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MARCH 30, 1990

TO: MAYOR, CITY OF BROOKS

FROM: MAX CLELAND, SECRETARY OF STATE

SUBJECT: ENACTMENTS OF THE GENERAL ASSEMBLY.

I am enclosing legislation which was passed during the recent session of the General Assembly, for your information and record.

Any time this office can be of service to you, please call on me.

Sincerely,

Max Cleland

MC: jb

An Equal Opportunity Employer

ENROLLMENT

March 22 19 90

The Committee of the House on Journals has examined the within and finds the same properly enrolled.

[Signature]
Chairman

Thomas B. Murphy
Speaker of the House

[Signature]
Clerk of the House

[Signature]
President of the Senate

Hamilton M. Whortey Jr.
Secretary of the Senate

Received [Signature]
Secretary, Executive Department

This 27th day of March 19 90

Approved

[Signature]
Governor

This 28th day of March 19 90

H. B. No. 1638

Act No. 1052

General Assembly



AN ACT

To create and incorporate the Town of Brooks in Fayette County and grant a new charter to that municipality under such corporate name and style; to prescribe and define the corporate limits thereof; and for other purposes.

IN HOUSE

Read 1st time 1.31.90

Read 2nd time 2.1.90

Read 3rd time 2.2.90

And

Passed

Ayes 49

Nays 0

[Signature]
Clerk of the House

IN SENATE

Read 1st time 2.5.90

Read 2nd time

Read 3rd time

And Passed 2.4.90

Ayes 44

Nays 0

Hamilton M. Whortey Jr.
Secretary of the Senate

By: Rep. Heard of the 43rd

AN ACT

To create and incorporate the Town of Brooks in Fayette County and grant a new charter to that municipality under such corporate name and style; to prescribe and define the corporate limits thereof; to provide for a mayor and town council and their election, terms of office, qualifications, compensation, expenses, oaths, vacancies, powers, and duties; to provide for removal from office; to provide a municipal government for the town and to declare the rights, powers, privileges, and liabilities of the municipal corporation; to provide for ordinances and voting; to provide for codes; to provide for meetings; to authorize the town to issue bonds and other evidences of debt for public purposes, such as for municipal buildings, libraries and equipment for same, sewers, electric lights, public parks, cemeteries, and waterworks; to declare and define the police powers of the town; to provide for a mayor pro tempore and other officers; to declare and define the duties and powers of the officers of the town; to provide for administration of the town; to provide for personnel; to provide for a municipal court and the judge, jurisdiction, practice, procedures, and penalties connected with such court; to provide for elections; to provide for financial and administrative affairs; to provide for the assessment, levy, and collection of ad valorem property taxes, licenses, occupational taxes, excise taxes, assessments, and other fees; to provide for bonds and notes; to provide for a fiscal year; to provide for budgets, contracts, and purchasing; to provide for other matters of municipal

regulation, concern, and welfare; to provide for existing ordinances and regulations, bonds, pending matters, and continuance in office; to provide for penalties; to provide for related matters; to repeal specific laws; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

ARTICLE I

CHARTER, INCORPORATION, POWERS

Section 1.10. Incorporation. The Town of Brooks, Georgia, in Fayette County and the inhabitants thereof shall continue to be a body politic and corporate under the same name and style of the Town of Brooks, Georgia. Under that name, said town shall continue to be vested with all of the property and rights of property which belong to the corporation on the effective date of this charter; shall have perpetual succession with full powers to govern itself by such laws, rules, and regulations as it may deem proper, not conflicting with this charter; may sue and be sued; may contract and be contracted with; may acquire and hold such property, real and personal, as may be devised, bequeathed, sold, or in any manner conveyed or dedicated to or otherwise acquired by it, and from time to time may hold or invest, sell, or dispose of the same; may have a common seal and may renew the same at will; and may exercise in conformity with this charter all municipal powers, functions, rights, privileges, and immunities of every name and nature whatsoever.

Section 1.11. Corporate limits. The Town of Brooks' corporate limits shall embrace and include all

territory located in Land Lots 37, 38, 58, 59, 60, 69, 70, 71, 90, 91, 92 101 and 102 of the 4th Land District of Fayette County, Georgia.

Section 1.12. Specific powers. In conformity with and subject to the requirements of the general laws of this state, the corporate powers of the government of the Town of Brooks, 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 town; to authorize the expenditure of money for any purposes authorized by this charter and for any purpose for which a municipality is so authorized by the laws of the State of Georgia; and to provide for the payment of expenses of the town;

(4) To appropriate and borrow money for the payment of debts of the town and to issue bonds 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 corporate limits of the town;

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

(7) To condemn and exercise the power of eminent domain inside or outside the corporate limits of the town for present or future use and for any corporate purpose as deemed necessary by the governing authority under Title 22 of the Official Code of Georgia Annotated or under other applicable public laws as have been 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 any other public utilities; to fix the taxes, charges, rates, fees, fares, assessments, regulations, conditions and penalties to be charged or incurred incident to use of same; and to provide remedies and sanctions, including, without limitation, withdrawal of service, for failure to pay or breach of conditions and regulations 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 for periods not to exceed 35 years; to prescribe the rates,

fares, regulations, standards, and conditions of service applicable to the service to be provided by the franchise grantee or contractor insofar as not to conflict with such regulations by the Public Service Commission; and to grant franchises and rights of way throughout the streets and roads and over the bridges and viaducts for the use of public utilities;

(10) To lay out, open, extend, widen, narrow, establish, change the grade of, abandon, close, construct, pave, curb, gutter, adorn with shade trees, improve, maintain, repair, clean, prevent erosion of, and illuminate roads, alleys, and walkways within the corporate limits of the town;

(11) To grant franchises and rights of way to public utilities throughout the streets and roads and over the bridges and viaducts;

(12) To provide for the acquisition, construction, building, operation, and maintenance of public ways, parks, playgrounds, recreational facilities, cemeteries, markets and market houses, public buildings, libraries, sewers, drains, sewage treatment facilities, airports, hospitals, and charitable, cultural, educational, recreational, conservation, sports, curative, corrective, detentional, penal, and medical institutions, agencies, and facilities and to make other public improvements inside or outside the corporate limits of the town and regulate the use thereof; and, for such purposes, property may be acquired by condemnation under Title 22 of the Official Code of

Georgia Annotated or other applicable public Acts as are or may be enacted;

(13) To regulate the erection and construction of buildings and all other structures; to adopt building, housing, plumbing, electrical, gas, and heating and air-conditioning codes; to regulate all housing, building, and building trades; to license all building trades; and to license the construction and erection of buildings and all other structures;

(14) To adopt ordinances and regulations for the prevention of loitering, disorderly conduct, and disturbing the peace in the corporate limits of the town; to prohibit the playing of lotteries therein; to provide for the prevention and punishment of riots and public disturbances; to regulate public meetings and public speaking in the streets of said town by preventing the obstruction of the streets or the gathering of disorderly crowds; and to prohibit or regulate by ordinance such other conduct and activities within the Town of Brooks which are deemed by the governing authority to be detrimental and offensive to the peace and good order of the town or to the welfare of the citizens thereof, as well as conduct and activities constituting offenses under state laws, where the General Assembly specifically so permits;

(15) To regulate or prohibit junk dealers; pawnshops; the manufacture, sale, or transportation of intoxicating liquids and liquors; the use and sale of firearms; the transportation, storage, and use of combustible, explosive, and flammable

materials; the use of lighting and heating equipment; and any other business or activity which may be dangerous to persons or property;

(16) To regulate and control the conduct of peddlers, itinerant trades, theatrical performances, exhibitions, and shows of any kind whatever by taxation or otherwise;

(17) To license, tax, regulate, or prohibit professional fortunetelling or palmistry;

(18) 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 and within view thereof and to prescribe penalties and punishment for violation of such ordinances;

(19) To prescribe standards of health and sanitation and to provide for the enforcement of such standards;

(20) To regulate the emission of smoke or other exhaust which pollutes the air and to prevent the pollution of natural streams which flow within the corporate limits of the town;

(21) 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 violations thereof;

(22) To provide for the destruction and removal of any building or other structure which may become dangerous or detrimental to the public;

(23) 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 for the sale of such items; to levy, fix, assess, and collect a service charge, tax, or fee for such services as may be necessary in the operation of the town from all individuals, firms, and corporations residing in or doing business within the town and benefiting from such services; and to provide for the collection of and the enforcement of the payment of such charges, taxes, and fees;

(24) To levy a fee, charge, or tax as necessary to ensure the acquiring, constructing, equipping, maintaining, and extending of a sewage disposal plant and sewerage system; to levy on the users of sewers and the sewerage system a sewer connection fee or fees or a sewer service charge, fee, or tax for the use of sewers, or both; and to provide for the manner and method of collecting such charges and for enforcing payment of same;

(25) To levy a fee, charge, or tax as necessary to ensure the acquiring, constructing, equipping, maintaining, and extending of a waterworks system; to levy on the users of the waterworks system a connection fee, service charge,

fee, or tax for the use of the waterworks system; and to provide for the manner and method of collecting such charges and for enforcing payment of same;

(26) 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 town and to provide for the enforcement of such standards;

(27) To define a nuisance and provide for its abatement whether on public or private property;

(28) To provide for the preservation and protection of property and equipment of the town and the administration and use of same by the public and to prescribe penalties and punishment for violations thereof;

(29) 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 town and to provide for the enforcement of such standards;

(30) To provide that persons given jail sentences in the municipal court shall work out such sentence in any public works or on the streets, roads, drains, and squares in the town or to provide for commitment of such persons to any county correctional institution or jail by agreement with the appropriate county officials;

(31) To regulate and license or prohibit the keeping or running at large of animals and fowls; 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 violations of ordinances enacted under this paragraph;

(32) To regulate the operation of motor vehicles and to exercise control over all traffic, including parking, upon or across the streets, roads, alleys, and walkways of the town;

(33) To regulate and license vehicles operated for hire in the town; 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;

(34) To provide and maintain a system of pensions and retirement for officers and employees of the town;

(35) To levy and provide for the collection of special assessments to cover the costs of any public improvements;

(36) To enter into contracts and agreements with other governmental entities and with private persons, firms, and corporations providing for services to be furnished and payments to be made therefor;

(37) To create, alter, or abolish departments, boards, offices, commissions, and agencies of the

town and to confer upon such agencies the necessary and appropriate authority for carrying out all the powers conferred upon or delegated to same;

(38) To make, ordain, and establish such bylaws, ordinances, rules, and regulations as shall appear necessary for the security, welfare, convenience, and interest of the town and the inhabitants thereof and for preserving the health, peace, order, and good government of the town;

(39) To provide penalties for violations of any ordinance adopted pursuant to the authority of this charter and the laws of the State of Georgia;

(40) To exercise the power of arrest through duly appointed policemen;

(41) To establish procedures for determining and proclaiming that an emergency situation exists inside or outside the town 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 town; and

(42) 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 town 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 were 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 or restrictive of general words and phrases granting powers, but such powers 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 granted in this charter, the town 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 town was heretofore authorized to exercise upon the effective date of this charter.

Section 1.14. Interpretation. The powers of the town shall be construed liberally and in favor of the town. The specific mention of or failure to mention particular powers in this charter shall not be construed as limiting in any way the cumulative, general powers of the town. It is the intention of this charter to grant the Town of Brooks full power and right to exercise all governmental authority necessary for the effective operation of the town in the conduct of all of its affairs.

Section 1.15. Exercise of powers. All powers, functions, rights, privileges, and immunities of the town and its officers, agencies, or employees shall be carried

out 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. The legislative authority of the Town of Brooks, except as otherwise specifically provided in this charter, shall be vested in a town council to be composed of a mayor and five councilmembers. Positions on said council shall be numbered Posts 1 through 5, respectively. The mayor and councilmembers shall be elected in the manner provided by Article V of this charter.

Section 2.11. Terms of office; qualifications of officeholders. The members of council shall serve for terms of office of four years, beginning on the first day of January next after the regular biennial November general municipal election and continuing until December 31 next after their respective successors are elected, and otherwise until their respective successors are elected and qualified. No person shall be eligible to serve as mayor or councilmember unless he shall have been a resident of the town for a period of one year immediately prior to the date of his election, shall reside continuously therein during his term of office, shall be registered and qualified to vote in municipal elections of the Town of Brooks, and shall have attained the age of 21 years at the beginning of the term to which elected.

Section 2.12. Vacancy; forfeiture of office; filling of vacancies. (a) The office of mayor or councilmember 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 councilmember shall forfeit his office if he:

(1) Lacks at any time during his term of office any qualifications of the office as prescribed by this charter or the laws of the State of Georgia;

(2) Willfully and knowingly violates 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 councilmember shall be filled for the remainder of the unexpired term, if any, as provided in Article V of this charter.

Section 2.13. Compensation and expenses. The mayor and councilmembers shall receive compensation for their services in an amount set by ordinance. The mayor and councilmembers shall be entitled to receive their actual and necessary expenses incurred in the performance of their duties.

Section 2.14. Prohibitions. (a) Except as authorized by law, no member of the council shall hold any other elective town office or other town employment during the term for which he was elected, except that he may serve as town clerk, if so appointed. The provisions of this section shall not apply to any person holding such employment on the effective date of this Act.

(b) Neither the mayor nor any councilmember shall vote or act upon any question in which he is personally, pecuniarily interested or upon which he is by general law prohibited from voting.

Section 2.15. Inquiries and investigations. The council may make inquiries and investigations into the affairs of the town 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 Town of Brooks as provided by Article I of this charter.

(b) Special meetings of the council may be held on the call of the mayor or three members of the council. Notice of such special meetings shall state the purpose or purposes, date, time, and place of such meeting and shall be served on all other members personally or left at their respective residences. Alternatively, each member not participating in the call for such meeting shall be notified personally by telephone at least 24 hours in advance of the meeting. Such notice shall not be required if the mayor and all councilmembers 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 a 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 except those which are prescribed as closed meetings under Georgia law.

Section 2.17. 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 or minutes of its proceedings, which journal or minutes shall be a public record.

Section 2.18. Quorum; voting. The mayor or mayor pro tempore and three councilmembers shall constitute a quorum for the transaction of any business before the body, and a majority of the votes cast shall determine questions before them.

Section 2.19. Ordinance forms; procedure. (a) Every proposed ordinance shall be introduced in writing and in the form required for final adoption. No ordinance shall contain a subject unrelated to its title.

(b) An ordinance may be introduced by any member of the council and read at a regular or special meeting of the council. Ordinances shall be considered and adopted or rejected by the council in accordance with the rules which it shall establish; provided, however, an ordinance shall

not be adopted the same day it is introduced, except for emergency ordinances provided for in Section 2.21 of this charter. Upon introduction of any ordinance, the clerk shall, as soon as is reasonable, distribute a copy to the mayor and to each councilmember and shall file a reasonable number of copies in the office of the clerk and at such other public places as the council may designate.

Section 2.20. Action requiring an ordinance.

Except as provided in this charter, every official action of the council which is to become law shall be by ordinance. Each proposed ordinance or resolution shall be introduced in writing and in the form required for final adoption.

Section 2.21. Emergency ordinances. 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 councilmembers 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 60 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 for adoption of emergency ordinances.

Section 2.22. Codes of technical regulations. 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.

Section 2.23. Codification of ordinances. The mayor and council may require that all ordinances passed by the mayor and council having the force and effect of law shall be codified in a compilation known and cited officially as "The Code of the Town of Brooks, Georgia, as amended." All ordinances contained therein shall be deemed to have been duly passed by the mayor and council and duly signed, authenticated, and recorded by the town clerk.

Section 2.24. Organization meeting. (a) The council shall meet for organization on the date and at the time of the first regular meeting in each January next following the town elections. Prior to entering upon office, the oath of office shall be administered to the newly elected members by the mayor, mayor pro tempore, or anyone authorized to administer oaths as follows:

"I do solemnly swear that I will well and truly perform the duties of (mayor or councilmember, as the case may be) of the Town of Brooks and that I will

support and defend the charter thereof as well as the Constitution and laws of the State of Georgia and the United States of America."

(b) The council shall have the right to elect one of its members to serve as mayor pro tempore for any term of office designated by the council. Said mayor pro tempore shall have the duties set forth in Section 2.30 of this charter.

Section 2.25. Submission of ordinances to the mayor. (a) Every ordinance adopted by the council shall be presented promptly by the clerk to the mayor.

(b) The mayor, within ten calendar days of receipt of an ordinance, shall return it to the 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 clerk; if the ordinance is neither approved nor disapproved, it shall become law at 12:00 Noon on the tenth calendar day after its adoption; if the ordinance is disapproved, the mayor shall submit to the council through the clerk a written statement of the reasons for his veto. The 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 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 four members, it shall become law.

(d) The mayor may disapprove or reduce any item or items of appropriation in any ordinance. The disapproved part or parts of any ordinance making appropriations shall

not become law unless subsequently passed by the town council over the mayor's veto as provided in this section.

Section 2.26. Signing, authenticating, recording, and printing. (a) The clerk shall authenticate by his signature and record in full in a properly indexed book kept for the purpose all ordinances adopted by the council. Every ordinance shall be signed by the mayor as a matter of course after adoption.

(b) If the mayor and council shall by ordinance initiate a requirement of codification pursuant to Section 2.23 of this charter, then and at all times thereafter the ordinances and charter amendments shall be printed in substantially the same style as the code in effect on the effective date of this charter 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 addition to codes of technical regulations and other rules and regulations in the code.

Section 2.27. Chief executive officer. The mayor shall be the chief executive of the Town of Brooks. He shall possess, have, and exercise all of the executive and administrative powers granted to the town under the Constitution and laws of the State of Georgia and all the executive and administrative powers contained in this charter.

Section 2.28. Term; qualifications. The mayor shall be elected for a term of four years and until his successor is elected and qualified. He shall be a qualified

elector of the Town of Brooks, shall have attained the age of 21 years before the beginning of his term, and shall have been a resident of the Town of Brooks for a period of one year immediately preceding his election. He shall continue to reside in the Town of Brooks during the period of his service.

Section 2.29. Duties of mayor. As the chief executive officer of the Town of Brooks the mayor shall:

- (1) Preside at all meetings of the town council;
- (2) Be the official head of the town for the service of process and for ceremonial purposes;
- (3) Have power to administer oaths and take affidavits;
- (4) Sign all written contracts entered into by the council on behalf of the town and all other contracts and instruments executed by the town which by law are required to be in writing;
- (5) See that all laws and ordinances of the town are faithfully executed;
- (6) Exercise supervision over all executive and administrative work of the town and provide for the coordination of administrative activities;
- (7) Recommend to the council such measures relative to the affairs of the town, improvement of the government, and promotion of the welfare of its inhabitants as he may deem expedient;
- (8) Call special meetings of the council as provided for in Section 2.16 of this charter;
- (9) Examine and audit all accounts of the town before payment;

(10) Require any department or agency of the town to submit written reports in connection with the affairs thereof whenever he deems it expedient;

(11) Suspend any appointed town employee or officer for cause, said suspension to be in effect until the next meeting of the council wherein the question of the employee's or officer's fitness, integrity, or capability shall be decided by the council;

(12) Prepare and submit to the town council a recommended annual operating budget and recommended capital budget;

(13) Break a tie vote of the councilmembers;
and

(14) Perform other duties as may be required by law, this charter, or ordinance.

Section 2.30. Mayor pro tempore. During the absence or disability of the mayor for any cause, the mayor pro tempore, or in his absence or disability for any cause one of the councilmembers 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.

ARTICLE III

ADMINISTRATION

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 town as it shall deem necessary for the proper administration of the

affairs and government of the town. The council shall prescribe the functions and duties of existing departments, offices, and agencies or of any departments, offices, and agencies hereinafter created or established. The council may provide that the same person shall fill any number of offices or duties of offices, positions of employment, departments, and agencies of the town.

(b) The operations and responsibilities of each department now or hereafter established in the town shall be distributed among such divisions or bureaus as may be provided by ordinance. Each department shall consist of such offices, 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 town 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 town 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.

Section 3.11. Boards, commissions, and authorities. (a) The town council shall create by ordinance such boards, commissions, and authorities to fulfill any investigative, quasi-judicial, or

quasi-legislative function the town council deems necessary and shall by ordinance establish the composition, period of existence, duties, and powers thereof.

(b) All members of boards, commissions, and authorities shall be appointed by the council 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 this charter or by applicable state law.

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

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

(e) Any member of a board, commission, or authority may be removed from office for cause by a vote of three members of the council.

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

(g) The qualifications required of members of boards, commissions, or authorities shall be as prescribed by the council.

(h) Except as otherwise provided by this charter or by applicable state law, each board, commission, or

authority of the town government shall elect one of its members as chairman and one of its members as vice-chairman for terms of one year. Each board, commission, or authority of the town government may establish such bylaws, rules, and regulations not inconsistent with this charter, ordinances of the town, or applicable state law as it deems appropriate and necessary for the conduct of its affairs, copies of which shall be filed with the town clerk.

Section 3.12. Town manager. The council may appoint a town manager. The duties and authority of the town manager shall be established by ordinance, and in so doing the council may specifically delegate to the town manager any of the administrative or budgetary duties of the mayor.

Section 3.13. Town attorney. The council shall appoint a town attorney together with such assistant town attorneys as may be authorized by ordinance and shall provide for the payment of such attorney or attorneys for services rendered to the town. The town attorney shall be responsible for representing and defending the town in all litigation in which the town is a party; may be the prosecuting officer in the municipal court; shall attend the meetings of the council as directed; shall advise the council, mayor, and other officers and employees of the town concerning legal aspects of the town's affairs; and shall perform such other duties as may be required of him by virtue of his position as town attorney.

Section 3.14. Town clerk. The council may appoint a town clerk to keep a journal of the proceedings of the

town council, to maintain in a safe place all records and documents pertaining to the affairs of the town, and to perform such other duties as may be required by law or as the council may direct.

Section 3.15. Town tax collector. The council may appoint a town tax collector to collect all taxes, licenses, fees, and other money belonging to the town, subject to the provisions of this charter and the ordinances of the town. The town tax collector shall diligently comply with and enforce all general laws of Georgia relating to the collection of taxes by municipalities.

Section 3.16. Town accountant. The council may appoint a town accountant to perform the duties of an accountant.

Section 3.17. Consolidation of functions. The council may consolidate any two or more of the positions of town clerk, town tax collector, and town 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 other positions.

Section 3.18. Position classification and pay plans. The mayor shall be responsible for the preparation of position classification and pay plans which shall be submitted to the council for approval. Said plans may apply to all employees of the Town of Brooks and 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 3.19. Personnel policies. The council shall 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 plans, 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 leaves of absence; overtime pay; and the order and manner in which layoff shall be affected; and

(4) Such other personnel policies as may be necessary to provide for adequate and systematic handling of the personnel affairs of the Town of Brooks.

ARTICLE IV MUNICIPAL COURT

Section 4.10. Municipal court; creation. There is established a court to be known as the Municipal Court of the Town of Brooks which shall have jurisdiction and authority to try offenses against the laws and ordinances of said town and to punish for violations of the same. Such court shall have the power and authority to enforce its judgments by the imposition of such penalties as may be provided by law; to punish witnesses for nonattendance and also 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; and to try all offenses within the territorial limits of the town constituting traffic cases which, under the laws of Georgia, are placed within the jurisdiction of municipal 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 judge of said court. In the absence or disqualification of the judge, the judge pro tempore shall preside and shall exercise the same powers and duties as the judge when so acting.

Section 4.11. Judge. (a) No person shall be qualified or eligible to serve as judge unless he shall have attained the age of 25 years and shall be a member of the State Bar of Georgia. Such person shall serve at the discretion of the council and his compensation shall be fixed by the council. Neither the mayor nor any councilmember shall serve as judge.

(b) The judge pro tempore shall have the same qualifications required of the judge, shall serve in the absence of the judge, shall be appointed by the council, and shall take the same oath as the judge.

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

Section 4.12. Convening. Said court shall be convened at such times as designated by ordinance or at such

times as deemed necessary to keep current the dockets thereof.

Section 4.13. Jurisdiction; powers. (a) The municipal court shall try and punish persons for crimes against the Town of Brooks, for violation of its ordinances, and for other such crimes and offenses as authorized by general law. The municipal court shall have authority to punish those in its presence for contempt, provided that such punishment shall not exceed \$25.00 or five days in jail. The municipal court may fix punishment for offenses within its jurisdiction not exceeding a fine of \$1,000.00 or imprisonment for 60 days, or both, and, as an alternative to such fine or imprisonment, may sentence any offender upon conviction to labor in a town work gang or on the streets, sidewalks, square, or other public works for a period not exceeding 60 days.

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

(c) The municipal court shall have authority to establish bail and recognizances to ensure the presence of those charged with violations before said court and shall have discretionary authority to accept cash or personal or real property as surety for the 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 execution 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 if such defendant fails to appear at the time and place fixed for trial, the cash so deposited shall be, on order of the judge, declared forfeited to the Town of Brooks 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 town property taxes.

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

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

(f) The municipal court may compel the presence of all parties necessary for 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.

(g) The municipal court is specifically vested with all of the jurisdiction and powers throughout the entire area of the Town of Brooks granted by state laws generally to municipal courts and particularly by such laws as authorize the abatement of nuisances.

Section 4.14. Certiorari. The right of certiorari from the decision and judgment of the municipal court shall exist in all criminal cases and ordinance violation cases, and such certiorari shall be obtained under the sanction of

a judge of the Superior Court of Fayette County, under the laws of the State of Georgia regulating the granting and issuance of writs of certiorari.

Section 4.15. Rules of court. The judge shall have full power and authority, subject to approval of the council, to make reasonable rules and regulations necessary and proper to secure the efficient and successful administration of the municipal court; provided, however, that the council may adopt in part or in toto the rules and regulations relative to the procedure of the operation of the municipal court under the general laws of the State of Georgia. The rules and regulations made or adopted for said court shall be filed with the town clerk and shall be available for public inspection.

ARTICLE V ELECTIONS

Section 5.10. Regular elections. (a) On the first Saturday in December, 1990, an election shall be conducted in the Town of Brooks for the election of councilmembers for Posts 3, 4, and 5 on the town council. The terms of office of members elected in such town election shall commence at the first regular meeting of the mayor and town council in January, 1991, and shall expire on December 31, 1995.

(b) On the first Saturday in December, 1992, an election shall be conducted in the Town of Brooks for the election of a mayor and councilmembers for Posts 1 and 2 on the town council. The terms of members elected in such town election shall commence at the first regular meeting of the

mayor and town council in January, 1993, and shall expire on December 31, 1997.

(c) On the Tuesday next following the first Monday in November, 1995, and on such day biennially thereafter, a general municipal election shall be conducted in the Town of Brooks for the purpose of electing either a mayor and councilmembers for Posts 1 and 2 or councilmembers for Posts 3, 4, and 5 to succeed those officials whose terms expire on December 31 following the date of such election. Officials elected in such elections shall be elected for terms of office of four years beginning on January 1 following the date of their respective election and until their successors are elected and qualified. All such terms shall expire on December 31.

(d) Elections shall be conducted in the Town of Brooks at such place or places as may be designated by the mayor and council.

(e) For the purpose of electing members of the town council, the Town of Brooks shall consist of one election district with five numbered posts. Each person seeking election shall designate the post for which he seeks election.

Section 5.11. Qualifying; voting procedures. The council may, by ordinance, prescribe rules and regulations, not inconsistent with the general laws of this state, governing qualifying fees, nomination of candidates, absentee ballots, write-in votes, and challenge of votes and such other rules and regulations as may be necessary for conducting elections in the Town of Brooks.

Section 5.12. Applicability of general laws. The procedures and requirements for election of all elected officials for the Town of Brooks as to primary, special, or general municipal elections shall be in conformity with the provisions of Chapter 3 of Title 21 of the Official Code of Georgia Annotated, the "Georgia Municipal Election Code," and such other general laws of Georgia as may from time to time apply.

Section 5.13. Special elections; vacancies. In the event that the office of mayor or councilmember 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 12 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 and of Chapter 3 of Title 21 of the Official Code of Georgia Annotated, the "Georgia Municipal Election Code," and all other laws of general application.

Section 5.14. Election of mayor and councilmembers by majority. The candidate for each council post receiving a majority of all valid votes cast for such council post shall be declared as councilmember for the respective post for which he qualified as a candidate. The candidate receiving a majority of the votes cast for the office of mayor shall be declared elected as mayor.

Section 5.15. Grounds for removal of elected officers. The mayor or any councilmember 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) Willful 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 5.16. Procedure for removal. Removal of an elected officer from office shall be for cause shown, by either of the following methods:

(1) By unanimous vote of the entire membership of the council; provided, however, that, if the person sought to be removed is a member of the council, he shall not vote, and if mayor, he shall not vote nor otherwise participate in the proceedings. In such case, the 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 provided in this section shall have the right of appeal from the decision of the council to the Superior Court of Fayette County. Such appeal shall be governed by the same rules as govern appeals to the superior court from the probate court; or

(2) By appropriate petition filed with the Superior Court of Fayette County as provided by law.

ARTICLE VI

FINANCE

Section 6.10. Property taxes. All property subject to taxation for state or county purposes, assessed as of January 1 in each year, shall be subject to the property tax levied by the Town of Brooks. The council shall use the county assessment for the year in which the town 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 corporate limits of the town for the purpose of raising revenue to defray the costs of operating the town government, providing governmental services, and for any other public purpose as determined by the council. The council is authorized to provide for sufficient levy to pay principal and interest on general obligations.

Section 6.12. Tax due dates and tax bills. The council shall provide by ordinance when the taxes of the

town shall fall due, when such taxes shall be paid, whether they may be paid in installments or in one lump sum, and when, how, and upon what terms such taxes shall be due and payable. The council may also authorize the voluntary payment of taxes prior to the time when due.

Section 6.13. Licenses, occupational taxes, and excise taxes. The council shall have full power to levy by ordinance such license, specific, or occupation taxes upon the residents of the Town of Brooks, 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 town; to classify businesses, occupations, professions, or callings for the purpose of such taxation in any lawful way; 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 conferred in this charter; and to prescribe penalties for the violation thereof. The council shall have full power and authority to levy any excise tax not prohibited by general law.

Section 6.14. Sewer service charge. The council may provide by ordinance for the assessment and collection of fees, charges, and tolls for sewer services rendered both inside and outside the corporate limits of the town, said fees to provide for the cost and expense of collecting and disposing of sewage through the sewerage facilities of the town. If unpaid, said sewer charge shall constitute a lien against any property served, which lien shall be second in

priority only to liens for county and town property taxes and enforceable in the same manner and under the same procedures as a lien for the town property taxes.

Section 6.15. Sanitary and health service charge. The council shall have the authority to levy by ordinance and collect the cost of sanitary and health services necessary in the operation of the town from all individuals, firms, and corporations residing in or doing business in the town and benefitting from such service. Such authority shall include the power to assess, levy, and collect annual or monthly sanitary taxes or fees in such classifications of property and sanitary service or services provided as may be fixed by ordinance. Said sanitary taxes and the assessment thereof shall be a charge and lien against the real estate in respect to which said taxes are assessed and the owner or owners thereof, superior to all other liens except liens for county and town property taxes. Said lien shall be enforceable in the same manner and under the same remedies as a lien for town property taxes.

Section 6.16. 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 become delinquent 30 days after their due dates. They shall thereupon be subject, in addition to fi.fa. charges, to a penalty of 10 percent and shall thereafter be subject to interest at the rate of 12 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 town property taxes. Said lien shall be enforceable in the same manner and under the same remedies as a lien for town property taxes.

Section 6.17. Collection of delinquent taxes. The council may provide by ordinance for the collection of delinquent taxes by fi.fa. issued by the town clerk or mayor and executed by any police officer of the town 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 town 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 hardship, 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 town.

Section 6.18. Transfer of executions. The town 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 governing sales and transfers of county 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 of execution and sale of property pursuant to such

tax fi.fa., whether assigned, transferred, or executed by the town, 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 hereafter provided by law.

Section 6.19. Interpretation; other taxes. The town shall be empowered to levy any other tax allowed now or hereafter by state law and the specific mention of any right, power, or authority in this article shall not be construed as limiting in any way the general powers of the town to govern its local affairs.

Section 6.20. General obligation bonds. The council shall have the power to issue bonds to raise revenue for 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 Article 3 of Chapter 82 of Title 36 of the Official Code of Georgia Annotated, known as the "Revenue Bond Law," as now or hereafter amended or by any other Georgia law as now or hereafter provided.

Section 6.22. Short-term notes. Pursuant to applicable state law, the town may obtain temporary loans between January 1 and December 31 of each year.

Section 6.23. 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 for every office, department, institution, agency, and activity of the town government, unless otherwise provided by state or federal law.

Section 6.24. Preparation of budgets. The council may provide by ordinance the procedures and requirements for the preparation and execution of an annual operating budget, a capital improvements program, and a capital budget, including requirements as to scope, content, and form of any such budgets and programs.

Section 6.25. Additional appropriations. The council may make appropriations in addition to those contained in the then current operating budget at any regular meeting or at any special meeting called for such purpose; provided, however, that any such additional appropriations may be made only from existing unappropriated surplus in the fund to which it applies.

Section 6.26. Capital improvements budget.
(a) On or before the date fixed by the town council but not later than 30 days prior to the beginning of each fiscal year, the mayor shall submit to the council a proposed capital improvements budget with his recommendations as to the means of financing the improvements proposed for the ensuing fiscal year. The council shall have power to accept with or without amendments or reject the proposed program and proposed means of financing. The council shall not authorize an expenditure for the construction of any

building, structure, work, or improvement unless the appropriations for such project are included in the capital improvements budget except to meet a public emergency threatening the lives, health, or property of the inhabitants and when passed by a two-thirds' vote of the membership of the council.

(b) The council shall adopt the final capital improvements budget for the ensuing fiscal year not later than the first Monday in July of each year. No appropriation provided for in the capital improvements budget shall lapse until the purpose for which the appropriation was made shall have been accomplished or abandoned; provided, however, the mayor may submit amendments to the capital improvements budget at any time during the fiscal year, accompanied by his recommendations thereon. Any such amendments to the capital improvements budget shall become effective only upon adoption by a vote of the council.

Section 6.27. Contracting procedures. All contracts shall be made or authorized by the council and no contracts shall bind the town unless reduced to writing and approved by the council.

Section 6.28. Centralized purchasing. (a) The council may by ordinance prescribe procedures for a system of centralized purchasing for the Town of Brooks.

(b) The council may sell and convey any real or personal property owned or held by the Town of Brooks for governmental 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 town.

(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 finding both that the property is not needed for public or other purposes and that the interest of the town has no readily ascertainable monetary value.

(d) Whenever in opening, extending, or widening any street, avenue, alley, or public place of the town 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 town, the council may authorize the mayor to execute and deliver in the name of the town a deed conveying said cut-off 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 town 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 officers and employees, whether elected or appointed, of the Town of Brooks shall execute such official bonds in such amounts and upon such terms and conditions as the council may from time to time require.

Section 7.11. Existing ordinances and regulations. Ordinances and regulations of the Town of

Brooks existing on the effective date of this charter not inconsistent with the provisions of this charter shall continue in effect until they have been repealed, modified, or amended by the council. Rules and regulations of departments or agencies of the Town of Brooks existing on the effective date of this charter not inconsistent with the provisions of this charter shall continue in effect until they have been repealed, modified, or amended.

Section 7.12. Pending matters. Except as otherwise specifically provided by this charter, all rights, claims, actions, orders, contracts, and legal or administrative proceedings initiated under the former charter of the Town of Brooks shall continue and any such ongoing work or cases shall be dealt with by such town agencies, personnel, or office as may be provided by the town council.

Section 7.13. Interpretation. (a) Section captions in this charter are informative only and are not to be considered as a part of the charter.

(b) The word "shall" is intended to be mandatory and the word "may" is not.

(c) The singular shall include the plural and the masculine shall include the feminine and vice versa.

Section 7.14. Penalties. The violation of any provision of this charter for which a penalty is not specifically provided is declared to be punishable by a fine of not more than \$1,000.00 or by imprisonment not to exceed three months, or both such fine and imprisonment.

Section 7.15. Continuance in office. The mayor and councilmembers serving as such on the effective date of this charter shall continue to serve as such for the terms of office to which they were elected and until their successors shall be elected and qualified as provided in this charter. Such successors shall be elected in the municipal general election which is conducted immediately prior to the expiration of the respective term of office.


Section 7.16. Specific repealer. An Act reincorporating the Town of Brooks in Fayette County, approved August 18, 1913 (Ga. L. 1913, p. 629), is repealed in its entirety and all amendatory Acts thereto are likewise repealed in their entirety.

Section 7.17. Repealer. All laws and parts of laws in conflict with this Act are repealed.

Notice is given that there will be introduced at the regular 1990 session of the General Assembly of Georgia, a bill to reincorporate the Town of Benhika in the county of Fayette, and to grant a new charter by which municipality under such corporate name and style; to provide for a form of municipal government, and for all matters related thereto, to repeal the Act reincorporating the Town of Brooks in Fayette County, Georgia, approved August 8, 1912 (Ga. L. 1912, p. 629) and all laws and parts of laws in conflict with the legislation to be introduced, and for other purposes incident to such reincorporation.

By: Virgil Brownlee
Mayor

Personally appeared before me, the undersigned authority,
duly authorized to administer oaths, Paul W. Heard, Jr.
, who, on oath, deposes and says that he
is Representative from the 43rd District, and that the
attached copy of Notice of Intention to Introduce Local Legislation
was published in the Fayette County News
which is the official organ of Fayette County,
on the following date: January 18, 1990


S. PAUL W. HEARD, JR.
Representative, 43rd District

Sworn to and subscribed before me,
this 30th day of January,
19 90.

Connie S. Guzzetti
Notary Public
Notary Public, Clayton County, Georgia
My Commission Expires Oct. 26, 1993
s/Connie S. Guzzetti

H. B. No. 1638