

House Bill 1605 (AS PASSED HOUSE AND SENATE)

By: Representative Werkheiser of the 157th

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act to grant a new charter for the City of Claxton in the County of Evans,
2 approved April 5, 1961 (Ga. L. 1961, p. 3312), as amended, so as restate and revise
3 provisions relating to the powers and election of the mayor and city council; to revise city
4 council districts; to provide definitions and inclusions; to provide for the continuance in
5 office for current members; to provide for related matters; to repeal conflicting laws; and for
6 other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 An Act to grant a new charter for the City of Claxton in the County of Evans, approved
10 April 5, 1961 (Ga. L. 1961, p. 3312), as amended, is amended by revising Section 5 as
11 follows:

"SECTION 5.

Mayor and council.

(a)(1) The government of the City of Claxton shall be vested in a mayor and seven councilmembers to be called the city council to be elected as hereinafter provided.

(2) The mayor and councilmembers shall serve four-year terms of office and until their successors are elected and qualified.

(3) The mayor and councilmembers shall be nominated and elected in accordance with Chapter 2 of Title 21 of the O.C.G.A., the 'Georgia Election Code.'

(b) The mayor shall be the chief executive officer of the city, have general supervision of the affairs of the city, and shall see that the laws of said city are executed and the officers of said city are faithful in the discharge of their duties. The mayor shall cause the books and records of said city and of its officers to be inspected, shall have control of the police force of said city, and may appoint special police officers whenever he or she deems necessary. The mayor shall have the right and authority to name all of the city appointments to all boards and commissions; provided, however, that the appointments are subject to the approval of the city council. The mayor shall further have the right and authority to name all committee chairpersons from the membership of the city council and designate to them the administrative assistance necessary to run their department.

(c)(1) The city council shall be the legislative body of the city. It shall pass all ordinances pursuant to the authority herein set forth. Ordinances shall be proposed and read at a regular meeting of the city council and shall not be passed until the next regular meeting. The city clerk, under the direction of the mayor and council, shall prepare an annual budget. The budget, once approved, shall become the approved expenditures for the fiscal year and all other expenditures shall be approved by the city council, except capital improvement equipment which shall be approved by the mayor and council. The city

37 council, upon the advice of the mayor, shall prescribe the compensation of all city
38 employees and officials, except that of the mayor and councilmembers.

39 (2) The seven councilmembers to be elected as provided in this section shall be elected
40 from the districts provided for in paragraph (3) of this subsection. Districts 1 and 3 shall
41 each have two posts and District 2 shall have three posts, with one councilmember
42 elected from each post in each district. To be elected as a member of the city council
43 from a district, a person shall have resided in that district for at least 12 months prior to
44 election thereto and must receive a plurality of the votes cast for such office in that
45 district. Only electors who are residents of that district may vote for a councilmember
46 of that district. At the time of qualifying for election as a councilmember, each candidate
47 for such office shall specify the district for which that person is a candidate. A person
48 elected as a councilmember from a district shall continue to reside in that district during
49 the elected person's term of office or such office shall thereupon become vacant.

50 (3)(A) For the purpose of electing councilmembers, the City of Claxton shall be
51 divided into three council districts. Districts 1, 2, and 3, shall be and correspond to
52 those three numbered districts described in Appendix A attached to and made a part of
53 this Act and further identified as 'User: Claxton Plan Name: Claxton-3d-2022 Plan
54 Type: Local'.

55 (B) For the purposes of such plan:

56 (i) The term 'VTD' shall mean and describe the same geographical boundaries as
57 provided in the report of the Bureau of the Census for the United States decennial
58 census of 2020 for the State of Georgia. The separate numeric designations in a
59 district description which are underneath a VTD heading shall mean and describe
60 individual Blocks within a VTD as provided in the report of the Bureau of the Census
61 for the United States decennial census of 2020 for the State of Georgia; and

62 (ii) Except as otherwise provided in the description of any district, whenever the
63 description of any district refers to a named city, it shall mean the geographical

64 boundaries of that city as shown on the census maps for the United States decennial
65 census of 2020 for the State of Georgia.

66 (C) Any part of the City of Claxton which is not included in any district described in
67 subparagraph (A) of this paragraph shall be included within that district contiguous to
68 such part which contains the least population according to the United States decennial
69 census of 2020 for the State of Georgia.

70 (D) Any part of the City of Claxton which is described in subparagraph (A) of this
71 paragraph as being included in a particular district shall nevertheless not be included
72 within such district if such part is not contiguous to such district. Such noncontiguous
73 part shall instead be included within that district contiguous to such part which contains
74 the least population according to the United States decennial census of 2020 for the
75 State of Georgia.

76 (E) Any territory purportedly described in a district in subparagraph (A) of this
77 paragraph that is not within the corporate limits of the City of Claxton shall not be part
78 of any such district.

79 (4)(A) The initial councilmember for District 1 Post 1 as newly described under this
80 subsection shall be Tina Hagan, and on and after the effective date of this subsection
81 such councilmember shall be deemed to be serving from and representing District 1
82 Post 1 as described under this subsection. The successor to such councilmember shall
83 be elected at the general municipal election held in 2023.

84 (B) The initial councilmember for District 1 Post 2 as newly described under this
85 subsection shall be Donna Brewton, and on and after the effective date of this
86 subsection such councilmember shall be deemed to be serving from and representing
87 District 1 Post 2 as described under this subsection. The successor to such
88 councilmember shall be elected at the general municipal election held in 2025.

89 (C) As of the effective date of this section, the District 2 Post 1 seat shall be vacant.
90 The initial councilmember for District 2 Post 1 as newly described under this subsection

91 shall be elected at a special election to serve out the remainder of the unexpired term
92 of the vacant seat at the earliest date authorized by general law and this charter. The
93 successor to the person elected as provided for in this subparagraph shall be elected at
94 the general municipal election held in 2023.

95 (D) The initial councilmember for District 2 Post 2 as newly described under this
96 subsection shall be Lisa Perry, and on and after the effective date of this subsection
97 such councilmember shall be deemed to be serving from and representing District 2
98 Post 2 as described under this subsection. The successor to such councilmember shall
99 be elected at the general municipal election held in 2025.

100 (E) The initial councilmember for District 2 Post 3 as newly described under this
101 subsection shall be Dean Cameron, and on and after the effective date of this subsection
102 such councilmember shall be deemed to be serving from and representing District 2
103 Post 3 as described under this subsection. The successor to such councilmember shall
104 be elected at the general municipal election held in 2025.

105 (F) The initial councilmember for District 3 Post 1 as newly described under this
106 subsection shall be Larry Anderson, and on and after the effective date of this
107 subsection such councilmember shall be deemed to be serving from and representing
108 District 3 Post 1 as described under this subsection. The successor to such
109 councilmember shall be elected at the general municipal election held in 2023.

110 (G) The initial councilmember for District 3 Post 2 as newly described under this
111 subsection shall be C. Scott Lynn, and on and after the effective date of this subsection
112 such councilmember shall be deemed to be serving from and representing District 3
113 Post 2 as described under this subsection. The successor to such councilmember shall
114 be elected at the general municipal election held in 2025.

115 (d) The mayor and councilmembers elected under this charter shall take office on
116 January 1 after their election and shall be installed in office by taking and subscribing the
117 following oath:

118 I do solemnly swear that I will faithfully discharge the duties devolved upon me as
119 mayor or councilmember (as the case may be) of the City of Claxton; that I will faithfully
120 execute and enforce the laws of said city to the best of my ability, skill and knowledge;
121 and that I will do all in my power to promote the general welfare of the inhabitants of said
122 city and common interest thereof.'

123 (e) The city council shall meet in regular session upon the first and third Monday in each
124 month. Special meetings of the council may be called at any time by the mayor or by a
125 majority of the members of the council. The mayor shall preside over all meetings of the
126 council, but shall have no vote except when the vote of the council is equally divided. At
127 the first regular meeting of the council following the regular election of new members
128 thereof the council shall elect one of its members present as a mayor pro tempore who
129 shall, in the event of the absence, disability or disqualification of the mayor, perform all the
130 duties and exercise all the rights and powers and privileges of the office of mayor.

131 (f)(1) The city is authorized to enact any and all ordinances, rules, and regulations not
132 inconsistent with this charter and the Constitution and the laws of the State of Georgia,
133 which it shall deem necessary, expedient, or helpful for the peace, good order, protection
134 of life and property, health, welfare, sanitation, comfort, convenience, prosperity, or
135 well-being of the inhabitants of the City of Claxton and may enforce such ordinances by
136 imposing penalties for violations thereof.

137 (2) All ordinances for the government of the City of Claxton shall be introduced in
138 writing at a regular meeting of the city council and referred to the proper committee, who
139 shall report on it at the next regular meeting when it may be reread and put upon its
140 passage. By unanimous consent of council an ordinance may be put upon its second
141 reading and passed at the first meeting.

142 (g) The mayor shall have the power and authority to veto any action approved by the city
143 council and shall exercise said power and authority by or during the next regular meeting
144 of the mayor and council. The city council may override said veto by a two-thirds' majority

145 vote of the city council and the mayor's right to override said veto shall vest until the
146 conclusion of the next regular meeting of the mayor and council."

147 **SECTION 2.**

148 Said Act is further amended by repealing and reserving subsection (a) of Section 7.

149 **SECTION 3.**

150 The mayor and those members of the City of Claxton City Council who are serving as such
151 on the effective date of this Act, and any person selected to fill a vacancy in any such office,
152 shall continue to serve as such members until the regular expiration of their respective terms
153 of office and upon the election and qualification of their respective successors.

154 **SECTION 4.**

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

156

APPENDIX A

157 User: Claxton

158 Plan Name: Claxton-3d-2022

159 Plan Type: Local

160 District 001

161 County Evans GA

162 VTD VETERAN'S COMM CTR

163 Block 970200:

164 1010 1012 1013 1024 1027 1030 1031 1032 1033 1034 1035 1036

165 1037 1038 1039 1040 1041 1042 1043 1044 1045 1050 2004 2005

166 2010 2012

167 Block 970300:

168 1020 1023 1024 1025 1026 1027 1028 1029

169 District 002

170 County Evans GA

171 VTD VETERAN'S COMM CTR

172 Block 970200:

173 1053 2000 2017 2018 2022 2023 2024

174 Block 970300:

175 1019 1030 1031 1032 1033 1034 1035 1036 1037 1038 1039 1040

176 1041 2014 2015 2017 2018 2019 2031 2032 2033 2034 2035 2036

177 2037 2045 2046 2047 2048 2049 2050 2051 3003 3004 3005 3006

178 3007 3011 3012 3013 3014 3015 3016 3017 3020 3021 3022 3025

179 3026 3029 3030 3031 3032 3033

180 District 003
181 County Evans GA
182 VTD VETERAN'S COMM CTR
183 Block 970200:
184 1046 1047 1048 1049 1051 1052 2001 2002 2003 2011 2014 2015
185 2016 2019 2020 2021 2025 2026 2027 2028 2029 2030 2031 2032
186 2033 2034 2035 2036 2037 2038 2039 2040 2041 2042 2043 2044
187 2045 2046 2047 2048 2049 2050 2051 2052 2053 2054 2055 2056
188 2057 2058 2059 2072
189 Block 970300:
190 3018 3019 3027 3028 3035