during such war or armed conflict in which the armed forces of
1159 the United States engaged, whether under United States command or otherwise, pursuant to
1160 the Survivor Benefit Plan under Subchapter II of Chapter 73 of Title 10 of the United States
1161 Code or pursuant to any preceding or subsequent federal law which provides survivor
1162 benefits for spouses of members of the armed forces who were killed or who died as a result
1163 of any war or armed conflict.

1164 (d) An unremarried surviving spouse filing for the exemption under this section shall be
1165 required to file with the governing authority of the City of Vista Grove, or the designee
1166 thereof, information relative to marital status and other such information which the governing
1167 authority of the City of Vista Grove, or the designee thereof, deems necessary to determine
1168 eligibility for the exemption. Each unremarried surviving spouse shall file for the exemption
1169 only once with the governing authority of the City of Vista Grove, or the designee thereof.
1170 Once filed, the exemption shall automatically be renewed from year to year, except that the
1171 governing authority of the City of Vista Grove, or the designee thereof, may require annually
1172 that the holder of an exemption substantiate his or her continuing eligibility for the
1173 exemption. It shall be the duty of any person granted the homestead exemption under this
1174 section to notify the governing authority of the City of Vista Grove, or the designee thereof,
1175 in the event that person for any reason becomes ineligible for such exemption.

1176 (e) The exemption granted by this section shall be in lieu of and not in addition to any other
1177 exemption from ad valorem taxation for municipal purposes which is equal to or lower in
1178 amount than such exemption granted by this section. If the amount of any other exemption
1179 from ad valorem taxation for municipal purposes applicable to any resident qualifying under
1180 this section is greater than or is increased to an amount greater than the amount of the
1181 applicable exemption granted by this section, such other exemption shall apply and shall be
1182 in lieu of and not in addition to the exemption granted by this section.

1183 (f) The exemptions granted by this section shall apply to all tax years beginning on or after
 1184 January 1, 2020.

1185 **ARTICLE VI**

1186 **GENERAL PROVISIONS.**

1187 **SECTION 6.01.**

1188 **DeKalb County Special Services Tax District.**

1189 For the taxable years beginning on or after January 1, 2020, the adjusted ad valorem tax
 1190 millage rate and amount for service charges or fees for district services for the Vista Grove
 1191 special services tax district shall be zero percent. This section is enacted pursuant to the
 1192 authority granted to the General Assembly under Section 1 of that local constitutional
 1193 amendment providing that certain municipalities in DeKalb County shall constitute special
 1194 services tax districts, Resolution Act. No. 168; House Resolution No. 715-1916 (Ga. L. 1978,
 1195 p. 2468), to control the subject matter of such local constitutional amendment. Municipal
 1196 services provided by DeKalb County for the City of Vista Grove will be established through
 1197 intergovernmental agreements or established as otherwise authorized by statute.

1198 **SECTION 6.02.**

1199 **Referendum and initial election.**

1200 (a) The election superintendent of DeKalb County shall call a special election for the
 1201 purpose of submitting this charter to the qualified voters of the proposed City of Vista Grove
 1202 for approval or rejection. The superintendent shall set the date of such election for the
 1203 Tuesday next following the first Monday in November in 2019. The superintendent shall
 1204 issue the call for such election at least 30 days prior to the date thereof. The superintendent
 1205 shall cause the date and purpose of the election to be published once a week for two weeks
 1206 immediately preceding the date thereof in the official organ of DeKalb County. The ballot
 1207 shall have written or printed thereon the words:

1208 "() YES Shall the charter incorporating the City of Vista Grove in DeKalb County
 1209 () NO and the homestead exemptions described in the charter be approved?"

1210 All persons desiring to vote for approval of the charter shall vote "Yes," and those persons
 1211 desiring to vote for rejection of the charter shall vote "No." If more than one-half of the
 1212 votes cast on such question are for approval of the charter, it shall become of full force and
 1213 effect as provided in this charter, otherwise it shall be void and of no force and effect. The
 1214 initial expense of such election shall be borne by DeKalb County. Within two years after the
 1215 elections if the incorporation is approved, the City of Vista Grove shall reimburse DeKalb

1216 County for the actual cost of printing and personnel services for such election and for the
 1217 initial election of the mayor and councilmembers pursuant to Section 2.02 of this charter.
 1218 It shall be the duty of the superintendent to hold and conduct such election. It shall be his
 1219 or her further duty to certify the result thereof to the Secretary of State.

1220 (b) For the purposes of the referendum election provided for in subsection (a) of this section
 1221 and for the purposes of the special election of the City of Vista Grove to be held on the date
 1222 of and in conjunction with the 2020 presidential preference primary, the qualified electors
 1223 of the City of Vista Grove shall be those qualified electors of DeKalb County residing within
 1224 the corporate limits of the City of Vista Grove as described by Appendix A of this charter.
 1225 At subsequent municipal elections, the qualified electors of the City of Vista Grove shall be
 1226 determined pursuant to the authority of Chapter 2 of Title 21 of the O.C.G.A., the "Georgia
 1227 Election Code."

1228 (c) Only for the purposes of holding and conducting the referendum election provided for
 1229 by subsection (a) of this section and holding and conducting the special election of the City
 1230 of Vista Grove to be held on the date of and in conjunction with the 2020 presidential
 1231 preference primary, the election superintendent of DeKalb County is vested with the powers
 1232 and duties of the election superintendent of the City of Vista Grove and the powers and
 1233 duties of the governing authority of the City of Vista Grove.

1234 **SECTION 6.03.**

1235 Effective dates and transition.

1236 (a) The initial mayor and councilmembers shall take the oath of office the next business day
 1237 after certification of the election of such officers, and by action of any three members of the
 1238 governing authority may, prior to July 1, 2020, meet and take actions binding on the city.

1239 (b) A period of time will be needed for an orderly transition of various government functions
 1240 from DeKalb County to the City of Vista Grove. Accordingly there shall be a two-year
 1241 transition period as allowed by law beginning at 12:01 A.M. on July 1, 2020.

1242 (c) During such transition period, DeKalb County shall continue to provide within the
 1243 territorial limits of the city all government services and functions which DeKalb County
 1244 provided prior to such date in 2020 and at the same actual direct cost and level of service,
 1245 except to the extent otherwise provided in this section; provided, however, that upon at least
 1246 30 days' prior written notice to the governing authority of DeKalb County by the governing
 1247 authority of City of Vista Grove, responsibility for any such service or function shall be
 1248 transferred to the City of Vista Grove. The governing authority of the City of Vista Grove
 1249 shall determine the date of commencement of collection of taxes, fees, assessments, fines,

1250 and forfeitures, and other moneys within the territorial limits of the city and the date upon
1251 which the City of Vista Grove is considered removed from the special tax district.

1252 (d) During the transition period, the governing authority of the City of Vista Grove may
1253 generally exercise any power granted by this charter or general law, except to the extent that
1254 a power is specifically and integrally related to the provision of a governmental service,
1255 function, or responsibility not yet provided or carried out by the city.

1256 (e) During the transition period, all ordinances of DeKalb County shall remain applicable
1257 within the territorial limits of the city unless otherwise amended, repealed, or replaced by the
1258 City of Vista Grove. Any transfer of jurisdiction to the City of Vista Grove during or at the
1259 end of the transition period shall not in and of itself abate any judicial proceeding pending
1260 in DeKalb County or the pending prosecution of any violation of any ordinance of DeKalb
1261 County.

1262 (f) During the transition period, the governing authority of the City of Vista Grove may at
1263 any time, without the necessity of any agreement by DeKalb County, commence to exercise
1264 its planning and zoning powers; provided, however, that the city shall give the county notice
1265 of the date on which the city will assume the exercise of such powers. Upon the governing
1266 authority of the City of Vista Grove commencing to exercise its planning and zoning powers,
1267 the Municipal Court of the City of Vista Grove shall immediately have jurisdiction to enforce
1268 the planning and zoning ordinances of the city. The provisions of this subsection shall
1269 control over any conflicting provisions of any other subsection of this section.

1270 (g) Effective upon the termination of the transition period, subsections (b) through (f) of this
1271 section shall cease to apply except for the last sentence of subsection (e) which shall remain
1272 effective. Effective upon the termination of the transition period, the City of Vista Grove
1273 shall be a full functioning municipal corporation and subject to all general laws of this state.

1274 **SECTION 6.04.**

1275 Directory nature of dates.

1276 It is the intention of the General Assembly that this charter be construed as directory rather
1277 than mandatory with respect to any date prescribed in this charter. If it is necessary to delay
1278 any action called for in this charter for providential cause or any other reason, it is the
1279 intention of the General Assembly that the action be delayed rather than abandoned. Any
1280 delay in performing any action under this charter, whether for cause or otherwise, shall not
1281 operate to frustrate the overall intent of this charter. Without limiting the generality of the
1282 foregoing it is specifically provided that if it is not possible to hold the referendum election
1283 provided for in Section 6.02 of this charter on the date specified in that section, then such
1284 referendum shall be held as soon thereafter as is reasonably practicable. If the referendum

1285 election provided for in Section 6.02 of this charter is conducted on or before the Tuesday
 1286 next following the first Monday in November, 2019, the special election for the initial
 1287 members of the governing authority shall be conducted on the date specified in Section 2.02
 1288 of this charter. If the referendum election provided for under Section 6.02 of this charter is
 1289 conducted after the Tuesday next following the first Monday in November, 2019, then the
 1290 special election for the initial members of the governing authority shall be held as soon
 1291 thereafter as is reasonably practicable, and the commencement of the initial terms of office
 1292 shall be delayed accordingly. If the first election provided for in Section 2.02 of this charter
 1293 occurs after the 2020 presidential preference primary, the city council shall be authorized to
 1294 delay the dates otherwise specified in Section 6.03 of this charter.

1295 **SECTION 6.05.**

1296 Governor's Commission.

1297 After the approval of this charter in the referendum as provided in Section 6.02, the
 1298 Governor's Commission on Vista Grove shall be appointed pursuant to subsection (g) of
 1299 Code Section 36-31-8 of the O.C.G.A. All five interim representatives on such commission
 1300 shall be residents of the area encompassed by the City of Vista Grove and shall meet any
 1301 qualifications contained in subsection (g) of Code Section 36-31-8 of the O.C.G.A. The five
 1302 interim representatives shall reside in different council districts. The Governor shall appoint
 1303 one of the interim representatives as the chairperson who shall preside at meetings of the
 1304 commission. All meetings of the commission shall be subject to Chapter 14 of Title 50 of
 1305 the O.C.G.A. regarding open and public meetings, as it now exists or is subsequently
 1306 amended. After the qualifying period ends for the initial members of the governing
 1307 authority, but prior to the election for such initial members, the commission shall conduct a
 1308 training seminar for all of the qualified candidates for mayor and city council on the duties,
 1309 responsibilities, obligations, and laws regarding service on a municipal governing authority.
 1310 For the presentation of such seminar, the commission is authorized to enlist the assistance
 1311 of the Georgia Municipal Association, the Carl Vinson Institute of Government of the
 1312 University of Georgia, and similar organizations. The commission shall, in addition to
 1313 conducting such seminar and performing its other duties prescribed in subsection (g) of Code
 1314 Section 36-31-8 of the O.C.G.A., prepare and present a written report to the new mayor and
 1315 city council on the following matters:

- 1316 (1) Backgrounds and qualifications of possible candidates for the positions of city
 1317 manager, city attorney, city clerk, and city accountant;
 1318 (2) A proposed plan for cost effectively privatizing the delivery of as many city services
 1319 as practicable based upon the best practices of other municipalities; and

1320 (3) Possible locations and pricing for leased city office facilities.
1321 Such report shall be made public via the Internet on the day immediately following the
1322 general election date of the mayor and city council and shall be delivered to the newly
1323 elected mayor and city council. The commission shall stand dissolved when the members
1324 of the first city council take office.

1325 **SECTION 6.06.**

1326 Severability.

1327 In the event any section, subsection, sentence, clause, or phrase of this charter shall be
1328 declared or adjudged invalid or unconstitutional, such adjudication shall in no manner affect
1329 the other sections, subsections, sentences, clauses, or phrases of this charter, which shall
1330 remain of full force and effect, as if the section, subsection, sentence, clause, or phrase so
1331 declared or adjudged invalid or unconstitutional were not originally a part hereof. The
1332 General Assembly hereby declares that it would have passed the remaining parts of this
1333 charter if it had known that such part or parts hereof would be declared or adjudged invalid
1334 or unconstitutional.

1335 **SECTION 6.07.**

1336 Effective date.

1337 Except as provided in Section 6.02 of this charter, this charter shall become effective upon
1338 its approval by the Governor or upon its becoming law without such approval. The
1339 boundaries of the proposed City of Vista Grove shall become effective upon the effective
1340 date of this charter for the purposes of annexation of territory by other municipalities and no
1341 portion of the territory within the proposed City of Vista Grove shall be subject to annexation
1342 as of the effective date of this charter. If the referendum provided for in Section 6.02 fails,
1343 then such boundaries shall cease to exist and shall be subject to annexation by other
1344 municipalities.

1345 **SECTION 6.08.**

1346 Repealer.

1347 All laws and parts of laws in conflict with this Act are repealed.

1348 APPENDIX A
 1349 LEGAL DESCRIPTION
 1350 CORPORATE LIMITS
 1351 CITY OF VISTA GROVE, DEKALB COUNTY, GEORGIA

1352 Plan: vistagrove-p1-corp-2018

1353 Plan Type: Local

1354 Administrator:

1355 User: bak

1356 District VISTAGROVE

1357 DeKalb County

1358 VTD: 089BC - BRIAR VISTA ELEMENTARY

1359 021504:

1360 1000 1001 1002 1003 1004 1005 1006 1007

1361 VTD: 089BD - BRIARLAKE ELEMENTARY

1362 VTD: 089BG - BRIARCLIFF

1363 VTD: 089CJ - CLAIRMONT HILLS

1364 021602:

1365 2026 2028

1366 VTD: 089CW - CORALWOOD

1367 021602:

1368 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011

1369 2012 2013 2014 2015 2016 2017 2018 2019 2020 2022 2023 2024

1370 2025 2027 2029

1371 021704:

1372 3010 3011 3017 3018 3019 3020

1373 VTD: 089EC - EMBRY HILLS

1374 021808:

1375 2000 2001 2002 2003 2004 2006 2007 2008 2009 2010 2011 2012

1376 2013 2014 2027

1377 021809:

1378 3000 3001 3002 3003 3004 3005 3006 3007

1379 021812:

1380 2012 2013 2014 2015 2016 2017 2018 2019

1381 VTD: 089EF - EVANSDALE ELEM

1382 021705:

1383 1000 1001 1002 1003 2003 2004 2005 2024 2025 2026
 1384 021808:
 1385 1000 1001 1002 1003 1004 1005 1006 1007 1008 1011 1012 1013
 1386 1016 1017 1018 1019 1021 1022 1023 1028 1029 2005 2015 2016
 1387 2017 2018 2019 2020 2021 2022 2023 2025 2026 2028
 1388 VTD: 089HB - HAWTHORNE ELEM
 1389 021705:
 1390 3006 3010
 1391 021706:
 1392 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 2000
 1393 2001 2002 2003 2008 2009 2010 2011 2012 2013 2014 2015 2016
 1394 4008 4009
 1395 VTD: 089HC - HENDERSON MILL
 1396 VTD: 089HD - HERITAGE ED
 1397 021605:
 1398 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011
 1399 1012 1013 1014 1017 1018 3003 3004 3005
 1400 VTD: 089LA - LAKESIDE HIGH
 1401 VTD: 089LB - LAVISTA ROAD
 1402 021504:
 1403 2000 2001 2002 2008 3000
 1404 021602:
 1405 2021
 1406 021603:
 1407 1008 1010 1011 1012 1014
 1408 021604:
 1409 2021 2023 2024
 1410 VTD: 089LC - LAVISTA
 1411 021503:
 1412 1000 1001 1002 1003 1004 1005 3000 3001 3002 3003
 1413 VTD: 089MH - MIDVALE ELEM
 1414 021809:
 1415 5006 5007 5008
 1416 VTD: 089MJ - MONTCLAIR ELEM
 1417 021603:
 1418 2002 2003 2004
 1419 VTD: 089MP - MARGARET HARRIS

1420 021603:
 1421 2005 2012 2017 2021 3000 3001 3002 3003 3004 3005 3006 3007
 1422 VTD: 089MW - MIDVALE ROAD
 1423 021808:
 1424 1009 1010 1014 1015 1020 1024 1025 1026 1027
 1425 021809:
 1426 5021
 1427 021810:
 1428 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010
 1429 VTD: 089ND - NORTHLAKE
 1430 VTD: 089OA - OAK GROVE ELEM
 1431 021604:
 1432 1000 1001 1002 1003 1004 1005 1012
 1433 021605:
 1434 1015 1016 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009
 1435 2010 2011 2012 2013 2014 2015 2016 2017 3007 3012 3013 3015
 1436 021703:
 1437 2024
 1438 VTD: 089PF - PLEASANTDALE ELEM
 1439 021812:
 1440 1000 1001 1002 2002 2004 2005 2006 2007 2008 2009 2010 2011
 1441 021813:
 1442 1012
 1443 021814:
 1444 2001 2002 2003 2004 2005 2006 2007 2008
 1445 VTD: 089PK - PLEASANTDALE ROAD
 1446 021813:
 1447 1002 1003 1004 1005 1006 1011 1013 1014 1015 1016 1017 1018
 1448 1019
 1449 021814:
 1450 1000 1001 1002 1003 1004 1005 1006 1008 1009 2000 2009 3000
 1451 3001 3002 3003 3004 3005 3006 3007 3008 3009 3010 4000 4001
 1452 4002 4003 4004 4005 4006 4007 4008 4009 4010 4011 4012 4013
 1453 VTD: 089RD - REHOBOTH
 1454 021704:
 1455 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023
 1456 VTD: 089SA - SAGAMORE HILLS

1457 VTD: 089WI - WARREN TECH
 1458 021705:
 1459 1004 1005 1006 1007 1008 1009 1010 1011 1012 1013 1014 1015
 1460 2015 2018 2019 2030 2031 2032 2033 2034
 1461 021808:
 1462 2024

1463 For the purposes of this description, the term "VTD" shall mean and describe the same
 1464 geographical boundaries as provided in the report of the Bureau of the Census for the United
 1465 States decennial census of 2010 for the State of Georgia. The separate numeric designations
 1466 in the description which are underneath a VTD heading shall mean and describe individual
 1467 blocks within a VTD as provided in the report of the Bureau of the Census for the United
 1468 States decennial census of 2010 for the State of Georgia. All right-of-way and boundary
 1469 descriptions shall be as of the date of the passage of this legislation.

1470 APPENDIX B
 1471 LEGAL DESCRIPTION
 1472 CITY COUNCIL DISTRICTS
 1473 CITY OF VISTA GROVE, DEKALB COUNTY, GEORGIA

1474 Plan: vistagrove-p1-dist-2018
 1475 Plan Type: Local
 1476 Administrator:
 1477 User: bak
 1478
 1479 District 001
 1480 DeKalb County
 1481 VTD: 089EC - EMBRY HILLS
 1482 021812:
 1483 2012 2013 2014 2015 2016 2017 2018 2019
 1484 VTD: 089PF - PLEASANTDALE ELEM
 1485 021812:
 1486 1000 1001 2002 2004 2005 2006 2007 2008 2009 2010 2011
 1487 021813:
 1488 1012
 1489 021814:
 1490 2001 2002 2003 2004 2005 2006 2007 2008

1491 VTD: 089PK - PLEASANTDALE ROAD
 1492 021813:
 1493 1002 1003 1004 1005 1006 1011 1013 1014 1015 1016 1017 1018
 1494 1019
 1495 021814:
 1496 1000 1001 1002 1003 1004 1005 1006 1008 1009 2000 2009 3000
 1497 3001 3002 3003 3004 3005 3006 3007 3008 3009 3010 4000 4001
 1498 4002 4003 4004 4005 4006 4007 4008 4009 4010 4011 4012 4013

 1499 District 002
 1500 DeKalb County
 1501 VTD: 089EC - EMBRY HILLS
 1502 021808:
 1503 2000 2001 2002 2003 2004 2006 2007 2008 2009 2010 2011 2012
 1504 2013 2014 2027
 1505 021809:
 1506 3000 3001 3002 3003 3004 3005 3006 3007
 1507 VTD: 089EF - EVANSDALE ELEM
 1508 021705:
 1509 1000 1001 1002 1003 2003 2004 2005 2024 2025 2026
 1510 021808:
 1511 1000 1001 1002 1003 1004 1005 1006 1007 1008 1011 1012 1013
 1512 1016 1017 1018 1019 1021 1022 1023 1028 1029 2005 2015 2016
 1513 2017 2018 2019 2020 2021 2022 2023 2025 2026 2028
 1514 VTD: 089MH - MIDVALE ELEM
 1515 021809:
 1516 5006 5007 5008
 1517 VTD: 089MW - MIDVALE ROAD
 1518 021808:
 1519 1009 1010 1015 1020 1024 1025 1026 1027
 1520 VTD: 089PF - PLEASANTDALE ELEM
 1521 021812:
 1522 1002
 1523 VTD: 089WI - WARREN TECH
 1524 021705:
 1525 1004 1005 1006 1007 1008 1009 1010 1011 1012 1013 1014 1015
 1526 2015 2018 2019 2030 2031 2032 2033 2034

1527 021808:
 1528 2024

 1529 District 003
 1530 DeKalb County
 1531 VTD: 089BD - BRIARLAKE ELEMENTARY
 1532 021703:
 1533 1000 1002 1003 1014 1026 1027 1028 1029 1030 1031 1032 1033
 1534 1034 1035 1036
 1535 VTD: 089HB - HAWTHORNE ELEM
 1536 021705:
 1537 3006 3010
 1538 021706:
 1539 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 2000
 1540 2001 2002 2003 2008 2009 2010 2011 2012 2013 2014 2015 2016
 1541 4008 4009
 1542 VTD: 089HC - HENDERSON MILL
 1543 VTD: 089MW - MIDVALE ROAD
 1544 021808:
 1545 1014
 1546 021809:
 1547 5021
 1548 021810:
 1549 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010

 1550 District 004
 1551 DeKalb County
 1552 VTD: 089BD - BRIARLAKE ELEMENTARY
 1553 021703:
 1554 1001 1008 1009 1010 1011 1012 1013 1023 1024 1025 1037 1038
 1555 1039 1040 2009 2010 2011 2012 2023 2028 2029 2030 2031 2032
 1556 VTD: 089HD - HERITAGE ED
 1557 021605:
 1558 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011
 1559 1012 1013 1014 1017 1018 3003 3004 3005
 1560 VTD: 089LA - LAKESIDE HIGH
 1561 VTD: 089ND - NORTHLAKE

1562 VTD: 089RD - REHOBOTH
 1563 021704:
 1564 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023
 1565 VTD: 089SA - SAGAMORE HILLS
 1566 021704:
 1567 3001 3002 3003 3004 3007 3009

 1568 District 005
 1569 DeKalb County
 1570 VTD: 089CJ - CLAIRMONT HILLS
 1571 021602:
 1572 2026 2028
 1573 VTD: 089CW - CORALWOOD
 1574 021602:
 1575 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011
 1576 2012 2013 2014 2015 2016 2017 2018 2019 2020 2022 2023 2024
 1577 2025 2027 2029
 1578 021704:
 1579 3010 3011 3017 3018 3019 3020
 1580 VTD: 089LB - LAVISTA ROAD
 1581 021602:
 1582 2021
 1583 021604:
 1584 2021 2023 2024
 1585 VTD: 089MJ - MONTCLAIR ELEM
 1586 021603:
 1587 2002 2003 2004
 1588 VTD: 089OA - OAK GROVE ELEM
 1589 021604:
 1590 1000 1001 1002 1003 1004 1005 1012
 1591 021605:
 1592 1015 1016 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009
 1593 2010 2011 2012 2013 2014 2015 2016 2017 3007 3012 3013 3015
 1594 021703:
 1595 2024
 1596 VTD: 089SA - SAGAMORE HILLS
 1597 021604:

1598 1006 1007 1008 1009 1010 1011 1013 1014 1015 1016 1017 1018
 1599 1019 1020 1021 2000 2001 2002 2003 2004 2005 2006 2007 2008
 1600 2009 2010 2011 2012 2013 2014 2015 2016 2017 2018 2019 2020
 1601 2022
 1602 021704:
 1603 3005 3006 3008

1604 District 006
 1605 DeKalb County
 1606 VTD: 089BC - BRIAR VISTA ELEMENTARY
 1607 021504:
 1608 1000 1001 1002 1003 1004 1005 1006 1007
 1609 VTD: 089BG - BRIARCLIFF
 1610 VTD: 089LB - LAVISTA ROAD
 1611 021504:
 1612 2000 2001 2002 2008 3000
 1613 021603:
 1614 1008 1010 1011 1012 1014
 1615 VTD: 089LC - LAVISTA
 1616 021503:
 1617 1000 1001 1002 1003 1004 1005 3000 3001 3002 3003
 1618 VTD: 089MP - MARGARET HARRIS
 1619 021603:
 1620 2005 2012 2017 2021 3000 3001 3002 3003 3004 3005 3006 3007

1621 As used in this appendix, the term "VTD" (voting tabulation district) shall mean and describe
 1622 the same geographical boundaries as provided in the report of the Bureau of the Census for
 1623 the United States decennial census of 2010 for the State of Georgia. The separate numeric
 1624 designations in a district description which are underneath a VTD heading shall mean and
 1625 describe individual blocks within a VTD as provided in the report of the Bureau of the
 1626 Census for the United States decennial census of 2010 for the State of Georgia. Any part of
 1627 the city which is not included in a district as described in this appendix shall be included
 1628 within that district contiguous to such part which contains the least population according to
 1629 the United States decennial census of 2010 for the State of Georgia. Any part of the city
 1630 which is described in this appendix as being in a district shall nevertheless not be included
 1631 within such district if such part is not contiguous to such district. Such noncontiguous part
 1632 shall instead be included within the post that is contiguous to such part which contains the

1633 least population according to the United States decennial census of 2010 for the State of
 1634 Georgia. Except as otherwise provided in the description of any district, whenever the
 1635 description of such district refers to a named city, it shall mean the geographical boundaries
 1636 of that city as shown on the census map for the United States decennial census of 2010 for
 1637 the State of Georgia.

1638 APPENDIX C
 1639 CERTIFICATE AS TO MINIMUM STANDARDS
 1640 FOR INCORPORATION OF A NEW MUNICIPAL CORPORATION

1641 I, Tom Taylor, Representative from the 79th District, and the author of this bill introduced
 1642 at the 2018 session of the General Assembly of Georgia, which grants an original municipal
 1643 charter to the City of Vista Grove, do hereby certify that this bill is in compliance with the
 1644 minimum standards required by Chapter 31 of Title 36 of the O.C.G.A. in that the area
 1645 embraced within the original incorporation in this bill is in all respects in compliance with
 1646 the minimum standards required by Chapter 31 of Title 36 of the O.C.G.A. This certificate
 1647 is executed to conform to the requirements of Code Section 36-31-5 of the O.C.G.A.

1648 So certified this _____ day of _____, 2018.

1649 _____
 1650 Honorable Tom Taylor
 1651 Representative, District 79
 1652 Georgia House of Representatives