

House Bill 841 (AS PASSED HOUSE AND SENATE)

By: Representatives Dollar of the 45<sup>th</sup>, Cooper of the 43<sup>rd</sup>, and Setzler of the 35<sup>th</sup>

A BILL TO BE ENTITLED

AN ACT

1 To incorporate the City of East Cobb; to provide a charter; to provide for boundaries and  
2 powers of the city; to provide for a governing authority of such city and the powers, duties,  
3 authority, election, terms, vacancies, compensation, expenses, qualifications, prohibitions,  
4 conflicts of interest, and suspension and removal from office relative to members of such  
5 governing authority; to provide for inquiries and investigations; to provide for oaths,  
6 organization, meetings, quorum, voting, rules, and procedures; to provide for ordinances and  
7 codes; to provide additional notice and hearing requirements; to provide for a mayor and  
8 mayor pro tempore and certain duties, powers, and other matters relative thereto; to provide  
9 for the office of city manager, appointment, removal, powers, and duties thereof; to prohibit  
10 council interference with administration; to provide for administrative affairs and  
11 responsibilities; to provide for boards, commissions, and authorities; to provide for a city  
12 attorney, a city clerk, and other personnel and matters relating thereto; to provide for rules  
13 and regulations; to provide for a municipal court and the judge or judges thereof and other  
14 matters relative to those judges; to provide for the court's jurisdiction, powers, practices, and  
15 procedures; to provide for the right of certiorari; to provide for elections; to provide for  
16 taxation, licenses, and fees; to provide for franchises, service charges, and assessments; to  
17 provide for bonded and other indebtedness; to provide for auditing, accounting, budgeting,  
18 and appropriations; to provide for city contracts and purchasing; to provide for the

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19 conveyance of property and interests therein; to provide for bonds for officials; to provide  
20 for prior ordinances and rules, pending matters, and existing personnel; to provide for  
21 penalties; to provide for definitions and construction; to provide for other matters relative to  
22 the foregoing; to provide for a referendum; to provide effective dates and transitional  
23 provisions governing the transfer of various functions and responsibilities from Cobb County  
24 to the City of East Cobb; to provide for severability; to provide for effective dates; to repeal  
25 conflicting laws; and for other purposes.

26 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

27 ARTICLE I.  
28 INCORPORATION AND POWERS

29 SECTION 1.10.

30 Name.

31 This Act shall constitute the charter of the City of East Cobb. The city and the inhabitants  
32 thereof are constituted and declared a body politic and corporate under the name and style  
33 "City of East Cobb, Georgia," and by that name shall have perpetual succession.

34 SECTION 1.11.

35 Corporate boundaries.

36 (a) The boundaries of this city shall be those set forth and described in Appendix A of this  
37 charter, less and except all property owned by the United States government as part of the  
38 Chattahoochee River National Recreation Area in VTD Sope Creek 03 Block 030354  
39 blocks 3006 and 3007 on the effective date of this charter, and said Appendix A is

40 incorporated into and made a part of this charter. The boundaries of this city at all times  
41 shall be shown on a map, a written description, or any combination thereof, to be retained  
42 permanently in the office of the city clerk and to be designated, as the case may be:  
43 "Official Map (or Description) of the corporate limits of the City of East Cobb, Georgia."  
44 Photographic, typed, or other copies of such map or description certified by the city clerk  
45 shall be admitted as evidence in all courts and shall have the same force and effect as with  
46 the original map or description.

47 (b) The city council may provide for the redrawing of any such map by ordinance to reflect  
48 lawful changes in the corporate boundaries. A redrawn map shall supersede for all  
49 purposes the entire map or maps which it is designated to replace.

50 SECTION 1.12.

51 Powers and construction.

52 (a) Except as provided in subsection (b) of this section, this city shall have the following  
53 powers:

54 (1) Animal regulations. To regulate and license or to prohibit the keeping or running at  
55 large of animals and fowl and to provide for the impoundment of same if in violation of  
56 any ordinance or lawful order; to provide for the disposition by sale, gift, or humane  
57 destruction of animals and fowl when not redeemed as provided by ordinance; and to  
58 provide punishment for violation of ordinances enacted under this charter;

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

- 63 (3) Building regulation. To regulate and to license the erection and construction of  
64 buildings and all other structures; to adopt building, housing, plumbing, electrical, gas,  
65 and heating and air-conditioning codes; and to regulate all housing and building trades;
- 66 (4) Contracts. To enter into contracts and agreements with other governmental entities  
67 and with private persons, firms, and corporations;
- 68 (5) Emergencies. To establish procedures for determining and proclaiming that an  
69 emergency situation exists within or outside the city and to make and carry out all  
70 reasonable provisions deemed necessary to deal with or meet such an emergency for the  
71 protection, safety, health, or well-being of the citizens of the city;
- 72 (6) Environmental protection. To protect and preserve the natural resources,  
73 environment, and vital areas of the state through the preservation and improvement of air  
74 quality, the restoration and maintenance of water resources, the control of erosion and  
75 sedimentation, the management of solid and hazardous waste, and other necessary actions  
76 for the protection of the environment;
- 77 (7) Fire regulations. To fix and establish fire limits and from time to time to extend,  
78 enlarge, or restrict the same; to prescribe fire safety regulations not inconsistent with  
79 general law, relating to both fire prevention and detection and to fire fighting; and to  
80 prescribe penalties and punishment for violations thereof;
- 81 (8) General health, safety, and welfare. To define, regulate, and prohibit any act,  
82 practice, conduct, or use of property which is detrimental to health, sanitation,  
83 cleanliness, welfare, and safety of the inhabitants of the city and to provide for the  
84 enforcement of such standards;
- 85 (9) Gifts. To accept or refuse gifts, donations, bequests, or grants from any source for  
86 any purpose related to powers and duties of the city and the general welfare of its  
87 citizens, on such terms and conditions as the donor or grantor may impose;
- 88 (10) Health and sanitation. To prescribe standards of health and sanitation and to  
89 provide for the enforcement of such standards;

- 90 (11) Jail sentences. To provide that persons given jail sentences in the municipal court  
91 may work out such sentences in any public works or on the streets, roads, drains, and  
92 other public property in the city; to provide for commitment of such persons to any jail;  
93 or to provide for commitment of such persons to any county work camp or county jail by  
94 agreement with the appropriate county officials;
- 95 (12) Municipal agencies and delegation of power. To create, alter, or abolish  
96 departments, boards, offices, commissions, and agencies of the city and to confer upon  
97 such agencies the necessary and appropriate authority for carrying out all the powers  
98 conferred upon or delegated to the same;
- 99 (13) Municipal debts. To appropriate and borrow money for the payment of debts of the  
100 city and to issue bonds for the purpose of raising revenue to carry out any project,  
101 program, or venture authorized by this charter or the laws of the State of Georgia;
- 102 (14) Municipal property ownership. To acquire, dispose of, lease, and hold in trust or  
103 otherwise any real, personal, or mixed property, in fee simple or lesser interest, inside or  
104 outside the property limits of the city;
- 105 (15) Municipal property protection. To provide for the preservation and protection of  
106 property and equipment of the city and the administration and use of same by the public;  
107 and to prescribe penalties and punishment for violations thereof;
- 108 (16) Nuisance. To define a nuisance and provide for its abatement whether on public or  
109 private property;
- 110 (17) Penalties. To provide penalties for violation of any ordinances adopted pursuant to  
111 the authority of this charter and the laws of the State of Georgia;
- 112 (18) Planning and zoning. To provide comprehensive city planning for development by  
113 zoning; and to provide subdivision regulation and the like as the city council deems  
114 necessary and reasonable to ensure a safe, healthy, and esthetically pleasing community;

115 (19) Public hazards; removal. To provide for the destruction and removal of any  
116 building or other structure which is or may become dangerous or detrimental to the  
117 public;

118 (20) Public improvements. To provide for the acquisition, construction, building,  
119 operation, and maintenance of parks and playgrounds, public grounds, recreational  
120 facilities, public buildings, and charitable, cultural, educational, recreational,  
121 conservation, and sport institutions, agencies, and facilities; and to regulate the use of  
122 public improvements;

123 (21) Public utilities and services. To grant franchises or make contracts for or impose  
124 taxes on public utilities and public service companies and to prescribe the rates, fares,  
125 regulations, and standards and conditions of service applicable to the service to be  
126 provided by the franchise grantee or contractor, insofar as not in conflict with valid  
127 regulations of the Georgia Public Service Commission;

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

133 (23) Retirement. To provide and maintain a retirement plan for officers and employees  
134 of the city;

135 (24) Roadways. To grant franchises and rights of way throughout the streets and roads  
136 and over the bridges and viaducts for the use of public utilities; and to require real estate  
137 owners to repair and maintain in a safe condition the sidewalks adjoining their lots or  
138 lands and to impose penalties for failure to do so;

139 (25) Special areas of public regulation. To regulate or prohibit junk dealers, pawn shops,  
140 the manufacture, sale, or transportation of any intoxicating liquors, alcoholic beverages,  
141 and the use of firearms; to regulate the transportation, storage, and use of combustible,

142 explosive, and inflammable materials, the use of lighting and heating equipment, and any  
143 other business or situation which may be dangerous to persons or property; to regulate  
144 and control the conduct of peddlers and itinerant traders, theatrical performances,  
145 exhibitions, and shows of any kind, by taxation or otherwise; and to license, tax, regulate,  
146 or prohibit professional fortunetelling, palmistry, adult bookstores, and massage parlors;

147 (26) Special assessments. To levy and provide for the collection of special assessments  
148 to cover the costs for any public improvements;

149 (27) Taxes: ad valorem. To levy and provide for the assessment, valuation, revaluation,  
150 and collection of taxes on all property subject to taxation subject to a maximum of 1 mill;

151 (28) Taxes: other. To levy and collect such other taxes as may be allowed now or in the  
152 future by law; and

153 (29) Taxicabs. To regulate and license vehicles operated for hire in the city; to limit the  
154 number of such vehicles; to require the operators thereof to be licensed; to require public  
155 liability insurance on such vehicles in the amounts to be prescribed by ordinance; and to  
156 regulate the parking of such vehicles.

157 (b) Except as provided in subsection (c) of this section, the city shall exercise the powers  
158 enumerated in subsection (a) of this section only for the purposes of planning and zoning,  
159 code adoption and enforcement, parks and recreation, police and law enforcement services,  
160 fire and emergency services, and those items directly related to the provision of such  
161 services and for the general administration of the city in providing such services.

162 (c) In the event that the city desires to provide services in addition to those services  
163 enumerated in subsection (b) of this section, the city council shall pass a resolution  
164 specifically stating the services sought to be offered by the city and shall submit the  
165 approval of such resolution for ratification by the electors of the city in a referendum. If  
166 the electors of the city vote in favor of ratifying such resolution, then the city shall be  
167 authorized to exercise the powers enumerated in subsection (a) of this section for the  
168 purpose of providing such services stated in such resolution and those items directly related

169 to the provision of such services and for the general administration of the city in providing  
170 such services. If the electors of the city disapprove such resolution, it shall immediately  
171 be null and void and of no force and effect.

172 SECTION 1.13.  
173 Exercise of powers.

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

178 ARTICLE II.  
179 GOVERNMENT STRUCTURE

180 SECTION 2.10.  
181 City council creation; number; election.

182 (a) The governing authority of the city, except as otherwise specifically provided in this  
183 charter, shall be vested in a city council to be composed of a mayor and six  
184 councilmembers. The mayor and councilmembers shall be elected in the manner provided  
185 by this charter.

186 (b)(1) The mayor shall be limited to serving three full, consecutive four-year terms of  
187 office.

188 (2) Councilmembers shall be limited to serving three full, consecutive terms of office.



189 (3) Persons who serve terms of less than four years as a result of being elected to an  
190 initial term of office under Article VIII of this charter or who fill an unexpired term shall  
191 not be considered to have served a full term of office for the purposes of this subsection.

192 SECTION 2.11.

193 City councilmembers;  
194 terms and qualifications for office.

195 (a) Except as otherwise provided in Article VIII of this charter for the initial terms of  
196 office, the members of the city council shall serve for terms of four years and until their  
197 respective successors are elected and qualified. The term of office of each member of the  
198 city council shall begin on the first day of January immediately following the election of  
199 such member unless general law authorizes or requires the term to begin at the first  
200 organizational meeting in January or upon some other date. No person shall be eligible to  
201 serve as councilmember unless that person shall have been a resident of the city, and the  
202 district from which he or she is elected, for 12 months prior to the date of the election of  
203 members of the city council; each shall continue to reside therein during that person's  
204 period of service and to be registered and qualified to vote in municipal elections of this  
205 city.

206 (b) The city council seats shall be designated Post 1, Post 2, Post 3, Post 4, Post 5, and  
207 Post 6. Candidates shall designate the post for which they are offering for election when  
208 qualifying for election.

209 (c) For the purposes of electing members of the city council, the city is divided into three  
210 districts. Each district shall be represented by two posts. One member of the board shall  
211 be elected to each post by a majority of electors of the city voting at large. Post 1 and  
212 Post 2 shall represent District 1. Post 3 and Post 4 shall represent District 2. Post 5 and  
213 Post 6 shall represent District 3. The three numbered districts are described in Appendix B

214 attached to and made a part of this Act and further identified as 'User: H045 Plan Name:  
215 EastCobb-dist-2022 Plan Type: Local'.

216 (d)(1) For the purposes of such plan:

217 (A) The term 'VTD' shall mean and describe the same geographical boundaries as  
218 provided in the report of the Bureau of the Census for the United States decennial  
219 census of 2020 for the State of Georgia. The separate numeric designations in a district  
220 description which are underneath a VTD heading shall mean and describe individual  
221 Blocks within a VTD as provided in the report of the Bureau of the Census for the  
222 United States decennial census of 2020 for the State of Georgia; and

223 (B) Except as otherwise provided in the description of any district, whenever the  
224 description of any district refers to a named city, it shall mean the geographical  
225 boundaries of that city as shown on the census maps for the United States decennial  
226 census of 2020 for the State of Georgia.

227 (2) Any part of the City of East Cobb as described in Appendix B which is not included  
228 in any district described in this plan shall be included within that district contiguous to  
229 such part which contains the least population according to the United States decennial  
230 census of 2020 for the State of Georgia.

231 (3) Any part of City of East Cobb as described in Appendix B as being included in a  
232 particular district shall nevertheless not be included within such district if such part is not  
233 contiguous to such district. Such noncontiguous part shall instead be included within that  
234 district contiguous to such part which contains the least population according to the  
235 United States decennial census of 2020 for the State of Georgia.

236 (4) If any area included within the descriptions of District 1, District 2, or District 3 is  
237 on the effective date of this Act within the municipal boundaries of another municipality  
238 or within a county other than Cobb County, such area shall not be included within the  
239 district descriptions of such districts.

## 240 SECTION 2.12.

241 Vacancy; filling of vacancies; suspensions.

242 (a) Vacancies. The office of mayor or councilmember shall become vacant upon such  
243 person's failing or ceasing to reside in the city or upon the occurrence of any event  
244 specified by the Constitution, Title 45 of the O.C.G.A., or such other applicable laws as are  
245 or may hereafter be enacted.

246 (b) Filling of vacancies. A vacancy in the office of mayor or councilmember shall be  
247 filled for the remainder of the unexpired term, if any, by appointment by the remaining  
248 members of the city council if less than 12 months remain in the unexpired term, otherwise  
249 by an election as provided for in Section 5.14 of this charter and Titles 21 and 45 of the  
250 O.C.G.A. or such other laws as are or may hereafter be enacted.

251 (c) Suspension. Upon the suspension from office of mayor or councilmember in any  
252 manner authorized by the general laws of the State of Georgia, the city council or those  
253 remaining shall appoint a successor for the duration of the suspension. If the suspension  
254 becomes permanent, then the office shall become vacant and shall be filled for the  
255 remainder of the unexpired term, if any, as provided for in this charter.

## 256 SECTION 2.13.

257 Compensation and expenses.

258 (a) The mayor shall receive an initial salary of \$9,000.00 per year, paid in equal monthly  
259 installments from the funds of the municipality. Each councilmember shall receive an  
260 initial salary of \$8,000.00 per year, paid in equal monthly installments from the funds of  
261 the municipality.

262 (b) The mayor and councilmembers may alter such compensation for their services as  
263 provided by law.

## SECTION 2.14.

264  
265

## Conflicts of interest; holding other offices.

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

268 (b) Conflict of interest. No elected official, appointed officer, or employee of the city or  
269 any agency or political entity to which this charter applies shall knowingly:

270 (1) Engage in any business or transaction or have a financial or other personal interest,  
271 direct or indirect, which is incompatible with the proper discharge of that person's official  
272 duties or which would tend to impair the independence of that person's judgment or  
273 action in the performance of that person's official duties;

274 (2) Engage in or accept private employment or render services for private interests when  
275 such employment or service is incompatible with the proper discharge of that person's  
276 official duties or would tend to impair the independence of that person's judgment or  
277 action in the performance of that person's official duties;

278 (3) Disclose confidential information, including information obtained at meetings which  
279 are closed pursuant to Chapter 14 of Title 50 of the O.C.G.A., concerning the property,  
280 government, or affairs of the governmental body by which that person is engaged without  
281 proper legal authorization or use such information to advance the financial or other  
282 private interest of that person or others;

283 (4) Accept any valuable gift, whether in the form of service, loan, thing, or promise,  
284 from any person, firm, or corporation which to that person's knowledge is interested,  
285 directly or indirectly, in any manner whatsoever, in business dealings with the  
286 governmental body by which that person is engaged; provided, however, that an elected  
287 official who is a candidate for public office may accept campaign contributions and  
288 services in connection with any such campaign;

- 289 (5) Represent other private interests in any action or proceeding against this city or any  
290 portion of its government; or
- 291 (6) Vote or otherwise participate in the negotiation or in the making of any contract with  
292 any business or entity in which that person has a financial interest.
- 293 (c) Disclosure. Any elected official, appointed officer, or employee who shall have any  
294 financial interest, directly or indirectly, in any contract or matter pending before or within  
295 any department of the city shall disclose such interest to the city council. The mayor or any  
296 councilmember who has a financial interest in any matter pending before the city council  
297 shall disclose such interest and such disclosure shall be entered on the records of the city  
298 council, and that person shall disqualify himself or herself from participating in any  
299 decision or vote relating thereto. Any elected official, appointed officer, or employee of  
300 any agency or political entity to which this charter applies who shall have any financial  
301 interest, directly or indirectly, in any contract or matter pending before or within such  
302 entity shall disclose such interest to the governing body of such agency or entity.
- 303 (d) Use of public property. No elected official, appointed officer, or employee of the city  
304 or any agency or entity to which this charter applies shall use property owned by such  
305 governmental entity for personal benefit, convenience, or profit except in accordance with  
306 policies promulgated by the city council or the governing body of such agency or entity.
- 307 (e) Contracts voidable and rescindable. Any violation of this section which occurs with  
308 the knowledge, express or implied, of a party to a contract or sale shall render such contract  
309 or sale voidable at the option of the city council.
- 310 (f) Ineligibility of elected official. Except where authorized by law, neither the mayor nor  
311 any councilmember shall hold any other elective or compensated appointive office in the  
312 city or otherwise be employed by said government or any agency thereof during the term  
313 for which that person was elected. No former councilmember and no former mayor shall  
314 hold any compensated appointive office in the city until one year after the expiration of the  
315 term for which that person was elected.

316 (g) Political activities of certain officers and employees. No appointed officer and no  
317 employee of the city shall continue in such employment upon qualifying as a candidate for  
318 nomination or election to any public office. No employee of the city shall continue in such  
319 employment upon election to any public office in this city or any other public office which  
320 is inconsistent, incompatible, or in conflict with the duties of the city employee. Such  
321 determination shall be made by the mayor and city council either immediately upon  
322 election or at any time such conflict may arise.

323 (h) Penalties for violation.

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

327 (2) Any officer or employee of the city who shall forfeit that person's office or position  
328 as described in paragraph (1) of this subsection shall be ineligible for appointment or  
329 election to or employment in a position in the city government for a period of three years  
330 thereafter.

331 SECTION 2.15.

332 Inquiries and investigations.

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

339 SECTION 2.16.

340 General power and authority of the city council.

341 Except as otherwise provided by law or this charter, the city council shall be vested with all  
342 the powers of government of this city.

343 SECTION 2.17.

344 Organizational meetings.

345 Unless otherwise provided by ordinance, the city council shall hold an organizational  
346 meeting on the first Tuesday in January of each even-numbered year. The meeting shall be  
347 called to order by the city clerk and the oath of office shall be administered to the newly  
348 elected members as follows:

349 "I do solemnly (swear) (affirm) that I will faithfully perform the duties of  
350 (mayor)(councilmember) of this city and that I will support and defend the charter thereof  
351 as well as the Constitution and laws of the State of Georgia and the United States of  
352 America."

353 SECTION 2.18.

354 Meetings.

355 (a) The city council shall hold regular meetings at such times and places as shall be  
356 prescribed by ordinance.

357 (b) Special meetings of the city council may be held on call of the mayor or three members  
358 of the city council. Notice of such special meeting shall be served on all other members  
359 personally, or by telephone personally, at least 48 hours in advance of the meeting. Such  
360 notice to councilmembers shall not be required if the mayor and all councilmembers are

361 present when the special meeting is called. Such notice of any special meeting may be  
362 waived by a councilmember in writing before or after such a meeting and attendance at the  
363 meeting shall also constitute a waiver of notice on any business transacted in such  
364 councilmember's presence. Only the business stated in the call may be transacted at the  
365 special meeting.

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

370 SECTION 2.19.

371 Rules of procedure.

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

375 (b) All committees and committee chairpersons and officers of the city council shall be  
376 appointed by the mayor and shall serve at the pleasure of the mayor. The mayor shall have  
377 the power to appoint new members to any committee at any time.

378 SECTION 2.20.

379 Quorum; voting.

380 The mayor and three councilmembers or four councilmembers shall constitute a quorum and  
381 shall be authorized to transact business of the city council. Voting on the adoption of  
382 ordinances shall be by voice vote and the vote shall be recorded in the journal, but any  
383 councilmember shall have the right to request a roll-call vote and such vote shall be recorded



384 in the journal. Except as otherwise provided in this charter, the affirmative vote of four  
385 councilmembers or three councilmembers and the mayor shall be required for the adoption  
386 of any ordinance, resolution, or motion. An abstention shall be counted as an affirmative  
387 vote.

388 SECTION 2.21.

389 Ordinance form; procedures.

390 (a) Every proposed ordinance should be introduced in writing and in the form required for  
391 final adoption. No ordinance shall contain a subject which is not expressed in its title. The  
392 enacting clause shall be "It is hereby ordained by the governing authority of the City of  
393 East Cobb..." and every ordinance shall so begin.

394 (b) An ordinance may be introduced by any mayor or councilmember and be read at a  
395 regular or special meeting of the city council. Ordinances shall be considered and adopted  
396 or rejected by the city council in accordance with the rules which it shall establish;  
397 provided, however, that an ordinance shall not be adopted the same day it is introduced,  
398 except for emergency ordinances provided for in Section 2.23 of this charter. Upon  
399 introduction of any ordinance, the clerk shall as soon as possible distribute a copy to the  
400 mayor and to each councilmember and shall file a reasonable number of copies in the office  
401 of the clerk and at such other public places as the city council may designate.

402 SECTION 2.22.

403 Action requiring an ordinance.

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

405 SECTION 2.23.  
406 Emergencies.

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

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

428 SECTION 2.24.  
429 Codes of technical regulations.

- 430 (a) The city council may adopt any standard code of technical regulations by reference  
431 thereto in an adopting ordinance. The procedure and requirements governing such  
432 adopting ordinance shall be as prescribed for ordinances generally except that: (1) the  
433 requirements of subsection (b) of Section 2.21 of this charter for distribution and filing of  
434 copies of the ordinance shall be construed to include copies of any code of technical  
435 regulations, as well as the adopting ordinance; and (2) a copy of each adopted code of  
436 technical regulations, as well as the adopting ordinance, shall be authenticated and recorded  
437 by the clerk pursuant to Section 2.25 of this charter.
- 438 (b) Copies of any adopted code of technical regulations shall be made available by the  
439 clerk for inspection by the public.

440 SECTION 2.25.  
441 Signing; authenticating;  
442 recording; codification; printing.

- 443 (a) The clerk shall authenticate by the clerk's signature and record in full in a properly  
444 indexed book kept for that purpose all ordinances adopted by the city council.
- 445 (b) The city council shall provide for the preparation of a general codification of all the  
446 ordinances of the city having the force and effect of law. The general codification shall be  
447 adopted by the city council by ordinance and shall be published promptly, together with  
448 all amendments thereto and such codes of technical regulations and other rules and  
449 regulations as the city council may specify. This compilation shall be known and cited  
450 officially as "The Code of the City of East Cobb, Georgia." Copies of the code shall be

451 furnished to all officers, departments, and agencies of the city and made available for  
452 purchase by the public at a reasonable price as fixed by the city council.

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

462 SECTION 2.26.

463 Election of mayor; forfeiture; compensation.

464 The mayor shall be elected at large by the voters of the city and except for the initial mayor  
465 elected pursuant to this charter, serve for a term of four years and until a successor is elected  
466 and qualified. The mayor shall be a qualified elector of this city and shall have been a  
467 resident of the city for 12 months prior to the date of election. The mayor shall continue to  
468 reside in this city during the period of service. Vacancies in the office of mayor shall be  
469 addressed in the same manner as provided for councilmembers in Section 2.12 of this charter.  
470 The mayor shall forfeit the office on the same grounds and under the same procedure as for  
471 councilmembers.

472 SECTION 2.27.

473 Mayor pro tempore.

474 By a majority vote, the councilmembers shall elect a councilmember to serve as mayor pro  
475 tempore. The mayor pro tempore shall serve a two-year term of office. The mayor pro  
476 tempore shall assume the duties and powers of the mayor during the mayor's physical or  
477 mental disability or absence. Any such disability or absence shall be declared by a majority  
478 vote of the councilmembers. The mayor pro tempore shall sign all contracts and ordinances  
479 in which the mayor has a disqualifying financial interest as provided in Section 2.14 of this  
480 charter.

481 SECTION 2.28.

482 Powers and duties of mayor.

483 The mayor shall:

- 484 (1) Preside at all meetings of the city council, but shall vote only in the event of a tie;
- 485 (2) Be the head of the city for the purpose of service of process and for ceremonial  
486 purposes and be the official spokesperson for the city and the chief advocate of policy;
- 487 (3) Have the power to administer oaths and to take affidavits;
- 488 (4) Sign as a matter of course on behalf of the city all written and approved contracts,  
489 ordinances, and other instruments executed by the city which by law are required to be  
490 in writing;
- 491 (5) Prepare and submit to the city council a recommended annual operating budget and  
492 recommended capital budget; and
- 493 (6) Fulfill such other executive and administrative duties as the city council shall by  
494 ordinance establish.

495 SECTION 2.29.

496 City manager; appointment; qualifications; compensation.

497 The city council shall appoint a city manager, also known as "the manager," for an indefinite  
498 term and shall fix the manager's compensation. The city manager shall be appointed solely  
499 on the basis of that person's executive and administrative qualifications.

500 SECTION 2.30.

501 Removal of city manager.

502 (a) The city council may remove the manager from office in accordance with the following  
503 procedures:

504 (1) The city council shall adopt by affirmative vote of a majority of all its members a  
505 preliminary resolution which must state the reasons for removal and may suspend the  
506 manager from duty for a period not to exceed 45 days. A copy of the resolution shall be  
507 delivered promptly to the manager;

508 (2) Within five days after a copy of the resolution is delivered to the manager, the  
509 manager may file with the city council a written request for a public hearing. This  
510 hearing shall be held within 30 days after the request is filed. The manager may file with  
511 the council a written reply not later than five days before the hearing; and

512 (3) If the manager has not requested a public hearing within the time specified in  
513 paragraph (2) of this subsection, the city council may adopt a final resolution for removal,  
514 which may be made effective immediately, by an affirmative vote of a majority of all its  
515 members. If the manager has requested a public hearing, the city council may adopt a  
516 final resolution for removal, which may be made effective immediately, by an affirmative  
517 vote of a majority of all its members at any time after the public hearing.

518 (b) The manager may continue to receive a salary until the effective date of a final  
519 resolution of removal.

520 SECTION 2.31.

521 Acting city manager.

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

528 SECTION 2.32.

529 Powers and duties of the city manager.

530 The city manager shall be the chief administrative officer of the city. The city manager shall  
531 be responsible to the city council for the administration of all city affairs placed in the city  
532 manager's charge by or under this charter. As the chief administrative officer, the city  
533 manager shall:

534 (1) Appoint and, when the city manager deems it necessary for the good of the city,  
535 suspend or remove all city employees and administrative officers the city manager  
536 appoints, except as otherwise provided by law or personnel ordinances adopted pursuant  
537 to this charter. The city manager may authorize any department director or administrative  
538 officer who is subject to the city manager's direction and supervision to exercise these  
539 powers with respect to subordinates in that officer's department, office, or agency;

- 540 (2) Direct and supervise the administration of all departments, offices, and agencies of  
541 the city, except as otherwise provided by this charter or by law;
- 542 (3) Attend all city council meetings except for closed meetings held for the purposes of  
543 deliberating on the appointment, discipline, or removal of the city manager and have the  
544 right to take part in discussion, but the city manager may not vote;
- 545 (4) See that all laws, provisions of this charter, and acts of the city council, subject to  
546 enforcement by the city manager or by officers subject to the city manager's direction and  
547 supervision, are faithfully executed;
- 548 (5) Prepare and submit the annual operating budget and capital budget to the city  
549 council;
- 550 (6) Submit to the city council and make available to the public a complete report on the  
551 finances and administrative activities of the city as of the end of each fiscal year;
- 552 (7) Make such other reports as the city council may require concerning the operations  
553 of city departments, offices, and agencies subject to the city manager's direction and  
554 supervision;
- 555 (8) Keep the city council fully advised as to the financial condition and future needs of  
556 the city, and make such recommendations to the city council concerning the affairs of the  
557 city as the city manager deems desirable; and
- 558 (9) Perform other such duties as are specified in this charter or as may be required by the  
559 mayor and city council.

560 SECTION 2.33.

561 Council interference with administration.

562 Except for the purpose of inquiries and investigations under Section 2.15 of this charter, the  
563 city council or its members shall deal with city officers and employees who are subject to the  
564 direction and supervision of the city manager solely through the city manager, and neither



565 the city council nor its members shall give orders to any such officer or employee, either  
566 publicly or privately. The city council shall act in all matters as a body and no member shall  
567 seek individually to influence the official acts of the city manager or any other officer or  
568 employee of the city, or direct or request the appointment of any person to, or his or her  
569 removal from, any office or position of employment, or to interfere in any way with the  
570 performance of the duties by the city manager or other officers or employees.

571

## ARTICLE III.

572

## ADMINISTRATIVE AFFAIRS

573

## SECTION 3.10.

574

## Administrative and service departments.

575 (a) Except as otherwise provided in this charter, the city council by ordinance shall  
576 prescribe the functions or duties and establish, abolish, alter, consolidate, or leave vacant  
577 all nonelective offices, positions of employment, departments, and agencies of the city as  
578 necessary for the proper administration of the affairs and government of this city.

579 (b) Except as otherwise provided by this charter or by law, the directors of departments  
580 and other appointed officers of the city shall be appointed solely on the basis of their  
581 respective administrative and professional qualifications.

582 (c) All appointed officers and directors of departments shall receive such compensation  
583 as prescribed by ordinance.

584 (d) There shall be a director of each department or agency who shall be its principal  
585 officer. Each director shall, subject to the direction and supervision of the mayor, be  
586 responsible for the administration and direction of the affairs and operations of that  
587 director's department or agency.

588 (e) All appointed officers and directors under the supervision of the mayor shall be  
589 nominated by the mayor with confirmation of appointment by the city council. All  
590 appointed officers and directors shall be employees at will and subject to removal or  
591 suspension at any time by the mayor unless otherwise provided by law or ordinance.

592

## SECTION 3.11.

593

## Boards, commissions, and authorities.

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

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

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

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

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

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

613 (g) All members of boards, commissions, or authorities of the city serve at will and may  
614 be removed at any time by the mayor and council unless otherwise provided by law.

615 (h) Except as otherwise provided by this charter or by law, each board, commission, or  
616 authority of the city shall elect one of its members as chairperson and one member as vice  
617 chairperson and may elect as its secretary one of its own members or may appoint as  
618 secretary an employee of the city. Each board, commission, or authority of the city  
619 government may establish such bylaws, rules, and regulations, not inconsistent with this  
620 charter, ordinances of the city, or law, as it deems appropriate and necessary for the  
621 fulfillment of its duties or the conduct of its affairs. Copies of such bylaws, rules, and  
622 regulations shall be filed with the clerk of the city.

623 SECTION 3.12.

624 City attorney.

625 The mayor and council shall appoint a city attorney, together with such assistant city  
626 attorneys as may be authorized, and shall provide for the payment of such attorney or  
627 attorneys for services rendered to the city. The city attorney shall be responsible for  
628 providing for the representation and defense of the city in all litigation in which the city is  
629 a party; may be the prosecuting officer in the municipal court; shall attend the meetings of  
630 the city council as directed; shall advise the mayor and council and other officers and  
631 employees of the city concerning legal aspects of the city's affairs; and shall perform such  
632 other duties as may be required by virtue of such person's position as city attorney.

633 SECTION 3.13.

634 City clerk.

635 The city council shall appoint a city clerk who shall not be a councilmember. The city clerk  
636 shall be custodian of the official city seal and city records; maintain city council records  
637 required by this charter; and perform such other duties as may be required by the city  
638 council.

639 SECTION 3.14.

640 Position classification and pay plans.

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

647 SECTION 3.15.

648 Personnel policies.

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

651 ARTICLE IV.  
652 JUDICIAL BRANCH

653 SECTION 4.10.  
654 Creation; name.

655 There shall be a court to be known as the Municipal Court of the City of East Cobb.

656 SECTION 4.11.  
657 Chief judge; associate judge.

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

660 (b) No person shall be qualified or eligible to serve as a judge on the municipal court  
661 unless that person shall have attained the age of 21 years and shall be a member of the State  
662 Bar of Georgia and shall possess all qualifications required by law. All judges shall be  
663 appointed by the city council and shall serve a term as provided by law and until a  
664 successor is appointed and qualified.

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

666 (d) Judges may be removed from office as provided by law.

667 (e) Before assuming office, each judge shall take an oath, given by the mayor, that such  
668 judge will honestly and faithfully discharge the duties of the judge's office to the best of  
669 the judge's ability and without fear, favor, or partiality. The oath shall be entered upon the  
670 minutes of the city council journal required in Section 2.19 of this charter.

671 SECTION 4.12.

672 Convening.

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

674 SECTION 4.13.

675 Jurisdiction; powers.

676 (a) The municipal court shall try and punish violations of this charter, all city ordinances,  
677 and such other violations as provided by law.

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

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

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

687 (e) The municipal court shall have authority to establish bail and recognizances to ensure  
688 the presence of those charged with violations before such court and shall have discretionary  
689 authority to accept cash or personal or real property as surety for the appearance of persons  
690 charged with violations. Whenever any person shall give bail for that person's appearance  
691 and shall fail to appear at the time fixed for trial, that person's bond shall be forfeited by  
692 the judge presiding at such time and an execution issued thereon by serving the defendant  
693 and the defendant's sureties with a rule nisi at least two days before a hearing on the rule  
694 nisi. In the event that cash or property is accepted in lieu of bond for security for the

695 appearance of a defendant at trial, and if such defendant fails to appear at the time and  
696 place fixed for trial, the cash so deposited shall be on order of the judge declared forfeited  
697 to the city, or the property so deposited shall have a lien against it for the value forfeited  
698 which lien shall be enforceable in the same manner and to the same extent as a lien for city  
699 property taxes.

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

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

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

710 SECTION 4.14.

711 Certiorari.

712 The right of certiorari from the decision and judgment of the municipal court shall exist in  
713 all criminal cases and ordinance violation cases, and such certiorari shall be obtained under  
714 the sanction of a judge of the Superior Court of Cobb County under the laws of the State of  
715 Georgia regulating the granting and issuance of writs of certiorari.

716 SECTION 4.15.

717 Rules for court.

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

725 ARTICLE V.

726 ELECTIONS AND REMOVAL

727 SECTION 5.10.

728 Applicability of general law.

729 All primaries and elections shall be held and conducted in accordance with Chapter 2 of  
730 Title 21 of the O.C.G.A., the "Georgia Election Code," as now or hereafter amended.

731 SECTION 5.11.

732 Regular elections; time for holding.

733 Except as otherwise provided in Article VIII of this charter for the initial elections, there  
734 shall be a municipal general election biennially in odd-numbered years on the Tuesday next  
735 following the first Monday in November. There shall be elected a mayor and three  
736 councilmembers at one election and at every other election thereafter. The remaining



737 councilmember seats shall be filled at the election alternating with the first election so that  
738 a continuing body is created.

739 SECTION 5.12.  
740 Nonpartisan elections.

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

743 SECTION 5.13.  
744 Election by majority vote.

745 The mayor and councilmembers shall be elected by a majority vote of the votes cast by the  
746 electors of the city at large.

747 SECTION 5.14.  
748 Special elections; vacancies.

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

756 SECTION 5.15.  
757 Other provisions.

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

761 SECTION 5.16.  
762 Removal of officers.

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

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

768 (1) Following a hearing at which an impartial panel shall render a decision. In the event  
769 an elected officer is sought to be removed by the action of the city council, such officer  
770 shall be entitled to a written notice specifying the ground or grounds for removal and to  
771 a public hearing which shall be held not less than ten days after the service of such  
772 written notice. The city council shall provide by ordinance for the manner in which such  
773 hearings shall be held. Any elected officer sought to be removed from office as provided  
774 in this section shall have the right of appeal from the decision of the city council to the  
775 Superior Court of Cobb County. Such appeal shall be governed by the same rules as  
776 govern appeals to the superior court from the probate court; or

777 (2) By an order of the Superior Court of Cobb County following a hearing on a  
778 complaint seeking such removal brought by any resident of the City of East Cobb.

779 ARTICLE VI.

780 FINANCE

781 SECTION 6.10.

782 Property tax.

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

789 SECTION 6.11.

790 Millage rate; due dates; payment methods.

791 (a) The city council by ordinance shall establish a millage rate for the city property tax  
792 which shall not exceed 1 mill, a due date, and the time period within which these taxes  
793 must be paid, unless a higher millage rate is recommended by resolution of the city council  
794 and subsequently approved by a majority of the eligible voters of the city by referendum.

795 (b) The city council by ordinance may provide for the payment of these taxes by  
796 installments or in one lump sum, as well as authorize the voluntary payment of taxes prior  
797 to the time when due.

798 SECTION 6.12.

799 Occupation and business taxes.

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

804 SECTION 6.13.

805 Licenses; permits; fees.

806 The city council by ordinance shall have the power to require businesses or practitioners  
807 doing business in this city to obtain a permit for such activity from the city and pay a  
808 regulatory fee for such permit as provided by general law. Such fees shall reflect the total  
809 cost to the city of regulating the activity and, if unpaid, shall be collected as provided in  
810 Section 6.18 of this charter.

811 SECTION 6.14.

812 Franchises.

813 (a) The city council shall have the power to grant franchises for the use of this city's streets  
814 and alleys for the purposes of railroads, street railways, telephone companies, electric  
815 companies, electric membership corporations, cable television and other  
816 telecommunications companies, gas companies, transportation companies, and other  
817 similar organizations. The city council shall determine the duration, terms, whether the  
818 same shall be exclusive or nonexclusive, and the consideration for such franchises;  
819 provided, however, that no franchise shall be granted for a period in excess of 35 years and

820 no franchise shall be granted unless the city receives just and adequate compensation  
821 therefor. The city council shall provide for the registration of all franchises with the city  
822 clerk in a registration book kept by the city clerk. The city council may provide by  
823 ordinance for the registration within a reasonable time of all franchises previously granted.  
824 (b) If no franchise agreement is in effect, the city council has the authority to impose a tax  
825 on gross receipts for the use of this city's streets and alleys for the purposes of railroads,  
826 street railways, telephone companies, electric companies, electric membership  
827 corporations, cable television and other telecommunications companies, gas companies,  
828 transportation companies, and other similar organizations.

829 SECTION 6.15.

830 Service charges.

831 The city council by ordinance shall have the power to assess and collect fees, charges, and  
832 tolls for services provided or made available within and outside the corporate limits of the  
833 city for the total cost to the city of providing or making available such services. If unpaid,  
834 such charges shall be collected as provided in Section 6.18 of this charter.

835 SECTION 6.16.

836 Special assessments.

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

841 SECTION 6.17.

842 Construction; other taxes.

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

846 SECTION 6.18.

847 Collection of delinquent taxes and fees.

848 The city council by ordinance may provide generally for the collection of delinquent taxes,  
849 fees, or other revenue due the city under Sections 6.10 through 6.17 of this charter by  
850 whatever reasonable means as are not precluded by law. This shall include providing for the  
851 dates when the taxes or fees are due; late penalties or interest; issuance and execution of  
852 fi. fas.; creation and priority of liens; making delinquent taxes and fees personal debts of the  
853 persons required to pay the taxes or fees imposed; revoking city permits for failure to pay any  
854 city taxes or fees; and providing for the assignment or transfer of tax executions.

855 SECTION 6.19.

856 General obligation bonds.

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

861 SECTION 6.20.

862 Revenue bonds.

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

864 Such bonds are to be paid out of any revenue produced by the project, program, or venture

865 for which they were issued.

866 SECTION 6.21.

867 Short-term loans.

868 The city may obtain short-term loans and must repay such loans not later than December 31

869 of each year, unless otherwise provided by law.

870 SECTION 6.22.

871 Lease-purchase contracts.

872 The city may enter into multiyear lease, purchase, or lease-purchase contracts for the

873 acquisition of goods, materials, real and personal property, services, and supplies, provided

874 the contract terminates without further obligation on the part of the municipality at the close

875 of the calendar year in which it was executed and at the close of each succeeding calendar

876 year for which it may be renewed. Contracts must be executed in accordance with the

877 requirements of Code Section 36-60-13 of the O.C.G.A., or other such applicable laws as are

878 or may hereafter be enacted.

879 SECTION 6.23.

880 Fiscal year.

881 The city council shall set the fiscal year by ordinance. This fiscal year shall constitute the  
882 budget year and the year for financial accounting and reporting of each and every office,  
883 department, agency, and activity of the city government.

884 SECTION 6.24.

885 Budget ordinance.

886 The city council shall provide an ordinance on the procedures and requirements for the  
887 preparation and execution of an annual operating budget, a capital improvement plan, and  
888 a capital budget, including requirements as to the scope, content, and form of such budgets  
889 and plans. The city council shall also comply with the budgeting and auditing provisions of  
890 Chapter 81 of Title 36 of the O.C.G.A.

891 SECTION 6.25.

892 Operating budget.

893 On or before a date fixed by the city council but not later than 60 days prior to the beginning  
894 of each fiscal year, the city manager shall submit to the city council a proposed operating  
895 budget for the ensuing fiscal year. The budget shall be accompanied by a message from the  
896 city manager containing a statement of the general fiscal policies of the city, the important  
897 features of the budget, explanations of major changes recommended for the next fiscal year,  
898 a general summary of the budget, and other pertinent comments and information. The  
899 operating budget and the capital budget provided for in Section 6.29 of this charter, the



900 budget message, and all supporting documents shall be filed in the office of the city clerk and  
901 shall be open to public inspection.

902 SECTION 6.26.

903 Action by city council on budget.

904 (a) The mayor or councilmembers may amend the operating budget proposed by the city  
905 manager, except that the budget as finally amended and adopted must provide for all  
906 expenditures required by state law or by other provisions of this charter and for all debt  
907 service requirements for the ensuing fiscal year. The total appropriations from any fund  
908 shall not exceed the estimated fund balance, reserves, and revenues.

909 (b) The city council by ordinance shall adopt the final operating budget for the ensuing  
910 fiscal year not later than December 15 of each year. If the city council fails to adopt the  
911 budget by said date, the amounts appropriated for operation for the then current fiscal year  
912 shall be deemed adopted for the ensuing fiscal year on a month-to-month basis, with all  
913 items prorated accordingly, until such time as the city council adopts a budget for the  
914 ensuing fiscal year. Adoption of the budget shall take the form of an appropriations  
915 ordinance setting out the estimated revenues in detail by sources and making appropriations  
916 according to fund and by organizational unit, purpose, or activity as set out in the budget  
917 preparation ordinance adopted pursuant to Section 6.24 of this charter.

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

922 SECTION 6.27.

923 Levy of taxes.

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

930 SECTION 6.28.

931 Changes in appropriations.

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

936 SECTION 6.29.

937 Capital improvements.

938 (a) On or before the date fixed by the city council, but not later than 60 days prior to the  
939 beginning of each fiscal year, the city manager shall submit to the city council a proposed  
940 capital improvements plan with a recommended capital budget containing the means of  
941 financing the improvements proposed for the ensuing fiscal year. The city council shall  
942 have power to accept, with or without amendments, or reject the proposed plan and budget.  
943 The city council shall not authorize an expenditure for the construction of any building,

944 structure, work, or improvement unless the appropriations for such project are included in  
945 the capital budget, except to meet a public emergency as provided in Section 2.23 of this  
946 charter.

947 (b) The city council shall adopt by ordinance the final capital budget for the ensuing fiscal  
948 year not later than December 15 of each year. No appropriation provided for in a prior  
949 capital budget shall lapse until the purpose for which the appropriation was made shall  
950 have been accomplished or abandoned; provided, however, that the city manager may  
951 submit amendments to the capital budget at any time during the fiscal year, accompanied  
952 by recommendations. Any such amendments to the capital budget shall become effective  
953 only upon adoption by ordinance.

954 SECTION 6.30.

955 Audits.

956 There shall be an annual independent audit of all city accounts, funds, and financial  
957 transactions by a certified public accountant selected by the city council. The audit shall be  
958 conducted according to generally accepted auditing principles. Any audit of any funds by  
959 the state or federal governments may be accepted as satisfying the requirements of this  
960 charter. Copies of annual audit reports shall be available at printing costs to the public.

961 SECTION 6.31.

962 Procurement and property management.

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

964 (1) It is in writing;

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

967 (3) It is made or authorized by the city council and such approval is entered in the city  
968 council journal of proceedings pursuant to Section 2.19 of this charter.

969 SECTION 6.32.

970 Purchasing.

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

973 SECTION 6.33.

974 Sale and lease of property.

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

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

981 (c) Whenever in opening, extending, or widening any street, avenue, alley, or public place  
982 of the city a small parcel or tract of land is cut off or separated by such work from a larger  
983 tract or boundary of land owned by the city, the city council may authorize the mayor to  
984 sell and convey said cut-off or separated parcel or tract of land to an abutting or adjoining  
985 property owner or owners where such sale and conveyance facilitates the highest and best  
986 use of the abutting owner's property. Included in the sales contract shall be a provision for  
987 the rights of way of said street, avenue, alley, or public place. Each abutting property  
988 owner shall be notified of the availability of the property and given the opportunity to  
989 purchase said property under such terms and conditions as set out by ordinance. All deeds

990 and conveyances heretofore and hereafter so executed and delivered shall convey all title  
991 and interest the city has in such property, notwithstanding the fact that no public sale after  
992 advertisement was or is hereafter made.

993 SECTION 6.34.  
994 Apportionment of revenue.

995 Except as otherwise agreed pursuant to Chapter 70 of Title 36 of the O.C.G.A., the city is  
996 authorized to pay all revenues collected by Cobb County on behalf of the city to the county  
997 in exchange for continuation of services during the transition period provided in Section 8.11  
998 of this charter and beyond, with the exception of the following revenues, which shall stay  
999 with the city:

- 1000 (1) New revenues from utility franchise fees;  
1001 (2) Fines collected in municipal court; and  
1002 (3) Revenues generated from any additional millage of up to 1 mill above the millage  
1003 rate imposed in the county special service district.

1004 ARTICLE VII.  
1005 GENERAL PROVISIONS

1006 SECTION 7.10.  
1007 Bonds for officials.

1008 The officers and employees of this city, both elected and appointed, shall execute such surety  
1009 or fidelity bonds in such amounts and upon such terms and conditions as the city council  
1010 shall from time to time require by ordinance or as may be provided by law.

1011 SECTION 7.11.  
1012 Construction and definitions.

- 1013 (a) Section captions in this charter are informative only and are not to be considered as a  
1014 part thereof.  
1015 (b) The word "shall" is mandatory and the word "may" is permissive.  
1016 (c) The singular shall include the plural, the masculine shall include the feminine, and vice  
1017 versa.

1018 ARTICLE VIII.  
1019 REFERENDUM AND INITIAL ELECTIONS

1020 SECTION 8.10.  
1021 Referendum and initial election.

1022 (a) The election superintendent of Cobb County shall call a special election for the purpose  
1023 of submitting this Act to the qualified voters of the proposed City of East Cobb for  
1024 approval or rejection. The superintendent shall set the date of such election for the date of  
1025 the 2022 general primary election. The superintendent shall issue the call for such election  
1026 at least 30 days prior to the date thereof. The superintendent shall cause the date and  
1027 purpose of the election to be published once a week for two weeks immediately preceding  
1028 the date thereof in the official organ of Cobb County. The ballot shall have written or  
1029 printed thereon the words:

1030 "( ) YES Shall the Act incorporating the City of East Cobb in Cobb County according  
1031 ( ) NO to the charter contained in the Act be approved?"

1032 All persons desiring to vote for approval of the Act shall vote "Yes," and those persons  
1033 desiring to vote for rejection of the Act shall vote "No." If more than one-half of the votes

1034 cast on such question are for approval of the Act, it shall become of full force and effect  
1035 as provided in Section 8.11 of this charter, otherwise it shall be void and of no force and  
1036 effect. The initial expense of such election shall be borne by Cobb County. Within two  
1037 years after the elections if the incorporation is approved, the City of East Cobb shall  
1038 reimburse Cobb County for the actual cost of printing and personnel services for such  
1039 election and for the initial election of the mayor and councilmembers pursuant to this  
1040 charter. It shall be the duty of the superintendent to hold and conduct such election. It  
1041 shall be his or her further duty to certify the result thereof to the Secretary of State.

1042 (b) For the purposes of the referendum election provided for in subsection (a) of this  
1043 section and for the purposes of the special election of the City of East Cobb to be held on  
1044 the Tuesday following the first Monday of November, 2022, the qualified electors of the  
1045 City of East Cobb shall be those qualified electors of Cobb County residing within the  
1046 corporate limits of the City of East Cobb as described by Appendix A of this charter. At  
1047 subsequent municipal elections, the qualified electors of the City of East Cobb shall be  
1048 determined pursuant to the authority of Chapter 2 of Title 21 of the O.C.G.A. known as the  
1049 "Georgia Election Code."

1050 (c) Only for the purposes of holding and conducting the referendum election provided for  
1051 in subsection (a) of this section and holding the special election of the City of East Cobb  
1052 to be held on the Tuesday following the first Monday of November, 2022, the election  
1053 superintendent of Cobb County is vested with the powers and duties of the election  
1054 superintendent of the City of East Cobb and the powers and duties of the governing  
1055 authority of the City of East Cobb.

1056

## SECTION 8.11.

1057

## Effective dates and transition.

1058 (a) The provisions of this Act necessary for the referendum election provided for in  
1059 Section 8.10 of this charter shall become effective immediately upon this Act's approval  
1060 by the Governor or upon its becoming law without such approval.

1061 (b) Those provisions of this Act necessary for the special election provided for in Section  
1062 8.13 of this charter shall be effective upon the certification of the results of the referendum  
1063 election provided for by Section 8.10 of this charter if this Act is approved at such  
1064 referendum election.

1065 (c) Except as provided in Section 8.10 of this charter, the remaining provisions of this Act  
1066 shall become of full force and effect for all purposes at 12:00 Midnight on January 1, 2023,  
1067 except that the initial mayor or councilmembers shall take office immediately following  
1068 their election and by action of a quorum may prior to 12:00 Midnight on January 1, 2023,  
1069 meet and take actions binding on the city.

1070 (d) A period of time will be needed for an orderly transition of various government  
1071 functions from Cobb County to the City of East Cobb. Accordingly there shall be a  
1072 transition period beginning on the date the initial mayor and councilmembers take office  
1073 under this charter, and ending at 12:00 Midnight on December 31, 2025. During such  
1074 transition period, all provisions of this charter shall be effective as law, but not all  
1075 provisions of this charter shall be implemented.

1076 (e) During such transition period, Cobb County shall continue to provide within the  
1077 territorial limits of the city all government services and functions which Cobb County  
1078 provided in that area during the years 2021 and 2022 and at the same actual cost, except  
1079 to the extent otherwise provided in this section; provided, however, that upon at least 60  
1080 days' prior written notice to Cobb County by the City of East Cobb, responsibility for any  
1081 such service or function shall be transferred to the City of East Cobb. During the transition



1082 period, the city shall remain within the Cobb County special services district, but shall be  
1083 removed from such district at the conclusion of such period. Beginning July 1, 2023, the  
1084 City of East Cobb shall collect taxes, fees, assessments, fines and forfeitures, and other  
1085 moneys within the territorial limits of the city in the same manner as authorized  
1086 immediately prior to the effective date of this section; provided, however, that upon at  
1087 least 60 days' prior written notice to Cobb County by the City of East Cobb, the authority  
1088 to collect any tax, fee, assessment, fine or forfeiture, or other moneys shall remain with  
1089 Cobb County after July 1, 2023, until such time as Cobb County receives subsequent notice  
1090 from the City of East Cobb that such authority shall be transferred to the City of East Cobb.

1091 (f) During the transition period, the governing authority of the City of East Cobb:

1092 (1) Shall hold regular meetings and may hold special meetings as provided in this  
1093 charter;

1094 (2) May enact ordinances and resolutions as provided in this charter;

1095 (3) May amend this charter by home rule action as provided by general law;

1096 (4) May accept gifts and grants;

1097 (5) May borrow money and incur indebtedness to the extent authorized by this charter  
1098 and general law;

1099 (6) May levy and collect an ad valorem tax for calendar years 2023 and 2024;

1100 (7) May establish a fiscal year and budget;

1101 (8) May create, alter, or abolish departments, boards, offices, commissions, and agencies  
1102 of the city; appoint and remove officers and employees; and exercise all necessary or  
1103 appropriate personnel and management functions; and

1104 (9) May generally exercise any power granted by this charter or general law, except to  
1105 the extent that a power is specifically and integrally related to the provision of a  
1106 governmental service, function, or responsibility not yet provided or carried out by the  
1107 city.

1108 (g) Except as otherwise provided in this section, during the transition period, the  
1109 Municipal Court of the City of East Cobb shall not exercise its jurisdiction. During the  
1110 transition period, all ordinances of Cobb County shall remain applicable within the  
1111 territorial limits of the city and the appropriate court or courts of Cobb County shall retain  
1112 jurisdiction to enforce such ordinances. However, by mutual agreement and concurrent  
1113 resolutions and ordinances if needed Cobb County and the City of East Cobb may during  
1114 the transition period transfer all or part of such regulatory authority and the appropriate  
1115 court jurisdiction to the City of East Cobb. Any transfer of jurisdiction to the City of East  
1116 Cobb during or at the end of the transition period shall not in and of itself abate any judicial  
1117 proceeding pending in Cobb County or the pending prosecution of any violation of any  
1118 ordinance of Cobb County.

1119 (h) During the transition period, the governing authority of the City of East Cobb may at  
1120 any time, without the necessity of any agreement by Cobb County, commence to exercise  
1121 its planning and zoning powers; provided, however, that the city shall give the county  
1122 notice of the date on which the city will assume the exercise of such powers. Upon the  
1123 governing authority of the City of East Cobb commencing to exercise its planning and  
1124 zoning powers, the Municipal Court of the City of East Cobb shall immediately have  
1125 jurisdiction to enforce the planning and zoning ordinances of the city. The provisions of  
1126 this subsection shall control over any conflicting provisions of any other subsection of this  
1127 section.

1128 (i) Effective upon the termination of the transition period, subsections (b) through (h) of  
1129 this section shall cease to apply except for the last sentence of subsection (g) which shall  
1130 remain effective. Effective upon the termination of the transition period, the City of East  
1131 Cobb shall be a full functioning municipal corporation and subject to all general laws of  
1132 this state.

1133 SECTION 8.12.  
1134 Directory nature of dates.

1135 It is the intention of the General Assembly that this Act be construed as directory rather than  
1136 mandatory with respect to any date prescribed in this Act. If it is necessary to delay any  
1137 action called for in this Act for providential cause or any other reason, it is the intention of  
1138 the General Assembly that the action be delayed rather than abandoned. Any delay in  
1139 performing any action under this Act, whether for cause or otherwise, shall not operate to  
1140 frustrate the overall intent of this Act. Without limiting the generality of the foregoing it is  
1141 specifically provided that:

1142 (1) If it is not possible to hold the referendum election provided for in Section 8.10 of  
1143 this charter on the date specified in that section, then such referendum shall be held as  
1144 soon thereafter as is reasonably practicable; and

1145 (2) If it is not possible to hold the first election provided for in Section 8.13 of this  
1146 charter on the date specified in that section, then there shall be a special election for the  
1147 initial members of the governing authority to be held as soon thereafter as is reasonably  
1148 practicable, and the commencement of the initial terms of office shall be delayed  
1149 accordingly.

1150 SECTION 8.13.  
1151 Special election.

1152 (a) The first election for the mayor and councilmembers shall be a special election held on  
1153 the Tuesday after the first Monday in November, 2022. At such election, the first mayor  
1154 and councilmembers shall be elected to serve for the initial terms of office specified in  
1155 subsections (b) and (c) of this section. Thereafter, the time for holding a regular municipal  
1156 elections shall be on the Tuesday next following the first Monday in November of each

1157 odd-numbered year beginning in 2025. The successors to the first mayor and initial  
1158 councilmembers and future successors shall take office at the first organizational meeting  
1159 in January immediately following their election and shall serve for terms of four years and  
1160 until their respective successors are elected and qualified.

1161 (b) The initial councilmembers elected from Post 2, Post 4, and Post 6 shall serve a term  
1162 of office ending on December 31, 2025, and until their respective successors are elected  
1163 and qualified. The initial mayor and councilmembers elected from Post 1, Post 3, and  
1164 Post 5 shall serve a term of office ending on December 31, 2027, and until their respective  
1165 successors are elected and qualified. Thereafter, successors to such initial mayor and  
1166 councilmembers shall serve four-year terms of office and until their respective successors  
1167 are elected and qualified.

1168

## ARTICLE IX.

1169

## GENERAL REPEALER

1170

## SECTION 9.10.

1171

## General repealer.

1172 All laws and parts of laws in conflict with this Act are repealed.

1173

## APPENDIX A

1174

## LEGAL DESCRIPTION

1175

## CITY OF EAST COBB, GEORGIA

1176 User: H045

1177 Plan Name: EastCobb-2022

1178 Plan Type: Local

1179 District EASTCOBB

1180 County Cobb GA

1181 VTD Chestnut Ridge 01

1182 VTD Dickerson 01

1183 VTD Dodgen 01

1184 VTD Eastside 01

1185 VTD Fullers Park 01

1186 Block 030332:

1187 2006 2007 2008 2009 2010 2012

1188 Block 030366:

1189 1001 2000 2001 2002 2003

1190 VTD Hightower 01

1191 VTD Mount Bethel 01

1192 VTD Mount Bethel 03

1193 VTD Mount Bethel 04

1194 VTD Murdock 01

1195 Block 030331:

1196 3000 3001 3002 3003 3004 3005 3006 3007 3008 3009 3010 3011

1197 3012 3013 3014 4000 4001 4002 4003 4004 4005 4006 4007  
 1198 VTD Pope 01  
 1199 Block 030327:  
 1200 3000 3001 3002 3003 3004 3005 3011  
 1201 Block 030359:  
 1202 1010 1011  
 1203 VTD Roswell 01  
 1204 Block 030335:  
 1205 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 2002  
 1206 2003 2004 2005 2006 2007 2008 2009 2011 2012 4000 4001 4002  
 1207 4003 4004 4005 4006  
 1208 Block 030360:  
 1209 2000 2001 2002 2003 2004 2005  
 1210 VTD Roswell 02  
 1211 VTD Sewell Mill 01  
 1212 Block 030358:  
 1213 2001 2002 2003 2007 2008  
 1214 VTD Sope Creek 01  
 1215 VTD Sope Creek 03  
 1216 Block 030352:  
 1217 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011  
 1218 1012 1013 1014  
 1219 Block 030354:  
 1220 1000 1001 1002 1003 1004 1005 1006 1007 3000  
 1221 excluding portion of block 3006 that is part of National Park  
 1222 excluding portion of block 3007 that is part of National Park  
 1223 VTD Timber Ridge 01

1224 For the purposes of such plan, EastCobb-2021:

1225 (1) The term 'VTD' shall mean and describe the same geographical boundaries as  
1226 provided in the report of the Bureau of the Census for the United States decennial census  
1227 of 2020 for the State of Georgia. The separate numeric designations in a district  
1228 description which are underneath a VTD heading shall mean and describe individual  
1229 Blocks within a VTD as provided in the report of the Bureau of the Census for the United  
1230 States decennial census of 2020 for the State of Georgia; and

1231 (2) Except as otherwise provided in the description of any district, whenever the  
1232 description of any district refers to a named city, it shall mean the geographical  
1233 boundaries of that city as shown on the census maps for the United States decennial  
1234 census of 2020 for the State of Georgia.

1235

## APPENDIX B

1236

## City Council Districts

1237 User: H045

1238 Plan Name: EastCobb-dist-2022

1239 Plan Type: Local

1240 District 001

1241 County Cobb GA

1242 VTD Chestnut Ridge 01

1243 VTD Hightower 01

1244 VTD Murdock 01

1245 Block 030331:

1246 3000 3001 3002 3003 3004 3005 3006 3007 3008 3009 3010 3011

1247 3012 3013 3014 4000 4001 4002 4003 4004 4005 4006 4007

1248 VTD Pope 01

1249 Block 030327:

1250 3000 3001 3002 3003 3004 3005 3011

1251 Block 030359:

1252 1010 1011

1253 VTD Roswell 01

1254 Block 030335:

1255 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 2002

1256 2003 2004 2005 2006 2007 2008 2009 2011 2012 4000 4001 4002

1257 4003 4004 4005 4006

1258 Block 030360:

1259 2000 2001 2002 2003 2004 2005



1260 VTD Roswell 02  
 1261 Block 030331:  
 1262 2000 2001 2002 2003 2004 2005 2006 2007  
 1263 Block 030369:  
 1264 2002 2003  
  
 1265 District 002  
 1266 County Cobb GA  
 1267 VTD Dickerson 01  
 1268 VTD Dodgen 01  
 1269 VTD Eastside 01  
 1270 VTD Fullers Park 01  
 1271 Block 030332:  
 1272 2006 2007 2008 2009 2010 2012  
 1273 Block 030366:  
 1274 1001 2000 2001 2002 2003  
 1275 VTD Mount Bethel 01  
 1276 Block 030370:  
 1277 1004 1005 1006 3000 3002  
 1278 VTD Roswell 02  
 1279 Block 030369:  
 1280 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011  
 1281 1012 1013 1014 1015 1016 1017 2000 2001 2004 2005 2006  
 1282 VTD Sewell Mill 01  
 1283 Block 030358:  
 1284 2001 2002 2003 2007 2008  
 1285 VTD Timber Ridge 01

1286 District 003  
1287 County Cobb GA  
1288 VTD Mount Bethel 01  
1289 Block 030319:  
1290 1000 1001 1002 1003 1004  
1291 Block 030337:  
1292 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011  
1293 2012 2013 2014 2015 2016 2017 2018 2019 3000 3001 3002 3003  
1294 3004 3005 3006 3007 3008 3009 3010  
1295 Block 030370:  
1296 3004  
1297 VTD Mount Bethel 03  
1298 VTD Mount Bethel 04  
1299 VTD Sope Creek 01  
1300 VTD Sope Creek 03  
1301 Block 030352:  
1302 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011  
1303 1012 1013 1014  
1304 Block 030354:  
1305 1000 1001 1002 1003 1004 1005 1006 1007 3000  
1306 excluding portion of block 3006 that is part of National Park  
1307 excluding portion of block 3007 that is part of National Park

1308

APPENDIX C

1309

CERTIFICATE AS TO MINIMUM STANDARDS

1310

FOR INCORPORATION OF A NEW MUNICIPAL CORPORATION

1311 I, Representative Matt Dollar, Georgia State Representative from the 45th District and the  
 1312 author of this bill introduced at the 2021 session of the General Assembly of Georgia, which  
 1313 grants an original municipal charter to the City of East Cobb, do hereby certify that this bill  
 1314 is in compliance with the minimum standards required by Chapter 31 of Title 36 of the  
 1315 O.C.G.A. in that the area embraced within the original incorporation in this bill is in all  
 1316 respects in compliance with the minimum standards required by Chapter 31 of Title 36 of the  
 1317 O.C.G.A. This certificate is executed to conform to the requirements of Code  
 1318 Section 36-31-5 of the O.C.G.A.

1319 So certified this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

1320

\_\_\_\_\_

1321

1322

Honorable Matt Dollar

1323

Representative, 45th District

1324

Georgia State House of Representatives