

House Bill 600 (AS PASSED HOUSE AND SENATE)

By: Representatives Dreyer of the 59<sup>th</sup> and Schofield of the 60<sup>th</sup>

A BILL TO BE ENTITLED

AN ACT

1 To amend an Act to provide a new charter for the City of Hapeville, Georgia, approved  
2 March 25, 1980 (Ga. L. 1980, p. 3769), as amended, so as to revise provisions related to  
3 quorums of the mayor and council; to revise procedures for filling vacancies on the city  
4 council; to revise provisions related to the city attorney; to provide for related matters; to  
5 repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 An Act to provide a new charter for the City of Hapeville, Georgia, approved  
9 March 25, 1980 (Ga. L. 1980, p. 3769), as amended, is amended by revising Section 2-402  
10 as follows:

11 **"Section 2-402. Quorum; voting; journal of minutes; rules.** (a) A quorum of the  
12 members of the mayor and council shall be required to conduct the business of the city and  
13 take any action of the mayor and council and the city. A quorum shall constitute a majority  
14 of the members of the mayor and council, provided that at least one city-wide elected  
15 official is present for the transaction of business. If the mayor is not present, then the  
16 alderman-at-large shall preside over the council meeting. If the mayor and the

17 alderman-at-large are not present, then the councilman-at-large shall preside over the  
18 council meeting.

19 (b) All actions of the mayor and council shall require the affirmative vote of a majority of  
20 those members of the mayor and council present unless otherwise required by this charter.

21 (c) A journal of minutes shall be maintained, and every official action of the mayor and  
22 council shall be recorded therein. The journal shall be a public record. Any  
23 councilmember may require the recording of yeas and nays of each member in the journal  
24 for any votes taken by the mayor and council.

25 (d) The mayor and council, by a motion approved by a majority vote of the members of  
26 the mayor and council present, may adopt any rules of procedure and order of business or  
27 amendments thereto that are consistent with this charter and ordinances of the city."

28 **SECTION 2.**

29 Said Act is further amended by revising Section 3-202 as follows:

30 **"Section 3-202. Filling of vacancies.** In the event the office of the mayor or any  
31 councilmember shall become vacant by death, removal, disqualification, resignation, or  
32 other cause, the remaining members of the mayor and council shall:

33 (1) If the vacancy occurs within the first two years of the member's term, call, within 30  
34 days of the vacancy, a special election to fill the vacancy for the remainder of the  
35 unexpired term. Such election shall be held and conducted in all respects in accordance  
36 with the provisions of this charter relating to general elections; or

37 (2) If the vacancy occurs within the last two years of the member's term, appoint,  
38 within 60 days of the vacancy, a qualified resident of the city to fill the vacancy for the  
39 remainder of the unexpired term. Such appointments shall require the unanimous  
40 approval of all members of the mayor and council."

41 **SECTION 3.**

42 Said Act is further amended by revising Section 4-202 as follows:

43 **"Section 4-202. City attorney; appointment; qualifications; duties; compensation.** (a)

44 The mayor and council shall annually appoint an individual attorney, or attorneys, or a law  
45 firm to hold the office designated as city attorney.

46 (b) The appointed individual attorneys, or the attorneys of the law firm, shall be active  
47 members of the State Bar of Georgia in good standing.

48 (c) The city attorney shall be legal counsel to the city and shall perform any and all duties  
49 necessary and requested by the city and its officers.

50 (d) The compensation of the city attorney shall be fixed by the mayor and council."

51 **SECTION 4.**

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