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OF
CODE OF ORDINANCES OF
THE CITY OF ROBERTA, GEORGIA 1981
AS AMENDED THROUGH
JULY 1, 1983

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City Charter

CITY OF ROBERTA - NEW CHARTER

CITY OF ROBERTA - NEW CHARTER

NO. 1433 (HOUSE BILL NO. 1909)

AN ACT TO PROVIDE A NEW CHARTER FOR THE CITY OF ROBERTA, GEORGIA, IN THE COUNTY OF CRAWFORD; TO PROVIDE FOR THE INCORPORATION AND POWERS OF SUCH CITY; TO PROVIDE FOR THE GOVERNING AUTHORITY; TO PROVIDE FOR THE EXECUTIVE BRANCH OF THE CITY GOVERNMENT; TO PROVIDE FOR THE JUDICIAL BRANCH OF THE CITY GOVERNMENT; TO PROVIDE FOR ELECTIONS; TO PROVIDE FOR THE FINANCIAL AND FISCAL AFFAIRS OF THE CITY; TO PROVIDE FOR GENERAL PROVISIONS; TO PROVIDE FOR OTHER MATTERS RELATIVE THERETO; TO PROVIDE FOR SPECIFIC REPEAL; TO PROVIDE FOR SEVERABILITY; TO PROVIDE AN EFFECTIVE DATE; TO REPEAL CONFLICTING LAWS; AND FOR OTHER PURPOSES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA.

ARTICLE I

INCORPORATION, POWERS

SECTION 1.10 - INCORPORATION:

THIS ACT SHALL CONSTITUTE THE WHOLE CHARTER OF THE CITY OF ROBERTA, REPEALING AND REPLACING THE CHARTER PROVIDED BY AN ACT OF THE GENERAL ASSEMBLY APPROVED DECEMBER 10, 1937 (GA. L. 1937-38, EX. SESS., P. 1273), AS AMENDED. THE CITY OF ROBERTA, GEORGIA, IN THE COUNTY OF CRAWFORD AND THE INHABITANTS THEREOF ARE HEREBY CONSTITUTED AND DECLARED A BODY POLITIC AND CORPORATE UNDER THE SAME NAME AND STYLE OF ROBERTA, GEORGIA, AND BY THAT NAME SHALL HAVE PERPETUAL, SUCCESSION MAY SUE AND BE SUED, PLEAD AND BE IMPEADED IN ALL THE COURTS OF LAW AND EQUITY AND IN ALL ACTIONS WHATSOEVER AND MAY HAVE AND USE A COMMON SEAL AND CHANGE IT AT PLEASURE.

SECTION 1.11 - CORPORATE BOUNDARIES:

- A. THE BOUNDARIES OF THE CITY OF ROBERTA SHALL EXTEND 1,200 YARDS IN EVERY DIRECTION FROM THE BENJAMIN HAWKINS MONUMENT WHICH IS LOCATED IN THE CENTER OF SAID CITY OF ROBERTA, AND SAID CORPORATE LIMITS SHALL ALSO INCLUDE ALL THAT AREA ADJOINING THE EXISTING LIMITS OF THE CITY ON THE WEST AND SOUTHWEST KNOWN AS "LINDA PARK SUBDIVISION", AND AS SHOWN IN PLAT OF SAID SUBDIVISION MADE BY WINCHESTER ENGINEERING COMPANY, COPY OF WHICH IS OF RECORD IN PLAT BOOK 1, PAGE 45, IN THE OFFICE OF THE CLERK OF THE SUPERIOR COURT OF CRAWFORD COUNTY, GEORGIA. THE CURRENT BOUNDARIES OF THE CITY OF ROBERTA SHALL, WHENEVER POSSIBLE, BE SHOWN ON A MAP TO BE RETAINED PERMANENTLY IN THE OFFICE OF THE CITY CLERK AND TO BE DESIGNATED: "ROBERTA, GEORGIA." ALTERATIONS IN THESE BOUNDARIES SHALL BE INDICATED BY APPROPRIATE ENTRIES UPON OR ADDITIONS TO SUCH MAP. SUCH ENTRIES OR ADDITIONS SHALL BE MADE BY AND UNDER THE DIRECTION OF THE MAYOR. PHOTOGRAPHIC, TYPED OR OTHER COPIES OF SUCH MAP CERTIFIED BY THE MAYOR SHALL BE ADMITTED IN EVIDENCE IN ALL COURTS AND SHALL HAVE THE SAME FORCE AND EFFECT AS WITH THE ORIGINAL MAP.
- B. THE CITY COUNCIL MAY PROVIDE FOR THE REDRAWING OF ANY SUCH MAP. A REDRAWN MAP SHALL SUPERSEDE FOR ALL PURPOSES THE EARLIER MAP OR MAPS WHICH IT IS DESIGNATED TO REPLACE.

SECTION 1.12 - SPECIFIC POWERS:

THE CORPORATE POWERS OF THE GOVERNMENT OF THE CITY OF ROBERTA, TO BE EXERCISED BY THE GOVERNING AUTHORITY, MAY INCLUDE THE FOLLOWING:

- (1) TO LEVY AND TO PROVIDE FOR THE ASSESSMENT, VALUATION, REVALUATION AND COLLECTION OF TAXES ON ALL PROPERTY SUBJECT TO TAXATION;
- (2) TO LEVY AND TO PROVIDE FOR THE COLLECTION OF LICENSE FEES AND TAXES ON PRIVILEGES, OCCUPATIONS, TRADES AND PROFESSIONS; TO LICENSE AND REGULATE SUCH PRIVILEGES, OCCUPATIONS, TRADES AND PROFESSIONS; AND TO PROVIDE FOR THE MANNER AND METHOD OF PAYMENT OF SUCH LICENSES AND TAXES;
- (3) TO MAKE APPROPRIATIONS FOR THE SUPPORT OF THE GOVERNMENT OF THE CITY; TO AUTHORIZE THE EXPENDITURE OF MONEY FOR ANY PURPOSES AUTHORIZED BY THIS CHARTER AND FOR ANY PURPOSE FOR WHICH A MUNICIPALITY IS AUTHORIZED BY THE LAWS OF THE STATE OF GEORGIA; AND TO PROVIDE FOR THE PAYMENT OF EXPENSES OF THE CITY;
- (4) TO APPROPRIATE AND BORROW MONEY FOR THE PAYMENT OF DEBTS OF THE CITY, AND TO ISSUE BONDS TO RAISE REVENUE TO CARRY OUT ANY PROJECT, PROGRAM OR VENTURE AUTHORIZED BY THIS CHARTER OR THE LAWS OF THE STATE OF GEORGIA;
- (5) TO ACQUIRE, DISPOSE OF AND HOLD IN TRUST OR OTHERWISE ANY REAL, PERSONAL, OR MIXED PROPERTY IN FEE SIMPLE OR LESSER INTEREST INSIDE OR OUTSIDE THE PROPERTY LIMITS OF THE CITY;
- (6) TO ACCEPT OR REFUSE GIFTS, DONATIONS, REQUESTS OR GRANTS FROM ANY SOURCE FOR ANY PURPOSE RELATED TO THE POWERS AND DUTIES OF THE CITY AND THE GENERAL WELFARE OF ITS CITIZENS ON SUCH TERMS AND CONDITIONS AS THE DONOR OR GRANTOR MAY IMPOSE;
- (7) TO CONDEMN PROPERTY INSIDE OR OUTSIDE THE CORPORATE LIMITS OF THE CITY FOR PRESENT OR FUTURE USE AND FOR ANY CORPORATE PURPOSE DEEMED NECESSARY BY THE GOVERNING AUTHORITY UNDER SECTION 36-202 OF THE CODE OF GEORGIA, 1933, OR UNDER OTHER APPLICABLE PUBLIC ACTS AS ARE OR MAY BE ENACTED;
- (8) TO ACQUIRE, LEASE, CONSTRUCT, OPERATE, MAINTAIN, SELL

AND DISPOSE OF PUBLIC UTILITIES, INCLUDING BUT NOT LIMITED TO A SYSTEM OF WATERWORKS, SEWERS AND DRAINS, SEWAGE DISPOSAL, GAS WORKS, ELECTRIC LIGHT PLANTS, TRANSPORTATION FACILITIES, PUBLIC AIRPORTS AND OTHER PUBLIC UTILITIES; TO FIX THE TAXES, CHARGES, RATES, FEES, FARES, ASSESSMENTS, REGULATIONS, PENALTIES AND WITHDRAWAL OF SERVICE FOR REFUSAL OR FAILURE TO PAY SAME; AND TO FIX THE MANNER IN WHICH SUCH REMEDIES SHALL BE ENFORCED;

- (9) TO GRANT FRANCHISES OR MAKE CONTRACTS FOR PUBLIC UTILITIES AND PUBLIC SERVICES NOT TO EXCEED PERIODS OF 35 YEARS; TO PRESCRIBE THE RATES, FARES, REGULATIONS AND STANDARDS AND CONDITIONS OF SERVICE APPLICABLE TO THE SERVICE TO BE PROVIDED BY THE FRANCHISE GRANTEE OR CONTRACTOR INSOFAR AS NOT IN CONFLICT WITH SUCH REGULATIONS OF THE PUBLIC SERVICE COMMISSION;
- (10) TO LAY OUT, OPEN, EXTEND, WIDEN, NARROW, ESTABLISH, CHANGE THE GRADE OF ABANDON, CLOSE, CONSTRUCT, PAVE, CURB, GUTTER, ADORN WITH SHADE TREES OR OTHERWISE IMPROVE, MAINTAIN, REPAIR, CLEAN, PREVENT EROSION OF AND LIGHT ROADS, ALLEYS AND WALKWAYS WITHIN THE CORPORATE LIMITS OF THE CITY;
- (11) TO GRANT FRANCHISES AND RIGHTS-OF-WAY THROUGHOUT THE STREETS AND ROADS AND OVER THE BRIDGES AND VIADUCTS FOR THE USE OF PUBLIC UTILITIES;
- (12) TO PROVIDE FOR THE ACQUISITION, CONSTRUCTION, BUILDING, OPERATION AND MAINTENANCE OF PUBLIC WAYS, PARKS AND PLAYGROUNDS, PUBLIC BUILDINGS, RECREATIONAL FACILITIES, CEMETERIES, MARKETS AND MARKET HOUSES, LIBRARIES, SEWERS, DRAINS, SEWERAGE TREATMENT, AIRPORTS, HOSPITALS AND CHARITABLE, CULTURAL, EDUCATIONAL, RECREATIONAL, CONSERVATION, SPORT, CURATIVE, CORRECTIVE, DETENTIONAL, PENAL AND MEDICAL INSTITUTIONS, AGENCIES AND FACILITIES AND ANY OTHER PUBLIC IMPROVEMENTS INSIDE OR OUTSIDE THE CORPORATE LIMITS OF THE CITY; AND TO REGULATE THE USE THEREOF, AND FOR SUCH PURPOSES PROPERTY MAY BE ACQUIRED BY CONDEMNATION UNDER SECTION 36-202 OF THE CODE OF GEORGIA, 1933, OR OTHER APPLICABLE PUBLIC ACTS AS ARE OR MAY BE ENACTED;
- (13) TO REQUIRE REAL ESTATE OWNERS TO REPAIR AND MAINTAIN IN A SAFE CONDITION THE SIDEWALKS ADJOINING THEIR LOTS OR LANDS; AND TO ENACT ORDINANCES ESTABLISHING THE TERMS AND CONDITIONS UNDER WHICH SUCH REPAIRS AND

MAINTENANCE SHALL BE EFFECTED, INCLUDING THE PENALTIES TO BE IMPOSED FOR A FAILURE TO DO SO;

- (14) TO REGULATE THE ERECTION AND CONSTRUCTION OF BUILDINGS AND ALL OTHER STRUCTURES; TO ADOPT HOUSING, BUILDING, PLUMBING, ELECTRICAL, GAS AND HEATING AND AIR-CONDITIONING CODES; TO REGULATE ALL HOUSING, BUILDING OR BUILDING TRADES; TO LICENSE ALL BUILDING TRADES; AND TO LICENSE THE CONSTRUCTION AND ERECTION OF BUILDINGS AND ALL OTHER STRUCTURES;
- (15) TO PROVIDE FOR THE PREVENTION AND PUNISHMENT OF RIOTS AND PUBLIC DISTURBANCES;
- (16) TO REGULATE OR PROHIBIT JUNK DEALERS, PAWN SHOPS, THE MANUFACTURE, SALE OR TRANSPORTATION OF INTOXICATING LIQUORS AND LIQUIDS, THE USE AND SALE OF FIREARMS, THE TRANSPORTATION, STORAGE AND USE OF COMBUSTIBLE, EXPLOSIVE AND INFLAMMABLE MATERIALS, THE USE OF LIGHTING AND HEATING EQUIPMENT AND ANY OTHER BUSINESS OR SITUATION WHICH MAY BE DANGEROUS TO PERSONS OR PROPERTY;
- (17) TO REGULATE AND CONTROL THE CONDUCT OF PEDDLERS, ITINERANT TRADES, THEATRICAL PERFORMANCES, EXHIBITIONS AND SHOWS OF ANY KIND BY TAXATION OR OTHERWISE;
- (18) TO LICENSE, TAX, REGULATE OR PROHIBIT PROFESSIONAL FORTUNE TELLING OR PALMISTRY;
- (19) TO PROHIBIT OR REGULATE AND CONTROL THE ERECTION, REMOVAL AND MAINTENANCE OF SIGNS, BILLBOARDS, TREES, SHRUBS, FENCES, BUILDINGS AND ANY AND ALL OTHER STRUCTURES OR OBSTRUCTIONS UPON OR ADJACENT TO THE RIGHTS-OF-WAY OF STREETS AND ROADS OR WITHIN VIEW THEREOF, WITHIN OR ABUTTING THE CORPORATE LIMITS OF THE CITY OF ROBERTA; AND TO PRESCRIBE PENALTIES AND PUNISHMENT FOR VIOLATION OF SUCH ORDINANCES;
- (20) TO PRESCRIBE STANDARDS OF HEALTH AND SANITATION AND TO PROVIDE FOR THE ENFORCEMENT OF SUCH STANDARDS;
- (21) TO REGULATE THE EMISSION OF SMOKE OR OTHER EXHAUST WHICH POLLUTES THE AIR; AND TO PREVENT THE POLLUTION OF NATURAL STREAMS WHICH FLOW WITHIN THE CORPORATED LIMITS OF THE CITY;
- (22) TO FIX AND ESTABLISH FIRE LIMITS AND FROM TIME TO TIME TO EXTEND, ENLARGE OR RESTRICT SAME; TO PRESCRIBE FIRE

SAFETY REGULATIONS NOT INCONSISTENT WITH GENERAL LAW RELATING TO BOTH FIRE PREVENTION AND DETECTION AND TO FIRE FIGHTING; AND TO PRESCRIBE PENALTIES AND PUNISHMENT FOR VIOLATION THEREOF;

- (23) TO PROVIDE FOR THE DESTRUCTION AND REMOVAL OF ANY BUILDING OR OTHER STRUCTURE WHICH MAY OR MIGHT BECOME DANGEROUS OR DETRIMENTAL TO THE PUBLIC, BUT ONLY AFTER NOTICE HAS BEEN GIVEN TO THE OWNER OF SUCH BUILDING OR STRUCTURE AND THERE HAS BEEN NO UNDERTAKING BY THE OWNER TO REMOVE SUCH BUILDING OR STRUCTURE WITHIN A PERIOD OF 60 DAYS AFTER SUCH NOTICE. UPON THE CITY DESTROYING OR REMOVING SUCH BUILDING OR STRUCTURE, THE OWNER THEREOF SHALL BE ASSESSED AND SHALL BE LIABLE FOR THE ACTUAL COST OF SUCH DESTRUCTION OR REMOVAL;
- (24) TO PROVIDE FOR THE COLLECTION AND DISPOSAL OF GARBAGE, RUBBISH AND REFUSE; TO REGULATE THE COLLECTION AND DISPOSAL OF GARBAGE, RUBBISH AND REFUSE BY OTHERS; AND TO PROVIDE FOR THE SEPARATE COLLECTION OF GLASS, TIN, ALUMINUM, CARDBOARD, PAPER AND OTHER RECYCLABLE MATERIALS AND THE RESALE OF SUCH ITEMS;
- (25) TO LEVY, FIX, ASSESS AND COLLECT A GARBAGE, REFUSE AND TRASH COLLECTION AND DISPOSAL AND OTHER SANITARY SERVICE CHARGE, TAX OR FEE FOR SUCH SERVICES AS MAY BE NECESSARY IN THE OPERATION OF THE CITY FROM ALL INDIVIDUALS, FIRMS AND CORPORATIONS RESIDING IN OR DOING BUSINESS IN THE CITY OF ROBERTA, AND BENEFITING FROM SUCH SERVICES; TO ENFORCE THE PAYMENT OF SUCH CHARGES, TAXES OR FEES; AND TO PROVIDE FOR THE MANNER AND METHOD OF COLLECTING SUCH SERVICE CHARGES;
- (26) TO LEVY A FEE OR CHARGE OF SEWER TAX AS NECESSARY TO ASSURE THE ACQUIRING, CONSTRUCTING, EQUIPPING, OPERATING, MAINTAINING AND EXTENDING OF A SEWAGE DISPOSAL PLANT AND SEWERAGE SYSTEM; TO LEVY ON THE USERS OF SEWERS AND THE SEWERAGE SYSTEM A SEWER SERVICE CHARGE OR FEE OF SEWER TAX FOR THE USE OF THE SEWERS; AND TO PROVIDE FOR THE MANNER AND METHOD OF COLLECTING SUCH SERVICE CHARGES AND FOR ENFORCING PAYMENT OF SAME;
- (27) TO CHARGE, IMPOSE AND COLLECT A SEWER CONNECTION FEE OR FEES AND TO CHANGE THE SAME FROM TIME TO TIME, SUCH FEES TO BE LEVIED ON THE USERS CONNECTING WITH THE SEWERAGE SYSTEM;
- (28) TO DEFINE, REGULATE AND PROHIBIT ANY ACT, CONDUCT,

PRACTICE OR USE OF PROPERTY WHICH IS DETRIMENTAL OR LIKELY TO BE DETRIMENTAL TO THE HEALTH, SANITATION, CLEANLINESS, WELFARE AND SAFETY OF THE INHABITANTS OF THE CITY OF ROBERTA; AND TO PROVIDE FOR THE ENFORCEMENT OF SUCH STANDARDS;

- (29) TO DEFINE A NUISANCE AND PROVIDE FOR ITS ABATEMENT WHETHER ON PUBLIC OR PRIVATE PROPERTY;
- (30) TO PROVIDE FOR THE PRESERVATION AND PROTECTION OF PROPERTY AND EQUIPMENT OF THE CITY AND THE ADMINISTRATION AND USE OF SAME BY THE PUBLIC; AND TO PRESCRIBE PENALTIES AND PUNISHMENT FOR VIOLATIONS THEREOF;
- (31) TO ESTABLISH MINIMUM STANDARDS FOR AND TO REGULATE BUILDING CONSTRUCTION AND REPAIR, ELECTRICAL WIRING AND EQUIPMENT, GAS INSTALLATION AND EQUIPMENT, PLUMBING AND HOUSING FOR THE HEALTH, SANITATION, CLEANLINESS, WELFARE AND SAFETY OF INHABITANTS OF THE CITY OF ROBERTA; AND TO PROVIDE FOR THE ENFORCEMENT OF SUCH STANDARDS;
- (32) TO PROVIDE THAT PERSONS GIVEN JAIL SENTENCES IN THE MAYOR'S COURT MAY WORK OUT SUCH SENTENCE IN ANY PUBLIC WORKS OR ON THE STREETS, ROADS, DRAINS AND SQUARES IN THE CITY OR TO PROVIDE FOR THE COMMITMENT OF SUCH PERSONS TO ANY COUNTY WORK CAMP OR JAIL BY AGREEMENT WITH THE APPROPRIATE COUNTY OFFICIALS;
- (33) TO ADOPT ORDINANCES AND REGULATIONS FOR THE PREVENTION OF LOITERING, DISORDERLY CONDUCT AND DISTURBING THE PEACE IN THE CORPORATE LIMITS OF THE CITY OF ROBERTA; AND TO PROHIBIT OR REGULATE BY ORDINANCE SUCH OTHER CONDUCT AND ACTIVITIES WITHIN THE CITY WHICH, WHILE NOT CONSTITUTING OFFENSES AGAINST THE LAWS OF THIS STATE, ARE DEEMED BY THE GOVERNING AUTHORITY TO BE DETRIMENTAL AND OFFENSIVE TO THE PEACE AND GOOD ORDER OF THE CITY OR TO THE WELFARE OF THE CITIZENS THEREOF;
- (34) TO REGULATE AND LICENSE OR PROHIBIT THE KEEPING OR RUNNING AT LARGE OF ANIMALS AND FOWL; TO PROVIDE FOR THE IMPOUNDMENT OF SAME IF IN VIOLATION OF ANY ORDINANCE OR LAWFUL ORDER; TO PROVIDE FOR THEIR DISPOSITION BY SALE, GIFT, OR HUMANE DESTRUCTION WHEN NOT REDEEMED AS PROVIDED BY ORDINANCE; AND TO PROVIDE PUNISHMENT FOR VIOLATION OF ORDINANCES ENACTED HEREUNDER;

- (35) TO REGULATE THE OPERATION OF MOTOR VEHICLES; AND EXERCISE CONTROL OVER ALL TRAFFIC, INCLUDING PARKING UPON OR ACROSS THE STREETS, ROADS, ALLEYS AND WALKWAYS OF THE CITY;
- (36) TO REGULATE AND LICENSE VEHICLE OPERATED FOR HIRE IN THE CITY; TO LIMIT THE NUMBER OF SUCH VEHICLES; TO REQUIRE THE OPERATORS THEREOF TO BE LICENSED; TO REQUIRE PUBLIC LIABILITY INSURANCE ON SUCH VEHICLES IN THE AMOUNTS TO BE PRESCRIBED BY ORDINANCE; AND TO REGULATE AND RENT PARKING SPACES IN PUBLIC WAYS FOR THE USE OF SUCH VEHICLES;
- (37) TO PROVIDE AND MAINTAIN A SYSTEM OF PENSIONS AND RETIREMENT FOR OFFICERS AND EMPLOYEES OF THE CITY;
- (38) TO LEVY AND PROVIDE FOR THE COLLECTION OF SPECIAL ASSESSMENTS TO COVER THE COSTS OF ANY PUBLIC IMPROVEMENTS;
- (39) TO ENTER INTO CONTRACTS AND AGREEMENTS WITH OTHER GOVERNMENTAL ENTITIES AND WITH PRIVATE PERSONS, FIRMS AND CORPORATIONS PROVIDING FOR SERVICES TO BE FURNISHED AND PAYMENTS TO BE MADE THEREFORE;
- (40) TO CREATE, ALTER OR ABOLISH DEPARTMENTS, BOARDS, OFFICES, COMMISSIONS AND AGENCIES OF THE CITY; AND TO CONFER UPON SUCH AGENCIES THE NECESSARY AUTHORITY FOR CARRYING OUT ALL THE POWERS CONFERRED UPON OR DELEGATED TO SAME;
- (41) TO MAKE, ORDAIN AND ESTABLISH SUCH BYLAWS, ORDINANCES, RULES AND REGULATIONS AS SHALL APPEAR NECESSARY FOR THE SECURITY, WELFARE, CONVENIENCE AND INTEREST OF THE CITY AND THE INHABITANTS THEREOF AND FOR PRESERVING THE HEALTH, PEACE, ORDER AND GOOD GOVERNMENT OF THE CITY;
- (42) TO PROVIDE PENALTIES FOR VIOLATIONS OF ANY ORDINANCE ADOPTED PURSUANT TO THE AUTHORITY OF THIS CHARTER AND THE LAWS OF THE STATE OF GEORGIA;
- (43) TO EXERCISE THE POWER OF ARREST THROUGH DULY APPOINTED POLICEMEN;
- (44) TO ESTABLISH PROCEDURES FOR DETERMINING AND PROCLAIMING THAT AN EMERGENCY SITUATION EXISTS WITHIN OR WITHOUT THE CITY AND TO MAKE AND CARRY OUT ALL REASONABLE PROVISIONS DEEMED NECESSARY TO DEAL WITH OR

MEET SUCH AN EMERGENCY FOR THE PROTECTION, SAFETY, HEALTH OR WELL-BEING OF THE CITIZENS OF THE CITY;

- (45) TO EXERCISE AND ENJOY ALL OTHER POWERS, FUNCTIONS, RIGHTS, PRIVILEGES AND IMMUNITIES NECESSARY OR DESIRABLE TO PROMOTE OR PROTECT THE SAFETY, HEALTH, PEACE, SECURITY, GOOD ORDER, COMFORT, CONVENIENCE OR GENERAL WELFARE OF THE CITY AND ITS INHABITANTS; TO EXERCISE ALL IMPLIED POWERS NECESSARY TO CARRY INTO EXECUTION ALL POWERS GRANTED IN THIS CHARTER AS FULLY AND COMPLETELY AS IF SUCH POWERS ARE FULLY ENUMERATED HEREIN; AND TO EXERCISE ALL POWERS NOW OR IN THE FUTURE AUTHORIZED TO BE EXERCISED BY OTHER MUNICIPAL GOVERNMENTS UNDER OTHER LAWS OF THE STATE OF GEORGIA. NO ENUMERATION OF PARTICULAR POWERS IN THIS CHARTER SHALL BE HELD TO BE EXCLUSIVE OF OTHERS NOR RESTRICTIVE OF GENERAL WORDS AND PHRASES GRANTING POWERS BUT SHALL BE HELD TO BE IN ADDITION TO SUCH POWERS UNLESS EXPRESSLY PROHIBITED TO MUNICIPALITIES UNDER THE CONSTITUTION OR APPLICABLE LAWS OF THE STATE OF GEORGIA.

SECTION 1.13 - GENERAL POWERS:

IN ADDITION TO ALL OTHER POWERS HEREIN GRANTED, THE CITY SHALL BE VESTED WITH ANY AND ALL POWERS WHICH MUNICIPAL CORPORATIONS ARE OR MAY HEREAFTER BE AUTHORIZED OR REQUIRED TO EXERCISE UNDER THE CONSTITUTION AND LAWS OF THE STATE OF GEORGIA, AS FULLY AND COMPLETELY AS THOUGH SUCH POWERS WERE SPECIFICALLY ENUMERATED HEREIN, AND ANY AND ALL POWERS WHICH THE CITY WAS HERETOFORE AUTHORIZED TO EXERCISE UPON THE EFFECTIVE DATE OF THIS CHARTER.

SECTION 1.14 - CONSTRUCTION:

THE POWERS OF THE CITY SHALL BE CONSTRUED LIBERALLY AND IN FAVOR OF THE CITY. THE SPECIFIC MENTION OR FAILURE TO MENTION PARTICULAR POWERS IN THIS CHARTER SHALL NOT BE CONSTRUED AS LIMITING IN ANY WAY THE GENERAL POWER OF THE CITY AS STATED IN THIS CHARTER. IT IS THE INTENTION HEREOF TO GRANT THE CITY FULL POWER AND RIGHT TO EXERCISE ALL GOVERNMENT AUTHORITY NECESSARY FOR THE EFFECTIVE OPERATING AND CONDUCT OF THE CITY AND ALL OF ITS AFFAIRS.

SECTION 1.15 - EXERCISE OF POWERS:

ALL POWERS, FUNCTIONS, RIGHTS, PRIVILEGES AND IMMUNITIES OF THE CITY, ITS OFFICERS, AGENCIES OR EMPLOYEES SHALL BE CARRIED INTO EXECUTION AS PROVIDED BY THIS CHARTER.

IF THIS CHARTER MAKES NO PROVISION, SUCH POWERS, FUNCTIONS, RIGHTS, PRIVILEGES AND IMMUNITIES SHALL BE CARRIED INTO EXECUTION AS PROVIDED BY ORDINANCE OF THE GOVERNING AUTHORITY AND AS PROVIDED BY PERTINENT LAWS OF THE STATE OF GEORGIA.

ARTICLE II

GOVERNING BODY

SECTION 2.10 - CREATION, COMPOSITION, NUMBER, ELECTION:

THE LEGISLATIVE AUTHORITY OF THE GOVERNMENT OF THE CITY OF ROBERTA, EXCEPT AS OTHERWISE SPECIFICALLY PROVIDED IN THIS CHARTER, SHALL BE VESTED IN A CITY COUNCIL TO BE COMPOSED OF A MAYOR AND FIVE COUNCILMEN. THE MAYOR AND COUNCILMEN SHALL BE ELECTED IN THE MANNER PROVIDED BY ARTICLE V OF THIS CHARTER.

SECTION 2.11 - TERMS AND QUALIFICATION OF OFFICE:

THE MEMBERS OF THE COUNCIL SHALL SERVE FOR TERMS OF TWO YEARS AND UNTIL THEIR RESPECTIVE SUCCESSORS ARE ELECTED AND QUALIFIED. NO PERSON SHALL BE ELIGIBLE TO SERVE AS MAYOR OR COUNCIL UNLESS HE IS A RESIDENT OF THE CITY OF ROBERTA AND CONTINUES TO RESIDE IN THE CITY DURING HIS PERIOD OF SERVICE. HE SHALL ALSO BE REGISTERED AND QUALIFIED TO VOTE IN MUNICIPAL ELECTIONS OF THE CITY OF ROBERTA AND SHALL MEET THE QUALIFICATION STANDARDS REQUIRED FOR MEMBERS OF THE GEORGIA HOUSE OF REPRESENTATIVES AS NOW OR MAY IN THE FUTURE BE PRESCRIBED BY THE GEORGIA CONSTITUTION.

SECTION 2.12 - VACANCY; FORFEITURE; FILLING OF SAME:

- A. THE OFFICE OF THE MAYOR OR COUNCILMAN SHALL BECOME VACANT UPON THE INCUMBENT'S DEATH, RESIGNATION, FORFEITURE OF OFFICE OR REMOVAL FROM OFFICE IN ANY MANNER AUTHORIZED BY THIS CHARTER OR THE LAWS OF THE STATE OF GEORGIA.
- B. THE MAYOR OR ANY COUNCILMAN SHALL FORFEIT HIS OFFICE IF HE:
 - (1) LACKS AT ANY TIME DURING HIS TERM OF OFFICE ANY QUALIFICATION OF THE OFFICE AS PRESCRIBED BY THIS CHARTER OR THE LAWS OF THE STATE OF GEORGIA;
 - (2) WILFULLY AND KNOWINGLY VIOLATE ANY EXPRESS PROHIBITION OF THIS CHARTER; OR
 - (3) IS CONVICTED OF A CRIME INVOLVING MORAL

TURPITUDE.

- C. A VACANCY IN THE OFFICE OF MAYOR OR COUNCILMAN SHALL BE FILLED FOR THE REMAINDER OF THE UNEXPIRED TERM, IF ANY, AS PROVIDED FOR IN ARTICLE V OF THIS CHARTER.

SECTION 2.13 - COMPENSATION AND EXPENSES:

THE MAYOR AND COUNCILMEN SHALL RECEIVE AS COMPENSATION FOR THEIR SERVICES AN AMOUNT PRESCRIBED BY ORDINANCE PASSED BY THE COUNCIL IN CONFORMITY WITH THE LAWS OF THE STATE OF GEORGIA. THE MAYOR AND COUNCILMEN SHALL BE ENTITLED TO RECEIVE THEIR ACTUAL AND NECESSARY EXPENSES INCURRED IN THE PERFORMANCE OF THEIR DUTIES OF OFFICE;

SECTION 2.14 - PROHIBITIONS:

- A. EXCEPT AS AUTHORIZED BY LAW, NO MEMBERS OF THE COUNCIL SHALL HOLD ANY OTHER ELECTIVE CITY OFFICE OR CITY EMPLOYMENT DURING THE TERM FOR WHICH HE WAS ELECTED.
- B. NEITHER THE MAYOR NOR ANY COUNCILMAN SHALL VOTE UPON ANY QUESTION IN WHICH HE IS PERSONALLY INTERESTED.

SECTION 2.15 - INQUIRIES AND INVESTIGATIONS:

THE COUNCIL MAY MAKE INQUIRIES AND INVESTIGATIONS INTO THE AFFAIRS OF THE CITY AND THE CONDUCT OF ANY DEPARTMENT, OFFICE OR AGENCY THEREOF AND FOR THIS PURPOSE MAY SUBPOENA WITNESSES, ADMINISTER OATHS, TAKE TESTIMONY AND REQUIRE THE PRODUCTION OF EVIDENCE. ANY PERSON WHO FAILS OR REFUSES TO OBEY A LAWFUL ORDER ISSUED IN THE EXERCISE OF THESE POWERS BY THE COUNCIL SHALL BE PUNISHED AS PROVIDED BY ORDINANCE.

SECTION 2.16 - GENERAL POWER AND AUTHORITY OF THE COUNCIL:

- A. EXCEPT AS OTHERWISE PROVIDED BY LAW OR BY THIS CHARTER, THE COUNCIL SHALL BE VESTED WITH ALL THE POWERS OF GOVERNMENT OF THE CITY OF ROBERTA AS PROVIDED BY ARTICLE I OF THIS CHARTER.
- B. IN ADDITION TO ALL OTHER POWERS CONFERRED UPON IT BY LAW, THE COUNCIL SHALL HAVE THE AUTHORITY TO ADOPT AND PROVIDE FOR THE EXECUTION OF SUCH ORDINANCES, RESOLUTIONS, RULES AND REGULATIONS, NOT INCONSISTENT WITH THIS CHARTER, THE CONSTITUTION AND THE LAWS OF THE STATE OF GEORGIA, WHICH IT SHALL DEEM NECESSARY, EXPEDIENT OR HELPFUL FOR THE PEACE, GOOD ORDER, PROTECTION OF LIFE AND PROPERTY, HEALTH, WELFARE,

SANITATION, COMFORT, CONVENIENCE, PROSPERITY OR WELL-BEING OF THE INHABITANTS OF THE CITY OF ROBERTA AND MAY ENFORCE SUCH ORDINANCE BY IMPOSNG PENALTIES FOR VIOLATION THEREOF.

SECTION 2.20 - DUTIES OF MAYOR:

THE MAYOR SHALL:

- (1) PRESIDE AT ALL MEETINGS OF THE CITY COUNCIL;
- (2) BE THE OFFICIAL HEAD OF THE CITY FOR THE SERVICE OF PROCESS AND FOR CEREMONIAL PURPOSES;
- (3) HAVE POWER TO ADMINISTER OATHS AND TO TAKE AFFIDAVITS;
- (4) SIGN ALL WRITTEN CONTRACTS ENTERED INTO BY THE COUNCIL ON BEHALF OF THE CITY AND ALL OTHER CONTRACTS AND INSTRUMENTS EXECUTED BY THE CITY WHICH BY LAW ARE REQUIRED TO BE IN WRITING;
- (5) SEE THAT ALL LAWS AND ORDINANCES OF THE CITY ARE FAITHFULLY EXECUTED;
- (6) APPOINT AND REMOVE ALL OFFICERS, DEPARTMENT HEADS AND EMPLOYEES OF THE CITY EXCEPT AS OTHERWISE PROVIDED BY THIS CHARTER;
- (7) EXERCISE SUPERVISION OVER ALL EXECUTIVE ADMINISTRATIVE WORK OF THE CITY AND PROVIDE FOR THE COORDINATION OF ADMINISTRATIVE ACTIVITIES;
- (8) RECOMMEND TO THE COUNCIL SUCH MEASURES RELATIVE TO THE AFFAIRS OF THE CITY, IMPROVEMENT OF THE GOVERNMENT AND PROMOTION OF THE WELFARE OF ITS INHABITANTS AS HE MAY DEEM EXPEDIENT;
- (9) CALL SPECIAL MEETINGS OF THE COUNCIL AS PROVIDED FOR IN SECTION 2.31 OF THIS CHARTER;
- (10) APPROVE OR DISAPPROVE ORDINANCES AS PROVIDED FOR IN SECTION 2.38 OF THIS CHARTER;
- (11) REQUIRE ANY DEPARTMENT OR AGENCY OF THE CITY TO SUBMIT WRITTEN REPORTS IN CONNECTION WITH THE AFFAIRS THEREOF WHENEVER HE DEEMS IT EXPEDIENT;
- (12) PERFORM OTHER DUTIES AS MAY BE REQUIRED BY LAW, THIS CHARTER OR ORDINANCE.

SECTION 2.21 - MAYOR PRO TEM:

DURING THE ABSENCE OR DISABILITY OF THE MAYOR FOR ANY CAUSE, THE MAYOR PRO TEM., WHO SHALL BE SELECTED AS PROVIDED FOR IN THIS SECTION OF THE CHARTER, OR IN HIS ABSENCE OR DISABILITY FOR ANY REASON, ANY ONE OF THE COUNCILMEN CHOSEN BY THE COUNCIL SHALL BE CLOTHED WITH ALL THE RIGHTS AND PRIVILEGES OF THE MAYOR AND SHALL PERFORM THE DUTIES OF THE OFFICE OF MAYOR SO LONG AS SUCH ABSENCE OR DISABILITY SHALL CONTINUE. THE MAYOR SHALL ELECT ONE OF THE MEMBERS OF THE COUNCIL TO BE MAYOR PRO TEM, WHO SHALL SERVE FOR A TERM OF ONE YEAR AND UNTIL HIS SUCCESSOR IS ELECTED AND QUALIFIED.

SECTION 2.30 - ORGANIZATION MEETING:

THE COUNCIL SHALL MEET FOR ORGANIZATION ON THE FIRST MONDAY IN JANUARY. THE MEETING SHALL BE CALLED TO ORDER BY THE CITY CLERK AND THE OATH OF OFFICE SHALL BE ADMINISTERED TO THE NEWLY ELECTED MEMBERS AS FOLLOWS:

"I DO SOLEMNLY SWEAR THAT I WILL WELL AND TRULY PERFORM THE DUTIES OF (MAYOR OR COUNCILMAN AS THE CASE MAY BE) OF THE CITY OF ROBERTA AND THAT I WILL SUPPORT AND DEFEND THE CHARTER THEREOF AS WELL AS THE CONSTITUTION AND LAWS OF THE STATE OF GEORGIA AND OF THE UNITED STATES OF AMERICA."

SECTION 2.31 - REGULAR AND SPECIAL MEETINGS:

- A. THE COUNCIL SHALL HOLD REGULAR MEETINGS AT SUCH TIMES AND PLACES AS PRESCRIBED BY ORDINANCE. THE COUNCIL MAY RECESS ANY REGULAR MEETING AND CONTINUE SUCH MEETING ON ANY WEEKDAY OR HOUR IT MAY FIX AND MAY TRANSACT ANY BUSINESS AT SUCH CONTINUED MEETING AS MAY BE TRANSACTED AT ANY REGULAR MEETING.
- B. SPECIAL MEETINGS OF THE COUNCIL MAY BE HELD ON CALL OF THE MAYOR OR TWO COUNCILMEN. NOTICE OF SUCH MEETINGS SHALL BE SERVED ON ALL OTHER MEMBERS PERSONALLY, OR BY TELEPHONE PERSONALLY, OR SHALL BE LEFT AT THEIR RESIDENCES IN ADVANCE OF THE MEETING. SUCH NOTICE SHALL NOT BE REQUIRED IF THE MAYOR AND ALL COUNCILMEN ARE PRESENT WHEN THE SPECIAL MEETING IS CALLED. NOTICE OF ANY SPECIAL MEETING MAY BE WAIVED IN WRITING BEFORE OR AFTER SUCH MEETING AND ATTENDANCE AT THE MEETING SHALL ALSO CONSTITUTE WAIVER OF NOTICE OF ANY SPECIAL MEETING. ONLY THE BUSINESS STATED IN THE CALL MAY BE TRANSACTED AT THE SPECIAL MEETING EXCEPT BY

UNANIMOUS CONSENT OF ALL MEMBERS PRESENT. WITH SUCH CONSENT, ANY BUSINESS WHICH MAY BE TRANSACTED IN A REGULAR MEETING MAY BE CONDUCTED AT THE SPECIAL MEETING.

C. ALL MEETINGS OF THE COUNCIL SHALL BE PUBLIC.

SECTION 2.32 - RULES OF PROCEDURE:

THE COUNCIL SHALL ADOPT ITS RULES OF PROCEDURE AND ORDER OF BUSINESS CONSISTENT WITH THE PROVISIONS OF THIS CHARTER AND SHALL PROVIDE FOR THE KEEPING OF A JOURNAL OF ITS PROCEEDINGS WHICH JOURNAL SHALL BE A PUBLIC RECORD.

SECTION 2.33 - QUORUM VOTING:

THREE COUNCILMEN SHALL CONSTITUTE A QUORUM AND SHALL BE AUTHORIZED TO TRANSACT BUSINESS OF THE COUNCIL. VOTING ON THE ADOPTION OF ORDINANCES SHALL BE TAKEN BY VOICE VOTE AND THE AYES AND NAYS SHALL BE RECORDED IN THE JOURNAL BUT ANY MEMBER OF THE COUNCIL SHALL HAVE THE RIGHT TO REQUEST A ROLL CALL VOTE. THE AFFIRMATIVE VOTE OF THE THREE COUNCILMEN SHALL BE REQUIRED FOR THE ADOPTION OF ANY ORDINANCE, RESOLUTION OR MOTION EXCEPT AS OTHERWISE PROVIDED IN THIS CHARTER. IN ALL MATTERS OF BUSINESS, THE MAYOR SHALL HAVE NO VOTE EXCEPT IN THE EVENT OF A TIE VOTE BETWEEN THE COUNCILMEN PRESENT AND VOTING.

SECTION 2.34 - ACTION REQUIRING AN ORDINANCE:

AN ORDINANCE MAY BE INTRODUCED BY ANY MEMBER OF THE COUNCIL AND READ AT A REGULAR OR SPECIAL MEETING OF THE COUNCIL. ORDINANCES SHALL BE CONSIDERED AND ADOPTED OR REJECTED BY THE COUNCIL IN ACCORDANCE WITH THE RULES WHICH IT SHALL ESTABLISH.

SECTION 2.35 - EMERGENCY ORDINANCE:

TO MEET A PUBLIC EMERGENCY AFFECTING LIFE, HEALTH, PROPERTY OR PUBLIC PEACE, THE COUNCIL MAY ADOPT ONE OR MORE EMERGENCY ORDINANCES, BUT SUCH ORDINANCES MAY NOT LEVY TAXES, GRANT, RENEW OR EXTEND A FRANCHISE, REGULATE THE RATE CHARGED BY ANY PUBLIC UTILITY FOR ITS SERVICES, OR AUTHORIZE THE BORROWING OF MONEY EXCEPT AS PROVIDED BY LAW. AN EMERGENCY ORDINANCE SHALL BE INTRODUCED IN THE FORM AND MANNER PRESCRIBED FOR ORDINANCES GENERALLY EXCEPT THAT IT SHALL CONTAIN, AFTER THE ENACTING CLAUSE, A DECLARATION STATING THAT AN EMERGENCY EXISTS AND DESCRIBING THE EMERGENCY IN CLEAR AND SPECIFIC TERMS. AN EMERGENCY ORDINANCE MAY BE ADOPTED WITH OR WITHOUT AMENDMENT OR REJECTED AT THE MEETING AT WHICH IT IS

INTRODUCED, BUT THE AFFIRMATIVE VOTE OF AT LEAST THREE COUNCILMEN SHALL BE REQUIRED FOR ADOPTION. IT SHALL BECOME EFFECTIVE UPON ADOPTION OR AT SUCH LATER TIME AS IT MAY SPECIFY. EVERY EMERGENCY ORDINANCE SHALL AUTOMATICALLY STAND REPEALED 30 DAYS FOLLOWING THE DATE UPON WHICH IT WAS ADOPTED, BUT THIS SHALL NOT PREVENT REENACTMENT OF THE ORDINANCE IN THE MANNER SPECIFIED IN THIS SECTION IF THE EMERGENCY STILL EXISTS. AN EMERGENCY ORDINANCE MAY ALSO BE REPEALED BY ADOPTION OF A REPEALING ORDINANCE IN THE SAME MANNER SPECIFIED IN THIS SECTION OF ADOPTION OF EMERGENCY ORDINANCES.

SECTION 2.36 - CODES OF TECHNICAL REGULATIONS:

- A. THE COUNCIL MAY ADOPT ANY STANDARD CODE OF TECHNICAL REGULATIONS BY REFERENCE THERETO IN AN ADOPTING ORDINANCE. THE PROCEDURE AND REQUIREMENTS GOVERNING SUCH ADOPTING ORDINANCE SHALL BE AS PRESCRIBED FOR ORDINANCES GENERALLY EXCEPT THAT A COPY OF EACH ADOPTED CODE OF TECHNICAL REGULATIONS, AS WELL AS THE ADOPTING ORDINANCE SHALL BE AUTHENTICATED AND RECORDED BY THE CITY CLERK PURSUANT TO SECTION 2.37.
- B. COPIES OF ANY ADOPTED CODE OF TECHNICAL REGULATIONS MAY BE MADE AVAILABLE BY THE CITY CLERK FOR DISTRIBUTION OR FOR PURCHASE AT A REASONABLE PRICE.

SECTION 2.37 - SIGNING, AUTHENTICATING, RECORDING; CODIFICATION:

- A. THE CITY CLERK SHALL AUTHENTICATE BY HIS SIGNATURE AND RECORD IN FULL IN A PROPERLY INDEXED BOOK KEPT FOR THAT PURPOSE ALL ORDINANCES ADOPTED BY THE COUNCIL. EVERY ORDINANCE SHALL BE SIGNED BY THE MAYOR AS A MATTER OF COURSE AFTER ADOPTION.
- B. THE COUNCIL SHALL PROVIDE FOR THE PREPARATION OF A GENERAL CODIFICATION OF ALL OF THE ORDINANCES OF THE CITY HAVING THE FORCE AND EFFECT OF LAW. THE GENERAL CODIFICATION SHALL BE ADOPTED BY THE COUNCIL BY ORDINANCE AND SHALL BE PUBLISHED PROMPTLY, TOGETHER WITH ALL AMENDMENTS THERETO, WITH THIS CHARTER AND ANY AMENDMENT THERETO, AND SUCH CODES OF TECHNICAL REGULATIONS AND OTHER RULES AND REGULATIONS AS THE CITY COUNCIL MAY SPECIFY. THIS COMPILATION SHALL BE KNOWN AND CITED OFFICIALLY AS "THE CODE OF THE CITY OF ROBERTA, GEORGIA." COPIES OF THE CODE SHALL BE FURNISHED TO ALL OFFICERS, DEPARTMENTS AND AGENCIES OF THE CITY AND SHALL BE MADE AVAILABLE FOR PURCHASE BY THE PUBLIC AT A REASONABLE PRICE AS FIXED BY THE COUNCIL.

- C. THE COUNCIL SHALL CAUSE EACH ORDINANCE AND EACH AMENDMENT TO THIS CHARTER TO BE TYPED PROMPTLY FOLLOWING ITS ADOPTION. FOLLOWING PUBLICATION OF THE FIRST CODE OF THE CITY OF ROBERTA AND AT ALL TIMES THEREAFTER, THE ORDINANCES AND CHARTER AMENDMENTS SHALL BE TYPED IN SUBSTANTIALLY THE SAME STYLE AS THE CODE CURRENTLY IN EFFECT AND SHALL BE SUITABLE IN FORM FOR INCORPORATION THEREIN. THE COUNCIL SHALL MAKE SUCH FURTHER ARRANGEMENTS AS DEEMED DESIRABLE WITH RESPECT TO REPRODUCTION AND DISTRIBUTION OF ANY CURRENT CHANGES IN OR ADDITIONS TO CODES OF TECHNICAL REGULATIONS AND OTHER RULES AND REGULATIONS INCLUDED IN THE CODE.

SECTION 2.38 - SUBMISSION OF ORDINANCE TO THE MAYOR

- A. EVERY ORDINANCE ADOPTED BY THE COUNCIL SHALL BE PRESENTED PROMPTLY BY THE CITY CLERK TO THE MAYOR.
- B. THE MAYOR, WITHIN TEN CALENDAR DAYS OF RECEIPT OF AN ORDINANCE, SHALL RETURN IT TO THE CITY CLERK WITH OR WITHOUT HIS APPROVAL OR WITH HIS DISAPPROVAL. IF THE ORDINANCE HAS BEEN APPROVED BY THE MAYOR, IT SHALL BECOME LAW UPON ITS RETURN TO THE CITY CLERK. IF THE ORDINANCE IS NEITHER APPROVED NOR DISAPPROVED, IT SHALL BECOME LAW AT TWELVE O'CLOCK NOON ON THE TENTH CALENDAR DAY AFTER ITS ADOPTION. IF THE ORDINANCE IS DISAPPROVED, THE MAYOR SHALL SUBMIT TO THE COUNCIL THROUGH THE CITY CLERK A WRITTEN STATEMENT OF HIS REASONS FOR HIS VETO. THE CITY CLERK SHALL RECORD UPON THE ORDINANCE THE DATE OF ITS DELIVERY TO AND RECEIPT FROM THE MAYOR.
- C. ORDINANCES VETOED BY THE MAYOR SHALL BE PRESENTED BY THE CITY CLERK TO THE COUNCIL AT ITS NEXT REGULAR MEETING AND SHOULD THE COUNCIL THEN OR AT ITS NEXT REGULAR MEETING ADOPT THE ORDINANCE BY AN AFFIRMATIVE VOTE OF THREE MEMBERS, IT SHALL BE LAW.

ARTICLE III

EXECUTIVE BRANCH

SECTION 3.10 - ADMINISTRATIVE AND SERVICE DEPARTMENTS:

- A. THE COUNCIL BY ORDINANCE MAY ESTABLISH, ABOLISH, MERGE OR CONSOLIDATE OFFICES, POSITIONS OF EMPLOYMENT, DEPARTMENTS AND AGENCIES OF THE CITY AS IT SHALL DEEM NECESSARY FOR THE PROPER ADMINISTRATION OF THE AFFAIRS AND GOVERNMENT OF THE CITY. THE COUNCIL SHALL PRESCRIBE THE FUNCTIONS AND DUTIES OF EXISTING DEPARTMENTS, OFFICES AND AGENCIES OR OF ANY DEPARTMENTS, OFFICES AND AGENCIES HEREAFTER CREATED OR ESTABLISHED; MAY PROVIDE THAT THE SAME PERSON SHALL FILL ANY NUMBER OF OFFICES AND POSITIONS OF EMPLOYMENT AND MAY TRANSFER OR CHANGE, ADD TO OR DETRACT FROM THE FUNCTIONS OR DUTIES OF OFFICES, POSITIONS OF EMPLOYMENT, DEPARTMENTS AND AGENCIES OF THE CITY.
- B. THE OPERATIONS AND RESPONSIBILITIES OF EACH DEPARTMENT NOW OR HEREAFTER ESTABLISHED IN THE CITY SHALL BE DISTRIBUTED AMONG SUCH DIVISION OR BUREAUS AS MAY BE PROVIDED BY ORDINANCE OF THE COUNCIL. EACH DEPARTMENT SHALL CONSIST OF SUCH OFFICERS, EMPLOYEES AND POSITIONS AS MAY BE PROVIDED BY THIS CHARTER OR BY ORDINANCE AND SHALL BE SUBJECT TO THE GENERAL SUPERVISION AND GUIDANCE OF THE COUNCIL.
- C. EXCEPT AS OTHERWISE PROVIDED BY THIS CHARTER, THE DIRECTORS OF DEPARTMENTS AND OTHER APPOINTED OFFICERS OF THE CITY SHALL SERVE AT THE PLEASURE OF THE APPOINTING AUTHORITY. VACANCIES OCCURRING IN AN APPOINTIVE OFFICE SHALL BE FILLED IN THE SAME MANNER AS PRESCRIBED BY THIS CHARTER FOR ORIGINAL APPOINTMENT.
- D. EXCEPT AS OTHERWISE PROVIDED BY LAW, THE DIRECTORS OF DEPARTMENTS AND OTHER APPOINTED OFFICERS OF THE CITY SHALL BE APPOINTED SOLELY ON THE BASIS OF THEIR RESPECTIVE ADMINISTRATIVE AND PROFESSIONAL QUALIFICATIONS.
- E. ALL APPOINTIVE OFFICERS AND DIRECTORS OF DEPARTMENTS SHALL RECEIVE SUCH COMPENSATION AS PRESCRIBED BY ORDINANCE OF THE CITY COUNCIL.

SECTION 3.11 - BOARDS, COMMISSIONS AND AUTHORITIES:

- A. ALL MEMBERS OF BOARDS, COMMISSIONS, COMMITTEES AND AUTHORITIES SHALL BE APPOINTED BY THE MAYOR FOR SUCH TERMS OF OFFICE AND SUCH MANNER OF APPOINTMENT AS PROVIDED BY ORDINANCE EXCEPT WHERE OTHER APPOINTING AUTHORITY, TERMS OF OFFICE OR MANNER OF APPOINTMENT IS PRESCRIBED BY THE CHARTER OR BY APPLICABLE STATE LAW.
- B. ANY VACANCY IN OFFICE OF ANY MEMBER OF A BOARD, COMMISSION, COMMITTEE OR AUTHORITY OF THE CITY SHALL BE FILLED FOR THE UNEXPIRED TERM IN THE MANNER PRESCRIBED HEREIN FOR ORIGINAL APPOINTMENT EXCEPT AS OTHERWISE PROVIDED BY THIS CHARTER OR ANY APPLICABLE STATE LAW.
- C. NO MEMBER OF ANY BOARD, COMMISSION, COMMITTEE OR AUTHORITY SHALL ASSUME OFFICE UNTIL HE SHALL HAVE EXECUTED AND FILED WITH THE CITY CLERK THE OATH AS FOLLOWS:
- "I DO SOLEMNLY SWEAR THAT I WILL WELL AND TRULY PERFORM THE DUTIES OF (NAME OFFICE) OF THE CITY OF ROBERTA AND THAT I WILL SUPPORT AND DEFEND THE CHARTER THEREOF."
- D. ANY MEMBER OF A BOARD, COMMISSION, COMMITTEE OR AUTHORITY MAY BE REMOVED FROM OFFICE FOR CAUSE BY THE MAYOR OR BY A VOTE OF THREE MEMBERS OF THE COUNCIL.
- E. MEMBERS OF BOARDS, COMMISSIONS, COMMITTEES OR AUTHORITIES MAY RECEIVE SUCH COMPENSATION AND EXPENSES IN THE PERFORMANCE OF THEIR OFFICIAL DUTIES AS PRESCRIBED BY ORDINANCE.
- F. THE QUALIFICATIONS REQUIRED OF MEMBERS OF BOARDS, COMMISSIONS, COMMITTEES AND AUTHORITIES SHALL BE AS PRESCRIBED BY THE MAYOR AND COUNCIL.
- G. EXCEPT AS OTHERWISE PROVIDED BY THIS CHARTER OR BY APPLICABLE STATE LAW, EACH BOARD, COMMISSION, COMMITTEE OR AUTHORITY OF CITY GOVERNMENT SHALL ELECT ONE OF ITS MEMBERS AS CHAIRMAN AND ONE MEMBER AS VICE CHAIRMAN FOR TERMS OF ONE YEAR AND MAY ELECT AS ITS SECRETARY ONE OF ITS OWN MEMBERS OR MAY APPOINT AS SECRETARY AN EMPLOYEE OF THE CITY. EACH BOARD, COMMISSION, COMMITTEE OR AUTHORITY OF THE CITY GOVERNMENT MAY ESTABLISH SUCH BYLAWS, RULES AND REGULATIONS, NOT INCONSISTENT WITH THIS CHARTER, ORDINANCES OF THE CITY OR APPLICABLE STATE LAW, AS IT DEEMS APPROPRIATE AND NECESSARY FOR THE CONDUCT OF ITS

AFFAIRS, COPIES OF WHICH SHALL BE FILED WITH THE CITY CLERK.

SECTION 3.20 - CITY ATTORNEY:

THE COUNCIL SHALL APPOINT A CITY ATTORNEY TOGETHER WITH SUCH ASSISTANT CITY ATTORNEYS AS MAY BE AUTHORIZED BY ORDINANCE AND SHALL PROVIDE FOR THE PAYMENT OF SUCH ATTORNEY OR ATTORNEYS FOR SERVICES RENDERED TO THE CITY. THE CITY ATTORNEY SHALL BE RESPONSIBLE FOR REPRESENTING AND DEFENDING THE CITY IN ALL LITIGATION IN WHICH THE CITY IS A PARTY; MAY BE THE PROSECUTING OFFICER IN THE MAYOR'S COURT; SHALL ATTEND THE MEETINGS OF THE COUNCIL AS DIRECTED; SHALL ADVISE THE COUNCILMEN, MAYOR AND OTHER OFFICERS AND EMPLOYEES OF THE CITY CONCERNING LEGAL ASPECTS OF THE CITY'S AFFAIRS; AND SHALL PERFORM SUCH DUTIES AS MAY BE REQUIRED OF HIM BY VIRTUE OF HIS POSITION AS CITY ATTORNEY.

SECTION 3.30 - CITY CLERK:

THE COUNCIL MAY APPOINT A CITY CLERK TO KEEP A JOURNAL OF THE PROCEEDINGS OF THE CITY COUNCIL, TO MAINTAIN IN A SAFE PLACE ALL RECORDS AND DOCUMENTS PERTAINING TO THE AFFAIRS OF THE CITY AND TO PERFORM SUCH OTHER DUTIES AS MAY BE REQUIRED BY LAW OR AS THE COUNCIL MAY DIRECT.

SECTION 3.31 - CITY TAX COLLECTOR:

THE COUNCIL MAY APPOINT A CITY TAX COLLECTOR TO COLLECT ALL TAXES, LICENSES, FEES AND OTHER MONIES BELONGING TO THE CITY SUBJECT TO THE PROVISIONS OF THIS CHARTER AND THE ORDINANCES OF THE CITY. THE CITY TAX COLLECTOR SHALL DILIGENTLY COMPLY WITH AND ENFORCE ALL GENERAL LAWS OF GEORGIA RELATING TO THE COLLECTION, SALE OR FORECLOSURE OF TAXES BY MUNICIPALITIES.

SECTION 3.32 - CITY ACCOUNTANT:

THE COUNCIL MAY APPOINT A CITY ACCOUNTANT TO PERFORM THE DUTIES OF AN ACCOUNTANT.

SECTION 3.33 - CONSOLIDATION OF FUNCTIONS:

THE COUNCIL MAY CONSOLIDATE ANY TWO OR MORE OF THE POSITIONS OF CITY CLERK, CITY TAX COLLECTOR AND CITY ACCOUNTANT, OR ANY OTHER POSITIONS OR MAY ASSIGN THE FUNCTIONS OF ANY ONE OR MORE OF SUCH POSITIONS TO THE HOLDER OR HOLDERS OF ANY SUCH OTHER POSITIONS.

SECTION 3.40 - POSITION CLASSIFICATION AND PAY PLAN:

THE COUNCIL MAY PREPARE A POSITION CLASSIFICATION AND PAY PLAN WHICH SHALL BE ADOPTED BY ORDINANCE. SAID PLANS MAY APPLY TO ALL EMPLOYEES OF THE CITY OF ROBERTA AND EMPLOYEES OF ANY OF ITS AGENCIES AND OFFICES. WHEN A PAY PLAN HAS BEEN ADOPTED, THE COUNCIL SHALL NOT INCREASE OR DECREASE THE SALARIES OF INDIVIDUAL EMPLOYEES EXCEPT BY AMENDMENT OF SAID PAY PLAN.

SECTION 3.41 - PERSONNEL POLICIES:

THE COUNCIL MAY ADOPT RULES AND REGULATIONS CONSISTENT WITH THIS CHARTER CONCERNING:

- (1) THE METHOD OF EMPLOYEE SELECTION AND PROBATIONARY PERIODS OF EMPLOYMENT;
- (2) THE ADMINISTRATION OF THE POSITION CLASSIFICATION AND PAY PLAN, METHODS OF PROMOTION AND APPLICATION OF SERVICE RATINGS THERETO, AND TRANSFER OF EMPLOYEES WITHIN THE CLASSIFICATION PLAN;
- (3) HOURS OF WORK, VACATION, SICK LEAVE AND OTHER LEAVE OF ABSENCE, OVERTIME PAY AND THE ORDER AND MANNER IN WHICH LAYOFF SHALL BE EFFECTED; AND
- (4) SUCH OTHER PERSONNEL POLICIES AS MAY BE NECESSARY TO PROVIDE FOR ADEQUATE AND SYSTEMATIC HANDLING OF THE PERSONNEL AFFAIRS OF THE CITY OF ROBERTA.

ACTICLE IV

JUDICIAL BRANCH

SECTION 4.10 - CREATION OF A MAYOR'S COURT

THERE IS HEREBY ESTABLISHED A COURT TO BE KNOWN AS THE MAYOR'S COURT OF THE CITY OF ROBERTA WHICH SHALL HAVE JURISDICTION AND AUTHORITY TO TRY OFFENSES AGAINST THE LAWS AND ORDINANCES OF SAID CITY AND TO PUNISH FOR A VIOLATION OF THE SAME. SUCH COURT SHALL HAVE THE POWER AND AUTHORITY TO ENFORCE ITS JUDGEMENTS BY THE IMPOSITION OF SUCH PENALTIES AS MAY BE PROVIDED BY LAW; TO PUNISH WITNESSES FOR NONATTENDANCE; TO PUNISH ANY PERSON WHO MAY COUNSEL, ADVISE, AID, ENCOURAGE OR PERSUADE ANOTHER WHOSE TESTIMONY IS DESIRED OR MATERIAL IN ANY PROCEEDING BEFORE SAID COURT TO GO OR MOVE BEYOND THE REACH OF THE PROCESS OF THE COURT; TO TRY ALL OFFENSES WITHIN THE TERRITORIAL LIMITS OF THE CITY CONSTITUTING TRAFFIC CASES WHICH UNDER THE LAWS OF GEORGIA ARE PLACED WITHIN THE JURISDICTION OF MUNICIPAL OR POLICE COURTS TO THE EXTENT OF AND IN ACCORDANCE WITH THE PROVISIONS OF SUCH LAWS AND ALL LAWS SUBSEQUENTLY ENACTED AMENDATORY THEREOF. SAID COURT SHALL BE PRESIDED OVER BY THE MAYOR, OR IN THE ABSENCE OF THE MAYOR, THE MAYOR MAY APPOINT THE MAYOR PRO TEM. OR ANOTHER MEMBER OF THE COUNCIL TO SO PRESIDE.

SECTION 4.11 - CONVENING:

SAID COURT SHALL BE CONVENED AT SUCH TIMES AS DESIGNATED BY ORDINANCE OR AT SUCH TIMES AS DEEMED NECESSARY TO KEEP CURRENT THE DOCKETS THEREOF.

SECTION 4.12 - JURISDICTION; POWERS:

- A. THE MAYOR'S COURT SHALL TRY AND PUNISH FOR CRIMES AGAINST THE CITY OF ROBERTA AND FOR VIOLATION OF ITS ORDINANCES. THE MAYOR'S COURT SHALL HAVE AUTHORITY TO PUNISH THOSE IN ITS PRESENCE FOR CONTEMPT, PROVIDED THAT SUCH PUNISHMENT SHALL NOT EXCEED \$100.00 OR TEN DAYS IN JAIL. THE MAYOR'S COURT MAY FIX PUNISHMENT FOR OFFENSES WITHIN ITS JURISDICTION; PROVIDED, HOWEVER, THAT SUCH PUNISHMENT SHALL NOT EXCEED A FINE OF \$500.00 OR IMPRISONMENT FOR 90 DAYS, OR BOTH. AS AN ALTERNATIVE TO FINE OR IMPRISONMENT, THE MAYOR'S COURT MAY SENTENCE ANY OFFENDER UPON CONVICTION TO LABOR IN A CITY WORK GANG OR ON THE STREETS, SIDEWALKS, SQUARES OR OTHER PUBLIC WORKS FOR A PERIOD NOT EXCEEDING 30 DAYS.

- B. THE MAYOR'S COURT SHALL HAVE THE AUTHORITY TO ESTABLISH BAIL AND RECOGNIZANCES TO INSURE THE PRESENCE OF THOSE CHARGED WITH VIOLATIONS BEFORE SAID COURT AND SHALL HAVE DISCRETIONARY AUTHORITY TO ACCEPT CASH, PERSONAL PROPERTY OR REAL PROPERTY AS SURETY FOR APPEARANCE OF PERSONS CHARGED WITH VIOLATIONS. WHENEVER ANY PERSON SHALL GIVE BAIL FOR HIS APPEARANCE AND SHALL FAIL TO APPEAR AT THE TIME FIXED FOR TRIAL, HIS BOND SHALL BE FORFEITED BY THE JUDGE PRESIDING AT SUCH TIME AND AN EXECUTION SHALL BE ISSUED THEREON BY SERVING THE DEFENDANT AND HIS SURETIES WITH A RULE NISI AT LEAST TWO DAYS BEFORE A HEARING ON THE RULE NISI. IN THE EVENT THAT CASH OR PROPERTY IS ACCEPTED IN LIEU OF BOND FOR SECURITY FOR THE APPEARANCE OF A DEFENDANT AT TRIAL AND SUCH DEFENDANT FAILS TO APPEAR AT THE TIME AND PLACE FIXED FOR TRIAL, THE CASH SO DEPOSITED SHALL BE ON ORDER OF THE JUDGE DECLARED FORFEITED TO THE CITY OF ROBERTA OR THE PROPERTY SO DEPOSITED SHALL HAVE A LIEN AGAINST IT FOR THE VALUE FORFEITED, WHICH LIEN SHALL BE ENFORCEABLE IN THE SAME MANNER AND TO THE SAME EXTENT AS A LIEN FOR CITY PROPERTY TAXES.
- C. THE MAYOR'S COURT SHALL HAVE THE AUTHORITY TO BIND PRISONERS OVER TO THE APPROPRIATE COURT WHEN IT APPEARS BY PROBABLE CAUSE THAT A STATE LAW HAS BEEN VIOLATED.
- D. THE MAYOR'S COURT SHALL HAVE THE AUTHORITY TO ADMINISTER OATHS AND TO PERFORM ALL OTHER ACTS NECESSARY OR PROPER TO THE CONDUCT OF SAID COURT.
- E. THE MAYOR'S COURT MAY COMPEL THE PRESENCE OF ALL PARTIES NECESSARY TO A PROPER DISPOSAL OF EACH CASE BY THE ISSUANCE OF SUMMONS, SUBPOENAS AND WARRANTS WHICH MAY BE SERVED AS EXECUTED BY ANY OFFICER AS AUTHORIZED BY THIS CHARTER OR BY STATE LAW.
- F. THE MAYOR'S COURT IS SPECIFICALLY VESTED WITH ALL OF THE JURISDICTION AND POWERS THROUGHOUT THE ENTIRE AREA OF THE CITY OF ROBERTA GRANTED BY STATE LAWS GENERALLY TO MAYOR'S, RECORDER'S AND POLICE COURTS AND PARTICULARLY BY SUCH LAWS AS AUTHORIZE THE ABATEMENT OF NUISANCES.

SECTION 4.13 - APPEAL:

THE RIGHT OF APPEAL AND ANY BOND AS MAY BE REQUIRED TO SECURE THE COSTS ON APPEAL TO THE SUPERIOR COURT OF CRAWFORD

COUNTY FROM THE MAYOR'S COURT SHALL LIE IN THE SAME MANNER AND UNDER THE SAME PROCEDURE AS GENERALLY PRESCRIBED FOR APPEALS AND APPEAL BONDS FROM THE PROBATE COURT, PROVIDED, HOWEVER, THAT ANY PERSON WHO FAILS TO FILE HIS APPEAL WITHIN TEN CALENDAR DAYS OF THE DATE OF HIS CONVICTION SHALL BE DEEMED TO HAVE WAIVED ANY SUCH RIGHT. AN APPEAL TO THE SUPERIOR COURT SHALL BE A DE. NOVO PROCEEDING.

SECTION 4-14 - RULES FOR COURT:

WITH THE APPROVAL OF THE COUNCIL, THE JUDGE SHALL HAVE FULL POWER AND AUTHORITY TO MAKE REASONABLE RULES AND REGULATIONS NECESSARY AND PROPER TO SECURE THE EFFICIENT AND SUCCESSFUL ADMINISTRATION OF THE MAYOR'S COURT.

ARTICLE V

ELECTIONS

SECTION 5.10 - REGULAR ELECTIONS, TIME FOR HOLDING:

THE MAYOR AND COUNCILMEN SERVING ON THE EFFECTIVE DATE OF THIS ACT SHALL SERVE OUT THE REMAINDER OF THEIR TERMS OF OFFICE. ON THE FIRST TUESDAY IN DECEMBER OF EVEN-NUMBERED YEARS, THERE SHALL BE AN ELECTION FOR MAYOR AND COUNCIL POSTS NUMBER ONE AND TWO. ON THE FIRST TUESDAY IN DECEMBER OF OFF-NUMBERED YEARS, THERE SHALL BE AN ELECTION FOR COUNCIL POSTS NUMBER THREE, FOUR, AND FIVE. THE TERMS OF OFFICE OF MEMBERS OF THE COUNCIL SHALL BEGIN AT THE END AND HOUR OF TAKING OF OATH OF OFFICE AS PROVIDED FOR IN ARTICLE II, SECTION 2.30 OF THIS CHARTER. A CANDIDATE FOR THE OFFICE OF MAYOR OR FOR A POST ON THE COUNCIL SHALL DESIGNATE THE POST FOR WHICH HE IS OFFERING AS A CANDIDATE OR DESIGNATE THAT HE IS A CANDIDATE FOR THE OFFICE OF MAYOR.

SECTION 5.11 - QUALIFYING, NOMINATION OF CANDIDATES, ABSENTEE BALLOTS:

THE COUNCIL MAY, BY ORDINANCE, PRESCRIBE RULES AND REGULATIONS GOVERNING QUALIFYING FEES, NOMINATION OF CANDIDATES, ABSENTEE BALLOTS, WRITE-IN VOTES, CHALLENGE OF VOTES AND SUCH OTHER RULES AND REGULATIONS AS MAY BE NECESSARY FOR THE CONDUCT OF ELECTIONS IN THE CITY OF ROBERTA.

SECTION 5.20 - APPLICABILITY OF GENERAL LAWS:

THE PROCEDURES AND REQUIREMENTS FOR ELECTION OF ALL ELECTED OFFICIALS OF THE CITY OF ROBERTA AS TO PRIMARY, SPECIAL OR GENERAL ELECTIONS SHALL BE IN ACCORDANCE WITH THE PROVISIONS OF THE GEORGIA MUNICIPAL ELECTION CODE, AS NOW OR HEREAFTER AMENDED; PROVIDED, HOWEVER, THAT IN ANY ELECTION, THE CANDIDATE RECEIVING A PLURALITY OF THE VOTES CAST FOR SUCH OFFICE SHALL BE DECLARED THE PERSON ELECTED TO SUCH OFFICE.

SECTION 5.21 - SPECIAL ELECTIONS, VACANCIES:

IN THE EVENT THAT THE OFFICE OF MAYOR OR COUNCILMAN SHALL BECOME VACANT FOR ANY CAUSE WHATSOEVER, THE COUNCIL OR THOSE REMAINING SHALL ORDER A SPECIAL ELECTION TO FILL THE BALANCE OF THE UNEXPIRED TERM OF SUCH OFFICE; PROVIDED, HOWEVER, THAT IF SUCH VACANCY OCCURS WITHIN SIX MONTHS OF THE EXPIRATION OF THE TERM OF OFFICE, SAID VACANCY IN OFFICE SHALL BE FILLED BY APPOINTMENT BY THE REMAINING MEMBERS OF THE

COUNCIL. BOTH SPECIAL ELECTIONS AND QUALIFICATIONS OF CANDIDATES THEREFOR SHALL CONFORM TO THE APPLICABLE PROVISIONS OF THIS CHARTER, TO THE GEORGIA MUNICIPAL ELECTION CODE AND TITLE 34A OF THE CODE OF GEORGIA 1933, AS NOW OR HEREAFTER AMENDED.

SECTION 5.30 - GROUNDS FOR REMOVAL:

THE MAYOR OR ANY COUNCILMAN SHALL BE SUBJECT TO REMOVAL FROM OFFICE FOR ANY ONE OR MORE OF THE FOLLOWING CAUSES:

- (1) INCOMPETENCE, MISFEASANCE OR MALFEASANCE IN OFFICE;
- (2) CONVICTION OF A CRIME INVOLVING MORAL TURPITUDE;
- (3) FAILURE AT ANY TIME TO POSSESS ANY OF THE QUALIFICATIONS OF OFFICE AS PROVIDED BY THIS CHARTER OR BY LAW;
- (4) WILFUL VIOLATION OF ANY EXPRESS PROHIBITION OF THIS CHARTER;
- (5) ABANDONMENT OF OFFICE OR NEGLECT TO PERFORM THE DUTIES THEREOF; OR
- (6) FAILURE FOR ANY OTHER CAUSE TO PERFORM THE DUTIES OF OFFICE AS REQUIRED BY THIS CHARTER OR BY LAW.

SECTION 5.37 - PROCEDURE FOR REMOVAL:

REMOVAL OF AN ELECTED OFFICER FROM OFFICE MAY BE ACCOMPLISHED BY ONE OF THE FOLLOWING METHODS:

- (1) BY ACTION OF THREE-FIFTHS VOTE OF THE ENTIRE MEMBERSHIP OF THE COUNCIL. IN THE EVENT THAT AN ELECTED OFFICER IS SOUGHT TO BE REMOVED BY THE ACTION OF THE COUNCIL, SUCH OFFICER SHALL BE ENTITLED TO A WRITTEN NOTICE SPECIFYING THE GROUND FOR REMOVAL AND TO A PUBLIC HEARING WHICH SHALL BE HELD NOT LESS THAN TEN DAYS AFTER THE SERVICE OF SUCH WRITTEN NOTICE. ANY ELECTED OFFICER SOUGHT TO BE REMOVED FROM OFFICE AS HEREIN PROVIDED SHALL HAVE THE RIGHT OF APPEAL FROM THE DECISION OF THE COUNCIL TO THE SUPERIOR COURT OF CRAWFORD COUNTY. SUCH APPEAL SHALL BE GOVERNED BY THE SAME RULES AS GOVERN APPEALS TO THE SUPERIOR COURT FROM THE PROBATE COURT.
- (2) BY INFORMATION FILED WITH THE SUPERIOR COURT OF

CRAWFORD COUNTY AS PROVIDED BY LAW.

ARTICLE VI

FINANCE AND FISCAL

SECTION 6.10 - PROPERTY TAXES:

ALL PROPERTY SUBJECT TO TAXATION FOR STATE OR COUNTY PURPOSES, ASSESSED AS OF JANUARY 1 OF EACH YEAR, SHALL BE SUBJECT TO THE PROPERTY TAX LEVIED BY THE CITY OF ROBERTA. THE COUNCIL SHALL USE THE COUNTY ASSESSMENT FOR THE YEAR IN WHICH THE CITY TAXES ARE TO BE LEVIED AND SHALL REQUEST THE COUNTY TO FURNISH APPROPRIATE INFORMATION FOR SUCH PURPOSE.

SECTION 6.11 - TAX LEVY:

THE COUNCIL SHALL BE AUTHORIZED TO LEVY AN AD VALOREM TAX ON ALL REAL AND PERSONAL PROPERTY WITHIN THE CORPORATED LIMITS OF THE CITY FOR THE PURPOSE OF RAISING REVENUE TO DEFRAY THE COSTS OF OPERATING THE CITY GOVERNMENT; PROVIDING GOVERNMENTAL SERVICES AND FOR ANY OTHER PUBLIC PURPOSE AS DETERMINED BY THE COUNCIL IN ITS DISCRETION. THE COUNCIL IS ALSO AUTHORIZED TO PROVIDE FOR SUFFICIENT LEVY TO PAY PRINCIPAL AND INTEREST ON GENERAL OBLIGATIONS. THE CITY OF ROBERTA IS HEREBY EXEMPTED FROM THE PROVISIONS OF GEORGIA CODE SECTIONS 92-4101 THROUGH 92-4104 INCLUSIVE.

SECTION 6.12 - TAX DUE DATES AND TAX BILLS:

THE COUNCIL SHALL PROVIDE BY ORDINANCE WHEN THE TAXES OF THE CITY SHALL FALL DUE AND IN WHAT LENGTH OF TIME SAID TAXES MAY BE PAID. THE COUNCIL SHALL PROVIDE BY ORDINANCE FOR THE PAYMENT OF TAXES DUE TO THE CITY IN INSTALLMENTS OR IN ONE LUMP SUM, AND WHEN, HOW AND UPON WHAT TERMS SUCH TAXES SHALL BE DUE AND PAYABLE. THE COUNCIL MAY AUTHORIZE THE VOLUNTARY PAYMENT OF TAXES PRIOR TO THE TIME WHEN DUE.

SECTION 6.13 - COLLECTION OF DELINQUENT TAXES:

THE COUNCIL MAY PROVIDE BY ORDINANCE FOR THE COLLECTION OF DELINQUENT TAXES BY F.I.F.A. ISSUED BY THE CITY CLERK AND EXECUTED BY ANY POLICE OFFICER OF THE CITY UNDER THE SAME PROCEDURE PROVIDED BY THE LAWS GOVERNING EXECUTION OF SUCH PROCESS FROM THE SUPERIOR COURT OR BY THE USE OF ANY OTHER AVAILABLE LEGAL PROCESSES AND REMEDIES. A LIEN SHALL EXIST AGAINST ALL PROPERTY UPON WHICH CITY PROPERTY TAXES ARE LEVIED, AS OF THE ASSESSMENT DATE OF EACH YEAR, WHICH LIEN SHALL BE SUPERIOR TO ALL OTHER LIENS EXCEPT THAT IT SHALL HAVE

EQUAL DIGNITY WITH THOSE OF FEDERAL, STATE OR COUNTY TAXES. IN CASES OF HARDSHIPS, THE COUNCIL SHALL HAVE DISCRETIONARY AUTHORITY TO WAIVE ANY AND ALL PENALTIES IMPOSED BY THIS CHARTER ON DELINQUENT TAXES, FEES, ASSESSMENTS OR ON OTHER AMOUNTS DUE TO THE CITY.

SECTION 6.14 - LICENSES, OCCUPATIONAL TAXES, EXCISE TAXES:

THE COUNCIL SHALL HAVE FULL POWER TO LEVY BY ORDINANCE SUCH LICENSE AND SPECIFIC OR OCCUPATION TAXES UPON THE RESIDENTS OF THE CITY OF ROBERTA, BOTH INDIVIDUAL AND CORPORATE, AND ON ALL THOSE WHO TRANSACT OR OFFER TO TRANSACT BUSINESS THEREIN, OR WHO PRACTICE OR OFFER TO PRACTICE ANY PROFESSION OR CALLING THEREIN, AS THE COUNCIL MAY DEEM EXPEDIENT FOR THE PUBLIC HEALTH, SAFETY, BENEFIT, CONVENIENCE OR ADVANTAGE OF THE CITY; TO CLASSIFY BUSINESSES, OCCUPATIONS, PROFESSIONS OR CALLINGS FOR THE PURPOSE OF SUCH TAXATION IN ANY LAWFUL WAY; TO REQUIRE SUCH PERSONS TO PROCURE LICENSES; TO COMPEL THE PAYMENT OF SUCH LICENSES BY EXECUTION OR ANY OTHER LAWFUL MANNER; TO MAKE LAWS AND REGULATIONS NECESSARY OR PROPER TO CARRY OUT THE POWERS HEREIN CONFERRED; AND TO PRESCRIBE PENALTIES FOR THE VIOLATION THEREOF. THE COUNCIL SHALL HAVE FULL POWER AND AUTHORITY TO LEVY AN EXCISE TAX NOT PROHIBITED BY GENERAL LAW.

SECTION 6.15 - SEWER SERVICE CHARGE:

THE COUNCIL BY ORDINANCE SHALL HAVE THE RIGHT, POWER AND AUTHORITY TO ASSESS AND COLLECT FEES, CHARGES AND TOLLS FOR SEWER SERVICES RENDERED BOTH WITHIN AND WITHOUT THE CORPORATE LIMITS OF THE CITY OF ROBERTA, TO PROVIDE FOR THE COST AND EXPENSE OF FURNISHING THE COLLECTION AND DISPOSAL OF SEWAGE THROUGH THE SEWERAGE FACILITIES OF THE CITY. IF UNPAID, SAID SEWER SERVICE CHARGE SHALL CONSTITUTE A LIEN AGAINST ANY PROPERTY OF PERSONS SERVED, WHICH LIEN SHALL BE SECOND IN PRIORITY ONLY TO LIENS FOR COUNTY AND CITY PROPERTY TAXES. SAID LIEN SHALL BE ENFORCEABLE IN THE SAME MANNER AND UNDER THE SAME REMEDIES AS A LIEN FOR CITY PROPERTY TAXES.

SECTION 6.16 - SANITARY AND HEALTH SERVICES CHARGE:

THE COUNCIL SHALL HAVE AUTHORITY BY ORDINANCE TO PROVIDE FOR, ENFORCE, LEVY AND COLLECT THE COST OF SANITARY AND HEALTH SERVICES NECESSARY IN THE OPERATION OF THE CITY FROM ALL INDIVIDUALS, FIRMS AND CORPORATIONS RESIDING IN OR DOING BUSINESS IN THE CITY OF ROBERTA AND BENEFITING FROM SUCH SERVICE. SUCH AUTHORITY SHALL INCLUDE THE POWER TO ASSESS, LEVY AND COLLECT ANNUAL OR MONTHLY SANITARY TAXES OR FEES IN SUCH AMOUNT OR AMOUNTS AND BASED UPON AND IN ACCORDANCE WITH

SUCH CLASSIFICATION OF PROPERTY AND SANITARY SERVICE OR SERVICES PROVIDED, AS MAY BE FIXED BY ORDINANCES. SAID SANITARY TAXES AND THE ASSESSMENT THEREOF SHALL BE A CHARGE AND LIEN AGAINST THE REAL ESTATE IN RESPECT TO WHICH SAID TAXES ARE SO ASSESSED AND THE OWNER OR OWNERS THEREOF, SUPERIOR TO ALL OTHER LIENS EXCEPT LIENS FOR COUNTY AND CITY PROPERTY TAXES. SAID LIEN SHALL BE ENFORCEABLE IN THE SAME MANNER AND UNDER THE SAME REMEDIES AS A LIEN FOR CITY PROPERTY TAXES.

SECTION 6.17 - SPECIAL ASSESSMENTS:

THE COUNCIL SHALL HAVE POWER AND AUTHORITY TO ASSESS ALL OR PART OF THE COST OF CONSTRUCTING, RECONSTRUCTING, WIDENING OR IMPROVING ANY PUBLIC WAY, STREET, SIDEWALK, CURBING, GUTTERS, SEWERS OR OTHER UTILITY MAINS AND APPURTENANCES, UNDER SUCH TERMS AND CONDITIONS AS MAY BE PRESCRIBED BY ORDINANCE. SUCH SPECIAL ASSESSMENTS SHALL BE LEVIED AGAINST THE OWNER OR OWNERS OF PROPERTY WHICH ABUTS THE IMPROVED PUBLIC APPURTENANCES AND SHALL BECOME DELINQUENT 30 DAYS AFTER THEIR DUE DATES. THEY SHALL THEREUPON BE SUBJECT, IN ADDITION TO FI.FA. CHARGES, TO A PENALTY OF TEN PERCENT AND SHALL THEREAFTER BE SUBJECT TO INTEREST AT THE RATE OF SEVEN PERCENT PER ANNUM FROM DATE DUE UNTIL PAID. A LIEN SHALL EXIST AGAINST THE ABUTTING PROPERTY SUPERIOR TO ALL OTHER LIENS EXCEPT THAT IT SHALL BE OF EQUAL DIGNITY WITH LIENS FOR COUNTY AND CITY PROPERTY TAXES. SAID LIEN SHALL BE ENFORCEABLE BY THE SAME PROCEDURES AND UNDER THE SAME REMEDIES AS PROVIDED FOR IN THIS ARTICLE FOR CITY PROPERTY TAXES.

SECTION 6.18 - TRANSFER OF EXECUTIONS:

THE CITY CLERK SHALL BE AUTHORIZED TO ASSIGN OR TRANSFER ANY FI.FA. OR EXECUTION ISSUED FOR ANY TAX OR FOR ANY STREET, SEWER, OR OTHER ASSESSMENT IN THE SAME MANNER AND TO THE SAME EXTENT AS PROVIDED BY GEORGIA LAW REGARDING SALES AND TRANSFERS OF TAX FI.FAS. SUCH TRANSFER OR ASSIGNMENT, WHEN MADE, SHALL VEST THE PURCHASER OR TRANSFEREE WITH ALL RIGHT, TITLE AND INTEREST AS PROVIDED BY GEORGIA LAW GOVERNING SALES AND TRANSFERS OF TAX FI.FAS.; PROVIDED, HOWEVER, THAT UPON LEVY EXECUTION AND SALE OF PROPERTY PURSUANT TO SUCH TAX FI.FA., WHETHER ASSIGNED, TRANSFERRED OR EXECUTED BY THE CITY, THE OWNER OF SUCH PROPERTY IN FEE SIMPLE OR LESSER INTEREST SHALL NOT LOSE HIS RIGHT TO REDEEM THE PROPERTY IN ACCORDANCE WITH THE REQUIREMENTS OF REDEMPTION OF PROPERTY SOLD UNDER STATE OR COUNTY AD VALOREM TAX FI.FAS., AS SAID REQUIREMENTS NOW EXIST OR AS MAY BE HEREINAFTER PROVIDED BY LAW.

SECTION 6.20 - GENERAL OBLIGATION BONDS:

THE COUNCIL SHALL HAVE THE POWER TO ISSUE BONDS FOR THE PURPOSE OF RAISING REVENUE TO CARRY OUT ANY PROJECT, PROGRAM OR VENTURE AUTHORIZED UNDER THIS CHARTER OR THE GENERAL LAWS OF THIS STATE. SUCH BONDING AUTHORITY SHALL BE EXERCISED IN ACCORDANCE WITH THE LAWS GOVERNING BOND ISSUANCES BY MUNICIPALITIES IN EFFECT AT THE TIME SAID ISSUE IS UNDERTAKEN.

SECTION 6.21 - REVENUE BONDS:

REVENUE BONDS MAY BE ISSUED BY THE COUNCIL AS PROVIDED BY AN ACT OF THE GENERAL ASSEMBLY OF GEORGIA, APPROVED MARCH 31, 1937, KNOWN AS THE REVENUE BOND LAW (GA. L. 1937, P. 761), AS NOW OR HEREAFTER AMENDED, OR BY ANY OTHER GEORGIA LAWS AS NOW OR HEREAFTER PROVIDED.

SECTION 6.22 - SHORT-TERM NOTES:

PURSUANT TO APPLICABLE STATE LAW, THE CITY MAY OBTAIN TEMPORARY SHORT-TERM LOANS BETWEEN JANUARY 1 AND DECEMBER 31 OF EACH YEAR.

SECTION 6.30 - FISCAL YEAR:

THE COUNCIL SHALL SET THE FISCAL YEAR BY ORDINANCE. SAID FISCAL YEAR SHALL CONSTITUTE THE BUDGET YEAR AND THE YEAR FOR FINANCIAL ACCOUNTING AND REPORTING OF EACH AND EVERY OFFICE, DEPARTMENT, INSTITUTION, AGENCY AND ACTIVITY OF THE CITY GOVERNMENT UNLESS OTHERWISE PROVIDED BY STATE OR FEDERAL LAW.

SECTION 6.31 - PREPARATION OF BUDGETS:

THE MAYOR SHALL PREPARE AND PRESENT TO THE COUNCIL AT ITS FIRST MEETING IN MARCH OF EACH YEAR, A PROPOSED BUDGET, A CAPITAL IMPROVEMENTS PROGRAM AND A CAPITAL BUDGET INCLUDING REQUIREMENTS AS TO SCOPE, CONTENT AND FORM OF SUCH BUDGETS AND PROGRAMS. THE CITY COUNCIL SHALL AT THE NEXT REGULAR MEETING THEREAFTER ACCEPT AND ADOPT SAID PROPOSED BUDGETS AND PROGRAMS IN THE SAME MANNER PROVIDED IN THIS CHARTER FOR THE ADOPTION OF ORDINANCES; PROVIDED, IF SAID PROPOSED BUDGETS AND PROGRAMS ARE REJECTED, THE COUNCILMEN, AS A COMMITTEE OF THE WHOLE SHALL SUBMIT AN AMENDED OR SUBSTITUTE PROPOSAL FOR SAID BUDGETS AND PROGRAMS AT A SPECIAL MEETING CALLED FOR THAT PURPOSE WITHIN TWO WEEKS OF THE DATE OF SAID REJECTION. AT SAID SPECIAL BUDGET MEETING, NO OTHER MATTER SHALL BE CONSIDERED AND THE MAYOR'S PROPOSAL, THE COUNCILMEN'S PROPOSAL OR A COMPROMISE PROPOSAL SHALL BE ADOPTED BEFORE SAID MEETING

IS ADJOURNED. THE ADOPTED BUDGETS AND PROGRAMS MAY BE AMENDED THEREAFTER BY APPROPRIATE ORDINANCE AS FINANCES AND CIRCUMSTANCES REQUIRE.

SECTION 6.40 - CONTRACTING PROCEDURES:

ALL CONTRACTS EXCEEDING \$500.00 SHALL BE MADE OR AUTHORIZED BY THE COUNCIL AND NO CONTRACTS EXCEEDING \$500.00 SHALL BIND THE CITY UNLESS REDUCED TO WRITING AND APPROVED BY THE COUNCIL.

SECTION 6.41 - CENTRALIZED PURCHASING:

- A. THE COUNCIL MAY BY ORDINANCE PRESCRIBE PROCEDURES FOR A SYSTEM OF CENTRALIZED PURCHASING FOR THE CITY OF ROBERTA.
- B. THE COUNCIL MAY SELL AND CONVEY ANY REAL OR PERSONAL PROPERTY OWNED OR HELD BY THE CITY OF ROBERTA FOR GOVERNMENT OR OTHER PURPOSES AT A PUBLIC OR PRIVATE SALE, WITH OR WITHOUT ADVERTISEMENT, FOR SUCH CONSIDERATION AS THE COUNCIL SHALL DEEM EQUITABLE AND JUST FOR THE CITY.
- C. THE COUNCIL MAY QUITCLAIM ANY RIGHTS IT MAY HAVE IN PROPERTY NOT NEEDED FOR PUBLIC PURPOSES UPON REPORT BY THE MAYOR AND ADOPTION OF A RESOLUTION, BOTH FINDING THAT THE PROPERTY IS NOT NEEDED FOR PUBLIC OR OTHER PURPOSES AND THAT THE INTEREST OF THE CITY HAS NO READILY ASCERTAINABLE MONETARY VALUE.
- D. WHENEVER IN OPENING, EXTENDING OR WIDENING ANY STREET, AVENUE, ALLEY OR PUBLIC PLACE OF THE CITY A SMALL PARCEL OR TRACT OF LAND IS CUT OFF OR SEPARATED BY SUCH WORK FROM A LARGER TRACT OR BOUNDARY OF LAND OWNED BY THE CITY, THE COUNCIL MAY AUTHORIZE THE MAYOR TO EXECUTE AND DELIVER IN THE NAME OF THE CITY A DEED CONVEYING SAID CUTOFF OR SEPARATED PARCEL OR TRACT OF LAND TO AN ABUTTING OR ADJOINING PROPERTY OWNER OR OWNERS IN EXCHANGE FOR RIGHTS-OF-WAY OF SAID STREET, AVENUE, ALLEY OR PUBLIC PLACE OR IN SETTLEMENT OF ANY ALLEGED DAMAGES SUSTAINED BY SAID ABUTTING OR ADJOINING PROPERTY OWNER. ALL DEEDS AND CONVEYANCES HERETOFORE AND HEREAFTER SO EXECUTED AND DELIVERED SHALL CONVEY ALL TITLE AND INTEREST THE CITY HAS IN SUCH PROPERTY, NOTWITHSTANDING THE FACT THAT NO PUBLIC SALE AFTER ADVERTISEMENT WAS OR IS HEREAFTER MADE.

ARTICLE VII

GENERAL PROVISIONS

SECTION 7.10 - OFFICIAL BONDS:

THE APPOINTED OFFICERS AND EMPLOYEES OF THE CITY OF ROBERTA SHALL EXECUTE SUCH OFFICIAL BONDS IN SUCH AMOUNTS AND UPON SUCH TERMS AND CONDITIONS AS THE CITY COUNCIL MAY REQUIRE FROM TIME TO TIME. OFFICIAL BONDS MAY ALSO BE LIKEWISE REQUIRED OF ELECTED OFFICIALS OF THE CITY AS THE CITY COUNCIL DEEMS ADVISABLE. IN EITHER OR BOTH EVENTS, THE CITY SHALL PAY THE PREMIUMS AND COSTS OF SAID BONDS SO REQUIRED.

SECTION 7.11 - EXISTING ORDINANCES AND REGULATIONS:

EXISTING ORDINANCES AND RESOLUTIONS OF THE CITY OF ROBERTA NOT INCONSISTENT WITH THE PROVISIONS OF THIS CHARTER SHALL CONTINUE IN EFFECT UNTIL THEY HAVE BEEN REPEALED, MODIFIED OR AMENDED BY THE COUNCIL. EXISTING RULES AND REGULATIONS OF DEPARTMENTS OR AGENCIES OF THE CITY OF ROBERTA NOT INCONSISTENT WITH THE PROVISIONS OF THIS CHARTER SHALL CONTINUE IN EFFECT UNTIL THEY HAVE BEEN REPEALED, MODIFIED OR AMENDED.

SECTION 7.12 - PENALTIES:

THE VIOLATION OF ANY PROVISIONS OF THIS CHARTER FOR WHICH PENALTY IS NOT SPECIFICALLY PROVIDED HEREIN IS HEREBY DECLARED TO BE A MISDEMEANOR AND SHALL BE PUNISHABLE BY A FINE OF NOT MORE THAN \$500.00 OR BY IMPRISONMENT NOT TO EXCEED 90 DAYS OR BOTH SUCH FINE AND IMPRISONMENT.

SECTION 7.13 - SPECIFIC REPEALER:

AN ACT INCORPORATING THE CITY OF ROBERTA IN THE COUNTY OF CRAWFORD, APPROVED DECEMBER 10, 1937 (GA. L. 1937-38, EX. SESS., P. 1273), IS HEREBY REPEALED IN ITS ENTIRETY AND ALL AMENDATORY ACTS THERETO ARE LIKEWISE REPEALED IN THEIR ENTIRETY.

SECTION 7.14 - SEVERABILITY:

IF ANY ARTICLE, SECTION, SUBSECTION, PARAGRAPH, SENTENCE OR PART THEREOF OF THIS CHARTER SHALL BE HELD TO BE INVALID OR UNCONSTITUTIONAL, SUCH INVALIDITY OR UNCONSTITUTIONALITY SHALL NOT AFFECT OR IMPAIR OTHER PARTS OF THIS CHARTER UNLESS IT CLEARLY APPEARS THAT SUCH OTHER PARTS ARE WHOLLY AND NECESSARILY DEPENDENT UPON THE PART OR PARTS HELD

TO BE INVALID OR UNCONSTITUTIONAL, IT BEING THE LEGISLATIVE INTENT IN ENACTING THIS CHARTER THAT EACH ARTICLE, SECTION, SUBSECTION, PARAGRAPH, SENTENCE OR PART THERETO BE ENACTED SEPARATELY AND INDEPENDENTLY OF EACH OTHER.

SECTION 7.15 - EFFECTIVE DATE:

THIS CHARTER SHALL BECOME EFFECTIVE UPON ITS APPROVAL BY THE GOVERNOR OR UPON ITS BECOMING LAW WITHOUT HIS APPROVAL.

SECTION 7.16 - REPEALER:

ALL LAWS AND PARTS OF LAWS IN CONFLICT WITH THIS ACT ARE HEREBY REPEALED.

NOTICE OF INTENTION TO INTRODUCE LOCAL LEGISLATION

NOTICE IS HEREBY GIVEN THAT THERE WILL BE INTRODUCED IN THE 1976 REGULAR SESSION OF THE GENERAL ASSEMBLY OF GEORGIA, A BILL TO PROVIDE A NEW CHARTER FOR THE CITY OF ROBERTA, TO PROVIDE FOR ALL MATTERS RELATIVE THERETU AND FOR OTHER PURPOSES.

JOHN C. SCARBOROUGH, JR.
ATTORNEY FOR THE CITY OF
ROBERTA, GEORGIA.

GEORGIA, FULTON COUNTY.

PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED AUTHORITY, DULY AUTHORIZED TO ADMINISTER OATHS, BRYANT CULPEPPER WHO, ON OATH, DEPOSES AND SAYS THAT HE IS REPRESENTATIVE FROM THE 98TH DISTRICT, AND THAT THE ATTACHED COPY OF NOTICE OF INTENTION TO INTRODUCE LOCAL LEGISLATION WAS PUBLISHED IN THE GEORGIA POST WHICH IS THE OFFICIAL ORGAN OF CRAWFORD COUNTY, ON THE FOLLOWING DATES: JANUARY 29, FEBRUARY 5, 12, 1976.

/S/ BRYANT CULPEPPER
REPRESENTATIVE
98TH DISTRICT

SWORN TO AND SUBSCRIBED BEFORE ME
THIS 16TH DAY OF FEBRUARY, 1976.

/S/ SUSAN GORDON

NOTARY PUBLIC, GEORGIA STATE AT LARGE
MY COMMISSION EXPIRES DEC. 18, 1976.
(SEAL)

APPROVED APRIL 7, 1976.

Ordinance Code

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF ROBERTA, GEORGIA, ADOPTING A REVISION AND CODIFICATION OF THE ORDINANCES OF THE CITY ENTITLED "THE CODE OF THE CITY OF ROBERTA, GEORGIA, 1981," PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN, AND FOR OTHER PURPOSES:

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ROBERTA, GEORGIA, AND IT IS HEREBY ORDAINED BY THE AUTHORITY OF SAME AS FOLLOWS:

- SECTION 1. THERE IS HEREBY ADOPTED BY THE MAYOR AND CITY COUNCIL THAT CERTAIN CODE ENTITLED, "THE CODE OF THE CITY OF ROBERTA, GEORGIA, 1981," CONTAINING CERTAIN ORDINANCES OF A GENERAL AND PERMANENT NATURE AS COMPILED, CONSOLIDATED, CODIFIED AND INDEXED, OF WHICH CODE NOT LESS THAN TWO (2) COPIES HAVE BEEN AND ARE NOW FILED IN THE OFFICE OF THE CITY CLERK, AUTHENTICATED BY THE SIGNATURES OF THE MAYOR, CITY CLERK AND CITY ATTORNEY, AND BY THE SEAL OF THE MAYOR AND CITY COUNCIL OF THE CITY OF ROBERTA, SAID CODE BEING HERETO ATTACHED AND MADE A PART HEREOF.
- SECTION 2. THE PROVISIONS OF SAID CODE SHALL BE IN FORCE AND EFFECT ON AND AFTER MARCH 17, 1981, AND ALL ORDINANCES OF A GENERAL AND PERMANENT NATURE IN FORCE ON SUCH DATE AND NOT CONTAINED IN SUCH CODE ARE HEREBY REPEALED FROM AND AFTER SUCH DATE, EXCEPT AS HEREINAFTER PROVIDED.
- SECTION 3. THE REPEAL PROVIDED FOR IN THE PRECEDING SECTION OF THIS ORDINANCE SHALL NOT AFFECT AN OFFENSE OR ACT COMMITTED OR DONE OR ANY PENALTY OR FORFEITURE INCURRED OR ANY CONTRACT OR RIGHT ESTABLISHED OR ACCRUING BEFORE MARCH 17, 1981; NOR SHALL SUCH REPEAL AFFECT ANY ORDINANCE OR RESOLUTION PROMISING OR GUARANTEEING THE PAYMENT OF MONEY FOR THE CITY OR AUTHORIZING THE ISSUE OF ANY BONDS, INCLUDING REVENUE CERTIFICATES, OF SAID CITY OR ANY EVIDENCE OF THE CITY'S INDEBTEDNESS OR ANY CONTRACT OR OBLIGATION ASSUMED BY THE CITY; NOR SHALL SUCH REPEAL AFFECT THE ADMINISTRATIVE ORDINANCES OR RESOLUTIONS OF THE COUNCIL NOT IN CONFLICT OR INCONSISTENT WITH THE PROVISIONS OF SUCH CODE; NOR SHALL IT AFFECT ANY RIGHT OR FRANCHISE CONFERRED BY ANY ORDINANCE OR RESOLUTION OF THE CITY ON ANY PERSON OR CORPORATION; NOR SHALL IT AFFECT ANY PROSECUTION, SUIT OR OTHER PROCEEDING OR ANY JUDGMENT RENDERED ON OR PRIOR TO MARCH 17, 1981.
- SECTION 4. IT IS HEREBY DECLARED TO BE THE INTENTION OF THE MAYOR AND COUNCIL THAT THE SECTIONS, PARAGRAPHS, SENTENCES, CLAUSES, AND PHRASES OF THIS ORDINANCE AND THE CODE HEREBY ADOPTED ARE SEVERABLE, AND IF ANY PHRASE, CLAUSE, SENTENCE, PARAGRAPH, OR

SECTION OF THIS ORDINANCE OR OF THE CODE HEREBY ADOPTED SHALL BE DECLARED UNCONSTITUTIONAL OR OTHERWISE INVALID BY THE VALID JUDGMENT OR DECREE OF A COURT OF COMPETENT JURISDICTION, SUCH UNCONSTITUTIONALITY OR INVALIDITY SHALL NOT AFFECT ANY OF THE REMAINING PHRASES, CLAUSES, SENTENCES, PARAGRAPHS, AND SECTIONS OF THIS ORDINANCE OR OF THE CODE HEREBY ADOPTED.

ADOPTED, THIS 17TH DAY OF MARCH, 1981.

/S/ LEWIS E. ANDREWS
MAYOR

/S/ ALMA D. ANDREWS
CITY CLERK

/S/ DAVID L. MINCEY, JR.
CITY ATTORNEY

CHAPTER 1: GENERAL PROVISIONS

CHAPTER 1: GENERAL PROVISIONS

- 1-101 HOW CODE DESIGNATED AND CITED
- 1-102 RULES OF CONSTRUCTION
- 1-103 DEFINITIONS
- 1-104 SECTION HEADINGS
- 1-105 EFFECT OF REPEAL OR EXPIRATION OF ORDINANCE
- 1-106 AMENDING CODE
- 1-107 ALTERING CODE
- 1-108 PENALTY WHERE NO PENALTY PROVIDED

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1-101 HOW CODE DESIGNATED AND CITED

THE PROVISIONS EMBRACED IN THE FOLLOWING CHAPTERS AND SECTIONS SHALL CONSTITUTE AND BE DESIGNATED "THE CODE OF THE CITY OF ROBERTA, GEORGIA, 1981," AND MAY BE SO CITED.

1-102 RULES OF CONSTRUCTION

IN THE CONSTRUCTION OF THIS CODE AND OF ALL ORDINANCES, THE FOLLOWING RULES SHALL BE OBSERVED UNLESS SUCH CONSTRUCTION WOULD BE INCONSISTENT WITH THE MANIFEST INTENT OF THE MAYOR AND COUNCIL;

1. GENERAL RULE. ALL WORDS AND PHRASES SHALL BE CONSTRUED AND UNDERSTOOD ACCORDING TO THE COMMON AND APPROVED USAGE OF THE LANGUAGE; BUT TECHNICAL WORDS AND PHRASES AND SUCH OTHERS AS MAY HAVE ACQUIRED A PECULIAR AND APPROPRIATE MEANING IN THE LAW SHALL BE CONSTRUED AND UNDERSTOOD ACCORDING TO SUCH PECULIAR AND APPROPRIATE MEANING.
2. GENDER-SINGULAR AND PLURAL. EVERY WORD IN ANY CODE PROVISION OR ORDINANCE IMPORTING THE MASCULINE GENDER SHALL EXTEND TO AND BE APPLIED TO FEMALES AS WELL AS MALES; AND EVERY WORD IMPORTING THE SINGULAR NUMBER ONLY SHALL EXTEND AND BE APPLIED TO SEVERAL PERSONS OR

THINGS AS WELL AS TO ONE PERSON OR THING; AND EVERY WORD IMPORTING THE PLURAL NUMBER SHALL EXTEND AND BE APPLIED TO ONE PERSON OR THING AS WELL AS TO SEVERAL PERSONS OR THINGS.

3. TENSES. THE USE OF ANY VERB IN THE PRESENT TENSE SHALL INCLUDE THE FUTURE WHEN APPLICABLE.
4. JOINT AUTHORITY. ALL WORDS PURPORTING TO GIVE A JOINT AUTHORITY TO THREE OR MORE CITY OFFICERS OR OTHER PERSONS SHALL BE CONSTRUED AS GIVING SUCH AUTHORITY TO A MAJORITY OF SUCH OFFICERS OR OTHER PERSONS UNLESS IT SHALL BE OTHERWISE EXPRESSLY DECLARED IN THE LAW GIVING THE AUTHORITY.
5. DELEGATION OF AUTHORITY. WHENEVER A PROVISION REQUIRES THE HEAD OF A DEPARTMENT OR OTHER OFFICER OF THE CITY TO DO SOME ACT OR PERFORM SOME DUTY, IT SHALL BE CONSTRUED TO AUTHORIZE SUBORDINATES TO DO THE REQUIRED ACT OR PERFORM THE REQUIRED DUTY UNLESS THE TERMS OF THE PROVISIONS DESIGNATE OTHERWISE.
6. COMPUTATION OF TIME. THE TIME WITHIN WHICH AN ACT IS TO BE DONE AS PROVIDED IN ANY CODE PROVISION OR ORDINANCE OR IN ANY ORDER ISSUED PURSUANT TO ANY ORDINANCE, WHEN EXPRESSED IN DAYS, SHALL BE COMPUTED BY EXCLUDING THE FIRST DAY AND INCLUDING THE LAST, EXCEPT THAT IF THE LAST DAY BE A SUNDAY OR A HOLIDAY IT SHALL BE EXCLUDED; AND WHEN ANY SUCH TIME IS EXPRESSED IN HOURS THE WHOLE OF SUNDAY, FROM MIDNIGHT TO MIDNIGHT, SHALL BE EXCLUDED.
7. OVERLAPPING PROVISIONS. WHERE ANY PROVISION OF THIS CODE IMPOSES GREATER RESTRICTIONS UPON THE SUBJECT MATTER THAN ANY GENERAL PROVISIONS IMPOSED BY THIS CODE, THE PROVISION IMPOSING THE GREATER RESTRICTION OR REGULATION SHALL BE APPLICABLE.

1-103 DEFINITIONS

WORDS AND PHRASES USED IN THIS CODE SHALL HAVE THE FOLLOWING MEANINGS, UNLESS OTHERWISE SPECIFIED:

ADVICE AND CONSENT. WHENEVER THE TERM "ADVICE" AND "CONSENT" OF THE CITY COUNCIL IS USED IN THIS CODE, IT SHALL BE CONSTRUED TO MEAN AN AFFIRMATIVE VOTE OF THE MAJORITY VOTE OF THE ENTIRE CITY COUNCIL.

CITY. THE WORDS "THE CITY" OR "THIS CITY" SHALL MEAN

THE CITY OF ROBERTA, GEORGIA.

CITY COUNCIL, COUNCIL. THE WORDS "CITY COUNCIL" OR "THE COUNCIL" SHALL MEAN THE CITY COUNCIL OF THE CITY OF ROBERTA, GEORGIA.

COUNTY. THE WORDS "THE COUNTY" OR "THIS COUNTY" SHALL MEAN THE COUNTY OF CRAWFORD, GEORGIA.

COURT. THE WORD "COURT" SHALL MEAN THE MAYOR'S COURT OF THE CITY.

GOVERNING AUTHORITY, GOVERNING BODY. THE WORDS "GOVERNING AUTHORITY" OR "GOVERNING BODY" SHALL MEAN THE MAYOR AND CITY COUNCIL OF THE CITY OF ROBERTA, GEORGIA.

JUDGE OR RECORDER. THE WORDS "JUDGE" OR "RECORDER" SHALL MEAN THE JUDGE OF THE MAYOR'S COURT OF THE CITY.

MAYOR AND COUNCIL. THE TERM "MAYOR AND COUNCIL" SHALL MEAN THE MAYOR AND CITY COUNCIL OF THE CITY OF ROBERTA, GEORGIA.

MISDEMEANOR. THE TERM "MISDEMEANOR" SHALL MEAN A VIOLATION OF THE STATE CRIMINAL LAW PUNISHABLE BY A FINE NOT IN EXCESS OF \$1,000.00 OR CONFINEMENT IN A COUNTY OR OTHER JAIL FOR A TERM NOT EXCEEDING TWELVE MONTHS, OR BY BOTH SUCH FINE AND IMPRISONMENT.

MUNICIPALITY. THE WORD "MUNICIPALITY" SHALL BE CONSTRUED AS SYNONYMOUS WITH THE TERM "CITY," "TOWN," OR "MUNICIPAL CORPORATION."

OATH. THE WORD "OATH" SHALL BE CONSTRUED TO INCLUDE AN AFFIRMATION IN ALL CASES IN WHICH, BY LAW, AN AFFIRMATION MAY BE SUBSTITUTED FOR AN OATH, AND IN SUCH CASES THE WORDS "AFFIRMED" AND "AFFIRM" SHALL BE EQUIVALENT TO THE WORDS "SWEAR" OR "SWORN".

ORDINANCE. THE WORD "ORDINANCE" SHALL MEAN A LEGISLATIVE ACT OF THE MUNICIPAL GOVERNING BODY OF A GENERAL AND PERMANENT NATURE.

OWNER. THE WORD "OWNER", WHEN APPLIED TO A BUILDING OR TO LAND, SHALL INCLUDE ANY PART OWNER, JOINT OWNER, TENANT IN COMMON, JOINT TENANT OR TENANT BY THE ENTIRETY, OF THE WHOLE OR A PART OF SUCH BUILDING OR LAND.

PERSON. THE WORD "PERSON" SHALL INCLUDE A CORPORATION, FIRM, PARTNERSHIP, ASSOCIATION, ORGANIZATION, AND ANY OTHER GROUP ACTING AS A UNIT, AS WELL AS AN INDIVIDUAL.

PERSONAL PROPERTY. THE TERM "PERSONAL PROPERTY" SHALL INCLUDE EVERY SPECIE OF PROPERTY EXCEPT REAL PROPERTY, AS HEREINAFTER DEFINED.

PRECEDING, FOLLOWING. THE WORDS "PRECEDING" AND "FOLLOWING" SHALL MEAN NEXT BEFORE AND NEXT AFTER, RESPECTIVELY.

PROPERTY. THE TERM "PROPERTY" INCLUDES, REAL, PERSONAL, AND MIXED ESTATES AND INTERESTS.

REAL PROPERTY. THE WORDS "REAL PROPERTY" SHALL INCLUDE LANDS, TENEMENTS, AND HEREDITAMENTS.

REASONABLE TIME OR NOTICE. REASONABLE TIME OR NOTICE SHALL BE DEEMED TO MEAN ONLY SUCH TIME AS MAY BE NECESSARY FOR THE PROMPT PERFORMANCE OF THE ACT REQUIRED.

RESOLUTION. THE WORD "RESOLUTION" SHALL MEAN A LEGISLATIVE ACT OF THE MUNICIPAL GOVERNING BODY OF A SPECIAL OR TEMPORARY CHARACTER.

SIDEWALK. THE WORD "SIDEWALK" SHALL MEAN ANY PORTION OF A STREET BETWEEN THE CURB LINE AND THE ADJACENT PROPERTY LINE, INTENDED FOR THE USE OF PEDESTRIANS, BUT SHALL NOT INCLUDE ANY UNIMPROVED AREAS BETWEEN THE CURB LINE AND IMPROVED WALKWAYS.

SIGNATURE, SUBSCRIPTION. THE WORD "SIGNATURE" OR "SUBSCRIPTION" SHALL INCLUDE A MARK INTENDED AS SUCH WHEN THE PERSON CANNOT WRITE.

STATE. THE WORDS "STATE" OR "THIS STATE" SHALL MEAN THE STATE OF GEORGIA.

STREET. THE WORD "STREET" SHALL MEAN AND INCLUDE ANY PUBLIC WAY, ROAD, HIGHWAY, STREET, AVENUE, BOULEVARD, PARKWAY, ALLEY, VIADUCT, OR BRIDGE, AND THE APPROACHES THERETO, WITHIN THE CITY.

TENANT OR OCCUPANT. THE WORD "TENANT" OR "OCCUPANT" WHEN APPLIED TO A BUILDING OR TO LAND, SHALL INCLUDE

ANY PERSON HOLDING A WRITTEN OR ORAL LEASE OF, OR WHO OCCUPIES THE WHOLE OR A PART OF SUCH BUILDING OR LAND EITHER ALONE OR WITH OTHERS.

TOWN. SEE MUNICIPALITY.

WEEK. THE WORD "WEEK" SHALL MEAN SEVEN DAYS.

WRITING OR WRITTEN. THE WORDS "WRITING" OR "WRITTEN" SHALL INCLUDE PRINTING AND ANY OTHER MODE OF REPRESENTING WORDS AND LETTERS.

YEAR. THE WORD "YEAR" SHALL MEAN A CALENDAR YEAR.

1-104 SECTION HEADINGS

THE UNDERLINED HEADINGS OF THE SEVERAL SECTIONS AND SUBSECTIONS OF THIS CODE ARE INTENDED AS MERE CAPTIONS TO INDICATE THE CONTENTS OF THE SECTION OR SUBSECTION AND SHALL NOT BE DEEMED OR TAKEN TO BE TITLES OF SUCH SECTIONS, NOR AS ANY PART OF THE SECTION OR SUBSECTION, NOR, UNLESS EXPRESSLY SO PROVIDED, SHALL THEY BE SO DEEMED WHEN ANY OF SUCH SECTIONS OR SUBSECTIONS, INCLUDING THE HEADINGS IS AMENDED OR RE-ENACTED.

1-105 EFFECT OR REPEAL OR EXPIRATION OF CODE SECTION

1. THE REPEAL OF A CODE SECTION OR ORDINANCE, OR ITS EXPIRATION BY VIRTUE OF ANY PROVISION CONTAINED THEREIN, SHALL NOT AFFECT ANY RIGHT ACCRUED OR ANY OFFENSE COMMITTED, ANY PENALTY OR PUNISHMENT INCURRED, OR ANY PROCEEDING COMMENCED BEFORE THE REPEAL TOOK EFFECT OR THE ORDINANCE EXPIRED.
2. WHEN ANY ORDINANCE REPEALING A FORMER CODE SECTION, ORDINANCE, CLAUSE OR PROVISION, SHALL BE ITSELF REPEALED, SUCH REPEAL SHALL NOT BE CONSTRUED TO REVIVE SUCH FORMER CODE SECTION, ORDINANCE, CLAUSE, OR PROVISION, UNLESS IT SHALL BE EXPRESSLY SO PROVIDED.

1-106 AMENDING CODE

1. ALL ORDINANCES PASSED SUBSEQUENT TO THIS CODE WHICH AMEND, REPEAL OR IN ANY WAY AFFECT THIS CODE SHALL BE NUMBERED IN ACCORDANCE WITH THE NUMBERING SYSTEM OF THIS CODE AND PRINTED FOR INCLUSION HEREIN. IN THE CASE OF REPEALED CHAPTERS, SECTIONS, AND SUBSECTIONS OR ANY PART THEREOF, BY SUBSEQUENT ORDINANCES. SUCH

REPEALED PORTIONS MAY BE EXCLUDED FROM THE CODE BY OMISSION FROM REPRINTED PAGES AFFECTED THEREBY. THE SUBSEQUENT ORDINANCES AS NUMBERED AND PRINTED, OR OMITTED IN THE CASE OF REPEAL, SHALL BE PRIMA FACIE EVIDENCE OF SUCH SUBSEQUENT ORDINANCES UNTIL SUCH TIME AS THE CODE AND SUBSEQUENT ORDINANCES OMITTED ARE READOPTED AS A NEW CODE BY THE CITY COUNCIL.

2. AMENDMENTS TO ANY OF THE PROVISIONS OF THIS CODE MAY BE MADE BY SPECIFIC REFERENCE TO THE SECTION NUMBER OF THIS CODE IN THE FOLLOWING LANGUAGE: "THAT SECTION OF THE CODE OF ORDINANCE, CITY OF ROBERTA, GEORGIA, 1981, IS HEREBY AMENDED TO READ AS FOLLOWS:....." THE NEW PROVISION MAY THEN BE SET OUT IN FULL AS DESIRED.
3. IN THE EVENT A NEW SECTION NOT HERETOFORE EXISTING IN THE CODE IS TO BE ADDED, THE FOLLOWING LANGUAGE MAY BE USED. "THE CODE OF ORDINANCES FOR THE CITY OF ROBERTA, GEORGIA, 1981, IS HEREBY AMENDED BY ADDING A SECTION (OR SUBSECTION OR CHAPTER) TO BE NUMBERED -----, WHICH SECTION READS AS FOLLOWS:....." THE NEW PROVISION SHALL THEN BE SET OUT IN FULL AS DESIRED.
4. ALL SECTIONS, CHAPTERS, OR PROVISIONS SOUGHT TO BE REPEALED MUST BE SPECIFICALLY REPEALED BY SECTION, CHAPTER, OR PROVISION NUMBER, AS THE CASE MAY BE.

1-107 ALTERING CODE

IT SHALL BE UNLAWFUL FOR ANY PERSON TO CHANGE OR AMEND BY ADDITIONS OR DELETIONS ANY PART OR PORTION OF THIS CODE, OR TO INSERT OR DELETE PAGES OR PORTIONS THEREOF, OR TO ALTER OR TAMPER WITH SUCH CODE IN ANY MANNER WHATSOEVER, EXCEPT BY ORDINANCE OR RESOLUTION OR OTHER OFFICIAL ACT OF THE MAYOR AND CITY COUNCIL.

1-108 PENALTY WHERE NO PENALTY PROVIDED

1. WHENEVER IN THIS CODE OR IN ANY ORDINANCE OF THE CITY ANY ACT IS PROHIBITED OR IS DECLARED TO BE UNLAWFUL, OR WHENEVER IN SUCH CODE OR ORDINANCE THE DOING OF ANY ACT IS DECLARED TO BE UNLAWFUL, AND NO SPECIFIC PENALTY IS PROVIDED THEREFOR, THE VIOLATION OF SUCH PROVISION OF THIS CODE OR ANY ORDINANCE SHALL SUBJECT THE PERSON COMMITTING THE VIOLATION TO A FINE NOT EXCEEDING \$500.00 AND COSTS OR TO IMPRISONMENT FOR A TERM NOT EXCEEDING 90 DAYS, OR TO BOTH SUCH FINE AND IMPRISONMENT, ANY OR ALL OF SUCH PENALTIES TO BE

IMPOSED AT THE DISCRETION OF THE JUDGE OF THE MAYOR'S COURT.

2. THE INFLECTION OF A PENALTY UNDER THE PROVISIONS OF THIS SECTION SHALL NOT PREVENT THE REVOCATION OF ANY PERMIT OR LICENSE OR THE TAKING OF OTHER PUNITIVE OR REMEDIAL ACTION WHERE CALLED ON OR PERMITTED UNDER THE PROVISIONS OF THE CITY'S CHARTER OR CODE.

CHAPTER 2: ELECTIONS

CHAPTER 2: ELECTIONS

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ARTICLE I: IN GENERAL

2-101 ADOPTION OF STATE RULES AND REGULATIONS

THE RULES AND REGULATIONS PROMULGATED BY THE STATE ELECTION BOARD WHICH PERTAIN TO MUNICIPAL ELECTIONS, TOGETHER WITH THE PROVISIONS OF THE GEORGIA MUNICIPAL ELECTION CODE CONTAINED IN TITLE 34A OF THE GEORGIA CODE ANNOTATED, ARE HEREBY ADOPTED AS THE RULES, REGULATIONS, AND PROVISIONS THAT SHALL GOVERN THE CONDUCT OF MUNICIPAL, GENERAL AND SPECIAL ELECTIONS IN THIS CITY.

2-102 EXPENSES

SUCH FUNDS AS ARE NECESSARY FOR THE CONDUCT OF ELECTIONS AND FOR THE PERFORMANCE OF THE DUTIES THAT ARE SPECIFIED BY THIS CHAPTER SHALL BE BUDGETED AND APPROPRIATED ANNUALLY, AND FROM TIME TO TIME.

ARTICLE II: REGISTRATION

2-201 REGISTRARS AND DEPUTY REGISTRARS

1. APPOINTMENT. REGISTRARS AND DEPUTY REGISTRARS SHALL BE APPOINTED BY THE MAYOR AND COUNCIL, AS NECESSARY, AND SHALL SERVE AT THE PLEASURE OF SAME. ONE SUCH APPOINTEE SHALL BE DESIGNATED AS CHIEF REGISTRAR, AND SUCH PERSON SHALL SERVE AS THE CHIEF ADMINISTRATIVE OFFICER OF THE BOARD OF REGISTRARS AND SHALL GENERALLY SUPERVISE AND DIRECT THE ADMINISTRATION OF THE AFFAIRS OF SAID BOARD. ALL APPOINTMENTS SHALL BE ENTERED ON THE MINUTES OF THE COUNCIL MEETING AT WHICH THEY ARE MADE.
2. QUALIFICATIONS. REGISTRARS AND DEPUTY REGISTRARS SHALL BE ELECTORS OF THE MUNICIPALITY AND SHALL BE

ABLE TO READ, WRITE, AND SPEAK THE ENGLISH LANGUAGE. SUCH APPOINTEES, WHILE SERVING AS REGISTRARS OR DEPUTY REGISTRARS OR WITHIN A PERIOD OF SIX MONTHS AFTER SO SERVING, SHALL NOT BE ELIGIBLE TO ANY NOMINATION OR OFFICE TO BE VOTED FOR AT A PRIMARY OR ELECTION.

3. OATH. PRIOR TO ENTERING UPON HIS DUTIES, EACH REGISTRAR AND DEPUTY REGISTRAR SHALL SWEAR TO FAITHFULLY PERFORM HIS DUTIES, SUCH OATH TO BE ADMINISTERED BY AN OFFICER AUTHORIZED BY LAW TO ADMINISTER THE OATH.
4. TERM OF OFFICE. PERSONS APPOINTED TO THE POSITION OF REGISTRAR OR DEPUTY SHALL SERVE FOR A PERIOD OF FOUR (4) YEARS AND UNTIL THEIR SUCCESSORS ARE APPOINTED AND QUALIFIED, EXCEPT IN THE EVENT OF RESIGNATION OR REMOVAL AS HEREINAFTER PROVIDED.
5. POWERS. THE REGISTRARS AND DEPUTY REGISTRARS SHALL EXERCISE THOSE POWERS AND DUTIES AND SHALL BE SUBJECT TO SUCH REGULATIONS AS ARE SET FORTH IN THE GEORGIA MUNICIPAL ELECTION CODE, TITLE 34A OF THE CODE OF GEORGIA, OF 1933, AS AMENDED.
6. RESIGNATION OR REMOVAL. ANY REGISTRAR OR DEPUTY REGISTRAR SHALL HAVE THE RIGHT TO RESIGN AT ANY TIME BY SUBMITTING A RESIGNATION TO THE MAYOR AND COUNCIL. THE MAYOR AND COUNCIL SHALL HAVE THE RIGHT AT ANY TIME TO REMOVE ONE OR MORE OF SUCH REGISTRARS FOR CAUSE AFTER NOTICE AND HEARING. IF ANY REGISTRAR RESIGNS OR IS REMOVED FOR CAUSE, HIS DUTIES AND AUTHORITY AS SUCH SHALL TERMINATE INSTANTER. IN THE EVENT OF DEATH, RESIGNATION, OR REMOVAL OF A REGISTRAR OR DEPUTY REGISTRAR, THE MAYOR AND COUNCIL SHALL APPOINT A SUCCESSOR WHO SHALL SERVE OUT THE UNEXPIRED TERM. EACH SUCH APPOINTMENT SHALL BE ENTERED ON THE MINUTES OF THE COUNCIL MEETING AT WHICH THE APPOINTMENT IS MADE.

2-202 ELECTOR QUALIFICATION

ANY PERSON DESIRING TO VOTE IN ANY MUNICIPAL, GENERAL OR SPECIAL ELECTION MUST (1) REGISTER AS AN ELECTOR AT LEAST 15 DAYS PRIOR TO THE PRIMARY OR ELECTION AT WHICH HE DESIRES TO VOTE; (2) BE A CITIZEN OF THE STATE OF GEORGIA AND OF THE UNITED STATES; (3) BE AT LEAST 18 YEARS OF AGE; AND (4) BE A RESIDENT OF THIS MUNICIPALITY.

2-203 REGISTRATION LISTS AND RECORDS

THE CITY SHALL MAINTAIN ITS OWN REGISTRATION SYSTEM. THE FORM OF THE REGISTRATION CARDS SHALL CONFORM TO THE PROVISIONS OF SECTION 34-609 OF THE GEORGIA CODE ANNOTATED. THE COMPLETED REGISTRATION CARDS AND OTHER PAPERS OF THE REGISTRARS SHALL BE KEPT IN THE MAIN OFFICE OF THE BOARD OF REGISTRARS IN THE ROBERTA CITY HALL AND SHALL BE OPEN TO PUBLIC INSPECTION DURING USUAL BUSINESS HOURS.

2-204 CHALLENGE OF REGISTRATION LIST

ANY ELECTOR OF THE MUNICIPALITY SHALL HAVE THE RIGHT TO CHALLENGE THE REGISTRATION OF ANY PERSON WHOSE NAME APPEARS ON THE REGISTRATION LIST IN THE MANNER SET FORTH BELOW.

1. APPEAL TO REGISTRAR. ANY CHALLENGE OF A PERSON'S RIGHT TO REGISTER SHALL BE MADE IN THE FIRST INSTANCE TO THE REGISTRAR, WHO SHALL UPON HEARING THE EVIDENCE, DECIDE WHETHER TO AFFIRM OR REVERSE THE ORIGINAL DECISION.
2. APPEAL TO MAYOR AND COUNCIL. ANY PERSON ASSERTING A CHALLENGE UNDER THIS SECTION, OR ANY PERSON WHOSE NAME WAS OMITTED FROM THE REGISTRATION LIST BY THE REGISTRAR, SHALL HAVE THE RIGHT TO APPEAL FROM THE DECISION OF THE REGISTRAR TO THE MAYOR AND COUNCIL. IF THE MAYOR AND COUNCIL SHOULD DECIDE, AFTER HEARING THE EVIDENCE OF SUCH PERSON AND THAT OF THE REGISTRAR, THAT THE REGISTRAR ERRED IN HIS DECISION, SUCH BODY SHALL DIRECT THE REGISTRAR TO CORRECT THE ERROR.

2-205 PERMANENCE OF REGISTRATION

REGISTRATION OF AN ELECTOR WILL REMAIN PERMANENT IF THE ELECTOR VOTES IN AT LEAST ONE ELECTION EVERY THREE YEARS. IF SUCH PERSON DOES NOT VOTE IN AT LEAST ONE GENERAL OR SPECIAL ELECTION OR PRIMARY IN A THREE-YEAR PERIOD AND DOES NOT SPECIALLY REQUEST CONTINUATION OF HIS REGISTRATION, THEN THE ELECTOR'S NAME WILL BE REMOVED FROM THE REGISTRATION LIST AND HE SHALL BE REQUIRED TO RE-REGISTER IN THE MANNER PROVIDED FOR ORIGINAL REGISTRATION.

2-206 ABSENTEE REGISTRATION

ABSENTEE REGISTRATION SHALL BE ALLOWED IN ANY MUNICIPAL PRIMARY OR GENERAL OR SPECIAL ELECTION HELD IN THE CITY. (SEE GEORGIA MUNICIPAL ELECTION CODE 34A-513.)

ARTICLE III: CANDIDATES

2-301 NOTICE OF CANDIDACY

1. FILING. EACH CANDIDATE DESIRING TO HAVE HIS NAME PLACED ON THE BALLOT FOR AN OFFICE TO BE FILLED IN A MUNICIPAL GENERAL OR SPECIAL ELECTION SHALL FILE PERSONALLY, OR BY HIS AGENT, NOTICE OF HIS CANDIDACY IN THE MANNER AND ACCOMPANIED BY THE DOCUMENTS AND INFORMATION REQUIRED BY SECTION 34A-901 OF THE GEORGIA CODE ANNOTATED.
2. DESIGNATION OF OFFICE SOUGHT. IN THE EVENT A CANDIDATE SEEKS ONE OR TWO OR MORE PUBLIC OFFICES OF THE CITY, EACH HAVING THE SAME TITLE AND TO BE FILLED AT THE SAME ELECTION BY THE VOTE OF THE SAME ELECTORS, SUCH CANDIDATE SHALL BE REQUIRED TO DESIGNATE THE SPECIFIC OFFICE HE IS SEEKING.
3. QUALIFYING DATE. EACH CANDIDATE, OR HIS AGENT, SHALL FILE NOTICE OF HIS CANDIDACY IN THE OFFICE OF THE MUNICIPAL SUPERINTENDENT WITH OPENING DATE BEING THE 3RD TUESDAY IN OCTOBER AND THE CLOSING DATE BEING THE 1ST TUESDAY IN NOVEMBER IN THE CASE OF A GENERAL ELECTION AND OPENING DATE BEING 30 DAYS BEFORE THE ELECTION AND CLOSING DATE BEING 15 DAYS BEFORE THE ELECTION IN THE CASE OF A SPECIAL ELECTION.

2-302 QUALIFICATION FEES

THE QUALIFICATION FEE FOR CANDIDATES FILING A NOTICE OF CANDIDACY IN ANY GENERAL OR SPECIAL ELECTION SHALL BE PAID TO THE MUNICIPAL SUPERINTENDENT AT THE TIME OF FILING SUCH NOTICE OF CANDIDACY. IN NO EVENT SHALL SUCH FEE EXCEED THREE PERCENT OF THE INCOME DERIVED FROM SUCH OFFICE BY THE PERSON HOLDING THE OFFICE FOR THE PRECEDING YEAR.

2-303 CAMPAIGN FINANCING DISCLOSURE

ALL CANDIDATES FOR MUNICIPAL PUBLIC OFFICE SHALL KEEP ALL SUCH RECORDS AND FILE ALL SUCH REPORTS AS ARE REQUIRED BY THE GEORGIA CAMPAIGN AND FINANCIAL DISCLOSURE ACT.

ARTICLE IV: VOTING

2-401 ELECTION OFFICIALS

1. APPOINTMENT. THE FOLLOWING ELECTION OFFICIALS SHALL BE APPOINTED BY THE MAYOR AND COUNCIL AND SHALL

RECEIVED SUCH COMPENSATION AS IS PROVIDED BY SAME:

- A. MUNICIPAL ELECTION SUPERINTENDENT
- B. CHIEF MANAGER
- C. TWO ASSISTANT MANAGERS
- D. CLERKS AS NECESSARY

2. QUALIFICATIONS AND POWERS. THE MUNICIPAL ELECTION SUPERINTENDENT AND ALL POLL OFFICERS SHALL MEET SUCH QUALIFICATIONS AND EXERCISE ALL SUCH POWERS AND DUTIES AS ARE PROVIDED IN TITLE 34A OF THE GEORGIA CODE ANNOTATED.

2-402 ELECTION DISTRICTS

THE AREA COMPRISING THE CORPORATED LIMITS OF THE CITY, AS THE SAME IS NOW OR SHALL HEREAFTER EXIST, SHALL CONSTITUTE THE SOLE ELECTION DISTRICT OF THE CITY.

2-403 POLLING PLACES

THE POLLING PLACE WITHIN THE CITY SHALL BE THE ROBERTA-CRAWFORD COUNTY FIREHOUSE LOCATED AT 276 EAST AGENCY STREET, ROBERTA, GEORGIA.

2-404 DATE OF ELECTION

ALL MUNICIPAL ELECTIONS SHALL BE HELD ON THE FIRST TUESDAY IN DECEMBER IN EACH ELECTION YEAR.

2-405 WRITE-IN VOTES

WRITE-IN VOTES SHALL BE PERMITTED IN MUNICIPAL ELECTIONS, EXCEPT THAT NO WRITE-IN VOTES SHALL BE COUNTED IN A PRIMARY, RUNOFF PRIMARY, OR RUNOFF ELECTION.

2-406 ABSENTEE BALLOTS

ABSENTEE BALLOTS SHALL BE USED IN ALL MUNICIPAL ELECTIONS, AND SUCH USE SHALL BE GOVERNED BY THE PROVISION OF CHAPTER 34A-1304 OF THE GEORGIA CODE ANNOTATED.

2-407 VOTE REQUIRED FOR ELECTION

CANDIDATES FOR NOMINATION FOR ANY PUBLIC MUNICIPAL OFFICE IN ANY PRIMARY, AND CANDIDATES FOR ANY PUBLIC MUNICIPAL OFFICE IN ANY ELECTION SHALL BE NOMINATED OR ELECTED BY A PLURALITY OF THE VOTES CAST TO FILL SUCH NOMINATION OR PUBLIC OFFICE.

2-408 CONTESTED ELECTIONS

1. PETITION OF CONTEST. ANY PERSON WISHING TO CONTEST THE RESULTS OF A PRIMARY OR ELECTION SHALL FILE A PETITION WITH THE CITY CLERK WITHIN FIVE DAYS AFTER THE RESULTS OF THE ELECTION ARE CERTIFIED TO THE MAYOR AND COUNCIL, WHICH PETITION SHALL SET FORTH IN WRITING ONE OR MORE OF THE FOLLOWING GROUNDS:
 - A. MALCONDUCT, FRAUD OR IRREGULARITY BY ANY ELECTION OFFICIAL SUFFICIENT TO CHANGE OR PLACE IN DOUBT THE RESULT;
 - B. INELIGIBILITY OF THE DEFENDANT FOR THE OFFICE IN DISPUTE;
 - C. ILLEGAL VOTES RECEIVED, OR LEGAL VOTES REJECTED, SUFFICIENT TO CHANGE OR PLACE IN DOUBT THE RESULT;
 - D. AN ERROR IN COUNTING THE VOTES OR IN DECLARING THE RESULT OF AN ELECTION, IF SUCH ERROR WOULD CHANGE THE RESULT; OR
 - E. ANY OTHER CAUSE WHICH SHOWS THAT ANOTHER WAS THE PERSON LEGALLY ELECTED.
2. NOTICE AND HEARING. UPON THE FILING OF THE CONTEST PETITION, A HEARING SHALL BE SET BEFORE THE MAYOR AND COUNCIL AND WRITTEN NOTICE STATING THE TIME AND PLACE OF THE HEARING AND CONTAINING A COPY OF THE CONTEST PETITION SHALL BE GIVEN TO ALL AFFECTED CANDIDATES. THE HEARING WILL TAKE PLACE NOT LESS THAN FIVE (5) NOR MORE THAN TEN (10) DAYS AFTER SERVICE OF THE NOTICE UPON THE AFFECTED CANDIDATES, AND SHALL BE CONDUCTED IN AN INFORMAL MANNER.
3. DETERMINATION BY THE MAYOR AND COUNCIL. THE MAYOR AND COUNCIL SHALL EXAMINE THE QUALIFICATIONS OF ELECTORS CONCERNING THEIR RIGHT TO VOTE, ORDER A RECOUNT OF BALLOTS, EXAMINE THE REGISTRATION LISTS, AND PERFORM SUCH ACTS AND CONDUCT SUCH EXAMINATION AS MAY BE DEEMED NECESSARY TO DETERMINE THE VALIDITY OF A CONTEST OF AN ELECTION, EXCEPT THAT ANY MEMBER OF THE GOVERNING AUTHORITY INCLUDED IN THE CONTEST SHALL DISQUALIFY HIMSELF FROM JUDGING THE CONTEST.
4. APPEAL. THE FINAL DETERMINATION OF THE MAYOR AND

COUNCIL MAY BE APPEALED TO THE SUPERIOR COURT OF THE COUNTY IN THE MANNER OF APPEAL FROM A COURT OF PROBATE, EXCEPT THAT SUCH APPEAL SHALL BE MADE WITHIN 10 DAYS AFTER DETERMINATION OF THE CONTEST BY THE MAYOR AND COUNCIL.

ARTICLE V: IMPEACMENT AND REMOVAL

2-501 GROUNDS FOR REMOVAL

THE MAYOR OR ANY COUNCILMAN SHALL BE SUBJECT TO REMOVAL FROM OFFICE FOR ANY ONE OR MORE OF THE FOLLOWING CAUSES;

1. INCOMPETENCE, MISFEASANCE, OR MALFEASANCE IN OFFICE;
2. CONVICTION OF A CRIME INVOLVING MORAL TURPITUDE;
3. FAILURE AT ANY TIME TO POSSESS ANY OF THE QUALIFICATIONS OF OFFICE AS PROVIDED BY CHARTER OR BY LAW;
4. WILLFUL VIOLATION OF ANY EXPRESS PROHIBITION OF THE MUNICIPAL CHARTER;
5. ABANDONMENT OF OFFICE OR NEGLECT TO PERFORM THE DUTIES THEREOF; OR
6. FAILURE FOR ANY OTHER CAUSE TO PERFORM THE DUTIES OF OFFICE AS REQUIRED BY CHARTER OR LAW.

2-502 PROCEDURE FOR REMOVAL

REMOVAL OF ANY ELECTED OFFICER FROM OFFICE SHALL BE BROUGHT ABOUT IN THE FOLLOWING MANNER:

1. BY ACTION OF THREE-FIFTHS VOTE OF THE ENTIRE MEMBERSHIP OF THE COUNCIL. IN THE EVENT THAT AN ELECTED OFFICER IS SOUGHT TO BE REMOVED BY THE ACTION OF THE COUNCIL, SUCH OFFICER SHALL BE ENTITLED TO A WRITTEN NOTICE SPECIFYING THE GROUND FOR REMOVAL AND TO A PUBLIC HEARING WHICH SHALL BE HELD NOT LESS THAN TEN DAYS AFTER THE SERVICE OF SUCH WRITTEN NOTICE. ANY ELECTED OFFICER SOUGHT TO BE REMOVED FROM OFFICE AS HEREIN PROVIDED SHALL HAVE THE RIGHT OF APPEAL FROM THE DECISION OF THE COUNCIL TO THE SUPERIOR COURT OF CRAWFORD COUNTY. SUCH APPEAL SHALL BE GOVERNED BY THE SAME RULES AS GOVERN APPEALS TO THE SUPERIOR COURT

FROM THE PROBATE COURT.

2. BY INFORMATION FILED WITH THE SUPERIOR COURT OF CRAWFORD COUNTY AS PROVIDED BY LAW.

2-503 APPEAL OF DECISION

ANY OFFICER REMOVED FROM OFFICE BY THE ACTION OF CITY COUNCIL AS PROVIDED IN THE PRECEDING SECTION SHALL HAVE THE RIGHT TO APPEAL FROM THE DECISION OF THE COUNCIL TO THE SUPERIOR COURT OF COUNTY IN WHICH CITY HALL IS LOCATED. SUCH APPEAL SHALL BE GOVERNED BY THE SAME RULES AS GOVERN APPEALS TO THE SUPERIOR COURT FROM THE COURT OF PROBATE.

CHAPTER 3: ADMINISTRATION

CHAPTER 3: ADMINISTRATION

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ARTICLE I: IN GENERAL

- 3-101 EXERCISE OF GOVERNMENT AUTHORITY

THE CORPORATE GOVERNMENTAL POWERS OF THE CITY SHALL BE EXERCISED BY THE MAYOR AND COUNCIL IN THE MANNER PROVIDED BY CHARTER AND BY THE PROVISIONS OF THIS CHAPTER.

- 3-102 CODE OF ETHICS

- 1. PROHIBITED CONDUCT. PUBLIC OFFICIALS AND EMPLOYEES OF THE CITY SHALL TREAT ALL CITIZENS WITH COURTESY, IMPARTIALITY, FAIRNESS, AND EQUALITY UNDER THE LAW,

AND SHALL AVOID BOTH ACTUAL AND POTENTIAL CONFLICTS BETWEEN THEIR PRIVATE SELF-INTEREST AND THE PUBLIC INTEREST. PROHIBITED CONDUCT OF EACH SUCH OFFICIAL AND EMPLOYEE SHALL INCLUDE, BUT NOT BE LIMITED TO, THE FOLLOWING:

- A. GRANTING OR MAKING AVAILABLE TO ANY PERSON ANY SPECIAL CONSIDERATION, TREATMENT, ADVANTAGE, OR FAVOR BEYOND THAT WHICH IT IS THE GENERAL PRACTICE TO GRANT OR MAKE AVAILABLE TO THE PUBLIC AT LARGE;
- B. REQUESTING, USING, OR PERMITTING THE USE OF ANY PUBLICLY-OWNED OR PUBLICLY-SUPPORTED PROPERTY, VEHICLE, EQUIPMENT, LABOR, OR SERVICE FOR THE PERSONAL CONVENIENCE OR THE PRIVATE ADVANTAGE OF HIMSELF OR ANY OTHER PERSON, EXCEPT AS OTHERWISE ALLOWED BY LAW;
- C. PARTICIPATING IN THE DELIBERATION OF OR VOTING ON ANY MATTER INVOLVING HIS FINANCIAL OR PERSONAL INTEREST;
- D. ENGAGING IN PRIVATE EMPLOYMENT WITH, OR RENDERING SERVICES FOR, ANY PRIVATE PERSON WHO HAS BUSINESS TRANSACTIONS WITH THE CITY, UNLESS HE HAS MADE FULL PUBLIC DISCLOSURE OF THE NATURE AND EXTENT OF SUCH EMPLOYMENT OR SERVICES;
- E. APPEARING ON BEHALF OF ANY PRIVATE PERSON, OTHER THAN HIMSELF, BEFORE ANY PUBLIC BODY IN THE CITY;
- F. ACCEPTING ANY GIFT, WHETHER IN THE FORM OF MONEY, THING, FAVOR, LOAN, OR PROMISE, THAT WOULD NOT BE OFFERED OR GIVEN TO HIM IF HE WERE NOT AN OFFICIAL OR EMPLOYEE;
- G. DISCLOSING ANY CONFIDENTIAL INFORMATION CONCERNING ANY OFFICIALS OR EMPLOYEE, OR ANY OTHER PERSON, OR ANY PROPERTY OR GOVERNMENTAL AFFAIRS OF THE CITY, WITHOUT PRIOR FORMAL AUTHORIZATION OF THE GOVERNING BODY;
- H. USING OR PERMITTING THE USE OF CONFIDENTIAL INFORMATION TO ADVANCE THE FINANCIAL OR PERSONAL INTEREST OF HIMSELF OR OTHER PERSON; OR

- I. APPOINTING OR VOTING FOR THE APPOINTMENT OF ANY PERSON RELATED TO HIM BY BLOOD OR MARRIAGE TO FILL AN OFFICE, POSITION, EMPLOYMENT, OR DUTY, WHEN THE SALARY, WAGES, PAY, OR COMPENSATION IS TO BE PAID OUT OF PUBLIC FUNDS.
2. HEARING AND DETERMINATIONS. UPON THE SWORN COMPLAINT OF ANY PERSON ALLEGING FACTS WHICH IF TRUE WOULD CONSTITUTE A VIOLATION OF THIS SECTION, THE COUNCIL SHALL CONDUCT A PUBLIC HEARING AT WHICH THE ACCUSED SHALL BE GIVEN AN OPPORTUNITY TO BE HEARD, EITHER PERSONALLY OR THROUGH COUNSEL. AT THE CONCLUSION OF SAID HEARING, THE COUNCIL SHALL, IN WRITTEN FINDINGS OF FACT AND CONCLUSIONS BASED THEREON, MAKE A DETERMINATION CONCERNING THE PROPRIETY OF THE CONDUCT OF THE OFFICIAL OR EMPLOYEE IN QUESTION.

3-103 ADMINISTRATIVE POLICY AND PROCEDURES

1. OFFICERS. EACH OFFICER SHALL PERFORM ALL DUTIES REQUIRED OF HIS OFFICE BY STATE LAW, THE CHARTER, AND THIS CODE, AND SUCH OTHER DUTIES NOT IN CONFLICT THEREWITH AS MAY BE REQUIRED BY THE MAYOR.
2. DEPARTMENT HEADS. ALL DEPARTMENT HEADS SHALL:
 - A. BE IMMEDIATELY RESPONSIBLE TO THE MAYOR FOR THE EFFECTIVE ADMINISTRATION OF THEIR RESPECTIVE DEPARTMENT AND ALL ACTIVITIES ASSIGNED THERETO;
 - B. KEEP INFORMED AS TO THE LARGEST PRACTICES IN THEIR PARTICULAR FIELD AND INAUGURATE, WITH THE APPROVAL OF THE MAYOR, SUCH NEW PRACTICES AS APPEAR TO BE OF BENEFIT TO THE SERVICE AND TO THE PUBLIC;
 - C. BE RESPONSIBLE FOR THE PROPER MAINTENANCE OF ALL CITY PROPERTY AND EQUIPMENT USED IN THEIR RESPECTIVE DEPARTMENTS.

THE MAYOR WILL HAVE THE POWER TO HIRE AND FIRE ANY PERSONNEL SUBJECT TO APPROVAL BY COUNCIL, WHO WILL HAVE THE AUTHORITY TO OVERRIDE HIS DECISION.

3. DEPARTMENT. EACH DEPARTMENT SHALL COOPERATE WITH EVERY OTHER DEPARTMENT AND SHALL FURNISH, UPON THE DIRECTION OF THE MAYOR OR ANY OTHER DEPARTMENT SUCH SERVICE, LABOR, AND MATERIALS AS MAY BE REQUISITIONED BY THE HEAD OF EACH DEPARTMENT, AS ITS OWN FACILITIES PERMIT.
4. RECORDS. ALL MUNICIPAL RECORDS, EXCEPT THOSE WHICH BY ORDER OF A STATE COURT OR BY LAW ARE PROHIBITED FROM BEING OPEN TO PUBLIC INSPECTION, SHALL BE OPEN FOR PERSONAL INSPECTION BY ANY CITIZEN OF GEORGIA DURING THE HOURS OF OPERATION OF THE ADMINISTRATIVE SERVICE HEREINBELOW PRESCRIBED.
5. OPERATION OF ADMINISTRATIVE SERVICE. ALL UNITS IN THE ADMINISTRATIVE SERVICE SHALL:
 - A. OFFICE HOURS. BE OPEN BETWEEN THE HOURS OF 8:30 A.M. AND 3:00 P.M. ON WEEKDAYS AND SHALL BE CLOSED ON SATURDAY, SUNDAY AND LEGAL HOLIDAYS.
 - B. MAKE DAILY DEPOSIT. MAKE A DAILY DEPOSIT WITH THE CITY TREASURER OF ANY MONIES RECEIVED DIRECTLY FROM THE PUBLIC.
 - C. PAYMENT OF MONIES. PAY OUT MONIES BELONGING TO THE CITY ONLY IN THE MANNER PRESCRIBED HEREIN.

3-104 OATHS

ALL OFFICERS AND EMPLOYEES REQUIRED BY CHARTER OR SOME OTHER PROVISION OF LAW TO TAKE AN OATH SHALL, BEFORE ENTERING UPON THE DISCHARGE OF THEIR RESPECTIVE DUTIES, TAKE AND SUBSCRIBE THE FOLLOWING OATH BEFORE AN OFFICER AUTHORIZED BY LAW TO ADMINISTER OATHS:

I, _____, DO SOLEMNLY SWEAR OR AFFIRM THAT I WILL SUPPORT THE CONSTITUTION OF THE UNITED STATES, THE CONSTITUTION OF THE STATE OF GEORGIA, THE CHARTER AND ORDINANCES OF THE CITY OF ROBERTA; AND THAT I WILL, TO THE BEST OF MY ABILITY, FAITHFULLY PERFORM THE DUTIES OF THE OFFICE OF _____ DURING MY CONTINUANCE THEREIN, SO HELP ME GOD..

3-105 BONDS

EXCEPT AS OTHERWISE PROVIDED BY LAW, THE MAYOR AND COUNCIL MAY REQUIRE ANY DEPARTMENT HEAD, CITY OFFICIAL, OR EMPLOYEE, BEFORE ENTERING UPON THE DISCHARGE OF HIS DUTIES TO GIVE GOOD AND SUFFICIENT BOND IN ANY AMOUNT DECIDED BY THE MAYOR AND COUNCIL. SAID BOND SHALL BE PAYABLE TO THE CITY OF ROBERTA FOR THE FAITHFUL PERFORMANCE OF SAID DUTIES AND TO SECURE AGAINST CORRUPTION, MALFEASANCE, MISAPPROPRIATIONS, OR UNLAWFUL EXPENDITURES IN OFFICE. SAID SURETY BONDS SHALL BE OBTAINED FROM A SURETY COMPANY LICENSED TO DO BUSINESS IN THE STATE OF GEORGIA AND APPROVED BY THE MAYOR AND COUNCIL. THE PREMIUMS THEREON SHALL BE PAID BY THE CITY.

3-106 COMPENSATION

EACH OFFICER AND EMPLOYEE OF THE CITY SHALL RECEIVE SUCH COMPENSATION AS MAY BE PROVIDED FROM TIME TO TIME BY RESOLUTION.

ARTICLE II: THE MAYOR AND COUNCIL GENERALLY

3-201 ELECTION

THE MAYOR SHALL BE ELECTED FOR A TWO-YEAR TERM AND THE COUNCILMEN SHALL BE ELECTED FOR TWO-YEAR OVERLAPPING TERMS, AND EACH ELECTED OFFICER SHALL SERVE UNTIL HIS SUCCESSOR IS ELECTED AND QUALIFIED.

3-202 QUALIFICATION FOR OFFICE

ANY PERSON WHOSE PRINCIPAL PLACE OF RESIDENCE IS WITHIN THE CORPORATE LIMITS OF THE CITY AND WHO IS BOTH A QUALIFIED VOTER OF THE CITY AND AT LEAST 18 YEARS OF AGE AT THE TIME OF ELECTION SHALL BE ELIGIBLE FOR THE OFFICE OF MAYOR OR COUNCILMAN. SHOULD THE MAYOR OR ANY COUNCILMAN CEASE TO MAINTAIN HIS PRINCIPAL PLACE OF RESIDENCE WITHIN THE CITY DURING HIS TERM OF OFFICE, HIS OFFICE SHALL THEREBY BECOME VACANT.

3-203 VACANCIES

IN THE EVENT THAT THE OFFICE OF MAYOR OR COUNCILMAN SHALL BECOME VACANT FOR ANY CAUSE WHATSOEVER, THE COUNCIL OR THOSE REMAINING SHALL ORDER A SPECIAL ELECTION TO FILL THE BALANCE OF THE UNEXPIRED TERM OF OFFICE, PROVIDED, HOWEVER, THAT IF SUCH VACANCY OCCURS WITHIN SIX MONTHS OF THE EXPIRATION OF THE TERM OF SUCH OFFICE, SAID VACANCY IN OFFICE SHALL BE FILLED BY APPOINTMENT BY THE REMAINING MEMBERS OF THE

COUNCIL. BOTH SPECIAL ELECTIONS AND QUALIFICATIONS OF CANDIDATES THEREFOR SHALL CONFORM TO THE APPLICABLE PROVISIONS OF THIS CHARTER, TO THE GEORGIA MUNICIPAL ELECTION CODE AND TITLE 34A OF THE CODE OF GEORGIA OF 1933, AS NOW OR HEREAFTER AMENDED.

3-204 MEETINGS

THE CITY COUNCIL SHALL HOLD REGULAR MEETINGS ON THE FIRST TUESDAY OF EACH MONTH AT 7:30 P.M., UNLESS OTHERWISE ORDERED BY THE COUNCIL; PROVIDED, THAT THE MAYOR MAY CONVENE THE COUNCIL WHENEVER IN HIS OPINION THE PUBLIC BUSINESS REQUIRES IT, AND HE SHALL DO SO UPON THE APPLICATION OF TWO MEMBERS OF THE CITY COUNCIL. ALL MEETINGS AT WHICH OFFICIAL ACTIONS ARE TO BE TAKEN SHALL BE OPEN TO THE PUBLIC.

1. NOTICE FOR A CALLED MEETING. NOTICE SHALL BE GIVEN TO EACH COUNCIL MEMBER INDIVIDUALLY BY THE CITY CLERK.
2. DUTY TO ATTEND. IT SHALL BE THE DUTY OF EACH MEMBER OF THE CITY COUNCIL TO ATTEND EACH MEETING OF THE CITY COUNCIL, UNLESS HE IS PREVENTED BY SOME UNAVOIDABLE CIRCUMSTANCE.

3-205 STANDING COMMITTEES

THE FOLLOING SHALL BE THE STANDING COMMITTEES OF THE CITY COUNCIL:

- A. CAPITAL IMPROVEMENTS
- B. INDUSTRIAL DEVELOPMENT
- C. ORDINANCES AND CODES
- D. POLICE AND FIRE
- E. STREETS AND SANITATION
- F. WATER AND SEWERAGE

3-206 RULES FOR THE CONDUCT OF BUSINESS

EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, ROBERTS' RULE OF ORDER SHALL GOVERN THE CONDUCT OF COUNCIL MEETINGS.

1. CALL TO ORDER. ALL MEETINGS OF THE COUNCIL SHALL BE OPEN TO THE PUBLIC. THE MAYOR, OR IN HIS ABSENCE, THE MAYOR PRO TEMPORE, SHALL TAKE THE CHAIR AT THE HOUR

APPOINTED FOR ANY REGULAR, TEMPORARILY ADJOURNED, SPECIAL, OR CALLED MEETING; AND SHALL IMMEDIATELY CALL THE COUNCIL TO ORDER.

2. ROLL CALL. BEFORE PROCEEDING WITH THE BUSINESS OF THE COUNCIL, THE CITY CLERK OR HIS DEPUTY SHALL CALL THE ROLL OF THE MEMBERS, AND THE NAMES OF THOSE PRESENT SHALL BE ENTERED IN THE MINUTES.
3. QUORUM. A MAJORITY OF ALL MEMBERS ELECTED TO THE COUNCIL SHALL CONSTITUTE A QUORUM AT ANY REGULAR OR SPECIAL MEETING OF THE COUNCIL AND AN AFFIRMATIVE VOTE OF A MAJORITY OF SUCH NUMBER SHALL BE SUFFICIENT TO PERMIT THE CONDUCT OF ALL BUSINESS EXCEPT THAT FOR WHICH A LARGER VOTE HAS BEEN MANDATED BY THE CODE.
4. READING OF MINUTES. UNLESS A READING OF THE MINUTES OF A COUNCIL MEETING IS REQUESTED BY A COUNCIL MEMBER, SUCH MINUTES MAY BE APPROVED WITHOUT A READING IF THE CITY CLERK HAS PREVIOUSLY FURNISHED EACH MEMBER WITH A COPY THEREOF.
5. MANNER OF ADDRESSING COUNCIL. NO MEMBER, WHILE THE CITY COUNCIL IS IN SESSION, SHALL SPEAK ON ANY SUBJECT UNLESS RECOGNIZED BY THE PRESIDING OFFICER. EVERY SPEAKER SHALL ADDRESS THE CHAIR, AND NO MEMBER SHALL INTERRUPT ANYONE WHO IS SPEAKING, EXCEPT TO CALL HIM TO ORDER OR FOR EXPLANATION.
6. ORDINANCE, RESOLUTIONS, CONTRACTS, AND INTER-LOCAL AGREEMENTS. UNLESS OTHERWISE PROVIDED IN THIS CODE, ALL ORDINANCES, RESOLUTIONS, CONTRACTS AND INTER-LOCAL AGREEMENTS OF THE CITY SHALL BE PREPARED, APPROVED, INTRODUCED AND ADOPTED IN THE FOLLOWING MANNER.
 - A. PREPARATION. ALL ORDINANCES SHALL BE PREPARED OR REVIEWED BY THE CITY ATTORNEY. NO ORDINANCE SHALL BE PREPARED FOR PRESENTATION TO THE COUNCIL UNLESS ORDERED BY A MAJORITY VOTE OF THE COUNCIL, OR REQUESTED IN WRITING BY THE MAYOR, OR PREPARED BY THE CITY ATTORNEY ON HIS OWN INITIATIVE.
 - B. INTRODUCTION AND ADOPTION.
 - (1) ORDINANCES, RESOLUTIONS, AND OTHER MATTERS OR SUBJECTS

REQUIRING ACTION BY THE COUNCIL MUST BE INTRODUCED AND SPONSORED BY A MEMBER OF THE COUNCIL, EXCEPT THAT THE MAYOR OR CITY ATTORNEY MAY PRESENT ORDINANCES, RESOLUTIONS, AND OTHER MATTERS OR SUBJECTS TO THE COUNCIL, AND ANY COUNCILMAN MAY ASSUME SPONSORSHIP THEREOF BY MOVING THAT SUCH ORDINANCES, RESOLUTIONS, MATTERS, OR SUBJECTS BE ADOPTED.

- (2) ALL ORDINANCES WILL HAVE ONE READING.
- (3) NO ORDINANCE SHALL RELATE TO MORE THAN ONE SUBJECT, WHICH SHALL BE CLEARLY EXPRESSED IN ITS TITLE, AND NO ORDINANCE, OR SECTION THEREOF, SHALL BE AMENDED OR REPEALED UNLESS THE NEW ORDINANCE CONTAINS THE TITLE OF THE ORDINANCE OR SECTION AMENDED OR REPEALED, AND WHEN PRACTICABLE ALL ORDINANCES SHALL BE INTRODUCED AS AMENDMENTS TO THIS CODE.
- (4) AN ORDINANCE, RESOLUTION, OR CONTRACT SHALL BE DEEMED ADOPTED OR APPROVED WHEN IT RECEIVES THE AFFIRMATIVE VOTE OF A MAJORITY OF THE WHOLE COUNCIL. FOR THE PURPOSES OF TALLYING SUCH VOTE, AN ABSTENTION SHALL BE DEEMED A NEGATIVE VOTE.

- 7. RECORDING VOTE. WHENEVER ANY MEMBER SHALL REQUEST IT, THE YEAS AND NAYS OF THE MEMBERS PRESENT SHALL BE RECORDED ON THE MINUTES ON ANY QUESTION TAKEN.
- 8. QUESTION OF ORDER. THE PRESIDING OFFICER SHALL DECIDE ALL QUESTIONS OF ORDER, BUT ANY COUNCILMAN WHO IS DISSATISFIED WITH THE DECISION MAY APPEAL TO THE CITY COUNCIL IN THE MANNER PROVIDED BY ROBERTS' RULES OF ORDER FOR APPEALING FROM DECISIONS OF PRESIDING OFFICERS.

9. ELECTIONS. ALL ELECTIONS BY THE CITY COUNCIL SHALL BE BY BALLOT, AND A MAJORITY VOTE OF THE WHOLE COUNCIL SHALL BE NECESSARY TO AN ELECTION.
10. EXECUTIVE SESSION. THE CITY COUNCIL MAY, AT ANY TIME, UPON CALL THEREFOR BY THE PRESIDING OFFICER OR UPON MOTION DULY CARRIED BY A COUNCIL MEMBER, MEET IN EXECUTIVE SESSION. ATTENDANCE AT SUCH SESSIONS SHALL BE LIMITED TO THE MAYOR AND MEMBERS OF COUNCIL AND SUCH INVITEES AS SHALL BE INVITED WITH THE UNANIMOUS CONSENT OF THE MAYOR AND COUNCIL.

3-207 LEGISLATIVE AUTHORITY GENERALLY

THE CITY COUNCIL SHALL EXERCISE THE LEGISLATIVE FUNCTIONS OF THE CITY, AND MAY PASS ANY ORDINANCE OR RESOLUTION THAT IT DEEMS BEST FOR THE GOVERNMENT OF THE CITY IN THE MANNER SET FORTH IN THIS CHAPTER; PROVIDED, THAT THE SAME IS NOT IN CONFLICT WITH THE CHARTER OF THE CITY, THE CONSTITUTION OR LAWS OF THE STATE OF GEORGIA, OR THE CONSTITUTION OR LAWS OF THE UNITED STATES.

ARTICLE III: THE MAYOR

3-301 GENERAL AUTHORITY

THE MAYOR SHALL BE THE CHIEF EXECUTIVE AND ADMINISTRATIVE OFFICER OF THE CITY GOVERNMENT, SHALL ENFORCE THE LAWS OF THE CITY AND SHALL REQUIRE THE FAITHFUL PERFORMANCE OF ALL ADMINISTRATIVE DUTIES.

3-302 DUTIES

THE MAYOR SHALL HAVE THE FOLLOWING DUTIES:

1. PRESIDING AT MEETINGS. TO PRESIDE AT ALL MEETINGS OF THE CITY COUNCIL, BUT THE MAYOR SHALL NOT BE ALLOWED TO VOTE AT SUCH MEETINGS EXCEPT IN THE CASE OF A TIE VOTE BY THE COUNCIL ON ANY QUESTION;
2. APPOINTMENT OF STANDING COMMITTEES: TO APPOINT AT THE FIRST MEETING OF EACH YEAR, OR AS SOON THEREAFTER AS EXPEDIENT, STANDING COMMITTEES FOR THAT YEAR; BUT THE MAYOR MAY AT ANY TIME ALTER THE COMMITTEES AND MAKE SUCH CHANGES AS THE INTEREST OF THE CITY MAY REQUIRE;
3. APPOINTMENT OF OFFICERS AND EMPLOYEES: TO APPOINT ALL

OFFICERS AND EMPLOYEES OF THE CITY WHOSE ELECTION OR APPOINTMENT IS NOT OTHERWISE PROVIDED FOR.

4. DISMISSAL, SUSPENSION, AND DISCIPLINE OF OFFICERS AND EMPLOYEES: TO DISMISS, SUSPEND, OR DISCIPLINE FOR CAUSE ALL OFFICERS AND EMPLOYEES UNDER HIS CONTROL, PROVIDED THAT FOR THE PURPOSES OF THIS SECTION "CAUSE" SHALL BE CONSTRUED TO MEAN:
 - A. NEGLIGENCE OR INEFFICIENCY IN PERFORMING THE DUTIES OF THE POSITION HELD;
 - B. UNFITNESS TO PERFORM ASSIGNED DUTIES;
 - C. INSUBORDINATION;
 - D. MISCONDUCT;
 - E. CONDUCT REFLECTING DISCREDIT ON THE DEPARTMENT;
 - F. FAILURE TO REPORT FOR WORK WITHOUT JUSTIFIABLE CAUSE;
 - G. CHRONIC ABSENTEEISM; OR
 - H. POLITICAL ACTIVITY IN VIOLATION OF MUNICIPAL REGULATIONS.
5. EXECUTING LEGAL DOCUMENTS. SIGN ALL WRITTEN CONTRACTS ENTERED INTO BY THE COUNCIL ON BEHALF OF THE CITY AND ALL OTHER CONTRACTS AND INSTRUMENTS EXECUTED BY THE CITY WHICH BY LAW ARE REQUIRED TO BE IN WRITING. (SEE SECTION 2.20 OF THE CHARTER OF THE CITY OF ROBERTA.)
6. ADMINISTERING OATHS. HAVE POWER TO ADMINISTER OATHS AND TO TAKE AFFIDAVITS.
7. SUPERVISION OF ADMINISTRATIVE WORK. EXERCISE SUPERVISION OVER ALL EXECUTIVE AND ADMINISTRATIVE WORK OF THE CITY AND PROVIDE FOR THE COORDINATION OF ADMINISTRATIVE ACTIVITIES.
8. BE THE OFFICIAL HEAD OF THE CITY FOR THE SERVICE OF PROCESS AND FOR CEREMONIAL PURPOSES.
9. SEE THAT ALL LAWS AND ORDINANCES OF THE CITY ARE FAITHFULLY EXECUTED.

10. RECOMMEND TO THE COUNCIL SUCH MEASURES RELATIVE TO THE AFFAIRS OF THE CITY, IMPROVEMENT OF THE GOVERNMENT AND PROMOTION OF THE WELFARE OF ITS INHABITANTS AS HE MAY DEEM EXPEDIENT.
11. CALL SPECIAL MEETINGS OF THE COUNCIL.
12. APPROVE OR DISAPPROVE ORDINANCES.
13. REQUIRE ANY DEPARTMENT OR AGENCY OF THE CITY TO SUBMIT WRITTEN REPORTS IN CONNECTION WITH THE AFFAIRS THEREOF WHENEVER HE DEEMS IT EXPEDIENT.

3-303 POWERS

THE MAYOR SHALL HAVE THE FOLLOWING POWERS:

1. RULE MAKING. TO PRESCRIBE SUCH RULES AND REGULATIONS AS MAY BE DEEMED NECESSARY OR EXPEDIENT FOR THE CONDUCT OF ADMINISTRATIVE AGENCIES SUBJECT TO HIS AUTHORITY, AND TO REVOKE, SUSPEND OR AMEND ANY RULE OR REGULATIONS OF THE ADMINISTRATIVE SERVICE BY WHOMEVER PRESCRIBED;
2. INVESTIGATION. TO INVESTIGATE AND TO EXAMINE OR INQUIRE INTO, EITHER BY HIMSELF OR BY ANY OFFICER OR PERSON DESIGNATED FOR THE PURPOSE BY HIM, THE AFFAIRS OR OPERATION OF ANY DEPARTMENT, INCLUDING THE POWER TO EMPLOY CONSULTANTS AND PROFESSIONAL COUNSEL WHEN SO AUTHORIZED BY THE COUNCIL TO AID IN SUCH INVESTIGATIONS, EXAMINATIONS, OR INQUIRIES;
3. OVERRIDING. TO SET ASIDE ANY ACTION TAKEN BY A DEPARTMENT HEAD AND TO SUPERSEDE HIM IN THE FUNCTIONS OF HIS OFFICE; AND
4. DELEGATION. TO DIRECT ANY DEPARTMENT TO PERFORM THE WORK FOR ANY OTHER DEPARTMENT, AND TO AUTHORIZE ANY DEPARTMENT HEAD OR OFFICER RESPONSIBLE TO HIM TO APPOINT AND REMOVE SUBORDINATES SERVING UNDER SUCH PERSON.

3-304 MAYOR PRO TEMPORE

DURING A TEMPORARY ABSENCE OR DISABILITY OF THE MAYOR, THE MAYOR SHALL ELECT ONE OF THE COUNCIL TO ACT AS MAYOR PRO TEM, WHO DURING SUCH ABSENCE OR DISABILITY SHALL POSSESS THE POWERS OF MAYOR, WHO SHALL SERVE FOR A TERM OF ONE YEAR AND UNTIL HIS SUCCESSOR IS ELECTED AND QUALIFIED.

3-305 ACTING MAYOR

IN THE EVENT OF A VACANCY IN THE OFFICE OF MAYOR, THE COUNCIL MAY APPOINT ONE OF ITS MEMBERS AS ACTING MAYOR TO SERVE UNTIL THE VACANCY IS FILLED AT A REGULAR OR SPECIAL ELECTION AS PROVIDED BY LAW.

ARTICLE IV: THE CITY CLERK/TREASURER

3-401 ELECTION

THE CITY COUNCIL SHALL AT ITS FIRST REGULAR MEETING AFTER ELECTION AND QUALIFICATION APPOINT A CITY CLERK-TREASURER.

3-402 TERM OF OFFICE

THE CITY CLERK/TREASURER SHALL HOLD THAT OFFICE AT THE PLEASURE OF THE MAYOR AND COUNCIL.

3-403 BOND

BEFORE ENTERING UPON THE DUTIES OF HIS OFFICE, THE CITY CLERK/TREASURER SHALL GIVE A GOOD AND SUFFICIENT BOND, PAYABLE TO THE CITY COUNCIL, SUCH BOND TO BE FIXED AND APPROVED BY THE CITY COUNCIL.

3-404 DUTIES AS CITY CLERK

THE CITY CLERK/TREASURER SHALL HAVE THE FOLLOWING DUTIES IN HIS CAPACITY AS CITY CLERK:

1. TO ATTEND ALL MEETINGS OF THE CITY COUNCIL;
2. TO KEEP CORRECT AND FULL MINUTES OF THE PROCEEDINGS OF CITY COUNCIL, TOGETHER WITH ALL ORDINANCES AND RESOLUTIONS PASSED BY IT, IN A PROPERLY INDEXED BOOK OR REGISTER KEPT FOR THAT PURPOSE;
3. TO RECEIVE ALL APPLICATIONS OR PETITIONS MADE TO THE CITY AND TO PLACE THEM BEFORE THE MAYOR AND CITY COUNCIL AT THE MEETING OF COUNCIL NEXT SUCCEEDING THE RECEIPT THEREOF;
4. TO ISSUE ALL LICENSES, AND KEEP A RECORD THEREOF, AND ALL BADGES AND PERMITS AUTHORIZED BY THE COUNCIL;
5. TO ATTEND ALL SESSIONS OF THE MAYOR'S COURT;
6. TO KEEP AN EXECUTION DOCKET, IN WHICH HE SHALL ENTER THE NAMES OF ALL PERSONS TRIED AND FINED BY THE MAYOR'S COURT, THE NATURE OF THE OFFENSE, DATE OF TRIAL, AMOUNT OF FINE, AND RETURN OF THE POLICE OFFICER THEREON;
7. TO ISSUE ALL SUMMONSES, PROCESSES, AND SUBPOENAS TO WITNESSES THAT MAY BE NECESSARY IN THE ENFORCEMENT OF THIS CODE OR OTHER RULES, REGULATIONS, AND ORDINANCES OF THE CITY COUNCIL;
8. TO BE THE CUSTODIAN OF THE CITY SEAL AND AFFIX ITS IMPRESSION ON DOCUMENTS WHENEVER REQUIRED;
9. TO CAREFULLY PRESERVE THE RECORDS AND DOCUMENTS BELONGING TO THE CITY WHICH ARE NOT ASSIGNED TO THE CUSTODY OF SOME OTHER OFFICE, AND TO MAINTAIN A PROPER INDEX TO ALL SUCH RECORDS AND DOCUMENTS SO THAT READY ACCESS THERETO AND USE THEREOF MAY BE HAD; AND
10. TO ISSUE FI FAS.

3-405 DUTIES AS CITY TREASURER

THE CITY CLERK/TREASURER SHALL HAVE THE FOLLOWING DUTIES IN HIS CAPACITY AS CITY TREASURER:

1. TO RECEIVE ALL MONEY DUE THE CITY COUNCIL, INCLUDING TAXES, AND PAY OUT THE SAME ONLY UPON ORDERS PASSED BY THE CITY COUNCIL AND SIGNED BY THE MAYOR, OR IN HIS ABSENCE, THE MAYOR PRO TEMPORE;
2. TO KEEP A BOOK OF ACCOUNTS SHOWING ALL MONEY RECEIVED ON BEHALF OF THE CITY AND THE SOURCE AND DISPOSITION THEREOF, WHICH BOOK SHALL BE OPEN FOR INSPECTION BY THE PUBLIC AND CITY COUNCILMEN;
3. TO MAINTAIN A UNIFORM SYSTEM OF ACCOUNTS AND KEEP SUCH OTHER RECORDS AND ACCOUNTS AS MAY BE REQUIRED BY STATUE OR ORDINANCE; AND
4. TO FURNISH THE COUNCIL WITH MONTHLY STATEMENTS DETAILING ALL RECEIPTS AND PAYMENT OF FUNDS FOR THE MONTH.

ARTICLE V: (RESERVED)

ARTICLE VI: OFFICERS AND EMPLOYEES

3-601 THE CITY ATTORNEY

1. APPOINTMENT AND QUALIFICATIONS. THE CITY ATTORNEY SHALL BE APPOINTED BY THE MAYOR, BY AND WITH THE ADVICE AND CONSENT OF THE CITY COUNCIL, AND SHALL SERVE UNTIL A SUCCESSOR IS APPOINTED AND HAS QUALIFIED. NO PERSON SHALL BE SO APPOINTED UNLESS HE IS A MEMBER IN GOOD STANDING OF THE STATE BAR OF GEORGIA AND HAS BEEN ACTIVELY ENGAGED IN THE PRACTICE OF LAW FOR AT LEAST THREE YEARS PRECEDING HIS APPOINTMENT.
2. OATH. BEFORE ENTERING UPON THE DUTIES OF HIS OFFICE, THE CITY ATTORNEY SHALL TAKE THE OATH PRESCRIBED BY THIS CODE FOR CITY OFFICERS.
3. POWERS AND DUTIES. THE CITY ATTORNEY SHALL BE THE LEGAL ADVISOR AND REPRESENTATIVE OF THE CITY AND IN SUCH CAPACITY SHALL:
 - A. ADVISE THE COUNCIL OR ITS COMMITTEES OR ANY CITY OFFICER, WHEN THERETO REQUESTED, UPON ALL LEGAL QUESTIONS ARISING IN THE CONDUCT OF CITY BUSINESS;
 - B. PREPARE OR REVISE ORDINANCES WHEN SO REQUESTED BY THE COUNCIL OR ANY COMMITTEE THEREOF, AND KEEP THE CODE OF ORDINANCES OF THE CITY UP-TO-DATE AND PROPERLY INDEXED;
 - C. GIVE HIS OPINION UPON ANY LEGAL MATTER OR QUESTION SUBMITTED TO HIM BY THE COUNCIL, OR ANY OF ITS COMMITTEES, OR BY ANY CITY OFFICER;
 - D. ATTEND COUNCIL MEETINGS AS REQUESTED FOR THE PURPOSE OF GIVING THE COUNCIL ANY LEGAL ADVICE REQUESTED BY ITS MEMBERS;
 - E. PREPARE FOR EXECUTION, UPON REQUEST, CONTRACTS AND INSTRUMENTS TO WHICH THE CITY IS A PARTY AND APPROVE, AS TO FORM, BONDS WHICH MAY BE REQUIRED TO BE SUBMITTED TO THE CITY;
 - F. DEFEND ANY AND ALL SUITS AND ACTIONS AT LAW OR EQUITY BROUGHT AGAINST THE CITY, UNLESS

OTHERWISE DIRECTED BY CITY COUNCIL;

- G. MAKE IMMEDIATE REPORT TO THE MAYOR AND COUNCIL OF THE OUTCOME OF ANY LITIGATION IN WHICH THE CITY HAS AN INTEREST;
- H. KEEP COMPLETE AND ACCURATE RECORDS OF THE FOLLOWING RECORDS WHICH SHALL FOREVER REMAIN THE PROPERTY OF THE CITY:
 - (1) ALL SUITS IN WHICH THE CITY HAD OR HAS AN INTEREST, GIVING THE NAMES OF THE PARTIES, THE NATURE OF THE ACTION, THE DISPOSITION OF THE CASE OR ITS STATUS, IF PENDING, AND THE BRIEFS OF COUNSEL; AND
 - (2) ALL WRITTEN OPINIONS PREPARED BY THE CITY ATTORNEY AND ALL CERTIFICATES OR ABSTRACTS OF TITLES FURNISHED BY HIM TO THE CITY, OR ANY DEPARTMENT OR OFFICIAL THEREOF; AND
- I. RENDER SUCH OTHER LEGAL SERVICES AS MAY BE REQUIRED BY THE MAYOR OR COUNCIL.

- 4. COMPENSATION. THE CITY ATTORNEY SHALL SUBMIT TO THE COUNCIL A BILL FOR SPECIAL SERVICES RENDERED IN ADDITION TO THE ANNUAL RETAINER FEE.

3-602 THE CITY ENGINEER

- 1. APPOINTMENT. THE CITY ENGINEER SHALL BE APPOINTED BY THE MAYOR, BY AND WITH THE ADVICE AND CONSENT OF THE CITY COUNCIL, AND SHALL SERVE UNTIL A SUCCESSOR IS APPOINTED AND HAS QUALIFIED.
- 2. DUTIES. THE CITY ENGINEER SHALL ADVISE THE COUNCIL AND CITY OFFICIALS ON ALL ENGINEERING MATTERS REFERRED TO HIM AND SHALL, FROM TIME TO TIME AS REQUIRED BY THE MAYOR OR COUNCIL, MAKE REPORTS REGARDING PUBLIC IMPROVEMENT, REPAIRS OF STREETS, BRIDGES, AND SIDEWALKS, AND PREPARE SUCH OTHER REPORTS AS THE MAYOR OR COUNCIL MAY REQUEST. HE SHALL KEEP ACCURATE MAPS, PLATS, AND RECORDS OF ALL PUBLIC WORKS, LANDS, OR PROPERTY OWNED BY THE CITY, AND PERFORM SUCH OTHER DUTIES AS MAY BE IMPOSED UPON HIM FROM TIME TO TIME BY THE MAYOR OR COUNCIL.

3. COMPENSATION. THE CITY ENGINEER SHALL SUBMIT TO THE COUNCIL A MONTHLY BILL FOR HIS SERVICES ITEMIZING THE TYPE OF WORK PERFORMED FOR THE CITY AND THE NUMBER OF HOURS ENGAGED IN EACH TYPE OF WORK DURING THE MONTH.

3-603 EMPLOYEES GENERALLY

1. EMPLOYMENT OF PERSONNEL. EACH DEPARTMENT HEAD, SUBJECT TO THE APPROVAL OF THE MAYOR AND COUCIL, SHALL HAVE THE AUTHORITY TO EMPLOY THE NECESSARY PERSONNEL, AS AUTHORIZED BY COUNCIL ACTION, TO PERFORM THE DUTIES OF HIS DEPARTMENT, AND IT SHALL BE THE RESPONSIBILITY OF EACH SUCH DEPARTMENT HEAD TO DETERMINE BY THE PHYSICIAN'S REPORT AND THE APPLICANT'S HISTORY WHETHER SAID APPLICANT HAS THE NECESSARY QUALIFICATIONS FOR THE PARTICULAR POSITION APPLIED FOR.
2. PHYSICIAN'S EXAMINATION. APPLICANTS SEEKING EMPLOYMENT SHALL COMPLETE A STANDARD APPLICATION FORM AS PROVIDED BY THE CITY AND SHALL PASS A COMPLETE PHYSICAL EXAMINATION TO BE GIVEN BY A LICENSED PHYSICIAN AND PAID FOR BY THE PROSPECTIVE EMPLOYEE. THE PHYSICIAN SHALL ENTER HIS FINDINGS ON A STANDARD FORM TO BE PROVIDED BY THE CITY. THIS PROVISION SHALL NOT APPLY TO THOSE EMPLOYEES HIRED IN AN EMERGENCY AND FOR A PERIOD OF LESS THAN TEN WORKING DAYS.
3. ACCIDENTS. EMPLOYEES INVOLVED IN, OR HAVING ANY KNOWLEDGE OF, ANY ACCIDENT INVOLVING ANY OTHER PERSON EMPLOYED BY THE CITY OR ANY PROPERTY OR EQUIPMENT OWNED OR OPERATED BY THE CITY SHALL IMMEDIATELY REPORT THE ACCIDENT AND PERTINENT INFORMATION TO THEIR DEPARTMENT HEAD, WHO SHALL FORWARD SUCH INFORMATION TO THE OFFICE OF THE CITY CLERK. THE CITY CLERK SHALL RECORD THE INFORMATION ON THREE COPIES OF THE APPLICABLE ACCIDENT FORM, ONE COPY TO BE FORWARDED TO THE INSURANCE CARRIER, ONE COPY TO THE CITY ATTORNEY, AND ONE COPY TO BE RETAINED ON FILE IN THE CITY CLERK'S OFFICE.
4. OUTSIDE EMPLOYMENT. NO MUNICIPAL EMPLOYEE SHALL ENGAGE IN ANY OUTSIDE EMPLOYMENT DURING ANY PERIOD IN WHICH HE IS BEING COMPENSATED TO DO WORK FOR THE CITY.
5. POLITICAL ACTIVITY. MUNICIPAL EMPLOYEES MAY INDIVIDUALLY EXERCISE THEIR RIGHT TO VOTE AND PRIVATELY EXPRESS THEIR POLITICAL VIEWS AS CITIZENS, BUT NO MUNICIPAL EMPLOYEE SHALL SOLICIT POLITICAL CAMPAIGN CONTRIBUTIONS OR ENGAGE IN OR ACTIVELY PARTICIPATE IN

ANY POLITICAL CAMPAIGN TO THE NEGLECT OF HIS OFFICIAL DUTIES.

6. STRIKES. NO MUNICIPAL EMPLOYEE SHALL PARTICIPATE IN OR ENCOURAGE ANY FORM OF SIT DOWN, SLOW DOWN, WORK STOPPAGE, OR STRIKE AGAINST THE MUNICIPALITY.
7. LEAVE OF ABSENCE. LEAVE OF ABSENCE WITHOUT PAY MAY BE GRANTED FOR A PERIOD NOT TO EXCEED 60 DAYS WHEN THE GRANTING OF SUCH LEAVE IS IN THE MUTUAL INTEREST OF THE CITY AND THE EMPLOYEE. SUCH LEAVE SHALL REQUIRE APPROVAL OF THE DEPARTMENT HEAD AND THE MAYOR. A LEAVE OF ABSENCE WITHOUT PAY AND NOT TO EXCEED FIVE WORKING DAYS SHALL BE GRANTED BY THE DEPARTMENT HEAD WITH APPROVAL OF THE MAYOR IN THE EVENT OF A DEATH IN THE IMMEDIATE FAMILY OF AN EMPLOYEE.
8. ABSENCE WITHOUT LEAVE. NO EMPLOYEE MAY ABSENT HIMSELF FROM DUTY WITHOUT PERMISSION OF HIS DEPARTMENT HEAD. AN EMPLOYEE ABSENT FOR THREE CONSECUTIVE WORKING DAYS WITHOUT NOTICE AND WITHOUT SUFFICIENT REASON SHALL BE CONSIDERED TO HAVE RESIGNED.
9. DISMISSAL. ANY EMPLOYEE MAY BE DISMISSED FOR CAUSE BY HIS DEPARTMENT HEAD. EXAMPLES OF CAUSES ARE: NEGLECT OF DUTY, ABSENCE WITHOUT LEAVE, INCOMPETENCE OR INEFFICIENCY, INTOXICATION ON DUTY, DISORDERLY OR IMMORAL CONDUCT, INCOMPATIBILITY WITH OTHER MEMBERS OF THE DEPARTMENT TO THE EXTENT THAT DEPARTMENT EFFICIENCY IS IMPAIRED, OR WILLFUL VIOLATION OF THE CHARTER OR LAWS OF THE CITY OR ANY LAWS OF THE STATE OF GEORGIA OR OF THE UNITED STATES.
 - A. NOTICE. ANY EMPLOYEE WHO IS DISMISSED SHALL BE GIVEN WRITTEN NOTICE OF THE REASONS FOR THE ACTION, COPIES OF WHICH NOTICE SHALL BE FORWARDED TO THE MAYOR AND CITY CLERK.
 - B. HEARING. SHOULD AN EMPLOYEE DISAGREE WITH HIS DISMISSAL, HE SHALL HAVE THE RIGHT TO REQUEST A REVIEW OF THE MATTER WITH THE MAYOR, WHOSE DECISION SHALL BE CONCLUSIVE ON ALL CITY PERSONNEL MATTERS. A REQUEST FOR SUCH REVIEW MUST BE MADE IN WRITING, SIGNED BY THE EMPLOYEE, AND FILED WITH THE MAYOR WITHIN 10 DAYS FROM THE DISMISSAL DATE. EACH EMPLOYEE TERMI-

NATED SHALL HAVE THE RIGHT TO PRESENT HIS CASE BEFORE THE MAYOR IN AN ORDERLY MANNER, FREE FROM INTERFERENCE, DISCRIMINATION, OR REPRISAL. AFTER CONSIDERATION, THE MAYOR MAY EITHER AFFIRM, REVERSE, OR MODIFY THE DECISION OF THE DEPARTMENT HEAD.

C. DISMISSAL WITHOUT CAUSE. DISMISSAL ACTION WITHOUT CAUSE MAY BE NECESSARY IF THE EMPLOYEE'S WORK ASSIGNMENT IS COMPLETED OR AVAILALE PROGRAM FUNDS ARE DISCONTINUED OR CUT BACK, OR WHERE DEPARTMENTAL REORGANIZATION IS NECESSARY. IN ANY SUCH CASE, THE HEARING REQUIREMENT HEREINABOVE SET FORTH SHALL NOT BE APPLICABLE.

10. RESIGNATION. EMPLOYEES SHALL SUBMIT RESIGNATIONS IN WRITING AT LEAST TWO WEEKS IN ADVANCE OF THE EFFECTIVE DATE OF THEIR RESIGNATION.
11. COMPENSATION FOR AUTHORIZED TRIPS. TRAVEL EXPENSES FOR AUTHORIZED TRIPS SHALL BE PAID AS AUTHORIZED BY THE MAYOR.
12. PERSONNEL MANUAL ADOPTION. THERE IS HEREBY ADOPTED BY THE MAYOR AND CITY COUNCIL, FOR THE PURPOSE OF ESTABLISHING STANDARDS AND PROCEDURES AFFECTING PERSONNEL, THE PERSONNEL MANUAL FOR THE CITY OF ROBERTA, GEORGIA, OF WHICH CODE NOT LESS THAN ONE COPY HAS BEEN AND NOW IS FILED IN THE OFFICE OF THE CITY CLERK, AND THE SAME IS ADOPTED AND INCORPORATED AS FULLY AS IF SET OUT AT LENGTH HEREIN, AND FROM THE DATE ON WHICH THIS SECTION SHALL TAKE EFFECT, THE PROVISIONS THEREOF SHALL BE CONTROLLING WITHIN THE CORPORATE LIMITS OF THE CITY.

ARTICLE VII: DEPARTMENT

3-701 DEPARTMENT ORGANIZATION

THE ADMINISTRATIVE SERVICE OF THE CITY SHALL BE DIVIDED INTO THE FOLLOWING DEPARTMENT AND HEADS THEREOF:

DEPARTMENT OF FINANCE.....CITY CLERK

DEPARTMENT OF PUBLIC WORKS.....DIRECTOR OF PUBLIC WORKS

DEPARTMENT OF PERSONNEL.....CITY CLERK

POLICE DEPARTMENT.....POLICE CHIEF

FIRE DEPARTMENT.....FIRE CHIEF

3-702 DEPARTMENT OF FINANCE

1. COMPOSITION. THE DEPARTMENT OF FINANCE SHALL CONSIST OF THE CITY CLERK AND SUCH OTHER OFFICERS AND EMPLOYEES AS MAY BE PROVIDED BY THE MAYOR AND COUNCIL
2. APPOINTMENT OF DIRECTOR. THE CITY CLERK SHALL BE APPOINTED BY THE MAYOR, BY AND WITH THE ADVICE AND CONSENT OF CITY COUNCIL, AND SHALL EXERCISE GENERAL SUPERVISION OVER ALL OFFICERS OF THE CITY REGARDING THE PROPER MANAGEMENT OF THE FISCAL CONCERNS OF THEIR RESPECTIVE OFFICES.
3. DUTIES OF DIRECTOR. THE CITY CLERK SHALL HAVE THE FOLLOWING DUTIES:
 - A. TO PREPARE AND KEEP ALL FINANCIAL RECORDS OF THE CITY;
 - B. TO MAKE ALL PURCHASES OF MATERIALS, SUPPLIES, OR EQUIPMENT FOR THE CITY WHICH ARE AUTHORIZED BY THE COUNCIL, IN THE MANNER PROVIDED BY LAW AND SUBJECT TO THE LIMITATIONS IMPOSED BY LAW;
 - C. TO KEEP A CURRENT ACCOUNT OF THE AMOUNT APPROPRIATED EACH YEAR AND THE SUMS SPENT OUT OF EACH APPROPRIATION SHOWING THE UNEXPENDED BALANCE FOR EACH ITEM;
 - D. TO KEEP IN PROPER BOOKS A FULL AND ACCURATE ACCOUNT OF ALL THE MONIES RECEIVED AND DISBURSED BY HIM IN BEHALF OF THE CITY, SPECIFYING THE DATE OF RECEIPT AND DISBURSEMENT, FROM WHOM RECEIVED AND TO WHOM DISBURSED, AND ON WHAT ACCOUNT RECEIVED AND DISBURSED, AND HOW PAID;
 - E. TO PREPARE AND KEEP ALL BOND REGISTERS

AND OTHER RECORDS REQUIRED BY LAW TO BE KEPT BY THE TREASURER, AND TO PREPARE FOR SIGNATURE AND PUBLICATION THE ANNUAL TREASURER'S REPORT AND ANY OTHER REPORT REQUIRED BY LAW;

- F. TO RECEIVE AND HAVE CUSTODY OF ALL MONIES PAID TO THE CITY AND TO DISBURSE CITY MONIES AS PROVIDED BY LAW;
- G. TO RECEIVE AND COLLECT ALL LICENSE FEES, PERMIT FEES, CHARGES FOR THE USE OF CITY PROPERTY OR SPECIAL SERVICES RENDERED BY THE CITY, SUMS DUE THE CITY ON ANY CONTRACT, AND ALL OTHER SUMS DUE THE CITY OTHER THAN THOSE WHICH ARE BY LAW PAID DIRECTLY TO ANOTHER MUNICIPAL OFFICER; AND
- H. TO PERFORM ANY AND ALL SUCH ADDITIONAL DUTIES AS MAY BE ASSIGNED TO HIM FROM TIME TO TIME BY THE MAYOR AND COUNCIL.

3-703 DEPARTMENT OF PUBLIC WORKS

1. COMPOSITION. THE DEPARTMENT OF PUBLIC WORKS SHALL CONSIST OF THE DIRECTOR OF PUBLIC WORKS, WHO SHALL BE THE HEAD OF THE DEPARTMENT, AND ALL OFFICERS AND EMPLOYEES ASSIGNED THERETO BY THE MAYOR AND COUNCIL.
2. APPOINTMENT OF DIRECTOR. THE DIRECTOR OF PUBLIC WORKS SHALL BE APPOINTED BY THE MAYOR, BY AND WITH THE ADVICE AND CONSENT OF THE CITY COUNCIL, AND SHALL HAVE CONTROL AND SUPERVISIONS OVER ALL OFFICERS AND EMPLOYEES ASIGNED TO THE DEPARTMENT, SUBJECT TO THE CONTROL OF THE MAYOR.
3. DUTIES OF THE DIRECTOR. THE DIRECTOR OF PUBLIC WORKS SHALL HAVE THE FOLLOWING DUTIES:
 - A. TO PROVIDE FOR AND SUPERVISE THE CARE, MAINTENANCE, CONSTRUCTION, AND EXTENSION OF ALL STREETS, SIDEWALKS, STREET GUTTERS AND DRAINS, ALLEYS, AND PUBLIC WAYS;
 - B. TO HAVE CHARGE OF AND BE RESPONSIBLE FOR THE CARE, MAINTENANCE AND OPERATION OF THE CITY WATER DISTRIBUTION SYSTEM, THE SANITARY SEWER

SYSTEM AND DISPOSAL PLANT, AND THE STREET LIGHTING SYSTEM;

- C. TO HAVE CHARGE OF THE SUPERVISION OVER ALL PUBLIC PROPERTY OF THE CITY, INCLUDING ALL PARKS, PARKWAYS, PLAYGROUNDS, MUNICIPAL CEMETERIES, BUILDINGS AND UTILITIES NOT ASSIGNED TO SOME OTHER DEPARTMENT OR OFFICER;
- D. TO HAVE CHARGE OF THE COLLECTION AND DISPOSAL OF GARBAGE AND REFUSE;
- E. TO HAVE CHARGE OF AND BE RESPONSIBLE FOR THE CONDITION OF ALL MOTOR VEHICLES AND OTHER EQUIPMENT OF THE CITY, AND OF ALL BUILDINGS OR PLACES IN WHICH THE SAME ARE HOUSED OR KEPT;
- F. TO BE CUSTODIAN OF ALL TOOLS, EQUIPMENT, AND OTHER PERSONAL PROPERTY BELONGING TO THE CITY AND NOT ASSIGNED TO THE CARE OF ANY OTHER PUBLIC OFFICER OF THE CITY, AND;
- G. TO PERFORM SUCH ADDITIONAL DUTIES AS MAY BE ASSIGNED TO HIM FROM TIME TO TIME BY THE MAYOR.

3-704 DEPARTMENT OF PERSONNEL

- 1. COMPOSITION. THE DEPARTMENT OF PERSONNEL SHALL CONSIST OF THE CITY CLERK WHO SHALL BE THE HEAD OF THE DEPARTMENT, AND ALL OFFICERS AND EMPLOYEES ASSIGNED THERETO BY THE MAYOR AND COUNCIL.
- 2. DUTIES. THE CITY CLERK SHALL HAVE THE FOLLOWING DUTIES:
 - A. TO PREPARE AND MAINTAN ALL PERSONNEL RECORDS FOR THE CITY;
 - B. TO DEVELOP AND SUBMIT TO THE MAYOR AND COUNCIL FOR APPROVAL A JOB CLASSIFICTION AND PAY PLAN;
 - C. TO ESTABLISH A SYSTEM FOR EMPLOYEE GRIEVANCE RESOLUTION;
 - D. TO DEVELOP AND SURMIT TO THE MAYOR AND COUNCIL FOR APPROVAL A RETIREMENT PLAN FOR MUNICIPAL EMPLOYEES, COVERING SUCH MATTERS AS ELIGI-BILITY, BENEFITS, EARLY RETIREMENT, EXCEP-

TIONS, ETC. AND;

- E. TO PERFORM SUCH ADDITIONAL DUTIES AS MAY BE ASSIGNED TO HIM FROM TIME TO TIME BY THE MAYOR.

3-705 POLICE DEPARTMENT

1. COMPOSITION. THE POLICE DEPARTMENT SHALL CONSIST OF THE CHIEF OF POLICE AND SUCH OTHER OFFICERS AND PERSONNEL AS THE MAYOR AND COUNCIL SHALL PRESCRIBE.
2. RANK. FOLLOWING THE POLICE CHIEF IN RANK SHALL BE THE MAJOR, CAPTAIN, LIEUTENANTS, SERGEANT, AND POLICEMEN, IN ORDER OF SENIORITY IN EACH GROUP.
3. POLICE CHIEF.
 - A. APPOINTMENT AND POWERS. THE POLICE CHIEF SHALL BE APPOINTED BY THE MAYOR, BY AND WITH THE ADVICE AND CONSENT OF CITY COUNCIL, AND SHALL BE THE CHIEF EXECUTIVE OFFICER OF THE POLICE DEPARTMENT, SUBJECT ALWAYS TO THE ORDERS AND REGULATIONS OF THE MAYOR AND COUNCIL. IN THE EXERCISE OF HIS DUTIES, THE POLICE CHIEF SHALL HAVE THE POWER TO ESTABLISH AND ENFORCE RULES AND REGULATIONS FOR THE GOVERNMENT OF THE MEMBERS AND EMPLOYEES OF THE DEPARTMENT, WHICH RULES SHALL, HOWEVER, BE CONSISTENT WITH THE ORDINANCES OF THE CITY AND THE LAWS OF THE STATE.
 - B. OATH. PRIOR TO ENTERING UPON THE DISCHARGE OF HIS DUTIES, THE POLICE CHIEF SHALL TAKE AND SUBSCRIBE TO THE OATH PRESCRIBED BY THIS CODE.
 - C. DUTIES. THE POLICE CHIEF SHALL HAVE THE FOLLOWING DUTIES:
 - (1) TO ATTEND ALL TRIALS BEFORE THE MAYOR'S COURT;
 - (2) TO SEE TO THE PROPER SERVICE OF ALL SUMMONSES, SUBPOENAS, CITATIONS, EXECUTIONS, ATTACH-

MENTS, AND RULES OF THE CITY COUNCIL.

- (3) TO SEE TO THE COLLECTION OF ALL FINES AND COSTS IMPOSED BY THE MAYOR'S COURT;
- (4) TO SEE THAT THE ORDINANCES, RULES, AND REGULATIONS OF THE CITY AND ALL STATUTES APPLICABLE THEREIN ARE FAITH-FULLY ENFORCED;
- (5) TO PRESERVE THE PUBLIC PEACE, PREVENT INFRACTIONS OF THE LAW, AND ARREST VIOLATORS THEREOF;
- (6) TO PROTECT THE RIGHTS OF PERSONS AND PROPERTY;
- (7) TO OVERSEE THE CONDUCT OF THE OFFICERS AND MEN OF THE POLICE FORCE, AND TO BE HELD STRICTLY RESPONSIBLE FOR SUCH CONDUCT AND FOR THE GENERAL GOOD ORDER OF THE DEPARTMENT;
- (8) TO KEEP ADEQUATE RECORDS OF ALL PERSONNEL AND EQUIPMENT OF THE DEPARTMENT INCLUDING A LOG OF ALL QUESTIONS, ACTIVITIES, AND INVESTIGATIONS;
- (9) TO SUBMIT A MONTHLY REPORT TO THE CITY COUNCIL OUTLINING THE NUMBER AND TYPE OF ARRESTS FOR STATE OFFENSES, THE NUMBER AND TYPE OF CASES INVOLVING VIOLATIONS OF MUNICIPAL ORDINANCES, AND THE NUMBER OF ARRESTS MADE AND CASES REPORTED BY EACH POLICE OFFICER;
- (10) TO SUBMIT MONTHLY TO THE GEORGIA DEPARTMENT OF PUBLIC SAFETY THE "UNIFORM CRIME REPORT" PRESCRIBED BY STATE LAW (SEE GA. CODE ANN., 92A-

2501); AND

- (11) TO DISCHARGE SUCH OTHER DUTIES AS MAY BE REQUIRED OF HIM BY THE MAYOR OR COUNCIL.
- (12) TO ENFORCE AND COLLECT TAXES THROUGH LEVY OF FI FAS AND TAX SALES.

D. RESIGNATION, REMOVAL, DEATH, OR DISABILITY: IN THE EVENT OF RESIGNATION, REMOVAL, DEATH, OR DISABILITY OF THE POLICE CHIEF, THE OFFICER NEXT IN RANK SHALL PERFORM THE DUTIES OF THE CHIEF UNTIL REMOVAL OF SUCH DISABILITY OR UNTIL A SUCCESSOR HAS BEEN DULY APPOINTED.

4. POLICE OFFICERS.

A. QUALIFICATIONS. ANY PERSON EMPLOYED BY THE CITY AS A POLICE OFFICER SHALL HAVE THE FOLLOWING QUALIFICATIONS:

- (1) BE AT LEAST 18 YEARS OF AGE;
- (2) BE A CITIZEN OF THE UNITED STATES;
- (3) HAVE A HIGH SCHOOL DIPLOMA OR ITS RECOGNIZED EQUIVALENT;
- (4) NOT HAVE BEEN CONVICTED, BY ANY STATE OR BY THE FEDERAL GOVERNMENT, OF ANY CRIME, THE PUNISHMENT FOR WHICH COULD HAVE BEEN IMPRISONMENT IN A FEDERAL OR STATE PRISON OR INSTITUTION; NOR SHALL HE HAVE BEEN CONVICTED OF SUFFICIENT MISDEMEANORS TO ESTABLISH A PATTERN OF DISREGARD FOR THE LAW;
- (5) BE FINGERPRINTED AND A SEARCH MADE OF LOCAL, STATE, AND NATIONAL FINGERPRINT FILES TO DISCLOSE ANY CRIMINAL RECORD;
- (6) POSSESS GOOD MORAL CHARACTER AS DETERMINED BY INVESTIGATION UNDER PROCEDURE ESTABLISHED BY THE GEORGIA PEACE OFFICERS STANDARDS AND TRAINING COUNCIL;
- (7) HAVE AN ORAL INTERVIEW WITH THE MAYOR AND CITY COUNCIL TO DETERMINE SUCH THINGS AS APPLICANT'S APPEARANCE, BACKGROUND, AND ABILITY TO COMMUNICATE;
- (8) BE FOUND, AFTER EXAMINATION BY A LICENSED PHYSICIAN OR SURGEON, TO BE FREE FROM ANY PHYSICAL, EMOTIONAL, OR MENTAL CONDITIONS WHICH MIGHT ADVERSELY AFFECT HIS EXERCISING THE POWERS OR DUTIES OF A POLICE OFFICER; AND
- (9) COMPLETE SATISFACTORILY HEREINAFTER REFERRED TO AS "BASIC COURSE" WITHIN 12 MONTHS OF THE DATE OF HIS

APPOINTMENT AS A POLICE OFFICER, EXCEPT THAT AN EXTENSION MAY BE GRANTED BY THE GEORGIA PEACE OFFICERS STANDARDS AND TRAINING COUNCIL ON ACCOUNT OF ILLNESS, INJURY, MILITARY SERVICE, OR OTHER REASONS DEEMED SUFFICIENT BY SAID COUNCIL.

(10) IF APPLICANT HAS PREVIOUSLY BEEN CERTIFIED OR EXEMPTED BY GEORGIA PEACE OFFICERS STANDARDS AND TRAINING COUNCIL PROVIDED SUCH CERTIFICATION OR EXEMPTION HAS REMAINED CURRENT AND VALID, HE WILL NOT HAVE TO ATTEND THE BASIC COURSE.

B. BOND AND OATH. PRIOR TO ENTERING UPON THE DUTIES OF THEIR RESPECTIVE OFFICES, ALL OFFICERS OF THE POLICE DEPARTMENT SHALL TAKE AND SUBSCRIBE THE OATH PRESCRIBED BY THIS CODE.

C. DUTIES. IT SHALL BE THE DUTY OF THE OFFICERS OF THE POLICE DEPARTMENT TO ACQUIRE A FULL KNOWLEDGE OF AND TO ENFORCE ALL OF THE ORDINANCES OF THE CITY AND ALL STATUTES APPLICABLE THEREIN AND TO BECOME FAMILIAR WITH THE RULES AND REGULATIONS ESTABLISHED BY THE POLICE CHIEF CONCERNING THE DISCIPLINE, GOOD ORDER, PROPER CONDUCT, CARE AND MANAGEMENT OF THE POLICE DEPARTMENT, AND TO RESPECT AND OBEY ALL ORDERS OF THE POLICE CHIEF NOT IN CONFLICT WITH THE LAW OR ORDINANCES OF THE CITY.

D. CONDUCT. EVERY MEMBER OF THE POLICE DEPARTMENT SHALL CONDUCT HIMSELF OR HERSELF IN A PROPER AND LAW-ABIDING MANNER AT ALL TIMES AND SHALL AVOID THE USE OF UNNECESSARY FORCE. PROHIBITED CONDUCT SHALL INCLUDE, BUT NOT BE LIMITED TO, THE FOLLOWING:

(1) ABSENCE FROM REGULAR HOURS OF DUTY WITHOUT PERMISSION;

(2) SLEEPING ON DUTY;

(3) INSUBORDINATION OR DISOBEDIENCE OF ORDERS;

- (4) DRINKING ANY MALT OR INTOXICATING BEVERAGE WHILE ON DUTY OR IN UNIFORM;
- (5) WILLFUL MALTREATMENT OF ANY PERSON OR PRISONER;
- (6) USING PROFANE LANGUAGE;
- (7) GIVING OUT OR RELEASNG ANY INFORMATION COVERING THE AFFAIRS, BUSINESS OR OPERATION OF THE POLICE DEPARTMENT WITHOUT THE CONSENT OF THE POLICE CHIEF;
- (8) RECEIVING OR ACCEPTING A REWARD FROM ANY PERSON, FIRM, OR CORPORATION FOR ANY SERVICES RENDERED IN THE LINE OF DUTY;
- (9) ACCEPTING BRIBES OF MONEY, GIFTS, OR OTHER ARTICLES OF APPARENT OR ACTUAL VALUE, OR ACCEPTING ANY FEE, REWARD OR GIFT OF ANY KIND FROM A PERSON ARRESTED OR FROM ANY FRIEND IN HIS BEHALF WHILE HE IS IN CUSTODY OR AFTER HIS RELEASE OR DISCHARGE; OR
- (10) ACTIVE PARTICIPATION IN ANY POLITICAL CAMPAIGN TO THE NEGLECT OF HIS OFFICIAL DUTY.

E. PENALTIES FOR IMPROPER CONDUCT. ANY POLICE OFFICER VIOLATING THE RULES OR REGULATIONS OF THE POLICE DEPARTMENT OR OF THIS CODE, UPON CONVICTION THEREFOR BY THE CITY COUNCIL, AFTER DUE NOTICE AND HEARING (SEE CHAPTER 3-603, SEC. 9 AND CITY PERSONNEL MANUAL), OR UPON THE PLEA OF GUILTY, SHALL BE REPRIMANDED, FINED, SUSPENDED, OR DISMISSED BY THE CITY COUNCIL. ANY ONE OR MORE OF SAID PENALTIES MAY BE IMPOSED IN THE DISCRETION OF THE CITY COUNCIL.

5. ARMS AND UNIFORMS. EACH OFFICER AND MEMBER OF THE POLICE DEPARTMENT SHALL BE FURNISHED WITH SUCH ARMS AND POLICE EQUIPMENT AS PROVIDED FOR BY THE CITY COUNCIL. UNIFORMS SHALL BE KEPT CLEAN AND PRESSED AND SHALL BE WORN ON DUTY AT ALL TIMES, UNLESS OTHERWISE ORDERED BY A SUPERIOR OFFICER. THE EQUIPMENT AND ARMS FURNISHED BY THE CITY SHALL BE AND ALWAYS REMAIN THE

PROPERTY OF THE CITY AND SHALL BE, WHEN A CHANGE IS ORDERED OR ON RETIREMENT FROM OFFICE, RETURNED TO THE CITY. THE MEMBERS OF THE DEPARTMENT SHALL BE LIABLE FOR ANY LOSS OR CARELESS DESTRUCTION OF OR DAMAGE TO THEIR ARMS AND EQUIPMENT.

6. ARRESTS. POLICE OFFICER OF THE CITY MAY MAKE ARRESTS FOR VIOLATIONS OF MUNICIPAL ORDINANCES AND STATE LAWS WHEN SUCH VIOLATIONS ARE COMMITTED IN THEIR PRESENCE OR WHEN THEY HAVE OBTAINED A VALID ARREST WARRANT FROM THE JUDGE OF THE MAYOR'S COURT OR FROM SOME OTHER PROPER AUTHORITY. IN EXERCISING SUCH POWER OF ARREST, ALL POLICE OFFICERS SHALL SEE THAT ALL NECESSARY WARNINGS ARE GIVEN TO THE ACCUSED AS REQUIRED BY LAW.
7. ENTERING PRIVATE DWELLINGS. NO POLICE OFFICER SHALL ENTER A PRIVATE DWELLING WITHOUT A SEARCH WARRANT UNLESS HE IS IN PURSUIT OF A FUGITIVE WHOM THE OFFICER HAS PERSONAL KNOWLEDGE OR PROBABLE CAUSE TO BELIEVE HAS COMMITTED OR ATTEMPTED TO COMMIT A CRIME.
8. DISPOSITION OF STOLEN, ABANDONED, OR IMPOUNDED PROPERTY. ALL PERSONAL PROPERTY WHICH COMES INTO THE CUSTODY OF THE POLICE DEPARTMENT, WHERE SAID PROPERTY HAS BEEN STOLEN OR IMPOUNDED OR WHERE THE OWNERSHIP IS UNKNOWN, SHALL BE HELD FOR A PERIOD OF 60 DAYS AWAITING CLAIM BY ITS OWNER. THE OWNER OF SAID PROPERTY, UPON PROVING OWNERSHIP AND PAYING ALL EXPENSE AND COSTS, INCLUDING REASONABLE CHARGES FOR STORAGE, SHALL HAVE THE RIGHT TO HAVE SUCH PROPERTY RETURNED TO HIM.

IF AFTER THE EXPIRATION OF 60 DAYS THE PROPERTY IS UNCLAIMED, THE CHIEF OF POLICE OR CITY CLERK SHALL ADVERTISE THE PROPERTY FOR SALE IN THE NEWSPAPER IN WHICH THE CITY'S LEGAL ADVERTISEMENTS ARE PRINTED. SUCH ADVERTISING SHALL TAKE PLACE AT LEAST 10 DAYS BEFORE THE DATE SET FOR THE SALE AND SHALL GIVE A DESCRIPTION OF THE PROPERTY TO BE SOLD AND SPECIFY THE TIME AND PLACE OF SALE. IF THE PROPERTY IS STILL UNCLAIMED BY THE TIME OF THE SALE, IT SHALL BE SOLD AS ADVERTISED AND THE PROCEEDS SHALL BE PLACED IN THE CITY TREASURY.

3-706 FIRE DEPARTMENT

1. COMPOSITION. THE FIRE DEPARTMENT SHALL CONSIST OF A CHIEF AND SUCH SUBORDINATE OFFICERS AND FIREMEN AS MAY FROM TIME TO TIME BE PROVIDED FOR BY THE MAYOR AND

CITY COUNCIL.

2. RANK. FOLLOWING THE FIRE CHIEF IN RANK SHALL BE THE CAPTAIN, THE LIEUTENANTS AND THE FIREMEN, IN ORDER OF SENIORITY IN EACH GROUP.

3. FIRE CHIEF.

A. APPOINTMENT. THE FIRE CHIEF SHALL BE APPOINTED BY THE MAYOR, BY AND WITH THE ADVICE AND CONSENT OF CITY COUNCIL, AND SHALL BE THE CHIEF EXECUTIVE OFFICER OF THE FIRE DEPARTMENT, SUBJECT ALWAYS TO THE ORDERS AND REGULATIONS OF THE MAYOR AND COUNCIL.

B. POWERS AND DUTIES. THE FIRE CHIEF SHALL BE RESPONSIBLE FOR AND HAVE CONTROL OVER THE FIRE DEPARTMENT AND ALL FIRE APPARATUS BELONGING TO THE CITY, AND SHALL HAVE THE FOLLOWING DUTIES:

- (1) TO SEE TO THE PROPER AND SPEEDY EXTINGUISHMENT OF ALL ACCIDENTAL OR INTENTIONALLY CAUSED FIRES;
- (2) TO SEE TO THE ENFORCEMENT OF THE FIRE PREVENTION CODE ADOPTED BY THE MAYOR AND COUNCIL;
- (3) TO KEEP OR CAUSE TO BE KEPT, ACCURATE RECORDS OF ALL FIRES, INSPECTIONS, EQUIPMENT, FIRE PREVENTION EFFORTS, AND OTHER ACTIVITIES OF THE DEPARTMENT;
- (4) TO ESTABLISH RULES AND REGULATIONS CONCERNING THE DISCIPLINE, GOOD ORDER, PROPER CONDUCT, CARE, AND MANAGEMENT OF THE FIRE DEPARTMENT, SUBJECT TO THE APPROVAL BY THE CITY COUNCIL;
- (5) TO INVESTIGATE THE CAUSES OF

ALL EXTENDED OR DESTRUCTIVE
FIRES OCCURRING WITHIN THE
CITY.

- C. RESIGNATION, REMOVAL, DEATH, OR DISABILITY. IN THE EVENT OF RESIGNATION, REMOVAL, DEATH, OR DISABILITY OF THE FIRE CHIEF, THE OFFICER NEXT IN RANK SHALL PERFORM THE DUTIES OF THE CHIEF UNTIL REMOVAL OF SUCH DISABILITY OR UNTIL A SUCCESSOR HAS BEEN APPOINTED.

4. FIREMEN.

- A. QUALIFICATIONS. ANY PERSON EMPLOYED BY THE CITY AS A FIREMAN SHALL HAVE THE FOLLOWING QUALIFICATIONS:

- (1) BE AT LEAST 18 YEARS OF AGE;
- (2) HAVE GOOD MORAL CHARACTER AS DETERMINED BY INVESTIGATION UNDER PROCEDURE APPROVED BY THE GEORGIA FIREFIGHTERS STANDARDS AND TRAINING COUNCIL;
- (3) BE IN GOOD PHYSICAL CONDITION AS DETERMINED BY A MEDICAL EXAMINATION APPROVED BY SAID COUNCIL;
- (4) COMPLETE AT LEAST A BASIC COURSE OF 120 HOURS AFTER BEING APPOINTED A FULL-TIME PAID MEMBER OF THE DEPARTMENT (IF THE DEPARTMENT EMPLOYS THREE OR MORE FIREMEN); AND
- (5) TRAIN, DRILL, OR STUDY IN COUNCIL APPROVED SCHOOL, CLASSES OR COURSES AT LEAST 120 HOURS IN EACH CALENDAR YEAR FOLLOWING THE FIRST YEAR OF EMPLOYMENT.

- B. DUTIES. IT SHALL BE THE DUTY OF ALL FIREMEN TO BECOME FAMILIAR WITH AND PROFICIENT IN THE HANDLING OF ALL OF THE APARATUS OF THE FIRE DEPARTMENT, TO BE PREPARED AT A MOMENT'S NOTICE TO

RESPOND TO ALL ALARMS OF FIRE, TO OBSERVE ALL RULES AND REGULATIONS OF THE FIRE DEPARTMENT ESTABLISHED BY THE FIRE CHIEF, AND TO OBEY ALL ORDERS OF THE COMMANDING OFFICER AT ALL TIMES.

5. DAILY INSPECTION. EACH FIRE STATION AND ITS EQUIPMENT SHALL BE EXAMINED DAILY. SUCH INSPECTIONS SHALL BE RIGIDLY MADE AND SHALL INSURE THAT ALL APPARATUS IS MAINTAINED IN EXCELLENT WORKING CONDITION AT ALL TIMES, READY FOR IMMEDIATE SERVICE, AND THAT ALL FIRE STATIONS AND SURROUNDINGS ARE IN A CLEAN AND SANITARY CONDITION.
6. RIGHT-OF-WAY OF APPARATUS. THE FIRE DEPARTMENT, INCLUDING ITS APPARATUS, WHEN GOING TO ANY FIRE IN THE CITY OR RETURNING THEREFROM, SHALL HAVE THE RIGHT-OF-WAY OVER THE STREETS, LANES, AND WAYS OF THE CITY TO THE EXCLUSION OF ALL PERSONS, VEHICLES, AND RAILROAD TRAINS OF EVERY KIND.
7. PERSONS PERMITTED ON APPARATUS. NO PERSONS OTHER THAN MEMBERS OF THE FIRE DEPARTMENT SHALL BE PERMITTED TO RIDE UPON THE FIRE-FIGHTING APPARATUS IN GOING TO OR RETURNING FROM FIRES.
8. OBSTRUCTING FIREFIGHTING APPARATUS. IT SHALL BE UNLAWFUL FOR ANY PERSON TO OBSTRUCT IN ANY MANNER ANY FIREFIGHTING APPARATUS OR ANY OF THE OFFICER OR MEMBERS OF THE FIRE DEPARTMENT IN THE PERFORMANCE OF THEIR DUTIES.
9. OBSTRUCTING FIRE PLUGS. IT SHALL BE UNLAWFUL FOR ANY PERSON TO OBSTRUCT ANY FIRE PLUG SO AS TO OBSTRUCT APPROACHES TO THE SAME BY THE FIRE DEPARTMENT.
10. COMMAND AT FIRES. IN CASE OF FIRE, THE OFFICER OF THE HIGHEST RANK AT THE FIRE SHALL TAKE COMMAND OF THE FIRE DEPARTMENT AND DIRECT THE MANAGEMENT THEREOF FOR THE SUPPRESSION OF THE FIRE IN THE BEST MANNER POSSIBLE. SUCH COMMANDING OFFICER MAY CAUSE BUILDINGS TO BE REMOVED, TORN DOWN, OR DESTROYED WHEN SUCH ACTS ARE NECESSARY FOR THE PROTECTION OF OTHER PROPERTY AND FOR THE PREVENTION OF THE SPREAD OF THE CONFLAGRATION.
11. PERSONS PERMITTED WITHIN VICINITY OF FIRE. NO PERSONS OTHER THAN FIREMEN, CITY OFFICIALS, POLICE OFFICERS, AND THE PROPERTY OWNER OR HIS AGENT SHALL BE ALLOWED WITHIN THE IMMEDIATE VICINITY OF A FIRE, UNLESS SUCH

PERSONS ARE GIVEN PERMISSION TO DO SO BY THE FIRE CHIEF.

12. FALSE ALARMS. IT SHALL BE UNLAWFUL FOR ANY PERSON TO MAKE, GIVE, SEND OR TURN IN, IN ANY MANNER OR WAY WHATEVER, A FALSE FIRE ALARM OR RIOT ALARM, KNOWING THE SAME TO BE FALSE.

CHAPTER 4: REVENUE AND FINANCE

CHAPTER 4: REVENUE AND FINANCE

ARTICLE I: TAXATION

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- 4-102 MALT BEVERAGE EXCISE TAX
- 4-103 ALCOHOLIC BEVERAGE EXCISE TAX
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ARTICLE II: (RESERVED)

ARTICLE III: BUDGET

- 4-301 FISCAL YEAR
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- 4-305 TRANSFER OF APPROPRIATIONS
- 4-306 EMERGENCY APPROPRIATIONS
- 4-307 LAPSE OF APPROPRIATIONS

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ARTICLE I: TAXATION

4-101 AD VALOREM TAX

1. RATE OF LEVY. THERE IS HEREBY SET AND LEVIED TO MEET

THE ORDINARY CURRENT EXPENSES OF THE CITY, AN ANNUAL AD VALOREM TAX, AT A MILLAGE RATE TO BE SET ANNUALLY BY THE CITY COUNCIL, UPON ALL REAL AND PERSONAL PROPERTY WITHIN THE CITY, AND THERE IS HEREBY SET AND LEVIED FOR THE PAYMENT OF PRINCIPAL AND INTEREST ON GENERAL OBLIGATION BONDS AN ANNUAL AD VALOREM TAX MILLAGE RATE ALSO SET BY CITY COUNCIL UPON ALL PROPERTY, REAL AND PERSONAL, WITHIN THE CITY.

2. **ASSESSMENT AND FAIR MARKET VALUE.** ALL PROPERTY SUBJECT TO MUNICIPAL AD VALOREM TAXATION SHALL BE ASSESSED AT 40 PERCENT OF ITS FAIR MARKET VALUE. THE BASIS FOR FAIR MARKET VALUE SHALL BE 100 PERCENT OF THE FAIR MARKET VALUE DETERMINED FOR THE PROPERTY BY THE COUNTY FOR AD VALOREM TAX PURPOSES.
3. **APPEAL OF ASSESSMENT.** ANY TAXPAYER MAY APPEAL FROM AN ASSESSMENT BY THE COUNTY BOARD OF TAX ASSESSORS TO THE COUNTY BOARD OF EQUILIZATION AS TO MATTERS OF TAXIBILITY, UNIFORMITY OF ASSESSMENT, AND VALUE, AND THE TAXPAYER OR THE COUNTY BOARD OF THE COUNTY IN WHICH THE PROPERTY LIES FROM A DECISION OF THE COUNTY BOARD OF EQUALIZATION. ALL SUCH APPEALS SHALL BE MADE IN THE MANNER PROVIDED IN CHAPTER 92-69 OF THE GEORGIA CODE ANNOTATED.
4. **WHEN TAXES DUE AND PAYABLE.** AD VALOREM TAXES SHALL BECOME DUE ON THE FIRST DAY OF OCTOBER EACH YEAR AND SHALL BE DEEMED DELINQUENT IF NOT PAID BY DECEMBER 20. TAX BILLS SHOWING THE ASSESSED VALUATIONS, AMOUNT OF TAXES DUE, TAX DUE DATES, AND INFORMATION AS TO DELINQUENCY DATES AND PENALTIES SHALL BE SENT TO ALL TAXPAYERS AT LEAST 15 DAYS PRIOR TO THE DUE DATE, BUT FAILURE TO SEND A TAX BILL SHALL NOT INVALIDATE ANY TAX. DELINQUENT TAXES SHALL BEAR INTEREST AT 12 PERCENT PER ANNUM FROM DUE DATE.
5. **FAILURE TO PAY TAX.** THE CITY SHALL FORTHWITH ISSUE AN EXECUTION AGAINST ANY PERSON WHO HAS DEFAULTED IN THE PAYMENT OF ANY AD VALOREM TAX TO BE PAID. THE EXECUTION THUS ISSUED SHALL BE A LIEN ON ALL THE PROPERTY OF SUCH PERSON, BOTH REAL AND PERSONAL, AND SHALL BE PLACED IN THE HANDS OF THE CITY OFFICER RESPONSIBLE FOR COLLECTION BY LEVY AND SALE.
6. **AGAINST WHOM CHARGED.** TAXES ARE TO BE CHARGED AGAINST THE OWNER OF THE PROPERTY, IF KNOWN, OR AGAINST THE SPECIFIC PROPERTY ITSELF IF THE OWNER IS NOT KNOWN. LIFE TENANTS AND THOSE WHO ENJOY THE USE OF THE

PROPERTY ARE CHARGEABLE WITH THE TAX THEREON.

7. EXEMPTED PROPERTY. THE FOLLOWING PROPERTY SHALL BE EXEMPT FROM AD VALOREM TAXATION:
 - A. ALL PUBLIC PROPERTY;
 - B. ALL PLACES OF RELIGIOUS WORSHIP AND PLACES OF BURIAL; AND
 - C. ALL BUILDINGS USED AS A COLLEGE, UNIVERSITY, OR OTHER SEMINARY OF LEARNING.

4-102 MALT BEVERAGE EXCISE TAX

1. RATE OF LEVY. THERE IS HEREBY SET AND LEVIED ON THE SALE OF MALT BEVERAGES WITHIN THE MUNICIPALITY AN EXCISE TAX IN THE SUM OF FIVE CENTS PER 12 OUNCES AND IN SIMILAR PROPORTION FOR BOTTLES, CANS, AND CONTAINERS OF VARIOUS SIZES.
2. AGAINST WHOM LEVIED. THE MALT BEVERAGE EXCISE TAX IS LEVIED AGAINST AND SHALL BE PAID BY EACH LICENSED WHOLESALE DEALER IN MALT BEVERAGES IN THE MUNICIPALITY.
3. DUE DATE AND REQUIRED REPORT. THE MALT BEVERAGE EXCISE TAX SHALL BE PAID ON OR BEFORE THE TENTH DAY OF THE MONTH FOLLOWING THE CALENDAR MONTH IN WHICH THE BEVERAGES ARE SOLD OR DISPOSED OF, AND PAYMENT SHALL BE ACCOMPANIED BY A REPORT ITEMIZING THE EXACT QUANTITIES OF MALT BEVERAGES SOLD FOR THE PRECEDING CALENDAR MONTH BY SIZE AND TYPE OF CONTAINER. ANY TAX REMAINING UNPAID AT THE EXPIRATION OF 15 DAYS FROM THE DUE DATE SHALL BE DELINQUENT.
4. ENFORCEMENT. THE TAX LEVIED BY THIS SECTION MAY BE ENFORCED BY EXECUTION IN THE SAME MANNER AS OTHER TAXES OF THE CITY, AND IN ADDITION, ANY FAILURE OF PAYMENT OF SUCH TAX SHALL BE GROUNDS FOR REVOCATION OR REFUSAL OF THE BUSINESS LICENSE OF THE DELINQUENT TAXPAYER.

4-103 ALCOHOLIC BEVERAGE EXCISE TAX

1. RATE OF LEVY. THERE IS HEREBY SET AND LEVIED ON THE SALE OF ALCOHOLIC BEVERAGES, EXCLUDING FORTIFIED WINE, AN EXCISE TAX IN THE SUM OF 80 CENTS PER WINE GALLON

AND IN SIMILAR PROPORTION FOR BOTTLES AND CONTAINERS OF VARIOUS SIZES.

2. AGAINST WHOM LEVIED. THE ALCOHOLIC BEVERAGE EXCISE TAX SHALL BE PAID BY EACH LICENSED WHOLESALE DEALER IN ALCOHOLIC BEVERAGES IN THE MUNICIPALITY. (SEE GA. CODE ANN., 58-1038 AND 32-302 OF THIS CODE.)
3. DUE DATE AND REQUIRED REPORT. THE ALCOHOLIC BEVERAGE EXCISE TAX SHALL BE PAID ON OR BEFORE THE TENTH DAY OF THE MONTH FOLLOWING THE CALENDAR MONTH IN WHICH THE BEVERAGES ARE SOLD OR DISPOSED OF, AND PAYMENT SHALL BE ACCOMPANIED BY A REPORT ITEMIZING THE EXACT QUANTITIES OF ALCOHOLIC BEVERAGES SOLD FOR THE PRECEDING CALENDAR MONTH BY SIZE OF CONTAINER. ANY TAX REMAINING UNPAID AT THE EXPIRATION OF 15 DAYS FROM THE DUE DATE SHALL BE DELINQUENT.
4. ENFORCEMENT. THE TAX LEVIED BY THIS SECTION MAY BE ENFORCED BY EXECUTION IN THE SAME MANNER AS OTHER TAXES OF THE CITY, AND IN ADDITION, ANY FAILURE OF PAYMENT OF SUCH TAX SHALL BE GROUND FOR REVOCATION OR REFUSAL OF THE BUSINESS LICENSE OF THE DELINQUENT TAXPAYER.

4-104 GROSS DIRECT PREMIUMS TAX

1. RATE OF LEVY ON LIFE, ACCIDENT, AND SICKNESS INSURERS. THERE IS HEREBY SET AND LEVIED FOR THE YEAR 1981 AND FOR EACH YEAR THEREAFTER UPON EACH COMPANY AUTHORIZED TO WRITE LIFE, ACCIDENT, AND SICKNESS INSURANCE AND WHICH IS DOING BUSINESS WITHIN THE MUNICIPAL CORPORATE LIMITS AN ANNUAL TAX EQUAL TO ONE PERCENT OF THE ANNUAL GROSS DIRECT PREMIUMS RECEIVED DURING THE PRECEDING CALENDAR YEAR FROM POLICIES INSURING PERSONS RESIDING WITHIN THE CORPORATE LIMITS OF THE MUNICIPALITY.

THE TERM "GROSS DIRECT PREMIUMS" AS USED IN THIS SECTION SHALL HAVE THE SAME MEANING AS THAT USED IN CHAPTER 56-13 OF THE INSURANCE CODE OF GEORGIA AS AMENDED. THE TAX LEVIED BY THIS SUBSECTION IS IN ADDITION TO ANY LICENSE FEE IMPOSED BY THIS MUNICIPAL CODE.

2. RATE OF LEVY ON ALL OTHER INSURERS. THERE IS HEREBY SET AND LEVIED FOR THE CALENDAR YEAR 1981 AND FOR EACH YEAR THEREAFTER UPON EACH INSURANCE COMPANY NOT TAXED UNDER THE PROVISIONS OF THE PRECEDING SUBSECTION 1 AND

WHICH IS DOING BUSINESS WITHIN THE MUNICIPAL CORPORATE LIMITS, AN ANNUAL TAX EQUAL TO ONE PERCENT OF THE ANNUAL GROSS DIRECT PREMIUMS RECEIVED DURING THE PRECEDING CALENDAR YEAR FROM POLICIES INSURING PERSONS RESIDING WITHIN THE MUNICIPAL CORPORATE LIMITS. THE TAX LEVIED BY THIS SUBSECTION IS IN ADDITION TO ANY LICENSE FEE IMPOSED BY THIS MUNICIPAL CODE.

3. DUE DATE AND REQUIRED REPORT. THE GROSS DIRECT PREMIUMS LEVIED HEREIN SHALL BE DUE AND PAYABLE UPON THE EFFECTIVE DATE OF THIS CODE AND THEN ON THE FIRST DAY OF FEBRUARY IN EACH CALENDAR YEAR. PAYMENT SHALL BE MADE TO THE CITY CLERK AND SHALL BE ACCOMPANIED BY A REPORT SHOWING THE NAMES AND ADDRESSES OF THE AGENTS REPRESENTING THE INSURANCE COMPANY IN THE CITY, THE CLASSES OF INSURANCE WRITTEN, THE PREMIUMS RECEIVED ON EACH CLASS, AND SUCH OTHER REASONABLE INFORMATION AS MAY BE REQUIRED. THE REQUIRED REPORT SHALL BE TO THE CITY CLERK AND MADE OUT OVER AFFIDAVIT OF AN OFFICER OF THE COMPANY. PAYMENTS SHALL BE DEEMED DELINQUENT IF NOT RECEIVED WITHIN 45 DAYS FROM THE DUE DATE.

4. FALSE INFORMATION. IT IS HEREBY DECLARED TO BE A VIOLATION OF THIS SECTION FOR ANY PERSON, FIRM, CORPORATION OR AGENTS THEREOF TO KNOWINGLY GIVE FALSE OR INCOMPLETE INFORMATION ON ANY REPORT HEREIN REQUIRED TO BE FILED.
5. CONFIDENTIALITY OF INFORMATION. ALL REPORTS REQUIRED TO BE FILED UNDER THIS SECTION SHALL BE CONFIDENTIAL. AND THE INFORMATION CONTAINED THEREIN SHALL BE USED SOFLY BY THE OFFICERS OF THE CITY RESPONSIBLE FOR THE ADMINISTRATION OF THIS SECTION.
6. ENFORCEMENT. THE TAXES LEVIED BY THIS SECTION MAY BE ENFORCED BY EXECUTION IN THE SAME MANNER AS OTHER TAXES OF THIS MUNICIPALITY.

4-105 OCCUPATION TAX AND BUSINESS LICENSES

1. LEVY AND SCOPE. THERE IS HEREBY SET AND LEVIED, FOR THE CALENDAR YEAR BEGINNING FEBRUARY 1, 1981 AND EACH SUCCESSIVE YEAR THEREAFTER, UPON EACH PERSON PARTNERSHIP, OR CORPORATION CARRYING ON A BUSINESS, PROFESSION, OR OCCUPATION WITHIN THE CORPORATE LIMITS OF THIS MUNICIPALITY AN OCCUPATION TAX, SUCH TAX TO BE DETERMINED IN ACCORDANCE WITH THE PROVISIONS OF THIS SECTION.
2. DEFINITIONS. THE FOLLOWING WORDS, TERMS, AND PHRASES, WHEN USED IN THIS SECTION, SHALL HAVE THE MEANING RESPECTIVELY ASCRIBED TO THEM BELOW, EXCEPT WHEN THE CONTEXT CLEARLY INDICATES A CONTRARY MEANING:
 - A. PERSON. ANY INDIVIDUAL, PARTNERSHIP, CORPORATION, FIRM, ASSOCIATION JOINT VENTURE, OR OTHER GROUP OR COMBINATION ACTING AS A UNIT, AND SHALL INCLUDE THE PLURAL AS WELL AS THE SINGULAR MEMBER.
 - B. BUSINESS. ANY PERSON WHO, WITHIN THE CORPORATE LIMITS OF THE CITY OF ROBERTA, GEORGIA, ENGAGES IN, CAUSES TO BE ENGAGED IN, AND/OR REPRESENTS HIMSELF TO BE ENGAGED IN, ANY OCCUPATION OR ACTIVITY WITH THE OBJECT OF GAIN, BENEFIT, OR ADVANTAGE, EITHER DIRECTLY OR INDIRECTLY, AND SHALL INCLUDE ANY PERSON ADVERTISING BY ANY MEANS, INCLUDING BUT NOT LIMITED TO

SIGNS, CARDS, CIRCULARS, NEWSPAPERS, ETC., THAT HE IS ENGAGED IN A BUSINESS OF ANY KIND.

- C. ENGAGED IN BUSINESS OR CARRYING ON BUSINESS. DOING OR PERFORMING ANY ACT OF SELLING ANY GOODS OR SERVICES OR SOLICITING BUSINESS, OR OFFERING ANY GOODS OR SERVICES FOR SALE PRIMARILY IN AN ATTEMPT TO MAKE A PROFIT, EITHER AS AN OWNER, OPERATOR, OR AGENT OF ANY BUSINESS, TRADE, PROFESSION, OR OCCUPATION WITHIN THE CITY.
- D. TRANSIENT AND TEMPORARY BUSINESS. ALL PERSONS, BOTH PRINCIPALS AND AGENTS, WHO ENGAGE IN OR CARRY ON IN THIS CITY AT ONE LOCATION, OR IN TRAVELING FROM PLACE TO PLACE, THE BUSINESS OF SELLING GOODS, WARES, SERVICES OR MERCHANDISE WITH THE INTENTION OF CONTINUING IN SUCH BUSINESS FOR A PERIOD OF NOT MORE THAN 180 DAYS.
- E. OCCUPATION TAX. THE FEE LEVIED BY THIS SECTION IS UPON ALL PERSONS ENGAGED IN A BUSINESS OR OCCUPATION WITHIN THE CORPORATE LIMITS OF THE CITY.

3. LEVY ON BUSINESSES AND CORPORATIONS OTHER THAN PROFESSIONS. THERE IS HEREBY LEVIED UPON EACH PERSON, PARTNERSHIP, OR CORPORATION ENGAGED IN OR CARRYING ON A BUSINESS OR OCCUPATION WITHIN THE CORPORATE LIMITS OF THIS MUNICIPALITY AN OCCUPATION TAX AS FOLLOWS:

A.1	ABATTOIR		\$ 5.00
A.2	ABSTRACT AND GUARANTY CO. (SEE MONEY LENDERS)		
A.3	ADVERTISING AGENCIES		10.00
A.4	ADVERTISING SCHEME (TRADE STAMPS, ETC.)		25.00
A.5	AMUSEMENT MACHINES, OPERATOR OF:		
	COIN OPERATED, NOT TO INCLUDE POOL TABLE		
	OR PINBALL MACHINE	EACH MACHINE	10.00
A.6	AMUSEMENT MACHINES, OWNER OF		50.00
A.7	AGENCY, CLAIM OR COLLECTING	PER ANNUM	10.00
		PER WEEK	3.00
A.8	APPLIANCES, SALE OF		25.00
A.9	ARTS AND CRAFTS		25.00
A.10	ASPHALT PAVING		25.00

A.11	AUCTIONEER, EXCLUSIVE OF ANY OTHER BUSINESS		50.00
A.12	AUTO BODY REPAIRS:	WITHOUT GARAGE	10.00
		WITH GARAGE	25.00
A.13	AUTOMOBILE DEALER		25.00
A.15	AUTOMOBILE DEALER WITH GARAGE		50.00
A.16	AUTO PARTS		25.00
A.17	AUTO MECHANIC		25.00
A.18	APARTMENTS		25.00
B.1	BAKERY SHOP		25.00
B.2	BAKERY TRUCK, WHOLESALE		25.00
B.3	BAKERY TRUCK, RETAIL OR WHOLESALE		35.00
B.4	BARBER SHOP		25.00
B.5	BATTERY DEALER		25.00
B.6	BEAUTY SHOP		25.00
B.7	BEER, RETAIL - MUST BE APPROVED BY COUNCIL (SEE SEC. 32-300)		250.00
B.8	BEER, WHOLESALE PER TRUCK PLUS BEER TAX RATE (SEE SEC. 4-102)		50.00
B.9	BICYCLE, REPAIR AND SALES		10.00
B.10	BILL POSTERS	FIRST BOARD	10.00
		EACH ADDITIONAL	5.00
B.11	BLACKSMITH SHOP		5.00
B.12	BOATS, MOTORS, AND MARINE EQUIPMENT		25.00
B.13	BOND COMPANY (BONDSMAN)	PER ANNUM	25.00
		PER MONTH	5.00
B.14	BOTTLERS, WHOLESALE OR RETAIL		35.00
B.15	BOTTLING WORKS, RESIDENT PLANT		150.00
B.16	BOWLING ALLEY		35.00
B.17	BOXES AND WRESTLING MATCHES	PER DAY	5.00
B.18	BRICK AND BUILDING TILES, MANUFACTURING		50.00
B.19	BRIDAL CONSULTANT AND/OR CATERING		10.00
B.20	BROKERS, STOCKS AND SECURITIES		25.00
B.21	BUILDING SUPPLIES		25.00
B.22	BUSINESS MACHINES		20.00
B.23	BURGLAR ALARM		25.00
C.1	CABINET SHOP		10.00
C.2	CANDY AND FRUIT STORE		15.00
C.3	CANNERIES		30.00
C.4	CANDY AND CRACKERS, ETC.		25.00
C.5	CARPET AND MATTING		25.00
C.6	CAR WASH, MUST BE APPROVED BY CITY COUNCIL		15.00
C.7	CASH REGISTERS, SALES AND SERVICE		15.00
C.8	CIGARETTES, CIGARS, AND TOBACCO, WHOLESALE		30.00
C.9	CIRCUS, CARNIVAL OR EXHIBITION		100.00

C.10	CLOTHING RENTAL.		25.00
C.11	COAL AND WOOD DEALERS		5.00
C.12	CLOTHING, SECOND HAND RETAIL STORE		25.00
C.13	CLUB, PRIVATE		15.00
C.14	COFFEE SALESMAN, PER TRUCK		10.00
C.15	CONCRETE PRODUCTS, SALE OF		10.00
C.16	CONTRACTOR, BUILDING		25.00
C.17	CONTRACTOR, COOLING AND HEATING		25.00
C.18	CONTRACTOR, ELECTRICAL.		25.00
C.19	CONTRACTOR, GENERAL		75.00
C.20	CONTRACTOR, GRADING		25.00
C.21	CONTRACTOR, LABOR		25.00
C.22	CONTRACTOR, PAINTER		25.00
C.23	CONTRACTOR, PLUMBING		25.00
C.24	CONTRACTOR, FENCE		25.00
C.25	CONTRACTOR, ROOF PAINTING		25.00
C.26	CONTRACTOR, CENTRAL CLEANING SYSTEM		25.00
D.1	DANCE HALL	PER DAY	3.00
D.2	DANCING INSTRUCTORS		15.00
D.3	DENTAL LABORATORY		25.00
D.4	DENTAL SUPPLIES		25.00
D.5	DIAPER SERVICE		15.00
D.6	DRUGS, RETAIL		25.00
D.7	DRY CLEANER AND LAUNDRY, AGENT OF		10.00
D.8	DRY CLEANER AND LAUNDRY, PER TRUCK (MEANING HOUSE TO HOUSE PICK UP)		20.00
E.1	ELECTRICAL SUPPLIES		25.00
E.2	ELECTRO COATING OR PLATING		25.00
F.1	FARM MACHINERY		25.00
F.2	FARM SUPPLIES		15.00
F.3	FERTILIZER, MANUFACTURING OF		50.00
F.4	FERTILIZER, DEALER AND DISTRIBUTORS		10.00
F.5	FISH BAIT AND TACKLE		10.00
F.6	FISH TRUCK, WHOLESALE		10.00
F.7	FLEA MARKET (USED MERCHANDISE ONLY)	PER DAY	5.00
F.8	FLOOR SANDING SERVICE		10.00
F.9	FLORIST, NOT TO BE INCLUDED IN OTHER LICENSE		25.00
F.10	FORTUNE TELLER		1,000.00
F.11	FOUNDRY, MACHINE SHOP		25.00
F.12	FREEZER LOCKER PLANT		50.00
F.13	FRUIT STAND, NOT GROWN BY DEALER		10.00
F.14	FRUIT AND PRODUCE, WHOLESALE		15.00

F.15	FURNITURE CANVASSERS, WHOLESALE AND RETAIL.		25.00
G.1	GARAGE SALE (YARD SALE) MUST OBTAIN PERMIT		NO FEE
G.2	GAS DISTRIBUTOR, BUTANE OR PROPANE		25.00
G.3	GAS PUMP REPAIRS	PER WEEK	2.00
G.4	GASOLINE AND OIL, WHOLESALE	PER TRUCK	25.00
G.5	GASOLINE STATION		25.00
G.6	GENFRAL MERCHANDISE (THIS IS NOT TO COVER SPECIAL LICENSE AS HERETO- FORE AND HEREINAFER MENTIONED)		25.00
G.7	GLASS DEALER, CONTRACTOR		10.00
G.8	GOLF, MINIATURE COURSE		5.00
G.9	GUNS AND PISTOLS, IN ADDITION TO OTHER LICENSE		5.00
G.10	GUNSMITH		5.00
G.11	GIFT SHOP (SEE GENERAL MERCHANDISE)		25.00
H.1	HARDWARE, RETAIL		25.00
H.2	HOTEL OR MOTEL	FLAT FEE	10.00
	SEE SEC. 32-300	EACH ROOM	1.00
I.1	ICE, MACHINE, BAGGED		10.00
I.2	ICE HOUSE, RETAIL		10.00
I.3	ICE, FACTORY		50.00
I.4	ICE CREAM COMPANY, WHOLESALE		35.00
I.5	ICE CREAM, RETAIL TRUCK		25.00
I.6	INSURANCE COMPANY (SEE SEC. 4-104 AND SEC. 32-303)		
I.7	IRON SAFE		15.00
J.1	JANITORIAL SERVICES		25.00
J.2	JEWELRY AND WATCHES, REPAIR ONLY		15.00
J.3	JEWELRY AND WATCHES, REPAIR AND SALES		25.00
J.4	JUKE BOX	EACH BOX	2.00
J.5	JUNK DEALER, NOT TO INCLUDE SHOP OR YARD		5.00
J.6	JUNK YARD		75.00
L.1	LAWN MOWER REPAIR SHOP		15.00
L.2	LAUNDRY, SELF SERVICE (MUST BE APPROVED BY CITY COUNCIL)		25.00
L.3	LINEN SERVICE, SUPPLY		30.00
L.4	LIQUOR (SEE WHISKEY AND SEC. 32-302)		
L.5	LOCKSMITH	PER DAY	2.00
		PER ANNUM	10.00
L.6	LUMBER YARD		25.00

L.7	LUNCH STAND		15.00
M.1	MACHINE SHOP		25.00
M.2	MANUFACTORY		125.00
M.3	MARBLE YARD		15.00
M.4	MEAT MARKET, BUTCHER SHOP		10.00
M.5	MERCHANDISE, SOLD FROM CAR		15.00
M.6	MONEY LENDERS		50.00
M.7	MOTORCYCLES, SALES AND SERVICE		15.00
M.8	MOTION PICTURES		25.00
M.9	MUSICAL INSTRUMENTS		10.00
N.1	NEON SIGNS		10.00
N.2	NEWS DEPOT		15.00
N.3	NEWS STAND		5.00
O.1	OFFICE SUPPLIES AND FURNITURE		15.00
O.2	OPTICAL GOODS		10.00
P.1	PAINT STORE		15.00
P.2	PAPER PRODUCTS		15.00
P.3	PAWN BROKER		100.00
P.4	PEDDLER (SEE SEC. 32-304)	PER DAY	5.00
		PER ANNUM	15.00
P.5	PEDDLER, MAGAZINE		25.00
P.6	PHOTOGRAPHER		25.00
P.7	PHOTOGRAPHER, TRANSIENT	PER DAY	10.00
P.8	POOL ROOM	PER TABLE	25.00
P.9	PRINTING OFFICE, JOB PRINTING		10.00
P.10	PINBALL MACHINES, OWNER OF	PER MACHINE	10.00
P.11	PINBALL MACHINES, OPERATOR OF		25.00
P.12	PULPWOOD BRUKER		25.00
R.1	RADIO AND TV REPAIR SHOP		25.00
R.2	REAL ESTATE AGENT		25.00
R.3	ROOFING, CONTRACTORS OR AGENT OF		25.00
R.4	RESTAURANT		25.00
S.1	SERVICE STATION WITH PRIVILEGE OF SELLING AUTO ACCESSORIES		25.00
S.2	SEWING MACHINE, DEALER		10.00
S.3	SHEET METAL WORK		15.00
S.4	SHOE REPAIR		10.00

S.5	SHOOTING GALLERY	50.00
S.6	SHOWS, TENT	25.00
S.7	SIGN PAINTER	10.00
S.8	SKATING RINK	15.00
S.9	SODA FOUNTAIN, NOT TO BE INCLUDED IN OTHER LICENSE	15.00
S.10	SPORTING GOODS, NOT TO BE INCLUDED IN OTHER LICENSE	15.00
S.11	SPRINKLER SYSTEMS, CONTRACTORS OR INSTALLERS OF	25.00
S.12	SPRINKLER SYSTEM, REPAIR OF	15.00
T.1	TAILOR SHOP	10.00
T.2	TAXI	FIRST CAR 20.00 EACH ADDITIONAL CAR 5.00
T.3	TRAILER PARK	
	TO ACCOMMODATE FROM 1 TO 25 TRAILERS	15.00
	TO ACCOMMODATE OVER 25 TRAILERS	25.00
T.4	TRAILER MANUFACTURER	25.00
T.5	TREE SURGEON	15.00
T.6	TOYS	15.00
U.1	UNDERTAKER	25.00
U.2	UPHOLSTERY SHOP	10.00
U.3	UPHOLSTERY AND REPAIR SHOP	35.00
W.1	WALLPAPER, HANGERS OF	10.00
W.2	WAREHOUSE	50.00
W.3	WELDING SHOP	10.00
W.4	WHISKEY (MUST BE APPROVED BY CITY COUNCIL-SEE SEC. 32-302 AND 4-103)	1,200.00
W.5	WINE (MUST BE APPROVED BY CITY COUNCIL-SEE SEC. 32-301 AND 4-103)	50.00
W.6	WOOD YARD	10.00
W.7	WRECKER SERVICE	25.00
A.	DUTY TO REGISTER BUSINESS OR OCCUPATION. THE OWNER, PROPRIETOR, MANAGER, EXECUTIVE OFFICER, OR LEGAL REPRESENTATIVE OF EVERY BUSINESS OR OCCUPATION WITHIN THIS MUNICIPALITY UPON WHICH A TAX IS LEVIED BY THIS SECTION SHALL REGISTER SAID BUSINESS OR OCCUPATION ON OR BEFORE FEBRUARY OF EACH CALENDAR YEAR, EXCEPT FOR NEW BUSINESS WHICH COMMENCES OPERATIONS WITHIN THE	

CITY FOR THE FIRST TIME, IN WHICH CASE THE DATE OF REGISTRATION SHALL BE ON OR BEFORE THE DATE OF COMMENCING OPERATIONS.

- B. EACH SUCH REGISTRATION SHALL BE ACCOMPANIED BY A REGISTRATION FEE AS OUTLINED ABOVE.
4. DUE DATE. ALL OCCUPATION TAXES SET AND LEVIED BY THIS SECTION SHALL BE DUE ON OR BEFORE FEBRUARY OF EACH CALENDAR YEAR THAT THIS SECTION IS IN EFFECT, OR ON THE DATE THAT THE BUSINESS COMMENCES OPERATIONS WITHIN THE CITY, WHICHEVER OCCURS LATER.
 5. CONFIDENTIALITY OF INFORMATION. ANY AND ALL INFORMATION FURNISHED OR SECURED UNDER THE AUTHORITY OF THIS SECTION SHALL BE KEPT IN STRICT CONFIDENCE BY THE CITY CLERK, SHALL NOT BE SUBJECT TO PUBLIC INSPECTION, AND SHALL BE UTILIZED SOLELY BY THE OFFICERS OF THE CITY RESPONSIBLE FOR ADMINISTERING THE PROVISIONS OF THIS SECTION.
 6. SEPARATE BUSINESSES. FOR THE PURPOSES OF THIS SECTION, IF A BUSINESS IS CONDUCTED AT MORE THAN ONE LOCATION OR PLACE SHALL BE CONSIDERED A SEPARATE BUSINESS UPON WHICH A SEPARATE OCCUPATION TAX SHALL BE LEVIED AND PAID.
 7. CHANGE OF ADDRESS. ANY PERSON HEREFIN REQUIRED TO REGISTER HIS BUSINESS OR OCCUPATION SHALL NOTIFY THE CITY CLERK IN WRITING OF ANY CHANGE OF ADDRESS OF SUCH BUSINESS.
 8. DISPLAYING LICENSE. BUSINESSES SHALL POST LICENSE IN A CONSPICIOUS PLACE IN HIS OR THEIR BUSINESS AND SHALL BE SUBJECT TO THE INSPECTION OF OFFICERS AND OFFICIALS OF SAID CITY ON DEMAND.
 9. TRANSFERRING BUSINESS LICENSE. SAID BUSINESS LICENSE SHALL NOT BE TRANSFERRABLE TO ANY OTHER OWNER, PARTNER, ETC.
 10. EXEMPTIONS. THE FOLLOWING PERSONS AND BUSINESSES ARE EXEMPTED FROM THE TAX IMPOSED BY THIS SECTION:
 - A. LIFE INSURANCE COMPANIES, ALTHOUGH SUCH BUSINESSES SHALL BE SEPARATELY TAXED AS DETERMINED AND SET FORTH IN OTHER LAWS OF THE CITY;

- B. TRANSIENT AND TEMPORARY BUSINESSES, ALTHOUGH SUCH BUSINESSES SHALL BE REQUIRED TO OBTAIN A LICENSE FROM THE CITY CLERK PRIOR TO CARRYING ON ANY BUSINESS IN THE CITY, AS PROVIDED BY OTHER LAWS OF THE CITY;
- C. RELIGIOUS, CHARITABLE, AND FRATERNAL ORGANIZATIONS CHARTERED OR OPERATED FOR NONPROFIT PURPOSES AND WHICH ARE NOT ENGAGED IN DAILY SELLING OF GOODS OR SERVICES TO THE PUBLIC IN COMPETITION WITH PERSONS TAXED BY VIRTUE OF THE PROVISIONS OF THIS SECTION;
- D. PERSONS OR ACTIVITIES EXEMPTED FROM TAXATION BY VIRTUE OF THE CONSTITUTION OR ANY STATUTE OF THE UNITED STATES OR ANY STATUTE OF THE STATE OF GEORGIA;
- E. PERSONS WHO ARE SUBJECTED TO AN OCCUPATION TAX BY ANOTHER CITY OR BY A COUNTY WHEN AN AGREEMENT OF RECIPROCAL TAX EXEMPTION EXISTS BETWEEN THE CITY OR COUNTY IMPOSING THE TAX TO WHICH SUCH PERSON IS SUBJECTED AND THE MAYOR AND COUNCIL OF THIS CITY;
- F. ANY PERSONS EXEMPTED FROM THE REQUIREMENTS OF PAYING ANY OCCUPATION TAX BY ANY GENERAL ORDINANCE HERETOFORE OR HEREAFTER PASSED BY THE MAYOR AND COUNCIL OF THIS CITY; AND
- G. ANY PERSON ENGAGING IN CASUAL OR ISOLATED

ACTIVITY AND

12. PENALTIES. ANY PERSON UPON WHOM A TAX IS LEVIED BY THIS SECTION WHO FAILS TO REGISTER HIS BUSINESS OR OCCUPATION ON OR BEFORE THE DATE REQUIRED FOR SUCH REGISTRATION SHALL BE SUBJECT TO A MAXIMUM FINE OF \$500.00 AND/OR 90 DAYS IN THE COUNTY JAIL. A SEPARATE VIOLATION SHALL BE DEEMED COMMITTED EACH DAY DURING OR UPON WHICH THE FAILURE TO REGISTER CONTINUES.

ANY PERSON SUBJECT TO THE TAX HEREIN IMPOSED WHO FAILS TO PAY SUCH TAX BY THE DUE DATE SHALL BE SUBJECT TO A PENALTY OF TEN PERCENT OF THE TAX THEN DUE. ANY TAX THAT IS NOT PAID ON OR BEFORE THE DUE DATE, AS PROVIDED IN THIS SECTION, SHALL BE CONSIDERED DELINQUENT AND SHALL, FROM SAID DUE DATE, BEAR INTEREST AT THE RATE OF SEVEN PERCENT PER ANNUM.

4-106 PUBLIC UTILITY FRANCHISE TAX

1. RATE OF LEVY. THERE IS HEREBY SET AND LEVIED ON EACH ELECTRIC LIGHT AND POWER COMPANY, GAS COMPANY, TELEPHONE COMPANY, AND ANY OTHER PUBLIC UTILITY MAKING USE OF THE STREETS, ALLEYS, OR OTHER PUBLIC WAYS OR PLACES OF THE CITY FOR THE PURPOSE OF RENDERING UTILITY SERVICES, A FRANCHISE TAX IN THE AMOUNT OF 4% FOR POWER, 3% FOR TELEPHONE, AND 3% FOR GAS OF THE ANNUAL GROSS REVENUE RECEIVED FROM RESIDENTIAL, COMMERCIAL, AND INDUSTRIAL SALES.
2. DUE DATE AND REQUIRED REPORT. THE PUBLIC UTILITY FRANCHISE TAX SHALL BE PAID ANNUALLY BY THE 15TH DAY OF THE MONTH FOLLOWING THE END OF THE CALENDAR YEAR IN WHICH THE UTILITY WAS PROVIDED AND THE SALE WAS MADE, AND PAYMENT SHALL BE ACCOMPANIED BY A REPORT SHOWING THE VOLUME OF GROSS SALES BY SERVICE CLASSIFICATION (RESIDENTIAL, COMMERCIAL, INDUSTRIAL,) FOR SAID PRECEDING YEAR.

4-107 LOCAL OPTION SALES TAX

ROBERTA HAS ADOPTED A 1% LOCAL OPTION SALES TAX PURSUANT TO GA. LAWS 1975, P. 984.

4-108 MUNICIPAL TAX SALES

1. TIME, PLACE, AND MANNER OF SALE. THE TIME, PLACE AND MANNER OF THE SALE OF PROPERTY--BOTH REAL AND PERSONAL--FOR TAXES DUE THIS MUNICIPALITY SHALL BE THE SAME AS THAT PROVIDED BY LAW FOR SHERIFF'S SALES FOR

STATE AND COUNTY TAXES.

2. SALE BY PARCELS. WHEN NOT IMPRACTICABLE, ALL PROPERTY SOLD FOR MUNICIPAL TAXES SHALL BE SO OFFERED FOR SALE THAT THE SMALLEST AMOUNT THAT WILL BRING THE AMOUNT OF TAXES AND COSTS SHALL ALONE BE SOLD.
3. PURCHASE BY THE CITY. THE MAYOR SHALL ATTEND ALL SALES OF PROPERTY FOR TAXES DUE THE CITY, AND IN THE EVENT NO ONE PERSON BIDS FOR THE PROPERTY PUT UP TO BE SOLD AS MUCH AS THE TAX DUE THEREON, THE MAYOR SHALL PLACE A BID FOR SUCH PROPERTY FOR THE CITY AND IF THE BID IS ACCEPTED, TAKE CUSTODY OF THE DEED FOR THE CITY.
4. REDEMPTION OF PROPERTY SOLD FOR TAXES. ANY PERSON WHOSE PROPERTY IS SOLD IN OBEDIENCE TO AN EXECUTION ISSUED FOR THE COLLECTION OF MUNICIPAL TAXES SHALL HAVE SUCH RIGHTS OF REDEMPTION OF SAID PROPERTY AS ARE SET FORTH IN CHAPTER 92-83 OF THE GEORGIA CODE ANNOTATED AND ANY OTHER PROVISIONS OF LAW NOT INCONSISTENT THEREWITH.

ARTICLE II (RESERVED)

ARTICLE III: BUDGET

4-301 FISCAL YEAR

THE CITY SHALL OPERATE ON A FISCAL YEAR WHICH SHALL BEGIN ON THE FIRST DAY OF OCTOBER AND END ON THE LAST DAY OF SEPTEMBER.

4-302 PROCEDURES FOR ADOPTION OF BUDGET

THE MUNICIPAL BUDGET SHALL BE INTRODUCED, APPROVED, AMENDED, AND ADOPTED BY ORDINANCE PASSED BY NOT LESS THAN A MAJORITY OF THE FULL MEMBERSHIP OF THE CITY COUNCIL. THE PROCEDURE SHALL BE AS FOLLOWS:

1. INTRODUCTION AND APPROVAL. THE MUNICIPAL BUDGET SHALL BE PRESENTED TO THE COUNCIL AT ITS FIRST MEETING IN MARCH OF EACH YEAR AND INITIALLY APPROVED NO LATER THAN THE NEXT REGULAR MEETING IN THE FISCAL YEAR.
2. AMENDMENTS. THE CITY COUNCIL MAY AMEND THE BUDGET BY APPROPRIATE ORDINANCE.
3. ADOPTION. IF SAID PROPOSED BUDGETS ARE REJECTED, THE COUNCILMEN, AS A COMMITTEE OF THE WHOLE, SHALL SUBMIT AN AMENDED OR SUBSTITUTE PROPOSAL FOR SAID BUDGETS AT A SPECIAL MEETING CALLED FOR THAT PURPOSE WITHIN TWO WEEKS OF THE DATE OF REJECTION. AT SAID SPECIAL BUDGET MEETING, NO OTHER MATTER SHALL BE CONSIDERED AND THE MAYOR'S PROPOSAL, THE COUNCILMEN'S PROPOSAL OR A COMPROMISE PROPOSAL SHALL BE ADOPTED BEFORE SAID MEETING IS ADJOURNED. UPON ADOPTION, THE BUDGET SHALL CONSTITUTE AN APPROPRIATION FOR THE PURPOSE STATED THEREIN AND AN AUTHORIZATION OF THE AMOUNT TO BE RAISED BY TAXATION FOR THE PURPOSES OF THE MUNICIPALITY.

4-303 BUDGET MESSAGE

WHEN INTRODUCED TO THE CITY COUNCIL FOR APPROVAL, THE MUNICIPAL BUDGET SHALL BE ACCOMPANIED BY A BUDGET MESSAGE WHICH SHALL EXPLAIN THE BUDGET BOTH IN FISCAL TERMS AND IN TERMS OF THE WORK PROGRAMS. THE BUDGET MESSAGE SHALL OUTLINE THE PROPOSED FINANCIAL POLICIES OF THE CITY FOR THE ENSUING FISCAL YEAR, DESCRIBE THE IMPORTANT FEATURE OF THE BUDGET; INDICATE ANY MAJOR CHANGES FROM THE CURRENT YEAR IN FINANCIAL

POLICIES, EXPENDITURES, AND REVENUES TOGETHER WITH THE REASONS FOR EACH CHANGE; SUMMARIZE THE CITY'S DEBT POSITION; AND INCLUDE SUCH OTHER MATERIAL AS WILL PROVIDE A COMPLETE SYNOPSIS OF THE FINANCIAL CONDITION OF THE CITY.

4-304 FORM AND CONTENT OF BUDGET

THE MUNICIPAL BUDGET SHALL BE PREFACED BY A CLEAR GENERAL SUMMARY OF ITS CONTENTS AND SHALL SHOW IN DETAIL ALL ESTIMATED INCOME, INDICATING THE PROPOSED PROPERTY TAX LEVY, AND ALL PROPOSED EXPENDITURES FOR THE ENSUING FISCAL YEAR. IT SHALL SO BE ARRANGED AS TO SHOW COMPARATIVE FIGURES FOR ACTUAL INCOME AND EXPENDITURES OF THE PRECEDING FISCAL YEAR. SEPARATE ITEMS SHALL BE INCLUDED FOR AT LEAST THE FOLLOWING:

1. ADMINISTRATION, OPERATION, AND MAINTENANCE EXPENSES OF EACH DEPARTMENT OR OFFICE OF THE CITY, INCLUDING A BREAKDOWN FOR SALARIES AND WAGES FOR EACH SUCH UNIT;
2. INTEREST AND DEBT REDEMPTION CHARGES;
3. PROPOSED CAPITAL EXPENDITURES, DETAILED BY DEPARTMENTS AND OFFICES WHEN PRACTICABLE.
4. CASH DEFICITS OF THE PRECEDING YEAR;
5. CONTINGENT EXPENSES IN AN AMOUNT NOT MORE THAN THREE PERCENT OF THE TOTAL AMOUNT OF ADMINISTRATION, OPERATION, AND MAINTENANCE EXPENSES; AND
6. SUCH RESERVES AS MAY BE DEEMED ADVISABLE BY THE CITY COUNCIL.

THE TOTAL OF PROPOSED EXPENDITURES SHALL NOT EXCEED THE TOTAL OF ANTICIPATED REVENUE.

4-305 TRANSFER OF APPROPRIATIONS

THE MAYOR MAY AT ANY TIME DURING THE FISCAL YEAR TRANSFER PART OR ALL OF ANY UNENCUMBERED APPROPRIATION BALANCE AMOUNT PROGRAMS WITHIN A DEPARTMENT OR OFFICE, AND THE CITY COUNCIL MAY BY ORDINANCE TRANSFER PART OR ALL OF ANY UNENCUMBERED APPROPRIATION FOR DEBT SERVICE OR CAPITAL IMPROVEMENTS MAY BE REDUCED OR TRANSFERRED DURING ANY FISCAL YEAR, AND UNDER NO CIRCUMSTANCES MAY THE EXPENDITURES EXCEED THE TOTAL OF THE BUDGET.

4-306 EMERGENCY APPROPRIATIONS

NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE, THE CITY COUNCIL MAY MAKE EMERGENCY APPROPRIATIONS AFTER THE ADOPTION OF A BUDGET, FOR A PURPOSE WHICH WAS NOT FORSEEN AT THE TIME OF THE ADOPTION THEREOF, OR FOR WHICH ADEQUATE PROVISION WAS NOT MADE THEREIN. SUCH AN APPROPRIATION SHALL BE MADE ONLY TO MEET A PUBLIC EMERGENCY AFFECTING LIFE, HEALTH, SAFETY, PROPERTY, OR THE PUBLIC PEACE, AND SHALL BE MADE ONLY OUT OF ACTUAL UNAPPROPRIATED REVENUES OR SURPLUS. IF THERE IS NO SURPLUS, THEN TEMPORARY BORROWING IN NOTES MAY BE MADE, PROVIDED THAT ANY SUCH BORROWED AMOUNTS ARE INCLUDED AS AN APPROPRIATION IN THE NEXT SUCCEEDING YEAR'S BUDGET.

4-307 LAPSE OF APPROPRIATIONS

EVERY APPROPRIATION, EXCEPT FOR A CAPITAL EXPENDITURE, SHALL LAPSE AT THE CLOSE OF THE NEXT SUCCEEDING YEAR TO THE EXTENT THAT IT HAS NOT BEEN EXPENDED OR ENCUMBERED. AN APPROPRIATION FOR A CAPITAL EXPENDITURE SHALL CONTINUE IN FORCE UNTIL THE PURPOSE FOR WHICH IT WAS MADE HAS BEEN ACCOMPLISHED OR ABANDONED; THE PURPOSE OF ANY SUCH APPROPRIATION SHALL BE DEEMED ABANDONED IF THREE YEARS PASS WITHOUT ANY DISBURSEMENT FROM OR ENCUMBRANCE OF THE APPROPRIATION.

CHAPTER 5: MAYOR'S COURT

CHAPTER 5: MAYOR'S COURT

- 5-101 SCOPE OF JURISDICTION
- 5-102 APPOINTMENT AND QUALIFICATION OF JUDGE
- 5-103 RECORD OF CASES
- 5-104 CONVENING
- 5-105 SERVICE OF SUMMONS
- 5-106 SUBPOENAS
- 5-107 FAILURE TO OBEY SUMMONS OR SUBPOENA
- 5-108 ARREST AND BOND
- 5-109 FORFEITURE OF BOND
- 5-110 COURT COSTS
- 5-111 MALICIOUS PROSECUTION
- 5-112 COLLECTION OF FINES
- 5-113 APPEAL

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5-101 SCOPE OF JURISDICTION

THE MAYOR'S COURT OF THIS MUNICIPALITY SHALL TRY VIOLATIONS OF MUNICIPAL ORDINANCES AND SHALL HAVE THE POWER AND AUTHORITY TO IMPOSE FINES UPON PERSONS CONVICTED OF SAID OFFENSES, WITH THE ALTERNATIVE OF OTHER PUNISHMENT ALLOWED BY LAW IF SUCH FINES ARE NOT PAID.

5-102 APPOINTMENT AND QUALIFICATION OF JUDGE

THE JUDGE OF THE MAYOR'S COURT SHALL BE THE MAYOR, OR IN THE ABSENCE OF THE MAYOR, THE MAYOR MAY APPOINT THE MAYOR PRO TEM, OR ANOTHER MEMBER OF THE COUNCIL TO SO PRESIDE.

5-103 RECORD OF CASES

A RECORD OF ALL CASES HEARD IN THE MAYOR'S COURT FOR VIOLATION OF THIS CODE OR OTHER MUNICIPAL ORDINANCES SHALL BE KEPT IN A SUITABLE BOUND VOLUME BY THE CITY CLERK. SUCH RECORD SHALL CONTAIN THE NAME OF THE DEFENDANT, THE NATURE OF THE OFFENSE CHARGED, THE FINAL DISPOSITION OF THE CASE, AND THE DATE OF THE FINAL DISPOSITION.

5-104 CONVENING

MAYOR'S COURT SHALL CONVENE AT SUCH TIMES AS SET BY THE JUDGE OR AT SUCH TIMES AS DEEMED NECESSARY TO KEEP CURRENT THE DOCKETS THEREOF.

5-105 SERVICE OF SUMMONS

ANY PERSON CHARGED WITH VIOLATING ANY CITY ORDINANCE SHALL RECEIVE NOTICE BY SERVICE OF A SUMMONS AS HEREIN PROVIDED. SUCH SUMMONS MAY BE ISSUED BY THE CITY CLERK, THE BUILDING INSPECTOR, OR ANY POLICE OFFICER OF THE CITY. THE SUMMONS SHALL BE DIRECTED TO THE ACCUSED AND SHALL DISTINCTLY STATE THE OFFENSE CHARGED, THE TIME AND PLACE, AS FAR AS PRACTICABLE, OF THE OFFENSE CHARGED, AND THE DAY, HOUR, AND PLACE OF TRIAL, REQUIRING THE ACCUSED TO APPEAR BEFORE THE JUDGE OF THE MAYOR'S COURT TO ANSWER THE ACCUSATION MADE. SERVICE OF THE SUMMONS SHALL BE MADE BY A POLICE OFFICER OF THE CITY EITHER BY SERVING THE ACCUSED PERSONALLY OR BY LEAVING A COPY AT HIS MOST NOTORIOUS PLACE OF ABODE, EXCEPT THAT IN THE CASE OF A SUMMONS ISSUED FOR VIOLATION OF LAWS OR ORDINANCES RELATING TO THE PARKING OF MOTOR VEHICLES, SUCH SUMMONS MAY BE DIRECTED TO AN UNKNOWN PERSON AS OWNER OF AN AUTOMOBILE DESIGNATED IN THE SUMMONS AND MAY BE SERVED UPON SUCH PERSON BY LEAVING A COPY IN OR ATTACHED TO SUCH AUTOMOBILE.

5-106 SUBPOENAS

THE CITY CLERK SHALL ISSUE SUBPOENAS FOR THE APPEARANCE OF ALL WITNESSES NECESSARY FOR THE PROSECUTION OR FOR THE DEFENSE IN ANY CASE PENDING BEFORE THE MAYOR'S COURT. ALL SUBPOENAS SHALL BE SERVED IN THE SAME MANNER AS A SUMMONS.

5-107 FAILURE TO OBEY SUMMONS OR SUBPOENAS

ANY PERSON WHO FAILS TO APPEAR AT THE TIME AND PLACE SET OUT IN ANY SUMMONS OR SUBPOENA SERVED UPON HIM SHALL BE GUILTY OF CONTEMPT OF COURT AND UPON CONVICTION THEREOF, SHALL BE PUNISHED FOR SAME.

5-108 ARREST AND BOND

WHEN A POLICE OFFICER HAS ARRESTED ANY PERSON FOR VIOLATION OF ANY PROVISION OF THIS CODE OR ANY MUNICIPAL ORDINANCE AND A TRIAL CANNOT BE HAD IMMEDIATELY, THE OFFICER MAY TAKE A CASH BOND NOT EXCEEDING THE MAXIMUM FINE FOR THE OFFENSE--OR A BOND WITH A GOOD SECURITY--FOR THE APPEARANCE OF SUCH PERSON BEFORE THE JUDGE OF THE MAYOR'S COURT. IF SUCH PERSON FAILS TO OR REFUSES TO GIVE A BOND, THE OFFICER MAY CONFINE HIM OR HER IN THE JAIL UNTIL A TRIAL CAN BE HELD, PROVIDED THAT THE MAYOR, IN HIS DISCRETION, MAY RELEASE SUCH PERSON ON HIS OWN RECOGNIZANCE WITHOUT SECURITY.

5-109 FORFEITURE OF BOND

UPON THE FAILURE OF A PERSON TO APPEAR IN THE MAYOR'S COURT AT THE TIME AND PLACE FIXED BY THE SUMMONS, THE JUDGE OF SAID COURT SHALL ENTER A JUDGEMENT OF FORFEITURE ON ANY CASH BOND, OR, IN THE CASE OF A SECURITY BOND, SHALL PASS A RULE REQUIRING THE PRINCIPAL AND SURETY ON SUCH BOND TO SHOW CAUSE ON THE DATE NAMED THEREIN--WHICH DATE SHALL NOT BE LESS THAN 10 DAYS FROM THE PASSAGE OF SUCH RULING--WHY THEY SHOULD NOT BE REQUIRED TO PAY THE AMOUNT OF SAID BOND. IF NO SUFFICIENT CAUSE IS SHOWN, THE JUDGE SHALL ENTER JUDGEMENT AGAINST THE PRINCIPAL AND SURETY FOR THE AMOUNT OF THE FORFEITED BOND AND SHALL DIRECT THE CITY CLERK TO ISSUE EXECUTION THEREON.

5-110 COURT COSTS

THE COSTS WHICH SHALL BE CHARGED AGAINST A DEFENDANT IN THE MAYOR'S COURT IN THE EVENT OF HIS CONVICTION SHALL BE SET BY THE JUDGE, WHICH SUM SHALL BE PAID INTO THE CITY TREASURY.

5-111 MALICIOUS PROSECUTION

WHENEVER A JUDGE OF THE MAYOR'S COURT, AFTER A FAIR AND FULL TRIAL, IS SATISFIED THAT ANY CASE WAS FRIVOLOUSLY OR MALICIOUSLY PROSECUTED, HE SHALL ASSESS THE PROSECUTION WITH THE COURT COSTS AND SUCH PUNITIVE DAMAGES AS HE DEEMS APPROPRIATE.

5-112 COLLECTION OF FINES

WHEN DIRECTED BY THE JUDGE OF THE MAYOR'S COURT, THE CITY CLERK SHALL ISSUE EXECUTIONS FOR FINES IMPOSED BY SAID COURT--INCLUDING COSTS-- WHICH EXECUTION MAY BE LEVIED UPON ANY GOODS OR CHATTELS, LANDS, OR TENEMENTS OF THE PERSON SO FINED.

5-113 APPEAL

THE RIGHT OF APPEAL AND ANY BOND AS MAY BE REQUIRED TO SECURE THE COSTS ON APPEAL TO THE SUPERIOR COURT OF CRAWFORD COUNTY FROM THE MAYOR'S COURT SHALL BE IN THE SAME MANNER AND UNDER THE SAME PROCEDURE AS GENERALLY PRESCRIBED FOR APPEALS AND APPEALS BONDS FROM THE PROBATE COURT; PROVIDED, HOWEVER, THAT ANY PERSON WHO FAILS TO FILE HIS OR HER APPEAL WITHIN TEN DAYS OF THE DATE OF HIS OR HER CONVICTION SHALL BE DEEMED TO HAVE WAIVED ANY SUCH RIGHT.

CHAPTER 6 (RESERVED)

CHAPTER 7 (RESERVED)

CHAPTER 8 (RESERVED)

CHAPTER 9 (RESERVED)

CHAPTER 10 (RESERVED)

CHAPTER 11 TRAFFIC CONTROL

CHAPTER 11: TRAFFIC CONTROL

11-101 UNIFORM RULES OF THE ROAD

11-101 UNIFORM RULES OF THE ROAD

1. ADOPTION BY REFERENCE. PURSUANT TO GEORGIA CODE, TITLE 68A, SECTIONS 68A-1503 THROUGH 68A-1507, SECTIONS 68A-101 TO 68A-1502, KNOWN AS THE UNIFORM RULES OF THE ROAD, ARE HEREBY ADOPTED AS AND FOR THE TRAFFIC REGULATIONS OF THIS MUNICIPALITY, WITH LIKE EFFECT AS IF RECITED IN FULL HEREIN.
2. PENALTIES. UNLESS ANOTHER PENALTY IS EXPRESSLY PROVIDED BY LAW, ANY PERSON CONVICTED OF A VIOLATION OF ANY PROVISION OF THIS CODE SECTION SHALL BE PUNISHED BY A FINE OF NOT MORE THAN \$500.00 OR IMPRISONMENT FOR NOT MORE THAN 90 DAYS OR BY BOTH SUCH FINE AND IMPRISONMENT.
3. REPEAL. ALL ORDINANCES, CODE SECTIONS, OR PARTS OF ORDINANCES OR CODE SECTION INCONSISTENT WITH THE PROVISIONS OF THIS SECTION ARE HEREBY REPEALED.

CHAPTER 12: SOLID WASTE MANAGEMENT

CHAPTER 12: SOLID WASTE MANAGEMENT

- 12-100 DECLARATION OF POLICY
- 12-101 DEFINITIONS
- 12-102 ADMINISTRATION
- 12-103 STANDARDS AND REGULATIONS - IMPROPER HANDLING OF SOLID WASTE
- 12-104 IDENTIFICATION OF VIOLATORS
- 12-105 TRANSPORTATION OF SOLID WASTE
- 12-106 OPEN BURNING
- 12-107 STORAGE
- 12-108 DUMPING SITES
- 12-109 DUMPING
- 12-110 PRIVATE PROPERTY DUMPING
- 12-111 LARGE OBJECTS DISPOSAL
- 12-112 RESPONSIBILITY PROVISION
- 12-113 CONTAINERS
- 12-114 VIOLATION
- 12-115 PICK UP
- 12-116 DUTY OF OWNERS
- 12-117 LITTER VIOLATION
- 12-118 DECLARATION OF INTENT
- 12-119 PENALTY
- 12-120 GARBAGE FEE

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12-100 DECLARATION OF POLICY

IT IS HEREBY DECLARED TO BE THE POLICY OF ROBERTA TO PROTECT AND ENHANCE THE QUALITY OF ITS ENVIRONMENT AND THUS PROMOTE THE HEALTH, SAFETY, AND WELFARE OF THE CITIZENS OF ROBERTA TO PROTECT AND ENHANCE THE QUALITY OF ITS ENVIRONMENT AND THUS PROMOTE THE HEALTH, SAFETY, AND WELFARE OF THE CITIZENS OF ROBERTA BY ESTABLISHING MINIMUM STANDARDS FOR THE MANAGEMENT OF SOLID WASTE. IT SHALL APPLY TO THE PREPARATION, STORAGE, COLLECTION, TRANSPORTATION, AND DISPOSAL OF ALL SOLID WASTES IN THE AREA UNDER THE JURISDICTION OF THE CITY OF ROBERTA AS PRESENTLY OR HEREAFTER ESTABLISHED. IT IS THE INTENT OF THIS ORDINANCE TO THE EXTENT FEASIBLE AND PRACTICAL TO MAKE MAXIMUM UTILIZATION OF THE RESOURCES CONTAINED IN SOLID WASTE. IT SHALL SET FORTH RULES AND REGULATIONS FOR THE PURPOSE OF REGULATING THE PRIVATE OPERATION OF SOLID WASTE MANAGEMENT SYSTEMS OR ANY PART THEREOF, AND FOR OTHER PURPOSES.

12-101 DEFINITIONS

FOR THE PURPOSE OF THIS ORDINANCE, THE FOLLOWING WORDS AND PHRASES SHALL HAVE THE MEANING RESPECTIVELY ASCRIBED TO THEM BY THIS SECTION. WHEN NOT INCONSISTENT WITH THE CONTEXT, WORDS USED IN THE PRESENT TENSE INCLUDE THE FUTURE, WORDS IN THE PLURAL NUMBER INCLUDE SINGULAR NUMBER, AND WORDS IN THE SINGULAR NUMBER INCLUDE THE PLURAL NUMBER. THE WORD "SHALL" IS ALWAYS MANDATORY AND NOT MERELY DIRECTORY.

- A. COMMERCIAL CONTAINER - A MANUFACTURED CONTAINER SUITABLE FOR EMPTYING BY MECHANICAL EQUIPMENT AND APPROVED BY THE SANITATION INSPECTOR.
- B. COMMERCIAL ESTABLISHMENT - ANY HOTEL, MOTEL, CONDOMINIUM, APARTMENT HOUSE, ROOMING HOUSE, BUSINESS, INDUSTRIAL, PUBLIC OR SEMI-PUBLIC ESTABLISHMENT OF ANY NATURE OR KIND WHATSOEVER OTHER THAN A SINGLE DWELLING UNIT/RESIDENTIAL UNIT.
- C. COMMERCIAL SANITATION FIRM - ANY PERSON OR FIRM COLLECTING OR DISPOSING OF REFUSE.
- D. COMPACTOR - A MACHINE THAT REDUCES THE VOLUME OF SOLID WASTE BY FORCING IT INTO A CONTAINER.
- E. COMPACTOR CONTAINER - A MANUFACTURED CONTAINER

DESIGNED TO BE USED IN CONJUNCTION WITH A COMPACTOR.

- F. DISPOSAL FACILITY - ANY FACILITY OR LOCATION WHERE ANY TREATMENT, UTILIZATION, PROCESSING, OR DIPOSITION OF SOLID WASTE OCCURS.
- G. DISPOSAL SITE - THE LOCATION WHERE THE FINAL DISPOSITION OF SOLID WASTE OCCURS.
- H. DWELLING UNIT - A HOUSE OR OTHER STRUCTURE OR A PORTION OF ANY BUILDING OR STRUCTURE DESIGNED, ARRANGED AND USED FOR LIVING QUARTERS FOR ONE OR MORE PERSONS LIVING IN A SINGLE HOUSE-KEEPING UNIT WITH COOKING FACILITIES, BUT NOT INCLUDING UNIT IN HOTELS, OR OTHER STRUCTURES DESIGNED FOR TRANSIENT RESIDENTS.
- I. GARBAGE - FOOD WASTE, INCLUDE WASTE ACUMULATION OF ANIMAL OR VEGETABLE MATTER USED OR INTENDED FOR FOOD OR THAT ATTENDS THE PREPARATION, USE, COOKING, DEALING IN OR STORING OF MEAT, FISH, FOWL, FRUIT, OR VEGETABLES.
- J. GARBAGE CAN OR APPROVED RECEPTACLE - A GALVANIZED METAL OR DURABLE PLASTIC CONTAINER APPROVED BY THE SANITATION INSPECTOR FOR THE TEMPORARY STORAGE OF GARBAGE. BAGS MANUFACTURED FOR GARBAGE AND REFUSE DISPOSAL IN SUITABLE FRAMES OR CONTAINERS SHALL BE ACCEPTABLE.
- K. HAZARDOUS WASTES - THOSE WASTES THAT CAN CAUSE SERIOUS DAMAGE, INJURY, OR DISEASE TO MANKIND OR HIS ENVIRONMENT DURING THE NORMAL STORAGE, COLLECTION, TRANSPORTATION, AND DISPOSAL CYCLE, INCLUDING BUT NOT LIMITED TO EXPLOSIVES, PATHOLOGICAL AND INFECTIOUS WASTES, PESTICIDES, OTHER TOXIC SUBSTANCES, FLAMMABLE OR CORROSIVE WASTES, SEWAGE RESIDUE OR SLUDGE, ACIDS, DANGEROUS OR UNSTABLE CHEMICALS, RADIOACTIVE MATERIAL OR ANY OTHER HAZARDOUS SOLIDS, SEMI-SOLIDS, AND LIQUIDS.
- L. INDUSTRIAL WASTES - SOLID WASTES WHICH RESULT FROM INDUSTRIAL PROCESSES AND MANUFACTURING OPERATIONS SUCH AS FACTORIES, PROCESSING

PLANTS, REPAIR AND CLEANING ESTABLISHMENTS, REFINERIES AND ANY REFUSE ACCUMULATING IN OR UPON LAND USED FOR MANUFACTURING, INDUSTRIAL, WHOLESALE, OR SLAUGHTERING PURPOSES.

- M. MULTIPLE DWELLING - A BUILDING DESIGNED FOR AND CONTAINING TWO OR MORE DWELLING UNITS.
- N. NONCOMBUSTIBLE TRASH - MATERIALS WHICH ARE UNBURNABLE IN THE INCINERATOR OR AT INCINERATOR TEMPERATURES OF 800 TO 1,800 DEGREES FAHRENHEIT SUCH AS MINERAL MATTER, METAL FURNITURE, LARGE METAL STRAPS AND WIRES, AUTO BODIES OR PARTS, WOODEN CRATES, BOXES OR PALLETS, LOGS OVER FOUR INCHES IN DIAMETER AND OTHER SIMILAR MATERIAL, OR CONSTRUCTION DEBRIS.
- O. OWNER - ANY PERSON, FIRM OR CORPORATION OWNING, LEASING, RENTING, OR OTHERWISE OCCUPYING OR MANAGING ANY PREMISES IN THE JURISDICTION OF THE CITY OF ROBERTA.
- P. PERSON - ANY INDIVIDUAL, FIRM, PARTNERSHIP, ASSOCIATION, TRUST, CORPORATION, COMPANY, INSTITUTION, SOCIETY, ORGANIZATION, EXECUTOR, ADMINISTRATOR, TRUSTEE OR OTHER LEGAL ENTITY.
- Q. REFUSE - GARBAGE AND TRASH COLLECTIVELY.
- R. RESIDENTIAL UNIT - ANY STRUCTURE OR SHELTER OR ANY PART THEREOF USED OR CONSTRUCTED FOR USE AS A RESIDENCE FOR ONE FAMILY.
- S. SANITARY DISTRICT - THE INCORPORATED AREA OF THE CITY OF ROBERTA.
- T. SANITARY LANDFILL - A METHOD OF DISPOSING OF SOLID WASTE ON LAND WITHOUT BEING CONDUCTIVE TO INSECT AND RODENT INFESTATION, OR IMPAIRING THE QUALITY OF THE GROUND AND SURFACE WATERS, IMPAIRING THE AIR QUALITY, OR IMPAIRING PUBLIC HEALTH OR SAFETY, BY UTILIZING THE PRINCIPLES OF ENGINEERING TO CONFINE THE REFUSE TO THE SMALLEST PRACTICAL VOLUME, AND TO COVER IT WITH A LAYER OF EARTH AT THE CONCLUSION OF EACH DAY'S OPERATION.
- U. SOLID WASTE - PUTRESCIBLE AND NONPUTRESCIBLE

WASTES, GARBAGE, RUBBISH, TRASH, ASHES, DEAD ANIMALS, REFUSE, STREET REFUSE, SEWAGE, SLUDGES, ANIMAL MANURES, INDUSTRIAL WASTE, DEMOLITION AND CONSTRUCTION WASTE, ABANDONED AUTOMOBILES, FOOD PROCESSING WASTE, AND ANY OTHER WASTE MATERIAL IN SOLID OR SEMI-SOLID STATE NOT OTHERWISE DEFINED IN THIS ORDINANCE BY EXCLUDING WATER CARRIED BOB WASIE OR OTHER REFUSE LIQUIDS DISPOSED BY SEWERAGE.

- V. SOLID WASTE HANDING - THE STORAGE, COLLECTION, TRANSPORTATION, TREATMENT, UTILIZATION, PROCESSING, OR DISPOSAL OF SOLID WASTE, OR ANY COMBINATION THEREOF.
- W. SOLID WASTE MANAGEMENT - THE DEVELOPING, PLANNING, FINANCING, ORGANIZING, COORDINATING, DIRECTING, CONTROLLING, ENFORCING, AND SUPERVISING OF ACTIVITIES ASSOCIATED WITH, BUT NOT LIMITED TO, THE GENERATION, STORAGE, COLLECTION, TRANSPORT, PROCESSING, TREATMENT, RECYCLING, RESOURCE RECOVER, REDUCTION, OR FINAL DISPOSAL OF SOLID WASTE AND THE DESIGN, CONSTRUCTION, OPERATION, AND MAINTENANCE OF COMPONENT FACILITIES AND EQUIPMENT.
- X. SPECIAL INDUSTRIAL WASTE CONTAINER - ANY CONTAINER SUCH AS A METAL BOX, BUCKET, AN OPEN BED CONTAINER, OR SPECIAL CONTAINER USED FOR TRANSPORTING CHEMICALS, PAINT, METALS, GLASS, OIL PRODUCTS, PLASTICS OR ANY TYPE OF MATERIAL THAT REQUIRED SPECIAL HANDING AND CANNOT BE INCINERATED.
- Y. SPECIAL WASTE - BULKY, HARD TO HANDLE ITEMS INCLUDING TIRES, APPLIANCES, LARGE STUMPS, TELEVISION PICTURE TUBES, FIBERGLASS INSULATION, FURNITURE, LARGE AUTO PARTS, TREES, AND BRANCHES, OR OTHER REFUSE WHICH, BECAUSE OF SIZE, SHAPE, OR WEIGHT CANNOT BE HANDLED BY NORMAL DISPOSAL METHODS.
- Z. TRASH - NON-PUTRESCIBLE SOLID WASTE CONSISTING OF COMBUSTIBLE AND NON-COMBUSTIBLE MATERIAL SUCH AS, BUT NOT LIMITED TO, PAPER, PLASTICS, CARDBOARD, YARD CLIPPINGS, WOOD, GLASS, CROCKERY AND SIMILAR MATERIALS.
- AA. TRASH CAN - A DURABLE WATER TIGHT CONTAINER

WITH SUCH AS ANY METAL OR PLASTIC BOX, CAN OR WATERPROOF BAG.

12-102 ADMINISTRATION

THE MAYOR OR OTHER LEGALLY DESIGNATED AUTHORITY OF THE CITY OF ROBERTA SHALL AT THE REQUEST OF THE SANITATION DEPARTMENT PERSONNEL, MAKE ROUTINE INSPECTIONS FOR THE PURPOSE OF DETERMINING THE CONDITION OF GARBAGE CANS, LANDFILLS, COMMERCIAL CONTAINERS, AND GARBAGE COLLECTION AREAS. UPON DETERMINING THAT A CAN, CONTAINER, OR AREA IS BECOMING OR HAS BECOME UNSERVICEABLE OR UNSANITARY OR LIKELY TO CAUSE AN UNSANITARY CONDITION, THE MAYOR SHALL ISSUE A NOTICE TO THE OWNER OR OCCUPANT OF THE PREMISES UPON WHICH SAID CAN, CONTAINER OR CONDITION EXISTS TO INFORM HIM OF THE EXISTING CONDITION. IT SHALL BE THE DUTY OF THE MAYOR TO ISSUE A SUMMONS DIRECTED TO THE OWNER OR OCCUPANT WHO FAILS WITHIN NOT LESS THAN THE TEN (10) CALENDAR DAYS TO CORRECT SAME, TO APPEAR IN THE MAYOR'S COURT OF ROBERTA TO ANSWER THE CHARGE OF VIOLATION OF THE APPROPRIATE SECTION OF THIS ORDINANCE.

12-103 STANDARDS AND REGULATIONS - IMPROPER HANDLING OF SOLID WASTE

IT SHALL BE UNLAWFUL FOR ANY PERSON, FIRM OR CORPORATION TO ENGAGE IN SOLID WASTE HANDLING IN A MANNER WHICH WILL LIKELY CREATE A NUISANCE; BE CONDUCTIVE TO INSECT AND RODENT INFESTATION OR THE HARBORING AND FEEDING OF WILD DOGS OR OTHER ANIMALS; IMPAIR THE QUALITY OF AIR; IMPAIR THE QUALITY OF THE GROUND OR SURFACE WATERS; IMPAIR THE QUALITY OF THE ENVIRONMENT; OR LIKELY CREATE OTHER HAZARDS TO THE PUBLIC, HEALTH, SAFETY, OR WELL-BEING.

12-104 IDENTIFICATION OF VIOLATORS

IF ANY OF THE MATTER OR MATERIAL DUMPED IN VIOLATION OF THE PROVISIONS OF SECTION 12-103 CAN BE POSITIVELY IDENTIFIED BY THE CITY OR COUNTY AUTHORITIES AS HAVING LAST BELONGED TO, BEEN IN THE POSSESSION OF, SENT TO OR RECEIVED BY, OR TO HAVE BEEN IN THE PROPERTY OF ANY PERSONS, FIRM OR CORPORATION PRIOR TO ITS BEING DUMPED AS PROHIBITED HEREIN, SUCH IDENTIFICATION SHALL BE PRESUMED TO BE EVIDENCE THAT SUCH OWNER DUMPED OR CAUSED TO BE DUMPED SUCH MATTER AND MATERIAL IN VIOLATION OF THIS ORDINANCE.

12-105 TRANSPORTATION OF SOLID WASTE

IT SHALL BE UNLAWFUL FOR ANY PERSON, INCLUDING CITY OR COUNTY COLLECTORS AND SANITARY CONTRACTORS TO HAUL, CONVEY, OR CAUSE TO BE CONVEYED ANY REFUSE, INCLUDING DISCARDED BUILDING

MATERIAL, TREES, TRASH, PAPER OR DISCARDED FURNITURE, UPON OR ALONG THE PUBLIC STREETS AND ROADWAYS, EXCEPT WHEN THE MATERIAL TRANSPORTED IS ADEQUATELY SECURED IN SUCH A MANNER AS TO PREVENT IT FROM FALLING, LEAKING, OR BEING BLOWN FROM TRANSPORTING VEHICLE. THE OPERATOR OF THE OFFENDING VEHICLE SHALL BE PERSONALLY RESPONSIBLE FOR ANY VIOLATION OF THIS SECTION.

12-106 OPEN BURNING

IT SHALL BE UNLAWFUL FOR ANY PERSONS, FIRM OR CORPORATION TO DISPOSE OF GARBAGE OR REFUSE BY OPEN AIR BURNING.

12-107 STORAGE

GARBAGE SHALL BE STORED IN A GARBAGE CAN OR APPROVED RECEPTACLE. SUCH CONTAINER SHALL BE OF A CAPACITY OF NOT LESS THAN TWENTY (20) GALLONS AND NOT TO EXCEED THIRTY-TWO (32) GALLONS, HAVING TWO HANDLES ON THE SIDE THEREOF OR A BAIL BY WHICH IT MAY BE LIFTED WITH A TIGHT-FITTING METAL OR PLASTIC TOP WITH A HANDLE; AND SHALL BE WATERPROOF. NO OPEN BINS WILL BE PERMITTED FOR THE STORING OF GARBAGE OR WASTE. CONTAINERS SHALL BE PLACED IN A LOCATION ACCESSIBLE TO THE COLLECTION TRUCK OR PLACED ON THE EDGE OF THE STREET OR CURBSIDE.

12-108 DUMPING SITES

IT SHALL BE UNLAWFUL FOR ANY PERSON, FIRM OR CORPORATION TO DUMP OR CAUSE TO BE DUMPED ANY GARBAGE, REFUSE, LITTER, JUNK, APPLIANCE, EQUIPMENT, CANS, BOTTLES, PAPER, LUMBER, TREES, OR OTHER SOLID WASTES OR PARTS THEREOF ANYWHERE IN THE AREA UNDER THE JURISDICTION OF THE CITY OF ROBERTA EXCEPT AS MAY BE PERMITTED BY THESE REGULATIONS.

12-109 DUMPING

IT SHALL BE UNLAWFUL FOR ANY PERSON, FIRM, OR CORPORATION TO DUMP OR CAUSE TO BE DUMPED OR BURIED ON ANY PRIVATE PROPERTY ANY OF THE GARBAGE, REFUSE, AND RELATED MATERIAL DESCRIBED IN SECTION 12-108.

12-110 PRIVATE PROPERTY DUMPING

THE PROVISIONS OF SECTION 12-103 AND 12-104 DO NOT APPLY TO THE DUMPING ON PRIVATE PROPERTY WITH THE OWNER'S PERMISSION OF SAND, DIRT, BROKEN BRICKS, BLOCKS, OR BROKEN PAVEMENT OR OTHER SUITABLE MATERIAL FOR USE AS A FILL TO RAISE THE ELEVATION OF THE LAND, PROVIDED THE SAME IS NOT MAINTAINED

IN AN UNSIGHTLY CONDITION AND PROVIDED THE OWNER OR OWNERS OF THE PROPERTY ON WHICH SUCH MATERIAL IS DUMPED AGREES TO LEVEL SUCH DUMPED MATERIAL WITH APPROPRIATE GRADING EQUIPMENT; AND TO COVER IT WITH DIRT, UPON DIRECTION OF THE CITY OF ROBERTA OR IN LIEU THEREOF, AGREES TO PERMIT THE CITY TO LEVEL AND COVER SAID MATERIAL SO DUMPED WITH APPROPRIATE GRADING EQUIPMENT AND ASSESS THE COST THEREOF AGAINST THE REAL PROPERTY ON WHICH SUCH MATERIAL IS DUMPED.

12-111 LARGE OBJECTS DISPOSAL

LARGE OBJECTS SUCH AS TREE BRANCHES AND HEAVY BRUSH WHICH WILL NOT FIT IN CANS OR CONTAINERS, SHALL BE CUT IN LENGTH NOT EXCEEDING FOUR (4) FEET AND STACKED IN A COMPACT PILE AT THE EDGE OF THE STREET OR CURBSIDE.

12-112 RESPONSIBILITY PROVISION

THE CITY SHALL NOT BE RESPONSIBLE FOR COLLECTION OR HAULING DISCARDED BUILDING MATERIAL, DIRT, ROCK, OR DISCARDED FURNITURE AND APPLIANCES FROM PRIVATE PROPERTY, NOR SHALL IT BE RESPONSIBLE FOR COLLECTING OR HAULING TREES, BRUSHES, OR OTHER VEGETATION FROM COMMERCIAL TREE TRIMMERS, LANDSCAPERS, OR BUILDING CONTRACTORS EXCEPT ON A SPECIAL FEE BASIS OF \$30.00 PER HOUR. THE CITY WILL NOT COLLECT UNUSUALLY LARGE, BULKY, OR HEAVY WASTE.

12-113 CONTAINERS

IT SHALL BE UNLAWFUL TO TAMPER WITH, REMOVE COVERS, OVERTURN, OR OTHERWISE DAMAGE PUBLIC OR PRIVATE GARBAGE CANS OR COMMERCIAL CONTAINERS USED FOR SOLID WASTE COLLECTION.

12-114 VIOLATION

IT SHALL BE A VIOLATION OF THIS ORDINANCE TO PLACE OR CAUSE TO BE PLACED IN ANY REFUSE CAN OR CONTAINER FOR COLLECTION ANY ACID, EXPLOSIVE MATERIAL, INFLAMMABLE LIQUID OR DANGEROUS OR CORROSIVE MATERIAL OF ANY KIND.

12-115 PICK UP

GARBAGE SHALL BE PICKED UP ONCE WEEKLY FROM ALL COMMERCIAL AND RESIDENTIAL AREAS. TRASH SHALL BE PICKED UP BI-MONTHLY OR EVERY OTHER WEEK, CURBSIDE ONLY.

12-116 DUTY OF OWNERS

EACH OWNER SHALL PREVENT THE CONTINUED, EXCESSIVE AND

UNSIGHTLY ACCUMULATION OF REFUSE UPON THE PROPERTY OCCUPIED BY HIM OR PUBLIC THOROUGHFARES ADJOINING HIS PROPERTY.

12-117 LITTER VIOLATION

IT SHALL BE UNLAWFUL FOR ANY PERSONS, FIRM OR CORPORATION TO LITTER IN ANY WAY WHATSOEVER. PERSONS CAUGHT DISCARDING REFUSE OF ANY NATURE ON ANY PUBLIC OR PRIVATE PROPERTY WITHIN THE CITY OF ROBERTA SHALL BE IN VIOLATION OF THIS SECTION.

12-118 DECLARATION OF INTENT

IT IS HEREBY DECLARED TO BE THE INTENTION OF THE CITY OF ROBERTA THAT THE SECTIONS, PARAGRAPHS, SENTENCES, CLAUSES, AND PHRASES OF THIS CHAPTER ARE SEVERABLE. IF ANY PHRASE, CLAUSE, SENTENCE, PARAGRAPH, OR SECTION OF THIS ORDINANCE SHALL BE DECLARED UNCONSTITUTIONAL BY THE VALID JUDGEMENT OR DECREE OF ANY COURT OF COMPETENT JURISDICTION, SUCH UNCONSTITUTIONALITY SHALL NOT AFFECT ANY OF THE REMAINING PORTIONS OF THIS ORDINANCE NOT SO DECLARED TO BE INVALID BUT THE SAME SHALL REMAIN IN FULL FORCE AND EFFECT AS IF SEPARATELY ADOPTED.

12-119 PENALTY

ANY PERSON FOUND TO BE IN VIOLATION OF ANY PROVISION OF THIS CODE SECTION SHALL BE GUILTY OF A MISDEMEANOR, AND UPON CONVICTION THEREOF, SHALL BE FINED IN AN AMOUNT NOT EXCEEDING FIVE HUNDRED DOLLARS (\$500.00) FOR EACH VIOLATION. EACH DAY IN WHICH ANY SUCH VIOLATION SHALL CONTINUE SHALL BE DEEMED A SEPARATE OFFENSE.

12-120 GARBAGE FEE

- A. A GARBAGE FEE OF \$2.00 PER MONTH SHALL BE CHARGED TO EACH CUSTOMER. THIS FEE SHALL BE BILLED ON THE WATER AND SEWERAGE BILL.
- B. A 10% PENALTY SHALL BE IMPOSED UNLESS PAID BY THE 10TH OF EACH MONTH.

CHAPTER 13: AIR QUALITY CONTROL

CHAPTER 13: AIR QUALITY CONTROL

13-101 EMISSIONS OF GASES, VAPORS, AND ODORS

13-102 OPEN BURNING

13-103 ENFORCEMENT

13-104 PENALTIES

13-101 EMISSIONS OF GASES, VAPORS, AND ODORS

1. NO PERSONS SHALL CAUSE, SUFFER, OR ALLOW ANY EMISSIONS OF GASES, VAPORS, OR ODORS BEYOND THE PROPERTY LINE FROM WHICH SUCH EMISSIONS OCCUR TO BE IN SUFFICIENT QUANTITIES AND OF SUCH CHARACTERISTICS AND DURATION AS IS OR IS LIKELY TO BE INJURIOUS TO THE PUBLIC WELFARE; TO THE HEALTH OF HUMAN, PLANT, OR ANIMAL LIFE; OR TO PROPERTY; OR WHICH INTERFERE WITH THE ENJOYMENT OF LIFE AND PROPERTY.

2. DETECTABLE ODORS EMITTED FROM THE FOLLOWING SOURCES OF EMISSION ARE HEREBY DECLARED TO BE OBJECTIONABLE PER SE:
 - A. AMMONIA, BLEACHING POWDER, OR CHLORINE MANUFACTURE;

 - B. ASPHALT MANUFACTURE OR REFINING;

 - C. BLOOD PROCESSING;

 - D. BAG CLEANING;

 - E. CELLULOID MANUFACTURE;

 - F. COAL TAR PRODUCTS MANUFACTURE;

 - G. COMPOST HEAPS;

 - H. CREMATORY;

 - I. CREOSOTE TREATMENT OR MANUFACTURE;

 - J. DISINFECTANTS MANUFACTURE;

- K. DISTILLATION OF BONES, COAL, OR WOOD;
- L. DYESTUFF MANUFACTURE;
- M. FAT RENDERING;
- N. FERTILIZER MANUFACTURE AND BONE GRINDING;
- O. GLUE OR GELATINE MANUFACTURE;
- P. INCINERATOR OR REDUCTION OF GARBAGE, DEAD ANIMALS, OFFAL OR REFUSE;
- Q. OILED RUBBER OR LEATHER MANUFACTURE;
- R. PAINT, OIL, SHELLAC, TURPENTINE, OR VARNISH MANUFACTURE;
- S. PAPER AND PULP MANUFACTURE;
- T. RUBBER OR GUTTA PERCHA MANUFACTURE;
- U. SAURKRAUT MANUFACTURE;
- V. SHOE-BLACKENING MANUFACTURING;
- W. SHOE MANUFACTURE;
- X. STOCK YARDS;
- Y. SULPHURIC, NITRIC, OR HYDROCHLORIC ACID MANUFACTURE;
- Z. TANNING, CURING, OR STORAGE OF HIDES OR SKINS;
- AA. TAR DISTILLAION OR MANUFACTURE;
- BB. TAR ROOFING OR WATERPROOFING MANUFACTURING;
- CC. ANY OTHER AIR CONTAMINANT DISCHARGED INTO OPEN AIR OF A CHARACTER OR IN ANY QUANTITY WHICH IS DETRIMENTAL TO OR ENDANGERS THE PUBLIC HEALTH.

13-102 OPEN BURNING

1. IN GENERAL. EXCEPT AS HEREINAFTER PROVIDED IN SUBSECTION 2, NO PERSON SHALL KINDLE AN OPEN FIRE IN ANY PUBLIC OR PRIVATE PLACE OUTSIDE ANY BUILDING.

FIRES STARTED IN VIOLATION OF THIS SECTION SHALL BE PROMPTLY EXTINGUISHED BY THE PERSON(S) RESPONSIBLE FOR SAME UPON NOTICE BY THE FIRE CHIEF OR HIS DULY DESIGNATED AGENT. DURING THE EXISTENCE OF AN AIR POLLUTION ALERT -- AS MAY BE DECLARED BY THE MAYOR -- ALL EXCEPTIONS ARE VOID AND NO OPEN FIRES SHALL BE KINDLED.

2. EXCEPTIONS.

A. OPEN BURNING MAY BE DONE AS FOLLOWS:

- (1) OPEN BURNING BY PERMISSION OF THE FIRE CHIEF.
- (2) NO PERMIT SHALL BE ISSUED UNLESS THE ISSUING OFFICER IS SATISFIED THAT:
 - (A) THERE IS NO PRACTICAL AVAILABLE ALTERNATE METHOD FOR THE DISPOSAL OF THE MATERIAL TO BE BURNED;
 - (B) NO HAZARDOUS CONDITION WILL BE CREATED BY SUCH BURNING;
 - (C) NO SALVAGE OPERATION BY OPEN BURNING WILL BE CONDUCTED; AND
 - (D) NO LEAVES WILL BE BURNED IN THOSE AREAS WHERE PROVISION IS MADE FOR PUBLIC COLLECTION THEREOF;
- (3) ANY PERMIT MAY BE LIMITED BY THE IMPOSITION OF CONDITIONS TO:
 - (A) PREVENT THE CREATION OF EXCESSIVE SMOKE; OR
 - (B) PROTECT PROPERTY AND THE HEALTH, SAFETY, AND COMFORT OF PERSONS FROM THE EFFECTS OF THE BURNING.
- (4) IF IT BECOMES APPARENT AT ANY TIME TO THE FIRE CHIEF THAT LIMITATIONS NEED TO BE IMPOSED FOR ANY OF THE REASONS STATED IN SUBSECTION 2A(3) ABOVE, THE

FIRE CHIEF OR HIS DULY DESIGNATED AGENT SHALL NOTIFY THE PERMITTEE IN WRITING AND ANY LIMITATIONS SO IMPOSED SHALL BE TREATED AS CONDITIONS UNDER WHICH THE PERMIT IS ISSUED.

B. OPEN BURNING MAY BE DONE WITHOUT PERMIT AS FOLLOWS:

- (1) IN THOSE AREAS WHERE PROVISION FOR PUBLIC COLLECTION OF LEAVES IS NOT MADE, THE OPEN BURNING OF LEAVES IS PERMITTED.
- (2) IN THOSE AREAS WHERE REGULAR REFUSE COLLECTION IS NOT MADE, OPEN BURNING OF ORDINARY HOUSEHOLD TRASH BY HOUSEHOLDERS IS PERMITTED PROVIDED THAT:
 - (A) THE FIRES ARE LOCATED NO CLOSER THAN 500 FEET TO ANY NEIGHBORING HABITABLE DWELLING OR PLACE WHERE PEOPLE WORK OR CONGREGATE;
 - (B) GARBAGE, DEAD ANIMALS, AND ANIMAL WASTE ARE NOT BURNED; AND
 - (C) MATERIALS WHICH CREATE DENSE OR EXCESSIVE SMOKE OR EMISSIONS INJURIOUS OR NOXIOUS TO PEOPLE OR PROPERTY ARE NOT BURNED.
- (3) OPEN FIRES MAY BE SET IN PERFORMANCE OF AN OFFICIAL DUTY OF ANY PUBLIC OFFICER IF THE FIRE IS NECESSARY FOR ONE OR MORE OF THE FOLLOWING REASONS OR PURPOSES:
 - (A) FOR THE PREVENTION OF A FIRE HAZARD AND WHICH CANNOT BE ABATED BY OTHER MEANS;
 - (B) FOR THE INSTRUCTION OF PUBLIC FIREFIGHTERS OR INDUSTRIAL EMPLOYEES UNDER SUPERVISION OF

THE FIRE CHIEF; OR

(C) FOR THE PROTECTION OF PUBLIC HEALTH.

- (4) FIRES MAY BE USED FOR THE COOKING OF FOOD, PROVIDED NO SMOKE VIOLATION OR OTHER NUISANCE IS CREATED.
- (5) SALAMANDERS OR OTHER DEVICES MAY BE USED FOR HEATING BY CONSTRUCTION OR OTHER WORKERS, PROVIDED NO SMOKE VIOLATION OR OTHER NUISANCE IS CREATED.
- (6) FIRES MAY BE SET IN THE COURSE OF AGRICULTURAL OPERATIONS IN GROWING CROPS OR RAISING FOWL OR ANIMALS, PROVIDED NO NUISANCE IS CREATED.
- (7) OPEN FIRES MAY BE SET FOR RECREATIONAL PURPOSES, SUCH AS CAMPFIRES, PROVIDED NO SMOKE VIOLATION OR NUISANCE IS CREATED.

13-103 ENFORCEMENT

THE PROVISIONS OF THIS CHAPTER SHALL BE ENFORCED BY THE FIRE CHIEF AND THE POLICE CHIEF AND SUCH SUBORDINATE OFFICERS OF THE FIRE DEPARTMENT AND POLICE DEPARTMENTS AS ARE NECESSARY TO EFFECTUATE THE REQUIREMENTS SET FORTH HEREIN.

13-104 PENALTIES

- 1. ANY PERSON WHO VIOLATES ANY PROVISION OF THIS CHAPTER SHALL BE SUBJECT TO A FINE NOT TO EXCEED \$500.00, SUCH FINE TO BE IMPOSED AT THE DISCRETION OF THE JUDGE OF THE MAYOR'S COURT.
- 2. ACTION PURSUANT TO SUBSECTION 1 OF THIS SECTION SHALL NOT BE A BAR TO ENFORCEMENT OF THIS CHAPTER BY INJUNCTION OR OTHER APPROPRIATE REMEDY, AND THE POLICE CHIEF SHALL HAVE THE POWER TO INSTITUTE AND MAINTAIN IN THE NAME OF THE MUNICIPALITY ANY AND ALL SUCH ENFORCEMENT PROCEEDINGS.
- 3. NOTHING IN THIS CHAPTER SHALL BE CONSTRUED TO ABRIDGE, LIMIT, OR OTHERWISE IMPAIR THE RIGHT OF ANY PERSON TO MAINTAIN ANY ACTION OR OTHER APPROPRIATE PROCEEDINGS.

FOR DAMAGES OR OTHER RELIEF ON ACCOUNT OF INJURIES TO
PERSONS OR PROPERTY.

CHAPTER 14: NOISE REGULATION

CHAPTER 14: NOISE REGULATION

14-101 NOISE REGULATIONS IN GENERAL

14-102 NOISES PROHIBITED

14-103 EXEMPTIONS

14-104 PENALTIES

14-105 INJUNCTIONS

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14-101 NOISE REGULATIONS IN GENERAL

IT SHALL BE UNLAWFUL FOR ANY PERSON TO WILLFULLY MAKE, CONTINUE, OR CAUSE TO BE MADE OR CONTINUED ANY EXCESSIVE, UNNECESSARY, OR UNUSUALLY LOUD NOISE WHICH DISTURBS THE PEACE OR QUIET OF ANY NEIGHBORHOOD OR WHICH CAUSES DISCOMFORT OR ANNOYANCE TO ANY REASONABLE PERSON OR NORMAL SENSITIVENESS RESIDING WITHIN THE CITY LIMITS.

14-102 NOISES PROHIBITED

THE FOLLOWING ACTS ARE DECLARED TO BE LOUD, DISTURBING, AND UNNECESSARY NOISES IN VIOLATION OF THIS CHAPTER, BUT SAID ENUMERATION SHALL NOT BE DEEMED TO BE EXHAUSTIVE.

1. MOTOR VEHICLE HORNS. THE SOUNDING OF ANY HORN ON ANY AUTOMOBILE, MOTORCYCLE OR OTHER MOTOR VEHICLE ON ANY STREET OR PUBLIC PLACE OF THE CITY EXCEPT AS A WARNING SIGNAL.
2. RADIOS, TELEVISION SETS, AND SIMILAR DEVICES. THE USING, OPERATING, OR PERMITTING TO BE PLAYED, USED, OR OPERATED, ANY RADIO RECEIVING SET, MUSICAL INSTRUMENT, PHONOGRAPH, TELEVISION SET, OR OTHER MACHINE OR DEVICE FOR THE PRODUCING OR REPRODUCING OF SOUND BETWEEN THE HOURS OF 10:00 P.M. AND 7:00 A.M. IN SUCH MANNER AS TO DISTURB THE PEACE, QUIET, AND COMFORT OF NEIGHBORING RESIDENTS.
3. LOUDSPEAKERS AND AMPLIFIERS. THE USING OR

OPERATING OF ANY LOUDSPEAKER OR SOUND-AMPLIFYING DEVICE MOUNTED UPON ANY VEHICLE WITHIN THE CITY FOR THE PURPOSE OF BROADCASTING OR ADVERTISING ANY INFORMATION ABOUT ANY BUSINESS OR ACTIVITY FOR ANY OTHER PURPOSE, UNLESS WRITTEN AUTHORIZATION FOR SUCH SOUND AMPLIFICATION HAS BEEN OBTAINED FROM THE MAYOR OR CHIEF OF POLICE.

4. CONSTRUCTION EQUIPMENT AND ACTIVITY. THE OPERATION OF ANY EQUIPMENT OR THE PERFORMING OF ANY OUTSIDE CONSTRUCTION OR REPAIR WORK ON BUILDINGS, STRUCTURES, ROADS, OR PROJECTS WITHIN THE CITY BETWEEN THE HOURS OF 10:00 P.M. AND 7:00 A.M. UNLESS A WRITTEN AUTHORIZATION FOR SUCH CONSTRUCTION OR REPAIR WORK BETWEEN SUCH HOURS HAS BEEN OBTAINED FROM THE MAYOR OR CHIEF OF POLICE.
5. EXHAUSTS. THE DISCHARGING INTO THE OPEN AIR OF THE EXHAUST OF ANY INTERNAL COMBUSTION ENGINE, MOTOR BOAT, OR MOTOR VEHICLE EXCEPT THROUGH A MUFFLER OR OTHER DEVICE WHICH WILL EFFECTIVELY PREVENT LOUD OR EXPLOSIVE NOISES THEREFROM.
6. ANIMALS AND BIRDS. THE KEEPING OF ANY ANIMAL OR BIRD WHICH BY FREQUENT OR CONTINUOUS BARKING, CHIRPING, OR OTHER MEANS OF COMMUNICATION DISTURBS THE COMFORT OR REPOSE OF THE RESIDENTS OF ANY RESIDENTIAL NEIGHBORHOOD.
7. VEHICLE REPAIR IN RESIDENTIAL AREAS. THE REPAIRING, REBUILDING, OR TESTING OF ANY MOTOR VEHICLE BETWEEN THE HOURS OF 10:00 P.M. AND 7:00 A.M. WITHIN ANY RESIDENTIAL AREA IN SUCH A MANNER AS TO DISTURB THE PEACE, QUIET, AND COMFORT OF THE RESIDENTS OF THE AREA.
8. SCHOOLS, COURTS, CHURCHES, HOSPITALS. THE CREATING OF ANY EXCESSIVE NOISE ON ANY STREET ADJACENT TO ANY SCHOOL, INSTITUTION OF LEARNING, CHURCH, OR COURT WHILE THE SAME ARE IN USE, OR ADJACENT TO ANY HOSPITAL, WHICH UNREASONABLY INTERFERES WITH THE WORKINGS OF SUCH INSTITUTIONS, OR WHICH DISTURBS OR UNDULY ANNOYS PATIENTS IN THE HOSPITAL, PROVIDED CONSPICUOUS SIGNS ARE DISPLAYED IN SUCH

STREETS INDICATING THAT THE SAME IS A SCHOOL, HOSPITAL, OR COURT STREET.

9. HAWKERS AND PEDDLERS. THE SELLING OF ANYTHING BY OUTCRY WITHIN THE RESIDENTIAL AREAS OF THE CITY, EXCEPT AT LICENSED SPORTING EVENTS, PARADES, FAIRS, CIRCUSES, AND OTHER SIMILAR LICENSED PUBLIC ENTERTAINMENT EVENTS.
10. DRUMS. THE USING OF ANY DRUM OR OTHER INSTRUMENT OR DEVICE FOR THE PURPOSE OF ATTRACTING ATTENTION BY THE CREATION OF NOISE WITHIN THE CITY, UNLESS A WRITTEN AUTHORIZATION FOR SUCH USE HAS BEEN OBTAINED FROM THE MAYOR OR CHIEF OF POLICE.

14-103 EXEMPTIONS

THE FOLLOWING USES AND ACTIVITIES SHALL BE EXEMPT FROM THE NOISE REGULATIONS SET FORTH IN THIS CHAPTER:

1. NOISES OF SAFETY SIGNALS AND WARNING DEVICES;
2. NOISES RESULTING FROM ANY AUTHORIZED EMERGENCY VEHICLE, WHEN RESPONDING TO AN EMERGENCY CALL OR ACTING IN TIME OF EMERGENCY.
3. NOISES RESULTING FROM EMERGENCY WORK, TO BE CONSTRUED AS WORK MADE NECESSARY TO RESTORE PROPERTY TO A SAFE CONDITION FOLLOWING A PUBLIC CALAMITY, OR WORK REQUIRED TO PROTECT PERSONS OR PROPERTY FROM AN IMMINENT EXPOSURE TO DANGER.

14-104 PENALTIES

ANY PERSON WHO SHALL VIOLATE ANY OF THE PROVISIONS OF THIS CHAPTER SHALL, UPON CONVICTION THEREOF, BE FINED IN AN AMOUNT NOT EXCEEDING \$500.00 OR IMPRISONMENT FOR A PERIOD NOT EXCEEDING 90 DAYS, OR BY BOTH FINE AND IMPRISONMENT. A SEPARATE OFFENSE SHALL BE DEEMED TO HAVE BEEN COMMITTED EACH DAY DURING OR UPON WHICH A VIOLATION OCCURS OR IS PERMITTED TO CONTINUE.

14-105 INJUNCTIONS

THE OPERATION OR MAINTENANCE OF ANY DEVICE, VEHICLE, OR MACHINERY IN VIOLATION OF ANY PROVISIONS OF THIS CHAPTER WHICH CAUSES DISCOMFORT OR ANNOYANCE TO REASONABLE PERSONS OF

NORMAL SENSITIVENESS OR WHICH ENDANGERS THE COMFORT, REPOSE, HEALTH, OR PEACE OF RESIDENTS OF THIS CITY SHALL BE DEEMED, AND IS DECLARED TO BE, A PUBLIC NUISANCE, AND MAY BE SUBJECT TO ABATEMENT SUMMARILY BY A RESTRAINING ORDER OR INJUNCTION ISSUED BY A COURT OF COMPETENT JURISDICTION.

CHAPTER 15: CIVIL DEFENSE

CHAPTER 15: CIVIL DEFENSE

- 15-100 DEFINITION
- 15-200 OFFICE OF CITY CIVIL DEFENSE COORDINATOR
- 15-300 ROBERTA-CRAWFORD COUNTY CIVIL DEFENSE ORGANIZATION
- 15-400 EMERGENCY POWERS
- 15-500 VOLUNTEERS
- 15-600 PENALTIES
- 15-700 LIBERALITY OF CONSTRUCTION

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15-100 DEFINITION

AS USED IN THIS CHAPTER THE TERM "CIVIL DEFENSE" SHALL MEAN THE PREPARATION FOR AND THE CARRYING OUT OF ALL EMERGENCY AND DISASTER FUNCTIONS OTHER THAN THOSE FUNCTIONS FOR WHICH MILITARY FORCES OR OTHER STATE AND FEDERAL AGENCIES ARE PRIMARILY RESPONSIBLE, TO PREVENT, MINIMIZE, AND REPAIR INJURY AND DAMAGE RESULTING FROM EMERGENCIES OR DISASTERS, OF MAN-MADE OR NATURAL ORIGIN. THESE FUNCTIONS INCLUDE, WITHOUT LIMITATION, FIRE FIGHTING SERVICES, POLICES SERVICES, MEDICAL AND HEALTH SERVICES, RESCUE, ENGINEERING, WARNING SERVICES, COMMUNICATIONS, DEFENSE FROM RADIOLOGICAL, CHEMICAL AND OTHER SPECIAL WEAPONS, EVACUATION OF PERSONS FROM STRICKEN AREAS, EMERGENCY WELFARE SERVICES, EMERGENCY TRANSPORTATION, PLANT PROTECTION, TEMPORARY RESTORATION OF PUBLIC UTILITY SERVICES, AND OTHER FUNCTIONS RELATED TO CIVILIAN PROTECTION, TOGETHER WITH ALL OTHER ACTIVITIES NECESSARY OR INCIDENTAL TO TOTAL EMERGENCY AND DISASTER PREPAREDNESS FOR CARRYING OUT THE FOREGOING FUNCTIONS.

15-200 OFFICE OF THE CITY CIVIL DEFENSE COORDINATOR

IN AGREEMENT WITH THE GOVERNING OFFICIALS, THERE IS HEREBY ESTABLISHED THE ROBERTA-CRAWFORD COUNTY CIVIL DEFENSE OFFICE. THE MAYOR OF ROBERTA WITH CONCURRENCE OF OTHER CITY OFFICIALS SHALL NOMINATE, FOR APPOINTMENT BY THE GOVERNOR, A

COORDINATOR OF CIVIL DEFENSE FOR THE CITY OF ROBERTA. WHEN APPOINTED, THE CIVIL DEFENSE COORDINATOR IS CHARGED WITH THE FOLLOWING DUTIES:

- A. TO REPRESENT THE GOVERNING OFFICIALS OF THE CITY OF ROBERTA ON MATTERS PERTAINING TO CIVIL PRE-PAREDNESS;
- B. TO ASSIST ROBERTA OFFICIALS IN ORGANIZING CITY DEPARTMENTS OF EMERGENCY OPERATIONS;
- C. TO DEVELOP, IN CONJUNCTION WITH CITY DEPARTMENTS AND AGENCIES, THE ROBERTA-CRAWFORD COUNTY CIVIL DEFENSE PLAN FOR EMERGENCY FUNCTIONS SET FORTH IN SECTION I OF THIS ORDINANCE. SUCH PLAN WILL BE IN CONSONANCE WITH THE STATE EMERGENCY OPERATIONS PLAN AND SHALL BE SUBMITTED TO THE GOVERNING OFFICIALS OF ROBERTA-CRAWFORD COUNTY, AND THEN TO THE STATE CIVIL DEFENSE DIRECTOR FOR APPROVAL.
- D. TO MAINTAIN THE CIVIL DEFENSE OFFICE IN CARRYING OUT THE DAY TO DAY ADMINISTRATION OF THE ROBERTA-CRAWFORD COUNTY CIVIL PREPAREDNESS REPORTS TO THE STATE CIVIL DEFENSE OFFICE.
- E. TO RENDER REPORTS SUCH AS FINANCIAL, DAILY ACTIVITY, ETC. AS REQUIRED BY GOVERNING OFFICIALS IN KEEPING WITH GOOD BUSINESS PRACTICES;
- F. TO PROCURE, WITH THE AUTHORITY OF GOVERNING OFFICIALS, A FACILITY TO BE USED AS THE ROBERTA-CRAWFORD COUNTY EMERGENCY OPERATING CENTER;
- G. TO COORDINATE THE ACTIVITIES OF THE ROBERTA-CRAWFORD COUNTY EMERGENCY CENTER STAFF DURING PERIOD OF A DECLARED EMERGENCY, AND UNDER THE SUPERVISION OF ROBERTA-CRAWFORD COUNTY GOVERNING OFFICIALS.

15-300 ROBERTA-CRAWFORD COUNTY CIVIL DEFENSE ORGANIZATION

THE ROBERTA-CRAWFORD COUNTY CIVIL DEFENSE ORGANIZATION SHALL BE ESTABLISHED AROUND EXISTING CITY DEPARTMENTS AND AGENCIES AND THE EMERGENCY FUNCTIONS LISTED IN SECTION I ABOVE ARE ASSIGNED AS FOLLOWS:

DEPARTMENT	EMERGENCY FUNCTIONS
1. EXECUTIVE. (CITY ELECTED OFFICIALS)	..DIRECTION & CONTROL PUBLIC INFORMATION SUPPLY - FINANCES
2. POLICE (CITY POLICE DEPARTMENT)	..SECURITY, MOVEMENT SEARCH, COMMUNICATIONS WARNING
3. FIRE CONTROL (CITY FIRE DEPARTMENT)	..FIRE CONTROL, RESCUE, DAMAGE ASSESSMENT
4. PUBLIC WORKS & ENGINEERINGUTILITIES AND PUBLIC SERVICES, RESTORATION, HAZARDS ANALYSIS
5. HUMAN RESOURCES, INCLUDINGHUMAN NEEDS, INCLUDING:
A. DIVISION OF FAMILY & CHILDREN'S SERVICES	WELFARE HEALTH CONTROL
B. DIVISION OF PHYSICAL HEALTH	MEDICAL AND MORTUARY
C. HOSPITAL SERVICES	SERVICES
D. AMBULANCE SERVICES	CASUALTY TRANSPORT
6. CIVIL DEFENSE.SHELTER, RADAR RESCUE, ASSISTANCE IN INDUSTRIAL & INSTITUTIONAL EMERGENCY PLANNING

HEADS OF DEPARTMENTS LISTED ABOVE ARE RESPONSIBLE FOR DEVELOPING THE PLAN FOR THEIR ASSIGNED EMERGENCY FUNCTION. SUCH PLANS WILL BE SUBMITTED THROUGH THE CIVIL DEFENSE COORDINATOR TO THE MAYOR AND GOVERNING OFFICIALS OF THE CITY FOR APPROVAL.

15-400 EMERGENCY POWERS

IN THE EVENT OF MAN-MADE OR NATURAL DISASTER, ACTUAL ENEMY ATTACK UPON THE UNITED STATES OR ANY OTHER EMERGENCY WHICH MAY AFFECT THE LIVES AND PROPERTY OF THE CITIZENS OF ROBERTA, THE MAYOR OF THE CITY OF ROBERTA AND THE GOVERNING OFFICIALS OF THE CITY MAY DECLARE THAT A STATE OF EMERGENCY EXISTS AND THEREAFTER SHALL HAVE AND MAY EXERCISE FOR SUCH PERIOD AS SUCH STATE OF EMERGENCY EXISTS OR CONTINUES, THE FOLLOWING POWERS:

- A. TO ENFORCE ALL RULES, LAWS, AND REGULATIONS RELATING TO CIVIL DEFENSE AND TO ASSUME DIRECT OPERATIONAL CONTROL OVER ALL CIVIL DEFENSE

RESOURCES;

- B. TO SEIZE, TAKE FOR TEMPORARY USE, OR CONDEMN ANY PROPERTY FOR THE PROTECTION OF THE PUBLIC;
- C. TO SELL, LEND, GIVE, OR DISTRIBUTE ALL OR ANY SUCH PROPERTY OR SUPPLIES AMONG THE INHABITANTS OF THE CITY; TO MAINTAIN A STRICT ACCOUNTING OF PROPERTY OR SUPPLIES DISTRIBUTED AND FOR FUNDS RECEIVED FOR SUCH PROPERTY OR SUPPLIES;
- D. TO PERFORM AND EXERCISE SUCH OTHER FUNCTIONS AND DUTIES, AND TAKE SUCH EMERGENCY ACTIONS AS MAY BE NECESSARY TO PROMOTE AND SECURE THE SAFETY, PROTECTION AND WELL BEING OF THE INHABITANTS OF THE CITY.

15-500 VOLUNTEERS

ALL PERSONS, OTHER THAN OFFICERS AND EMPLOYEES OF THE CITY, PERFORMING EMERGENCY FUNCTIONS PURSUANT TO THIS ORDINANCE, SHALL SERVE WITH OR WITHOUT COMPENSATION. WHILE ENGAGED IN SUCH EMERGENCY FUNCTIONS, DULY ASSIGNED VOLUNTEERS SHALL HAVE THE SAME IMMUNITIES AS CITY OFFICERS AND EMPLOYEES.

15-600 PENALTIES

ANY PERSON VIOLATING ANY PROVISION OF THIS ORDINANCE, OR ANY RULE, ORDER, OR REGULATION MADE PURSUANT TO THIS ORDINANCE, SHALL UPON CONVICTION THEREOF, BE PUNISHABLE AS A MISDEMEANOR.

15-700 LIBERALITY OF CONSTRUCTION

THIS ORDINANCE SHALL BE CONSTRUED LIBERALLY IN ORDER TO EFFECTUATE ITS PURPOSE.

CHAPTER 16: PROHIBITION OF RAISING OR KEEPING SWINE

CHAPTER 16: PROHIBITION OF RAISING OR KEEPING SWINE

16-100 FINDINGS

16-200 PROVISIONS

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16-100 FINDINGS

- A. THE MAYOR AND COUNCIL OF THE CITY OF ROBERTA FIND ON THE BASIS OF A STUDY CONDUCTED AT THEIR INSTANCE THAT THE RAISING OR KEEPING OF SWINE IN THE CITY OF ROBERTA IS A HAZARD TO THE HEALTH AND GENERAL WELFARE OF THE INHABITANTS OF THIS CITY.
- B. THEY FIND FURTHER THAT CRAWFORD COUNTY IS A LARGE LAND-AREA COUNTY, SPARSELY POPULATED, IN MANY AREAS OF WHICH THERE IS AMPLE LAND AVAILABLE FOR THE RAISING AND KEEPING OF SWINE AT POINTS DISTANT FROM HOMES, PLACES OF BUSINESS, SCHOOLS AND OTHER INSTITUTIONS WITHIN THE CITY SO THAT THOSE PERSONS, FIRMS AND CORPORATIONS DESIRING TO RAISE OR KEEP SWINE MAY DO SO OUTSIDE THE CITY OF ROBERTA.
- C. IT IS ESSENTIAL TO PROTECT THE HEALTH AND GENERAL WELFARE OF THE INHABITANTS OF THE CITY OF ROBERTA THAT THE KEEPING AND RAISING OF SWINE WITHIN THE CITY BE PROHIBITED AFTER REASONABLE NOTICE TO THOSE WHO NOW KEEP OR RAISE SWINE WITHIN THE CITY.
- D. SIXTY (60) DAYS NOTICE TO THOSE WHO PRESENTLY RAISE OR KEEP SWINE WITHIN THE CITY OF ROBERTA IS A SUFFICIENT FAIR NOTICE FOR SUCH PERSONS, FIRMS OR CORPORATIONS TO REMOVE THEIR SWINE-KEEPING AND SWINE-RAISING BUSINESSES OUTSIDE THE CITY.

16-200 PROVISIONS

- A. FROM AND AFTER SIXTY (60) DAYS AFTER THE ADOPTION OF THIS ORDINANCE IT SHALL BE UNLAWFUL FOR ANY PERSON, FIRM OR CORPORATION TO RAISE OR TO PERMIT SWINE TO BE RAISED ON PREMISES THAT SUCH PERSON, FIRM OR CORPORATION OWNS OR CONTROLS WITHIN THE CORPORATE LIMITS OF THE CITY OF ROBERTA, GEORGIA.

- B. THE CHIEF OF POLICE SHALL CAUSE A COPY OF THIS CHAPTER TO BE SERVED PERSONALLY UPON EACH PERSON NOW FOUND KEEPING AND/OR RAISING SWINE ON PREMISES OWNED OR CONTROLLED BY HIM, WITHIN THE CITY OF ROBERTA. THE CHIEF OF POLICE SHALL MAKE AND KEEP A JOURNAL ENTRY OF THE DATE HE GAVE SUCH NOTICE, THE NAMES OF THE PERSONS NOTIFIED AND THE AGENT OF THE POLICE DEPARTMENT WHO GAVE THE NOTICE.
- C. ALL PERSONS, FIRMS OR CORPORATIONS HEREINAFTER KEEPING OR RAISING SWINE WITHIN THE CITY OF ROBERTA SIXTY (60) DAYS AFTER THE ADOPTION OF THIS ORDINANCE SHALL BE GUILTY OF A VIOLATION OF CITY LAW AND SHALL, UPON CONVICTION, BE FINED AND IMPRISONED OR FINED OR IMPRISONED IN SUCH AMOUNT AND FOR SUCH TERM AS THE MAYOR'S COURT SHALL IMPOSE IN KEEPING WITH THE POWERS OF THE MAYOR'S COURT TO IMPOSE PUNISHMENT.
- D. THIS CHAPTER DOES NOT APPLY TO THE TRANSPORTATION OF SWINE IN, INTO OR THROUGH THE CITY IN BONA FIDE TRANSPORT.
- E. PERSONAL NOTICE OF THE ENACTMENT OF THIS ORDINANCE SHALL BE GIVEN TO PERSONS KEEPING OR RAISING SWINE ON THE DATE OF THE ENACTMENT. THEREAFTER NO OTHER PERSONAL NOTICE IS REQUIRED, THE ENACTMENT OF THIS ORDINANCE BEING SUFFICIENT NOTICE TO ALL OTHERS.

**CHAPTER 17: BUILDINGS AND STRUCTURES DANGEROUS OR DETRIMENTAL TO THE
PUBLIC**

CHAPTER 17: BUILDINGS AND STRUCTURES DANGEROUS OR DETRIMENTAL TO THE PUBLIC

17-100 FINDINGS

17-200 PROVISIONS

17-100 FINDINGS

WHEN IT HAS BEEN BROUGHT TO THE ATTENTION OF THE CITY COUNCIL THAT A BUILDING OR STRUCTURE LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY IS DANGEROUS OR DETRIMENTAL TO THE PUBLIC, THE OWNER OR OWNERS OF SAID BUILDING OR STRUCTURE SHALL BE GIVEN NOTICE BY CERTIFIED MAIL TO APPEAR BEFORE THE CITY COUNCIL FOR A HEARING ON A DAY CERTAIN TO SHOW CAUSE WHY THE BUILDING OR STRUCTURE SHOULD NOT BE REPAIRED OR DESTROYED AND REMOVED.

17-200 PROVISIONS

- A. UPON SAID HEARING, IF IT IS DETERMINED THAT SAID BUILDING OR STRUCTURE IS DANGEROUS OR DETRIMENTAL TO THE PUBLIC, THE OWNER OR OWNERS SHALL BE NOTIFIED, WITHIN TEN DAYS OF SAID HEARING, THAT THE BUILDING OR STRUCTURE MUST BE REPAIRED OR DESTROYED AND REMOVED BY SAID OWNER OR OWNERS WITHIN SIXTY DAYS FROM THE DATE OF THE NOTICE.
- B. UPON THE ELAPSE OF SIXTY DAYS FROM THE DATE OF SAID NOTICE, IF THERE HAS BEEN NO SUBSTANTIAL UNDERTAKING BY THE OWNER OR OWNERS TO REPAIR OR DESTROY AND REMOVE SAID BUILDING OR STRUCTURE, THE CITY SHALL, WITH ITS OWN PERSONNEL AND EQUIPMENT OR BY CONTRACT WITH PRIVATE COMPANIES, UNDERTAKE TO DESTROY AND REMOVE SAID BUILDING OR STRUCTURE AND THE OWNER OR OWNERS SHALL BE ASSESSED AND SHALL BE LIABLE FOR THE ACTUAL COST OF SUCH DESTRUCTION AND REMOVAL.

CHAPTER 18 (RESERVED)

CHAPTER 19 (RESERVED)

CHAPTER 20: WATER SERVICE

CHAPTER 20: WATER SERVICE

- 20-101 MUNICIPAL WATER WORKS
- 20-102 INSPECTIONS AND EXTENSIONS OF SYSTEMS
- 20-103 APPLICATION FOR WATER
- 20-104 TAPPING CHARGE
- 20-105 SIZE OF SERVICE TAP
- 20-106 WATER METERS
- 20-107 SERVICE LINE REGULATIONS
- 20-108 WATER WASTE PROHIBITION
- 20-109 SPRINKLING RESTRICTIONS
- 20-110 USE DURING FIRE ALARMS
- 20-111 METER READING, WATER BILLING, AND COLLECTION
- 20-112 SUSPENSION OF SERVICE
- 20-113 CUSTOMER'S RESPONSIBILITY AND LIABILITY
- 20-114 CITY'S RESPONSIBILITY AND LIABILITY
- 20-115 CHANGE OF OCCUPANCY
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- 20-119 CLIMBING OF STORAGE FACILITIES
- 20-120 DAMAGE TO CITY WATER PROPERTY
- 20-121 TAMPERING WITH WATER METERS
- 20-122 RATES AND CHARGES

20-123 PENALTIES

20-101 MUNICIPAL WATER WORKS

THE MUNICIPAL WATER WORKS SHALL BE UNDER THE IMMEDIATE CONTROL AND SUPERVISION OF THE DIRECTOR OF PUBLIC WORKS, WHO SHALL PERFORM ALL ACTS THAT MAY BE NECESSARY FOR THE PRUDENT, EFFICIENT, AND ECONOMICAL MANAGEMENT AND PROTECTION OF SAID WATER WORKS, SUBJECT TO THE APPROVAL AND CONFIRMATION OF THE MAYOR AND COUNCIL.

20-102 INSPECTIONS AND EXTENSIONS OF SYSTEMS

DULY AUTHORIZED AGENTS OF THE CITY SHALL HAVE ACCESS AT ALL HOURS TO THE PREMISES OF THE CONSUMER FOR THE PURPOSE OF INSTALLING OR REMOVING CITY PROPERTY, INSPECTION, PIPING, READING AND TESTING METERS, OR FOR ANY OTHER PURPOSE IN CONNECTION WITH THE WATER SERVICE AND ITS FACILITIES. EXTENSIONS TO THE SYSTEM SHALL BE MADE ONLY WHEN THE CONSUMER SHALL GRANT OR CONVEY, OR SHALL CAUSE TO BE GRANTED OR CONVEYED TO THE CITY A PERMANENT EASEMENT OF RIGHT-OF-WAY ACROSS PROPERTY TRAVERSED BY THE WATER LINES.

20-103 APPLICATION FOR WATER

APPLICATION FOR THE USE OF WATER SHALL BE MADE TO THE CITY CLERK BY THE OWNER OR AGENT OF THE PROPERTY TO BE BENEFITTED, DESIGNATING THE LOCATION OF THE PROPERTY AND STATING THE PURPOSE FOR WHICH THE WATER MAY BE REQUIRED.

20-104 TAPPING CHARGE

1. UPON THE APPLICATION FOR A NEW TAP AND SERVICE CONNECTION BY ANY CONSUMER WITHIN THE MUNICIPALITY, THE APPLICANT SHALL PAY TO THE CITY CLERK THE AMOUNT SPECIFIED IN THE RATES AND CHARGES SECTION OF THIS CHAPTER.
2. THE MUNICIPALITY SHALL OWN AND MAINTAIN THE WATER LINE FROM THE MAIN TO THE CURB BOX AND THE PROPERTY OWNER SHALL OWN AND MAINTAIN THE SERVICE LINE FROM THE CURB BOX TO THE PREMISES SERVED.
3. ALL WORK UPON THE SERVICE LINE SHALL BE PERFORMED BY A LICENSED PLUMBER.

20-105 SIZE OF SERVICE TAP

NO SERVICE TAP SHALL BE MORE THAN THREE-FOURTHS INCH IN DIAMETER; PROVIDED THAT THE DIRECTOR OF PUBLIC WORKS MAY GRANT SPECIAL PERMISSION FOR LARGER TAPS WHERE THE WATER SUPPLY AND SERVICE FACILITIES ARE SUFFICIENT TO PERMIT SUCH TAPS.

20-106 WATER METERS

EACH BUILDING OR STRUCTURE USING CITY WATER SHALL HAVE A WATER METER INSTALLED BY THE CITY. ALL SUCH METERS ARE THE PROPERTY OF THE CITY.

20-107 SERVICE LINE REGULATIONS

NO MORE THAN ONE BUILDING SHALL BE PERMITTED TO USE A WATER SERVICE LINE. ONLY GALVANIZED PIPE SHALL BE USED FOR THE INSTALLATION OF A SERVICE LINE AND ALL SERVICE LINES SHALL BE INSTALLED AT A DEPTH AT LEAST 40 INCHES BELOW THE SURFACE OF THE GROUND. EACH SERVICE LINE SHALL CONTAIN A STOP AND WASTE COCK WHERE THE WATER MAY BE TURNED OFF.

20-108 WATER WASTE PROHIBITION

CONSUMERS SHALL PREVENT UNNECESSARY WASTE OF WATER AND KEEP ALL WATER OUTLETS CLOSED WHEN NOT IN ACTUAL USE. HYDRANTS, URINALS, WATER CLOSETS, BATH TUBS, AND OTHER FIXTURES MUST NOT BE LEFT RUNNING FOR ANY PURPOSE OTHER THAN THE USE FOR WHICH THEY WERE INTENDED. WHEN ANY SUCH WASTE OCCURS, THE WATER SERVICE MAY BE TERMINATED.

20-109 SPRINKLING RESTRICTIONS

IN CASE OF WATER SHORTAGE OR SCARCITY, THE MAYOR AND COUNCIL MAY BY RESOLUTION PLACE ANY RESTRICTIONS UPON THE USE OF WATER FOR IRRIGATION OR SPRINKLING PURPOSE WHICH SUCH BODY DEEMS NECESSARY.

20-110 USE DURING FIRE ALARMS

DURING ALL FIRE ALARMS THE USE BY PERSONS OTHER THAN MUNICIPAL FIREFIGHTERS OF HOSES AND OTHER APPARATUSES MAINTAINING A CONSTANT FLOW OF WATER IS ABSOLUTELY FORBIDDEN.

20-111 METER READING, WATER BILLING AND COLLECTION

BILLS TO CUSTOMERS FOR WATER SERVICE SHALL BE MAILED OUT ON SUCH DAY OR DAYS OF EACH MONTH AS MAY BE DETERMINED AS DESIRABLE BY THE CITY. THE FAILURE OF WATER USERS TO PAY

CHARGES DULY IMPOSED SHALL RESULT IN THE AUTOMATIC IMPOSITION OF THE FOLLOWING PENALTIES:

1. NON-PAYMENT WITHIN TEN DAYS FROM THE DUE DATE WILL BE SUBJECT TO A PENALTY OF TEN PERCENT OF THE DELINQUENT ACCOUNT.
2. NON-PAYMENT WITHIN TWENTY DAYS FROM THE DUE DATE WILL RESULT IN THE WATER BEING SHUT OFF FROM THE WATER USER'S PROPERTY.
3. NON-PAYMENT FOR THIRTY DAYS AFTER THE DUE DATE WILL ALLOW THE CITY, IN ADDITION TO ALL OTHER RIGHTS AND REMEDIES, TO TERMINATE AGREEMENT, AND IN SUCH EVENT THE WATER USER SHALL NOT BE ENTITLED TO RECEIVE, NOR THE CITY OBLIGATED TO SUPPLY ANY WATER UNDER THIS AGREEMENT.
4. WATER SERVICE SHALL NOT BE RECONNECTED UNTIL CUSTOMER'S DELINQUENT BILL, INCLUDING PENALTY AND DISCONNECTION CHARGES HAVE BEEN PAID IN FULL. SHOULD SUCH CUSTOMER THEREAFTER DESIRE TO BE RECONNECTED TO THE WATER SYSTEM, A RECONNECTION CHARGE SHALL BE MADE. BILLS SHALL BE PAID AT THE CITY HALL AND FAILURE TO RECEIVE BILLS OR NOTICES SHALL NOT PREVENT SUCH BILL FROM BECOMING DELINQUENT NOR RELIEVE THE CONSUMER FROM PAYING SAME.

20-112 SUSPENSION OF SERVICE

WHEN WATER SERVICE IS DISCONTINUED AND ALL BILLS ARE PAID, THE SECURITY DEPOSIT SHALL BE REFUNDED TO THE CONSUMER BY THE CITY.

1. UPON DISCONTINUANCE OF SERVICE FOR NON-PAYMENT OF BILLS THE SECURITY DEPOSIT WILL BE APPLIED BY THE CITY TOWARD SETTLEMENT OF THE ACCOUNT. ANY BALANCE WILL BE REFUNDED TO THE CONSUMER; HOWEVER, IF THE SECURITY DEPOSIT IS INSUFFICIENT TO COVER THE BILL, THE CITY MAY PROCEED TO COLLECT THE BALANCE IN THE USUAL WAY PROVIDED BY LAW FOR COLLECTION OF DEBTS.
2. SERVICES DISCONNECTED FOR NON-PAYMENT OF BILL WILL BE RESTORED ONLY AFTER BILLS ARE PAID IN FULL, SUCH SECURITY DEPOSIT AS MAY BE REQUESTED BY THE WATER BOARD IS MADE, AND SERVICE CHARGES PAID FOR EACH METER RECONNECTED.
3. THE CITY RESERVES THE RIGHT TO DISCONTINUE ITS SERVICE

WITHOUT NOTICE FOR THE FOLLOWING ADDITIONAL REASONS:

- A. TO PREVENT FRAUD AND ABUSE;
- B. CONSUMER'S WILLFUL DISREGARD TO THE CITY'S RULES;
- C. EMERGENCY REPAIRS;
- D. INSUFFICIENCY OF WATER SUPPLY DUE TO CIRCUMSTANCES BEYOND THE CITY'S CONTROL;
- E. LEGAL PROCESSES;
- F. DIRECTION OF PUBLIC AUTHORITIES;
- G. STRIKE, FOOD RIOT, UNAVOIDABLE ACCIDENTS.

20-113 CUSTOMER'S RESPONSIBILITY AND LIABILITY

WATER FURNISHED BY THE CITY SHALL BE USED FOR CONSUMPTION BY THE CUSTOMER, MEMBERS OF HIS HOUSEHOLD AND EMPLOYEES ONLY. THE CONSUMER SHALL NOT SELL TO ANY OTHER PERSON OR PERMIT ANY OTHER PERSON TO USE SAID WATER. WATER SHALL NOT BE USED FOR IRRIGATION, FIRE PROTECTION NOR OTHER PURPOSES, EXCEPT WHEN WATER IS AVAILABLE IN SUFFICIENT QUANTITY WITHOUT INTERFERING WITH THE REGULAR DOMESTIC CONSUMPTION IN THE AREA SERVED. DISREGARD FOR THIS RULE SHALL BE SUFFICIENT CAUSE FOR REFUSAL AND/OR DISCONTINUANCE OF SERVICE.

1. WHERE METER OR METER BOX IS PLACED ON THE SAME PREMISES OF A CONSUMER, A SUITABLE PLACE SHALL BE PROVIDED BY THE CONSUMER THERE FOR, UNOBSTRUCTED AND ACCESSIBLE AT ALL TIMES TO THE METER READER.
2. THE CUSTOMER SHALL FURNISH AND MAINTAIN A PRIVATE CUT-OFF VALVE BY THE CONSUMER AT THE CUSTOMER'S EXPENSE, IN A SAFE AND EFFICIENT MANNER, AND IN ACCORDANCE WITH THE SANITARY REGULATIONS OF THE GEORGIA STATE HEALTH DEPARTMENT.

20-114 CITY'S RESPONSIBILITY AND LIABILITY

THE CITY SHALL RUN A SERVICE LINE FROM ITS DISTRIBUTION LINE TO THE PROPERTY LINE WHERE THE DISTRIBUTION LINE EXISTS OR IS TO BE CONNECTED, AND RUNS IMMEDIATELY ADJACENT AND PARALLEL TO THE PROPERTY TO BE SERVED.

1. THE CITY MAY INSTALL ITS METER AT OR NEAR THE PROPERTY LINE OR, AT THE CITY'S OPTION, ON THE CUSTOMER'S PROPERTY WITHIN FIVE FEET OF THE PROPERTY LINE.
2. THE CITY RESERVES THE RIGHT TO REFUSE SERVICE UNLESS CONSUMER'S LINES OR PIPING ARE INSTALLED IN SUCH A MANNER AS TO PREVENT CROSS CONNECTIONS OR BACK-FLOW.
3. UNDER NORMAL CONDITIONS, THE CONSUMER WILL BE NOTIFIED OF ANY ANTICIPATED INTERRUPTIONS OF SERVICE BY THE CITY. IN THE EVENT OF EMERGENCY SHUT DOWNS OR NATURAL DISASTERS, THE CUSTOMER MAY OR MAY NOT BE NOTIFIED.

20-115 CHANGE OF OCCUPANCY

NOT LESS THAN THREE DAYS NOTICE MUST BE GIVEN IN PERSON OR IN WRITING AT THE CITY HALL TO DISCONTINUE WATER SERVICE OR TO CHANGE OCCUPANCY. THE OUTGOING PARTY SHALL BE RESPONSIBLE FOR ALL WATER CONSUMED UP TO THE TIME OF DEPARTURE OR THE TIME SPECIFIED FOR DEPARTURE WHICHEVER PERIOD IS LONGER. THE NEW OCCUPANT SHALL APPLY FOR WATER SERVICE WITHIN 48 HOURS AFTER OCCUPYING THE PREMISES AND FAILURE TO DO SO WILL MAKE HIM LIABLE FOR PAYING FOR THE WATER CONSUMED SINCE THE LAST METER READING.

20-116 COMPLAINTS AND ADJUSTMENTS

IF THE CONSUMER BELIEVES HIS BILL TO BE IN ERROR, HE SHALL PRESENT HIS CLAIM, IN PERSON, AT THE CITY HALL BEFORE THE BILL BECOMES DELINQUENT. SUCH CLAIM, IF MADE AFTER THE BILL HAS BECOME DELINQUENT, SHALL NOT BE EFFECTIVE IN PREVENTING DISCONTINUANCE OF SERVICE AS HERETOFORE PROVIDED. THE CONSUMER MAY PAY SUCH BILL UNDER PROTEST AND SAID PAYMENT SHALL NOT PREJUDICE HIS CLAIM.

1. THE CITY WILL MAKE A SPECIAL WATER METER READING AT THE REQUEST OF A CUSTOMER UPON PAYMENT TO THE CITY OF THE FEE PROVIDED IN SECTION 20-122.8; PROVIDED, HOWEVER, THAT IF THE METER IS FOUND TO OVER-REGISTER BEYOND 3% OF THE CORRECT VOLUME, NO CHARGE WILL BE MADE.
2. IF THE SEAL OF A METER IS BROKEN BY OTHER THAN THE CITY'S REPRESENTATIVE OR IF THE METER FAILS TO REGISTER PROPERLY OR CORRECTLY OR IS STOPPED FOR ANY CAUSE, THE CUSTOMER SHALL PAY AN AMOUNT ESTIMATED FROM THE RECORD OF HIS PREVIOUS BILLS AND/OR FROM OTHER PROPER DATA.

20-117 RELOCATION OF METER AND SERVICE

ANY RELOCATION OF METER AND SERVICE LINES REQUESTED BY A CONSUMER SHALL BE PERFORMED AT THE EXPENSE OF THE CUSTOMER, IF HOWEVER, THE CITY HAS A LEGALLY SIGNED RIGHT-OF-WAY EASEMENT.

20-118 PRIVATE WELLS

THE DIGGING OF PRIVATE WELLS WITHIN THE CORPORATE LIMITS OF THE CITY IS PROHIBITED WITHOUT THE PRIOR PERMISSION OF THE MAYOR AND COUNCIL. IN THE EVENT PERMISSION IS GIVEN, THE WATER FROM SAID WELL CANNOT BE USED FOR HUMAN CONSUMPTION. IN ORDER TO BE RECEIVED AS A CUSTOMER AND ENTITLED TO RECEIVE WATER FROM THE CITY'S WATER SYSTEM, ALL APPLICANTS MUST OFFER PROOF THAT ANY PRIVATE WELLS LOCATED ON THEIR PROPERTY ARE NOT PHYSICALLY CONNECTED TO THE LINES OF THE CITY'S WATER SYSTEM AND ALL APPLICANTS BY BECOMING CUSTOMERS OF THE CITY COVENANT AND AGREE THAT SO LONG AS THEY CONTINUE TO BE CUSTOMERS OF THE CITY THEY WILL NOT PERMIT THE CONNECTION OF ANY PRIVATE WELLS ON THEIR PROPERTY TO THE CITY'S WATER SYSTEM.

20-119 CLIMBING OF STORAGE FACILITIES

ANY PERSON WHO SHALL CLIMB ONTO OR UPON ANY STRUCTURE CONTAINING WATER IN THE MUNICIPALITY WITHOUT PRIOR PERMISSION OR AUTHORIZATION OF THE MAYOR AND COUNCIL SHALL BE SUBJECT TO PUNISHMENT.

20-120 DAMAGE TO CITY WATER PROPERTY

ANY PERSON WHO SHALL WILLFULLY OR NEGLIGENTLY DAMAGE OR CAUSE DAMAGE TO ANY FIRE HYDRANT, WATER METER, METER BOX, WATER TANK, STORAGE AREA, WATER PUMPS AND ENCLOSURES, OR ANY OTHER CITY WATER PROPERTY SHALL BE LIABLE FOR THE COST OF REPAIRING SAME. IF SUCH DAMAGE IS CAUSED WILLFULLY, SUCH PERSON SHALL BE SUBJECT TO THE MAXIMUM PUNISHMENT.

20-121 TAMPERING WITH WATER METER

ANY PERSON CAUGHT TAMPERING WITH WATER METER OR CUT-OFF LOCATED IN METER BOX WILL BE CHARGED WITH VIOLATION OF THIS SECTION OF THIS CHAPTER AND PUNISHED.

20-122 RATES AND CHARGES

1. TAP IN CHARGES, NEW SERVICE. THE CHARGES FOR NEW SERVICE SHALL BE AS FOLLOWS:

A.	3/4" TAP	\$ 150.00
B.	1" TAP	175.00
C.	1-1/2" TAP	300.00
D.	2" TAP	550.00
E.	4" TAP	2,000.00
F.	6" TAP	4,000.00

2. WATER RATES

A. RESIDENTIAL RATES INSIDE CITY: THE FOLLOWING RATES APPLY TO ALL RESIDENTIAL WATER USERS INSIDE THE CORPORATE LIMITS OF THIS MUNICIPALITY:

1. 0 - 2000 GAL \$ 4.25 PER MONTH MINIMUM
2. 2,000-5,000 GAL \$ 1.00 PER THOUSAND GALS
3. 5,000-10,000 GAL \$ 0.90 PER THOUSAND GALS
4. ALL OVER 10,000 GAL .80 PER THOUSAND GALS

B. OUTSIDE RESIDENTIAL, COMMERCIAL, AND INDUSTRIAL RATES: THE FOLLOWING RATE SHALL APPLY TO ALL OUTSIDE RESIDENTIAL WATER USERS AND ALL COMMERCIAL AND INDUSTRIAL WATER USERS INSIDE OR OUTSIDE THE CORPORATE LIMITS OF THIS MUNICIPALITY:

1. 0-2,000 GALLONS \$ 6.50 PER MONTH MINIMUM
2. 2,000-5,000 GAL \$ 1.10 PER THOUSAND GALS
3. 5,000-10,000 GAL \$ 1.00 PER THOUSAND GALS
4. ALL OVER 10,000 GAL .90 PER THOUSAND GALS

C. MINIMUM MONTHLY RATE: THE MINIMUM MONTHLY RATE SHALL BE CHARGED IRRESPECTIVE OF WHETHER ANY WATER IS USED BY A CONSUMER OR USER DURING THE MONTH, FOR ALL TYPES OF CUSTOMERS.

3. SPRINKLER SYSTEM RENTAL

THE RENT FOR STAND-BY SPRINKLER SYSTEM SERVICE SHALL BE \$50.00 PER ANNUM PER SYSTEM, PROVIDED THE SYSTEM IS DRAINED ONLY ONCE A YEAR. A CHARGE OF \$20.00 WILL BE MADE FOR EACH ADDITIONAL DRAINAGE. THE \$50.00 IS DUE BY JANUARY 1ST OF EACH YEAR, AND IF NOT PAID BY MARCH 1ST, SERVICE WILL BE DISCONTINUED.

4. FIRE HOSE CONNECTIONS

ALL ESTABLISHMENTS THAT HAVE IN-HOUSE FIRE HOSES OR CONNECTIONS FOR SAME, PROVIDED SERVICE IS

CONNECTED DIRECTLY TO CITY MAIN WILL PAY \$25.00 PER YEAR. THE \$25.00 WILL BE DUE JANUARY 1ST OF EACH YEAR.

5. DISCONNECT AND RECONNECT CHARGES

THERE SHALL BE A CHAGE OF \$7.00 FOR RESIDENTS OF ROBERTA AND A CHARGE OF \$15.00 FOR NON-RESIDENTS FOR EACH SERVICE DISCONNECTED OR TURNED OFF DUE TO NON-PAYMENTS, OR OTHER RELATED SERVICE INTERRUPTIONS REQUESTED BY THE CUSTOMER.

6. METER DEPOSITS OUTSIDE CORPORATE LIMITS

1. ALL CONSUMERS OR USERS OF THE MUNICIPAL WATER SYSTEM WILL DEPOSIT WITH THE CITY CLERK IN PERSON A DEPOSIT IN THE AMOUNT OF \$15.00 AS SECURITY TO THE CITY. THIS DEPOSIT WILL BE RETURNED WHEN SERVICE IS DISCONTINUED PROVIDED THE BILLS HAVE BEEN PAID IN FULL.

2. IN EXTREME CASES OR FOR SERVICES THAT HAVE BEEN DISCONNECTED FOR NON-PAYMENT, A SECURITY DEPOSIT OF MORE THAN \$15.00 COULD BE REQUIRED. THIS DEPOSIT WILL BE DETERMINED BY THE MAYOR OR CHAIRMAN OF THE WATER BOARD.

7. METER DEPOSITS INSIDE CORPORATE LIMITS

1. ALL CUSTOMERS WHO RENT OR LEASE RESIDENCES OR COMMERCIAL ESTABLISHMENTS THAT REQUIRE WATER AND SEWER SERVICES WILL BE REQUIRED TO DEPOSIT WITH THE CITY CLERK, IN PERSON, A DEPOSIT IN THE AMOUNT OF \$20.00 AS SECURITY TO THE CITY. THIS DEPOSIT WILL BE RETURNED WHEN THE SERVICE IS DISCONTINUED PROVIDED THE BILLS HAVE BEEN PAID IN FULL.

2. CUSTOMERS WHO OWN THEIR HOME OR BUSINESS, OR IN THE PROCESS OF PURCHASING WILL NOT BE REQUIRED TO MAKE A DEPOSIT WITH THE CITY CLERK FOR WATER SERVICE. ALL TAP-IN AND CONNECTION FEES WILL APPLY.

8. METER READING AT THE REQUEST OF CUSTOMER

A FEE OF \$2.00 OR THE ACTUAL COSTS OF MAKING THE TEST, WHICHEVER IS GREATER, WILL BE CHARGED FOR READING METER AT REQUEST OF CUSTOMER, SUBJECT TO

SECTION 20-116.1.

9. CHARGES FOR WATER OUT OF STAND PIPE OR FIRE HYDRANTS

ALL WATER USED FROM FIRE HYDRANTS AND STAND PIPES FOR THE PURPOSE OF FILLING LARGE TANKS, SWIMMING POOLS AND SMALL FISH PONDS, THERE WILL BE A MINIMUM OF \$25.00 OR \$1.00 PER THOUSAND GALLONS FLAT RATE USING THE GREATER OF THE TWO.

20-123 PENALTIES

ANY PERSON WHO SHALL VIOLATE ANY OF THE PROVISIONS OF THIS CHAPTER SHALL, UPON CONVICTION, BE FINED IN AN AMOUNT NOT EXCEEDING \$500.00 OR IMPRISONMENT FOR A PERIOD NOT EXCEEDING 90 DAYS, OR BY BOTH FINE AND IMPRISONMENT.

CHAPTER 21: SANITARY SEWERAGE

CHAPTER 21: SANITARY SEWERAGE

- 21-101 DEFINITIONS
- 21-102 CONNECTION TO PUBLIC SEWERS
- 21-103 PRIVATE SEWAGE DISPOSAL
- 21-104 BUILDING SEWERS AND CONNECTIONS
- 21-105 REGULATION OF DISCHARGES INTO PUBLIC SEWERS
- 21-106 PROTECTION FROM DAMAGE
- 21-107 POWER AND AUTHORITY OF INSPECTORS
- 21-108 RATES AND CHARGES
- 21-109 PENALTIES

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21-101 DEFINITIONS

UNLESS THE CONTEXT SPECIFICALLY INDICATES OTHERWISE, THE MEANING OF TERMS USED IN THIS CHAPTER SHALL BE AS FOLLOWS:

1. SEWERAGE WORKS - ALL FACILITIES FOR COLLECTION, PUMPING, TREATING, AND DISPOSING OF SEWAGE.
2. SUPERINTENDENT - THE SUPERINTENDENT OR DIRECTOR OF PUBLIC WORKS OF THE MUNICIPALITY, OR HIS AUTHORIZED DEPUTY, AGENT OR REPRESENTATIVE, AS DESIGNATED BY THE MAYOR AND COUNCIL.
3. SEWAGE - A COMBINATION OF THE WATER-CARRIED WASTES FROM RESIDENCES, BUSINESS BUILDINGS, INSTITUTIONS, AND INDUSTRIAL ESTABLISHMENTS, TOGETHER WITH SUCH GROUND, SURFACE, AND STORM WATERS AS MAY BE PRESENT.
4. SEWER - A PIPE OR CONDUIT FOR CARRYING SEWAGE.
5. PUBLIC SEWER - A SEWER IN WHICH ALL OWNERS OF ABUTTING PROPERTIES HAVE EQUAL RIGHTS AND WHICH IS CONTROLLED BY PUBLIC AUTHORITY.

6. SANITARY SEWER - A SEWER WHICH CARRIES SEWAGE AND TO WHICH STORM, SURFACE, AND GROUND WATERS ARE NOT INTENTIONALLY ADMITTED.
7. STORM SEWER OR STORM DRAIN - A SEWER WHICH CARRIES STORM AND SURFACE WATERS AND DRAINAGE, BUT EXCLUDES SEWAGE AND POLLUTED INDUSTRIAL WASTES.
8. SEWAGE TREATMENT PLANT - ANY ARRANGEMENT OF DEVICES AND STRUCTURES OR LAGOONS USED FOR TREATING SEWAGE PRESENTLY OWNED OR AFTERWARD ACQUIRED BY THIS MUNICIPALITY.
9. INDUSTRIAL WASTES - THE LIQUID WASTES FROM INDUSTRIAL PROCESSES AS DISTINCT FROM SANITARY SEWAGE.
10. GARBAGE - SOLID WASTES FROM THE PREPARATION, COOKING, AND DISPOSING OF FOOD, AND FROM THE HANDLING, STORAGE AND SALE OF PRODUCE.
11. PROPERLY SHREDDED GARBAGE - THE WASTES FROM THE PREPARATION, COOKING, AND DISPENSING OF FOOD THAT HAVE BEEN SHREDDED TO SUCH DEGREE THAT ALL PARTICLES WILL BE CARRIED FREELY UNDER THE FLOW CONDITIONS NORMALLY PREVAILING IN PUBLIC SEWERS, WITH NO PARTICLE GREATER THAN ONE-HALF INCH IN ANY DIMENSION.
12. BUILDING DRAIN - THAT PART OF THE LOWEST HORIZONTAL PIPING OF A DRAINING SYSTEM WHICH RECEIVES THE DISCHARGE FROM SOIL, WASTE, AND OTHER DRAINAGE PIPES INSIDE THE WALLS OF THE BUILDING AND CONVEYS IT TO THE BUILDING SEWER, BEGINNING FIVE FEET OUTSIDE THE INNER FACE OF THE BUILDING WALL.
13. BUILDING SEWER - THE EXTENSION FROM THE BUILDING DRAIN TO THE PUBLIC SEWER OR OTHER PLACE OF DISPOSAL.
14. B.O.D. - (DENOTING BIOCHEMICAL OXYGEN DEMAND) - THE QUANTITY OF OXYGEN UTILIZED IN THE BIOCHEMICAL OXIDATION OF ORGANIC MATTER UNDER STANDARD LABORATORY PROCEDURE IN FIVE DAYS AT 20 DEGREES CENTIGRADE, EXPRESSED IN MILLIGRAMS PER LITER.
15. PH - THE LOGARITHM OF THE RECIPROCAL OF THE HYDROGEN ION CONCENTRATION IN MOLES PER LITER.
16. SUSPENDED SOLIDS - SOLIDS THAT EITHER FLOAT ON THE SURFACE OF, OR ARE IN SUSPENSION IN WATER, SEWAGE, OR

OTHER LIQUIDS; AND WHICH ARE REMOVABLE BY LABORATORY FILTERING.

17. NATURAL OUTLET - ANY OUTLET INTO A WATER-COURSE, POND, DITCH, LAKE, OR OTHER BODY OF SURFACE OR GROUND WATER.
18. WATERCOURSE - A CHANNEL IN WHICH A FLOW OF WATER OCCURS, EITHER CONTINUOUSLY OR INTERMITTENTLY.
19. PERSON - ANY INDIVIDUAL, FIRM, COMPANY, ASSOCIATION, SOCIETY, CORPORATION, OR GROUP.

21-102 CONNECTION TO PUBLIC SEWERS

THE OWNERS OF ALL HOUSES, BUILDINGS, OR PROPERTIES USED FOR HUMAN OCCUPANCY, EMPLOYMENT, RECREATION, OR OTHER PURPOSES, SITUATED WITHIN SAID MUNICIPALITY AND ABUTTING ON ANY STREET, ALLEY, OR RIGHT-OF-WAY IN WHICH THERE IS NOW LOCATED OR MAY IN THE FUTURE BE LOCATED A PUBLIC SANITARY OR COMBINED SEWER OF THE MUNICIPALITY, IS HEREBY REQUIRED AT HIS EXPENSE TO INSTALL SUITABLE TOILET FACILITIES THEREIN, AND TO CONNECT SUCH FACILITIES DIRECTLY WITH THE PROPER PUBLIC SEWER IN ACCORDANCE WITH THE PROVISION OF THIS CHAPTER, WITHIN NINETY (90) DAYS AFTER DATE OF OFFICIAL NOTICE TO DO SO, PROVIDED THAT SAID PUBLIC SEWER IS WITHIN ONE HUNDRED (100) FEET OF THE PROPERTY LINE.

21-103 PRIVATE SEWAGE DISPOSAL

1. WHERE A PUBLIC SANITARY SEWER IS NOT AVAILABLE UNDER THE PROVISIONS OF SECTION 21-103, THE BUILDING SEWER SHALL BE CONNECTED TO A PRIVATE SEWAGE DISPOSAL SYSTEM COMPLYING WITH THE PROVISIONS OF THIS SECTION.
2. BEFORE COMMENCEMENT OF CONSTRUCTION OF A PRIVATE SEWAGE DISPOSAL SYSTEM, THE OWNER SHALL FIRST OBTAIN A WRITTEN PERMIT SIGNED BY THE DIRECTOR OF PUBLIC WORKS. THE APPLICATION FOR SUCH PERMIT SHALL BE MADE ON A FORM FURNISHED BY THE MUNICIPALITY WHICH THE APPLICANT SHALL SUPPLEMENT BY ANY PLANS, SPECIFICATIONS, AND OTHER INFORMATION AS ARE DEEMED NECESSARY BY THE DIRECTOR OF PUBLIC WORKS. A PERMIT AND THE INSPECTION FEE OF FIVE DOLLARS SHALL BE PAID TO THE MUNICIPALITY AT THE TIME THE APPLICATION IS FILED.
3. A PERMIT FOR A PRIVATE SEWAGE DISPOSAL SYSTEM SHALL NOT BECOME EFFECTIVE UNTIL THE INSTALLATION IS COMPLETED TO THE SATISFACTION OF THE DIRECTOR OF PUBLIC WORKS. HE SHALL BE ALLOWED TO INSPECT THE WORK

AT ANY STAGE OF CONSTRUCTION AND, IN ANY EVENT, THE APPLICANT FOR THE PERMIT SHALL NOTIFY THE DIRECTOR OF PUBLIC WORKS WHEN THE WORK IS READY FOR FINAL INSPECTION AND BEFORE ANY UNDERGROUND PORTIONS ARE COVERED. THE INSPECTION SHALL BE MADE WITHIN 24 HOURS OF THE RECEIPT OF NOTICE BY THE DIRECTOR OF PUBLIC WORKS.

4. THE TYPE, CAPACITIES, LOCATION, AND LAYOUT OF A PRIVATE SEWAGE DISPOSAL SYSTEM SHALL COMPLY WITH ALL RECOMMENDATIONS OF THE DEPARTMENT OF NATURAL RESOURCES OF THE STATE OF GEORGIA. NO PERMIT SHALL BE ISSUED FOR ANY PRIVATE SEWAGE DISPOSAL SYSTEM EMPLOYING SUB-SURFACE SOIL ABSORPTION FACILITIES WHERE THE AREA OF THE LOT IS LESS THAN 100 SQUARE FEET. NO SEPTIC TANK OR CESSPOOL SHALL BE PERMITTED TO DISCHARGE TO ANY PUBLIC SEWER OR NATURAL OUTLET.
5. AT SUCH TIME AS A PUBLIC SEWER BECOMES AVAILABLE TO A PROPERTY SERVED BY A PRIVATE SEWAGE DISPOSAL SYSTEM, AS PROVIDED IN SECTION 21-103, A DIRECT CONNECTION SHALL BE MADE TO THE PUBLIC SEWER IN COMPLIANCE WITH THIS CHAPTER AND ANY SEPTIC TANKS, CESSPOOLS, AND SIMILAR PRIVATE SEWAGE DISPOSAL FACILITIES SHALL BE ABANDONED AND FILLED WITH SUITABLE MATERIALS.
6. THE OWNER SHALL OPERATE AND MAINTAIN THE PRIVATE SEWAGE DISPOSAL FACILITIES IN A SANITARY MANNER AT ALL TIMES AT NO EXPENSE TO THE MUNICIPALITY.
7. NO STATEMENT CONTAINED IN THIS SECTION SHALL BE CONSTRUED TO INTERFERE WITH ANY ADDITIONAL REQUIREMENTS THAT MAY BE IMPOSED BY THE GEORGIA DEPARTMENT OF NATURAL RESOURCES.
8. WHEN IN THE FUTURE A PUBLIC SEWER BECOMES AVAILABLE BY NEW CONSTRUCTION OR OTHERWISE, THE BUILDING SEWER SHALL BE CONNECTED TO SAID SEWER WITHIN SIXTY DAYS AND THE PRIVATE SEWAGE DISPOSAL SYSTEM SHALL BE CLEANED OF SLUDGE AND FILLED WITH CLEAN BANK-RUN GRAVEL OR DIRT.

21-104 BUILDING SEWERS AND CONNECTIONS

1. NO UNAUTHORIZED PERSON SHALL UNCOVER, MAKE ANY CONNECTIONS, WITH OR OPENING INTO, USE, ALTER, OR DISTURB ANY PUBLIC SEWER OR APPURTENANCES THEREOF WITHOUT FIRST OBTAINING A WRITTEN REPORT FROM THE DIRECTOR OF PUBLIC WORKS.

2. THERE SHALL BE TWO CLASSES OF BUILDING SEWER PERMITS:
 - (1) FOR RESIDENTIAL AND COMMERCIAL SERVICE, AND
 - (2) FOR SERVICE TO ESTABLISHMENTS PRODUCING INDUSTRIAL WASTES.

IN EITHER CASE, THE OWNER OR HIS AGENT SHALL MAKE APPLICATION ON A SPECIAL FORM FURNISHED BY THE MUNICIPALITY. THE PERMIT APPLICATION SHALL BE SUPPLEMENTED BY ANY PLANS, SPECIFICATIONS, OR OTHER INFORMATION CONSIDERED PERTINENT IN THE JUDGMENT OF THE SUPERINTENDENT. A PERMIT AND INSPECTION FEE OF \$2.00 FOR A RESIDENTIAL OR COMMERCIAL BUILDING SEWER PERMIT AND \$10.00 FOR AN INDUSTRIAL BUILDING SEWER PERMIT SHALL BE PAID TO THE MUNICIPALITY AT THE TIME THE APPLICATION IS FILED.

3. ALL COST AND EXPENSE INCIDENT TO THE CONNECTION OF THE BUILDING SEWER FROM THE OWNER'S BUILDING TO THE MUNICIPAL PROPERTY LINE SHALL BE BORNE BY THE OWNER. THE OWNER SHALL INDEMNIFY THE MUNICIPALITY FROM ANY LOSS OR DAMAGE THAT MAY BE DIRECTLY OR INDIRECTLY OCCASIONED BY THE CONNECTION OF THE BUILDING SEWER. ANY CONNECTION FROM THE MUNICIPAL PROPERTY LINE INTO THE PUBLIC SEWER SHALL BE MADE BY THE MUNICIPALITY, FOR WHICH THE OWNER SHALL PAY THE MUNICIPALITY A STANDARD SEWER TAP FEE.
4. A SEPARATE AND INDEPENDENT BUILDING SEWER SHALL BE PROVIDED FOR EVERY BUILDING; EXCEPT WHERE ONE BUILDING STANDS AT THE REAR OF ANOTHER OR ON AN INTERIOR LOT, AND NO PRIVATE SEWER IS AVAILABLE OR CAN BE CONSTRUCTED TO THE REAR BUILDING THROUGH AN ADJOINING ALLEY, COURT, YARD, OR DRIVEWAY, THE BUILDING SEWER FROM THE FRONT MAY BE EXTENDED TO THE REAR BUILDING AND THE WHOLE CONSIDERED AS ONE BUILDING SEWER.
5. OLD BUILDING SEWERS MAYBE USED IN CONNECTION WITH NEW BUILDINGS WHEN THEY ARE FOUND, ON EXAMINATION AND TEST BY THE DIRECTOR OF PUBLIC WORKS, TO MEET ALL REQUIREMENTS OF THIS CHAPTER.
6. THE BUILDING SEWER SHALL BE CAST IRON PIPE; ASTM SPECIFICATION A74; VITRIFIED CLAY SEWER PIPE, ASTM SPECIFICATIONS C13; OR CONCRETE SEWER PIPE, ASTM SPECIFICATION C14. JOINTS SHALL BE TIGHT AND WATERPROOF. ANY PART OF THE BUILDING SEWER THAT IS LOCATED WITHIN 10 FEET OF A WATER SERVICE SHALL BE