

House Bill 619 (AS PASSED HOUSE AND SENATE)

By: Representative Carter of the 175th

A BILL TO BE ENTITLED
AN ACT

1 To provide a new charter for the City of Pavo; to provide for incorporation, boundaries,
2 powers, and construction; to provide for a governing authority, its qualifications, terms, and
3 related matters; to provide for vacancies; to provide for inquiries and investigations; to
4 provide for meetings, procedures, and voting of the governing authority; to provide for
5 powers of the mayor; to provide for departments; to provide for boards, commissions, and
6 authorities; to provide for ordinances; to provide for a city clerk and city attorney; to provide
7 for personnel matters; to provide for a municipal court, its judges, jurisdiction, and powers;
8 to provide for certiorari and rules of the court; to provide for election and removal of
9 members of the governing authority; to provide for budgets; to provide for disposition of
10 municipal property; to provide for taxes, fees, franchises, and other charges and assessments;
11 to provide for bonds and short-term loans; to provide contract procedures; to provide for
12 bonds for officials, prior ordinances, existing personnel and officers, pending matters, and
13 construction; to provide for other matters relative to the foregoing; to provide a specific
14 repealer; to repeal conflicting laws; and for other purposes.

15 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

16 ARTICLE I
17 CREATION, INCORPORATION, POWERS

18 SECTION 1.10.

19 Name.

20 This city, and the inhabitants thereof, are reincorporated by the enactment of this charter and
21 are hereby constituted and declared a body politic and corporate under the name and style
22 City of Pavo, Georgia, and by that name shall have perpetual succession.

23 **SECTION 1.11.**

24 Corporate boundaries.

25 (a) The boundaries of this city shall be those existing on the effective date of this charter
 26 with such alterations as may be made from time to time in the manner provided by law. The
 27 boundaries of this city at all times shall be shown on a map, a written description of any
 28 combination thereof, to be retained permanently in the office of the City of Pavo and to be
 29 designated, as the case may be: "Official map of the corporate limits of the City of Pavo,
 30 Georgia." Photographic, typed, or other copies of such map or description certified by the
 31 city clerk shall be admitted as evidence in all courts and shall have the same force and effect
 32 as with the original map or description.

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

36 **SECTION 1.12.**

37 Powers and construction.

38 (a) This city shall have all powers for a city to have under the present or future constitution
 39 and laws of this state as fully and completely as though they were specifically enumerated
 40 in this charter. This city shall have the powers of self-government not otherwise prohibited
 41 by this charter or by general law.

42 (b) The powers of this city shall be construed liberally in favor of the city. The specific
 43 mention or failure to mention particular powers shall not be construed as limiting in any way
 44 the powers of the city.

45 **SECTION 1.13.**

46 Examples of powers.

47 The powers of the city shall include, but not be limited to the power to:

48 (1) Animal regulations. Regulate and license or to prohibit the keeping or running
 49 at-large of animals and fowl and to provide for the impoundment of same if in violation
 50 of any ordinance or lawful order; to provide for the disposition by sale, gift, or humane
 51 destruction of animals and fowl when not redeemed as provided by ordinance; and to
 52 provide punishment for violation of ordinances enacted hereunder;

53 (2) Appropriations and expenditures. Make appropriations for the support of the
 54 government of the city; to authorize the expenditure of money for any purposes

55 authorized by this charter and for any purpose for which a municipality is authorized by
56 the laws of the State of Georgia; and to provide for the payment of expenses of the city;

57 (3) Building regulations. Regulate and to license the erection and construction of
58 buildings and all other structures; to adopt building, housing, plumbing, electrical, gas
59 and heating and air conditioning codes; and to regulate all housing and building trades;

60 (4) Business regulation and taxation. Levy and to provide for the collection of regulatory
61 fees and taxes on privileges, occupations, trades, and professions as authorized by
62 Title 48 of the O.C.G.A., or other such applicable laws as are or may hereafter be
63 enacted; to permit and regulate the same; to provide for the manner and method of
64 payment of such regulatory fees and taxes; and to revoke such permits after due process
65 for failure to pay any city taxes or fees;

66 (5) Condemnation. Condemn property, inside or outside the corporate limits of the city,
67 for present or future use and for any corporate purpose deemed necessary by the
68 governing authority, utilizing procedures enumerated in Title 22 of the O.C.G.A., or such
69 other applicable laws as are or may hereafter be enacted;

70 (6) Contracts. Enter into contracts and agreements with other governmental entities and
71 with private persons, firms, and corporations;

72 (7) Emergencies. Establish procedures for determining and proclaiming that an
73 emergency situation exists within or without the city and to make and carry out all
74 reasonable provisions deemed necessary to deal with or meet such an emergency for the
75 protection, safety, health, or well-being of the citizens of the city;

76 (8) Environmental protection. Protect and preserve the natural resources, environment,
77 and vital areas of the state through the preservation and improvement of air quality, the
78 restoration and maintenance of water resources, the control of erosion and sedimentation,
79 the management of solid and hazardous waste, and other necessary actions for the
80 protection of the environment;

81 (9) Fire regulations. Fix and establish fire limits and from time to time to extend, enlarge
82 or restrict the same; to prescribe the fire safety regulations not inconsistent with general
83 law, relating to both fire prevention and detection and to fire fighting; and to prescribe
84 penalties and punishment for violations thereof;

85 (10) Garbage fees. Levy, fix, assess, and collect a garbage, refuse, and trash collection
86 and disposal, and other sanitary service charges or fees for such services as may be
87 necessary in the operation of the city from all individuals, firms, and corporations
88 residing in or doing business therein benefiting from such services; to enforce the
89 payment of such charges or fees; and to provide for the manner and method of collecting
90 such service charges or fees;

- 91 (11) General health, safety, and welfare. Define, regulate, and prohibit any act, practice,
92 conduct, or use of property which is detrimental to the health, sanitation, cleanliness,
93 welfare, and safety of the inhabitants of the city and to provide for the enforcement of
94 such standards;
- 95 (12) Gifts. To accept or refuse gifts, donations, bequests, or grants from any source for
96 any purpose related to powers and duties of the city and the general welfare of its citizens
97 on such terms and conditions as the donor or grantor may impose;
- 98 (13) Health and sanitation. Prescribe standards of health and sanitation and to provide
99 for the enforcement of such standards;
- 100 (14) Jail sentences. Provide that persons given jail sentences in the city's court may work
101 out such sentences in any public works or on the streets, roads, drains, and other public
102 property in the city, to provide for commitment of such persons to any jail, or to provide
103 for the commitment of such persons to any county work camp or county jail by
104 agreement with the appropriate county officials;
- 105 (15) Motor vehicles. Regulate the operation of motor vehicles and exercise control over
106 all traffic including parking upon or across the streets, roads, alleys, and walkways of the
107 city;
- 108 (16) Municipal agencies and delegation of power. Create, alter, or abolish departments,
109 boards, offices, commissions, and agencies of the city and to confer upon such entities
110 the necessary and appropriate authority for carrying out all the powers conferred upon or
111 delegated to the same;
- 112 (17) Municipal debts. Appropriate and borrow money for the payment of debts of the
113 city and to issue bonds for the purpose of raising revenue to carry out any project,
114 program, or venture authorized by this charter or the laws of the State of Georgia;
- 115 (18) Municipal property ownership. Acquire, dispose of, lease, and hold in trust or
116 otherwise any real, personal, or mixed property in fee simple or lesser interest inside or
117 outside the property limits of the city;
- 118 (19) Municipal property protection. Provide for the preservation and protection of
119 property and equipment of the city and the administration and use of same by the public
120 and to prescribe penalties and punishment for violations thereof;
- 121 (20) Municipal utilities. Acquire, lease, construct, operate, maintain, sell, and dispose
122 of public utilities, including but not limited to a system of waterworks, sewers and drains,
123 sewage disposal, gas works, electric light plants, cable television and other
124 telecommunications, transportation facilities, public airports, and any other public utility;
125 and to fix the taxes, charges, rates, fares, fees, assessments, regulations, and penalties and
126 to provide for the withdrawal of service for refusal or failure to pay for said services;

- 127 (21) Nuisance. Define a nuisance and provide for its abatement whether on public or
128 private property;
- 129 (22) Penalties. Provide penalties for violation of any ordinances adopted pursuant to the
130 authority of this charter and the laws of the State of Georgia;
- 131 (23) Planning and zoning. Provide comprehensive planning for development by zoning
132 and to provide subdivision regulation and the like as the city council deems necessary and
133 reasonable to ensure a safe, healthy, and aesthetically pleasing community;
- 134 (24) Police and fire protection. Exercise the power of arrest through duly appointed
135 police officers and to establish, operate, or contract for a police and fire-fighting agency;
- 136 (25) Public hazards removal. Provide for the destruction and removal of any building
137 or other structure which is or may become dangerous or detrimental to the public;
- 138 (26) Public improvements. Provide for the acquisition, construction, building, operation,
139 and maintenance of public ways, parks and playgrounds, cemeteries, markets and market
140 houses, public buildings, libraries, public housing, airports, hospitals, terminals, docks,
141 parking facilities, and cultural, educational, recreational, conservation, sporting, curative,
142 corrective, detention, penal, and medical institutions, agencies, and facilities; to provide
143 any other public improvements, inside or outside the corporate limits of the city; to
144 regulate the use of public improvements; and for such purposes, to acquire property by
145 condemnation under Title 22 of the O.C.G.A., or such other applicable laws as are or may
146 hereafter be enacted;
- 147 (27) Public peace. Provide for the prevention and punishment of drunkenness, riots, and
148 public disturbances;
- 149 (28) Public transportation. Organize and operate such public transportation systems as
150 are deemed beneficial;
- 151 (29) Public utilities and services. Grant franchises or make contracts for public utilities
152 and public service companies and to prescribe the rates, fares, regulations, standards, and
153 conditions of service applicable to the service to be provided by the franchise grantee or
154 contractor, insofar as not in conflict with valid regulations of the Public Service
155 Commission;
- 156 (30) Regulation of roadside areas. Prohibit or regulate and control the erection, removal,
157 and maintenance of signs, billboards, trees, shrubs, fences, buildings, and any and all
158 other structures or obstructions upon or adjacent to the rights-of-way of streets and roads
159 or within view thereof, within or abutting the corporate limits of the city, and to prescribe
160 penalties and punishment for violation of such regulations;
- 161 (31) Retirement. Provide and maintain a retirement plan for officers and employees of
162 the city;

- 163 (32) Roadways. Lay out, open, extend, widen, narrow, establish or change the grade of,
164 abandon or close, construct, pave, curb, gutter, adorn with shade trees, or otherwise
165 improve, maintain, repair, clean, prevent erosion of, and light the roads, alleys, and
166 walkways within the corporate limits of the city; to grant franchises and rights-of-way
167 throughout the streets and roads and over the bridges and viaducts for the use of public
168 utilities; and to require real estate owners to repair and maintain in safe condition the
169 sidewalks adjoining their lots or lands and to impose penalties for failure to do so;
- 170 (33) Sewer fees. Levy a fee or charge tax as necessary to ensure the acquiring,
171 constructing, equipping, operating, maintaining, and extending of a sewage disposal plant
172 and sewerage system and to levy on those to whom sewers and sewerage systems are
173 made available a sewer service fee or charge for the availability or use of the sewers; to
174 provide for the manner and method of collecting such service charges and for enforcing
175 payment of the same; and to charge, impose, and collect a sewer connection fee or fees
176 to those connected with the system;
- 177 (34) Solid waste disposal. Provide for the collection and disposal of garbage, rubbish,
178 and refuse and to regulate the collection and disposal of garbage, rubbish, and refuse by
179 other; and to provide for the separate collection of glass, tin, aluminum, cardboard, paper,
180 and other recyclable materials and the sale of such items;
- 181 (35) Special areas of public regulation. Regulate junk dealers, pawn shops, and the
182 manufacture, sale, or transportation of intoxicating liquors; to regulate the transportation,
183 storage, and use of combustible, explosive, and inflammable materials, the use of lighting
184 and heating equipment, and any other business or situation which may be dangerous to
185 persons or property; to regulate and control the conduct of peddlers and itinerant traders,
186 theatrical performances, exhibitions, and shows of any kind, by taxation or otherwise; and
187 to license, tax, regulate, or prohibit professional fortune telling, palmistry, adult
188 bookstores, and massage parlors;
- 189 (36) Special assessments. Levy and provide for the assessments to cover the costs for
190 any public improvements;
- 191 (37) Taxes: ad valorem. Levy and provide for the assessment, valuation, revaluation,
192 and collection of taxes on all property subject to taxation;
- 193 (38) Taxes: other. Levy and collect such other taxes as may be allowed now or in the
194 future by law;
- 195 (39) Taxicabs. Regulate and license vehicles operated for hire in the city; to limit the
196 number of such vehicles; to require the operators thereof to be licensed; to require public
197 liability insurance on such vehicles in the amounts to be prescribed by ordinance; and to
198 regulate the parking of such vehicles;
- 199 (40) Urban redevelopment. Organize and operate an urban redevelopment program; and

200 (41) Other powers. Exercise and enjoy all other powers, functions, rights, privileges, and
 201 immunities necessary or desirable to promote or protect the safety, health, peace, security,
 202 good order, comfort, convenience, or general welfare of the city and its inhabitants; and
 203 to exercise all implied powers necessary or desirable to carry into execution all powers
 204 granted in this charter as fully and completely as if such powers were fully stated herein;
 205 and to exercise all powers now or in the future authorized to be exercised by other
 206 municipal governments under the laws of the State of Georgia. No listing of particular
 207 powers in this charter shall be held to be exclusive of others nor restrictive of general
 208 words and phrases granting powers, but shall be held to be in addition to such powers
 209 unless expressly prohibited to municipalities under the Constitution or applicable laws
 210 of the State of Georgia.

211 **SECTION 1.14.**

212 Exercise of powers.

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

217 **ARTICLE II**

218 **GOVERNMENT STRUCTURE**

219 **SECTION 2.10.**

220 City council creation; number; election.

221 The legislative authority of the government of this city, except as otherwise specifically
 222 provided in this charter, shall be vested in a city council to be composed of a mayor and five
 223 councilmembers. The city council established shall in all respects be a successor to and in
 224 continuation of the governing authority under prior law. The mayor and councilmembers
 225 shall be elected in the manner provided by general law and this charter.

226 **SECTION 2.11.**

227 City council terms and qualifications for office.

228 The members of the city council shall serve for terms of four years and until their respective
 229 successors are elected and qualified. No person shall be eligible to serve as mayor or
 230 councilmember unless that person shall have been a resident of the city for at least 12 months

231 prior to the date of election of mayor or members of the council; each shall continue to reside
 232 therein during that person's period of service and to be registered and qualified to vote in
 233 municipal elections of this city.

234 **SECTION 2.12.**

235 Vacancy; filling of vacancies.

236 (a) Vacancies. The office of mayor or councilmember shall become vacant upon the
 237 occurrence of any event specified by the Constitution of the State of Georgia, Title 45 of the
 238 O.C.G.A., or such other applicable laws as are or may hereafter be enacted.

239 (b) Filling of Vacancies. A vacancy in the office of mayor or councilmember shall be filled
 240 for the remainder of the unexpired term, if any, by appointment if less than 12 months
 241 remains in the unexpired term, otherwise by an election, as provided for in Section 5.14 of
 242 this charter and in accordance with Titles 21 and 45 of the O.C.G.A., or other such laws as
 243 are or may hereafter be enacted.

244 **SECTION 2.13.**

245 Compensation and expenses.

246 The mayor and councilmembers shall receive compensation and expenses for their services
 247 as provided by ordinance.

248 **SECTION 2.14.**

249 Holding other office; voting when financially interested.

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

252 (b) Except as authorized by law, neither the mayor nor any councilmember shall hold any
 253 other city office or city employment during the term for which that person was elected.

254 (c) Neither the mayor nor any member of the city council shall vote upon, sign, or veto any
 255 ordinance, resolution, contract, or other matter in which that person is financially interested.

256 **SECTION 2.15.**

257 Inquiries and investigations.

258 Following the adoption of an authorizing resolution, the city council may make inquiries and
 259 investigations into the affairs of the city and the conduct of any department, office, or agency

260 thereof and for this purpose may subpoena witnesses, administer oaths, take testimony, and
261 require the production of evidence. Any person who fails or refuses to obey a lawful order
262 issued in the exercise of these powers by the city council shall be punished as provided by
263 ordinance.

264 **SECTION 2.16.**

265 General power and authority of the city council.

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

268 **SECTION 2.17.**

269 Eminent domain.

270 The city council is hereby empowered to acquire, construct, operate, and maintain public
271 ways, parks, public grounds, cemeteries, markets, market houses, public buildings, libraries,
272 sewers, drains, sewage treatment, waterworks, electrical system, gas systems, airports,
273 hospitals, and charitable, educational, recreational, sport, curative, corrective, detention,
274 penal, and medical institutions, agencies, and facilities, and any other public improvements
275 inside or outside the city, and to regulate the use thereof, and for such purposes, property
276 may be condemned under procedures established under general law applicable now or as
277 provided in the future.

278 **SECTION 2.18.**

279 Organizational meetings.

280 The city council shall hold an organizational meeting on the second Tuesday in January of
281 each year. The meeting shall be called to order by the city clerk, and the oath of office shall
282 be administered to the newly elected members as follows:

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

286

SECTION 2.19.

287

Regular and special meetings.

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

290 (b) Special meetings of the city council may be held on call of the mayor or two members
291 of the city council. Notice of such special meetings shall be served on all other members
292 personally, or by telephone personally, at least 48 hours in advance of the meeting. Such
293 notice to councilmembers shall not be required if the mayor and all councilmembers are
294 present when the special meeting is called. Such notice of any special meeting may be
295 waived by a councilmember in writing before or after such a meeting, and attendance at the
296 meeting shall constitute a waiver of notice on any business transacted in such
297 councilmember's presence. Only the business stated in the call may be transacted at the
298 special meeting.

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

303

SECTION 2.20.

304

Quorum: voting.

305 Three councilmembers shall constitute a quorum and shall be authorized to transact business
306 of the city council. Voting on the adoption of ordinances shall be by voice vote, and the vote
307 shall be recorded in the journal. Any member of the city council shall have the right to
308 request a roll call vote, and such vote shall be recorded in the journal. Except as otherwise
309 provided in this charter, the affirmative vote of three councilmembers shall be required for
310 the adoption of any ordinance, resolution, or motion. An abstention shall be counted as an
311 affirmative vote.

312

SECTION 2.21.

313

Ordinance form; procedures.

314 (a) Every proposed ordinance shall be introduced in writing and in the form required for
315 final adoption. No ordinance shall contain a subject which is not expressed in its title. The
316 enacting clause shall be "It is hereby ordained by the governing authority of the City of
317 Pavo" and every ordinance shall so begin.

318 (b) An ordinance may be introduced by any councilmember and read at a regular or special
 319 meeting of the city council. Upon introduction of any ordinance, the clerk shall as soon as
 320 possible distribute a copy to the mayor and to each councilmember and shall file a reasonable
 321 number of copies in the office of the clerk and at such other public places as the city council
 322 may designate. An ordinance must be read at two different meetings (either regularly
 323 scheduled or called meetings at least 48 hours apart) of the mayor and city council unless all
 324 members of the city council vote to waive the rules and read the proposed ordinance twice
 325 at one meeting.

326 **SECTION 2.22.**

327 Action requiring an ordinance.

328 Actions of the city council which have the force and effect of law shall be enacted by
 329 ordinance.

330 **SECTION 2.23.**

331 Signing, authenticating; recording; codification; printing.

332 (a) The city clerk shall authenticate by the city clerk's signature and record in full in a
 333 properly indexed book kept for that purpose all ordinances adopted by the council.

334 (b) The city council shall provide for the preparation of general codification of all
 335 ordinances of the city having the force and effect of law. The general codification shall be
 336 adopted by the city council by ordinance and shall be published promptly, together with all
 337 amendments thereto and such codes of technical regulations and other rules and regulations
 338 as the city council may specify. The compilation shall be known and cited officially as "The
 339 Code of the City of Pavo, Georgia." Copies of the code shall be furnished to all officers,
 340 departments, and agencies of the city and made available for purchase by the public at a
 341 reasonable price as fixed by the city council.

342 (c) The city council shall cause each ordinance and each amendment to this charter to be
 343 printed promptly following its adoption, and the printed ordinances and charter amendments
 344 shall be made available for purchase by the public at reasonable prices to be fixed by the city
 345 council. Following publication of this first code under this charter and at all times thereafter,
 346 the ordinances and charter amendments shall be printed in substantially the same style as the
 347 code currently in effect and shall be suitable in form for incorporation therein. The city
 348 council shall make such further arrangements as deemed desirable with reproduction and
 349 distribution of any current change in the code or additions to codes of technical regulations
 350 and other rules and regulations included in the code.

351 **SECTION 2.24.**

352 Election of mayor; forfeiture; compensation.

353 The mayor shall be elected and serve for a term of four years and until a successor is elected
 354 and qualified. The mayor shall be a qualified elector of this city and shall have been a
 355 resident of the city for at least 12 months preceding the election. The mayor shall continue
 356 to reside in this city during the period of service. The mayor shall forfeit the office on the
 357 same grounds and under the same procedures as for councilmembers. The compensation of
 358 the mayor shall be established in the same manner as the councilmembers.

359 **SECTION 2.25.**

360 Chief executive officer.

361 The mayor shall be the chief executive officer of this city. The mayor shall possess all the
 362 executive and administrative powers granted to the city under the Constitution and the laws
 363 of the State of Georgia and all the executive and administrative powers granted to the city
 364 in this charter.

365 **SECTION 2.26.**

366 Powers and duties of mayor.

367 As the chief executive of this city, the mayor shall:

- 368 (1) See that all laws and ordinances of the city are faithfully executed;
- 369 (2) Exercise supervision over all executive and administrative work of the city and
 370 provide for the coordination of administrative activities;
- 371 (3) Prepare and submit to the city council a recommended operating budget and capital
 372 budget;
- 373 (4) Submit to the city council at least once per year a statement covering the financial
 374 conditions of the city, and from time to time, such other information as the city council
 375 may request;
- 376 (5) Recommend to the city council such measures relative to the affairs of the city,
 377 improvement of the government, and promotion of the welfare of its inhabitants as the
 378 mayor may deem expedient;
- 379 (6) Call special meetings of the city council as provided in subsection (b) of Section 2.19
 380 of this charter;
- 381 (7) Approve or disapprove ordinances as provided in Section 2.27 of this charter;
- 382 (8) Provide for an annual audit of all accounts of the city;

- 383 (9) Require any department or agency of the city to submit written reports whenever the
 384 mayor deems it expedient; and
 385 (10) Perform such other duties as may be required by law, this charter, or ordinance.

386 **SECTION 2.27.**

387 Submission of ordinances to the mayor; veto power.

- 388 (a) Every ordinance adopted by the city council shall be presented promptly to the city clerk
 389 and to the mayor.
 390 (b) The mayor, within ten calendar days of receipt of an ordinance, shall return the ordinance
 391 to the city clerk with or without the mayor's approval or with the mayor's disapproval. If the
 392 ordinance has been approved by the mayor, it shall become effective upon its return to the
 393 clerk; if the ordinance is neither approved nor disapproved, it shall become effective at noon
 394 on the tenth calendar day after its adoption; if the ordinance is disapproved, the mayor shall
 395 submit to the city council through the clerk a written statement of reasons for the veto. The
 396 clerk shall record the ordinance's date of delivery to and receipt from the mayor.
 397 (c) Ordinances vetoed by the mayor shall be presented by the clerk to the city council at its
 398 next meeting. If the city council then or at its next meeting adopts the ordinance by an
 399 affirmative vote of four members, it shall become law.
 400 (d) The mayor may disapprove or reduce any item or items of appropriation in any
 401 ordinances. The approved part or parts of any ordinance making appropriations shall become
 402 effective, and the part or parts disapproved shall not become effective unless subsequently
 403 passed by the city council over the mayor's veto as provided in subsection (c) of this section.
 404 Any such reduced part or parts of an ordinance shall be presented to the city council as
 405 though disapproved and shall not become effective unless overridden by the city council as
 406 provided in subsection (c) of this section.

407 **SECTION 2.28.**

408 Mayor Pro Tempore; election; duties.

- 409 By a majority vote, the city council shall elect a councilmember to serve as mayor pro tem.
 410 The mayor pro tem shall preside at all meetings of the city council and shall assume the
 411 duties and powers of the mayor upon the mayor's physical or mental disability or absence.
 412 The city council by a majority vote shall elect a new presiding officer from among its
 413 members for any period in which the mayor pro tem is disabled or absent. The city council
 414 by a majority vote shall elect a new presiding officer from among its members for any period

415 in which the mayor pro tem is disabled, absent, or acting as mayor. Any such absence or
 416 disability shall be declared by majority vote of all councilmembers.

417 **ARTICLE III**

418 **ADMINISTRATIVE AFFAIRS**

419 **SECTION 3.10.**

420 Administrative and service departments.

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

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

428 (c) There shall be a director of each department or agency who shall be its principal officer.
 429 Each director shall, subject to the direction and supervision of the mayor, be responsible for
 430 the administration and direction of the affairs and operations of that director's department or
 431 agency.

432 (d) All appointive officers and directors under the supervision of the mayor shall be
 433 nominated by the mayor or city council with confirmation of appointment by the city council
 434 and mayor. All appointive officers and directors shall be employees at-will and subject to
 435 removal or suspension at any time by the mayor and city council unless otherwise provided
 436 by law or ordinance.

437 **SECTION 3.11.**

438 Boards, commissions, and authorities.

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

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

- 447 (c) The city council, by ordinance, may provide for the compensation and reimbursement
448 for actual and necessary expenses of the members of any board, commission, or authority.
- 449 (d) Except as otherwise provided by charter or by law, no member of any board,
450 commission, or authority shall hold any other elective office in the city.
- 451 (e) Any vacancy on a board, commission, or authority of the city shall be filed for the
452 unexpired term in the manner prescribed herein for original appointment, except as otherwise
453 provided by this charter or by law.
- 454 (f) No member of a board, commission, or authority shall assume office until that person has
455 executed and filed with the city clerk an oath obligating himself or herself to faithfully and
456 impartially perform the duties of the member's office, such oath to be prescribed by
457 ordinance and administered by the mayor.
- 458 (g) All board members serve at-will and may be removed at any time by a vote of three
459 members of the city council unless otherwise provided by law.
- 460 (h) Except as otherwise provided by this charter or by law, each board, commission, or
461 authority of the city shall elect one of its members as chairperson and one member as
462 vice-chairperson and may elect as its secretary one of its own members or may appoint as
463 secretary an employee of the city. Each board, commission, or authority of the city
464 government may establish such bylaws, rules, and regulations not inconsistent with this
465 charter, ordinances of the city, or laws as it deems appropriate and necessary for the
466 fulfillment of its duties or the conduct of its affairs. Copies of such bylaws, rules and
467 regulations shall be filed with the city clerk.

468

SECTION 3.12.

469

City attorney.

470 The city council and mayor shall appoint a city attorney and shall provide for the payment
471 of such attorney or attorneys for services rendered to the city. The city attorney shall be
472 responsible for providing for the representation and defense of the city in all litigation in
473 which the city is a part; may be the prosecuting officer in the municipal court; shall attend
474 the meetings of the city council as directed; shall advise the city council, mayor, and other
475 officers and employees of the city concerning the legal aspects of the city's affairs; and shall
476 perform such other duties as may be required by virtue of the person's position as city
477 attorney.

478 **SECTION 3.13.**

479 City clerk.

480 The mayor and city council shall appoint a city clerk who shall not be a councilmember. The
 481 city clerk shall be custodian of the official city seal and city records; maintain city council
 482 records required by this charter; and perform such other duties as may be required by the city
 483 council.

484 **SECTION 3.14.**

485 Personnel policies.

486 All city employees serve at-will and may be removed from office at any time unless
 487 otherwise provided by ordinance.

488 **ARTICLE IV**
 489 **JUDICIAL BRANCH**

490 **SECTION 4.10.**

491 Creation; name.

492 There shall be a court to be known as the Municipal Court of the City of Pavo.

493 **SECTION 4.11.**

494 Chief judge; associate judge.

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

497 (b) No person shall be qualified or eligible to serve as a judge on the municipal court unless
 498 that person shall possess all qualifications required by law. All judges shall be appointed by
 499 the mayor and city council and shall serve until a successor is appointed and qualified.

500 (c) Compensation of the judge shall be fixed by ordinance.

501 (d) Judges may be removed from office in compliance with Code Section 36-32-2.1 of the
 502 O.C.G.A.

503 (e) Before assuming office, each judge shall take an oath, given by the mayor, that he or she
 504 will honestly and faithfully discharge the duties of the office to the best of his or her ability
 505 and without fear, favor, or partiality. The oath shall be entered upon the minutes of the city
 506 council journal required in Section 2.20 of this charter.

507 **SECTION 4.12.**

508 Convening.

509 The municipal court shall be convened at regular intervals as set by the chief judge with
 510 approval of the city council and mayor.

511 **SECTION 4.13.**

512 Jurisdiction; powers.

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

515 (b) The municipal court may fix punishment for offenses within its jurisdiction not
 516 exceeding a fine of \$1,000.00 or imprisonment for 180 days, or both.

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

520 (d) The municipal court shall have the authority to establish bail and recognizances to ensure
 521 the presence of those charged with violations before said court and shall have discretionary
 522 authority to accept cash or personal or real property as surety for the appearance of persons
 523 charged with violations. Whenever any person shall give bail for such person's appearance
 524 and shall fail to appear at the time fixed for trial, the bond shall be forfeited by the judge
 525 presiding at such time and an execution issued thereon by serving the defendant and the
 526 defendant's sureties with a rule nisi, at least two days before a hearing on the rule nisi. In the
 527 event that cash or property is accepted in lieu of bond for security for the appearance of a
 528 defendant at trial, and if such defendant fails to appear at the time and placed fixed for trial,
 529 the cash so deposited shall be on order of the judge and declared forfeited to the city, or the
 530 property so deposited shall have a lien against it for the value forfeited, which lien shall be
 531 enforceable in the same manner and to the same extent as a lien for city property taxes.

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

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

538 (g) Each judge of the municipal court shall be authorized to issue warrants for the arrest of
 539 persons charged with offenses against any ordinance of the city.

540 **SECTION 4.14.**

541 Certiorari.

542 The right of certiorari from the decision and judgment of the municipal court shall exist in
 543 all criminal cases and ordinance violation cases, and such certiorari shall be obtained under
 544 the sanction of a judge of the Superior Court of Thomas County under the laws of the State
 545 of Georgia regulating the granting and issuance of writs of certiorari.

546 **SECTION 4.15.**

547 Rules for court.

548 With the approval of the city council, the judge shall have full power and authority to make
 549 reasonable rules and regulations necessary and proper to secure the efficient and successful
 550 administration of the municipal court; provided, however, that the city council may adopt in
 551 part or in total the rules and regulations applicable to municipal courts. The rules and
 552 regulations made or adopted shall be filed with the city clerk and shall be available for public
 553 inspection, and upon request a copy shall be furnished to all defendants in municipal court
 554 proceedings at least 48 hours prior to said proceedings.

555 **ARTICLE V**

556 **ELECTIONS AND REMOVAL**

557 **SECTION 5.10.**

558 Applicability of general law.

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

561 **SECTION 5.11.**

562 Election of the city council and mayor.

563 (a) There shall be a municipal general election held on the Tuesday next following the first
 564 Monday in November in each odd-numbered year.

565 (b) The members of the governing authority elected in the November, 2013, general election
 566 shall continue in office for the terms to which they were elected and until their successors are
 567 elected and qualified as provided in this charter. The members of the governing authority
 568 elected in the November, 2015, general election shall continue in office for the terms to

569 which they were elected and until their successors are elected and qualified as provided in
570 this charter.

571 (c) There shall be elected the mayor and two councilmembers at one election and at every
572 other election thereafter. The remaining city council seats shall be filled at the election
573 alternating with the first election so that a continuing body is created.

574 **SECTION 5.12.**

575 Nonpartisan elections.

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

578 **SECTION 5.13.**

579 Election of councilmembers and mayor.

580 (a) The person or persons who shall receive the highest number of votes at an election for
581 councilmember shall be declared duly elected.

582 (b) The person receiving the highest number of votes at an election for mayor shall be
583 declared duly elected, provided that there are only two candidates contending for said office;
584 and provided, further, that if more than two shall contend for such office, then the one
585 receiving the majority of votes cast shall be declared duly elected. If no candidate
586 contending for such office shall receive a majority of votes cast, a run-off election shall be
587 held within ten days following the regular election between the two candidates contending
588 in such regular election who receive the highest number of votes, and the candidate in such
589 run-off receiving the highest number of votes shall be declared duly elected.

590 **SECTION 5.14.**

591 Special elections; vacancies.

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

599 **SECTION 5.15.**

600 Other provisions.

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

604 **SECTION 5.16.**

605 Removal of officers.

606 (a) The mayor, councilmembers, or other appointed officers provided for in this charter shall
 607 be removed from office for one or more of the reasons provided in Title 45 of the O.C.G.A.,
 608 or such other applicable laws as are or may hereafter be enacted.

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

611 (1) Following a hearing at which an impartial panel shall render a decision. In the event
 612 an elected officer is sought to be removed by action of the city council, such officer shall
 613 be entitled to a written notice specifying the ground or grounds for removal and to a
 614 public hearing that shall be held not less than ten days after the service of such written
 615 notice. The city council shall provide by ordinance for the manner in which such
 616 hearings shall be held. Any elected officer sought to be removed from office as herein
 617 provided shall have the right of appeal from the decision of the city council to the
 618 Superior Court of Thomas County. Such appeal shall be governed by the same rules as
 619 govern appeals to the superior court from the probate court; or

620 (2) By an order of the Superior Court of Thomas County following a hearing on a
 621 complaint seeking such removal brought by any resident of the City of Pavo.

622 **ARTICLE VI**623 **FINANCE**624 **SECTION 6.10.**

625 Property tax.

626 The city council may assess, levy, and collect an ad valorem tax on all real and personal
 627 property within the corporate limits of the city that is subject to such taxation by the state and
 628 county. This tax is for the purpose of raising revenues to defray the costs of operating the
 629 city government, of providing governmental services, for the repayment of principal and

630 interest on general obligations, and for any other public purpose as determined by the city
631 council in its discretion.

632 **SECTION 6.11.**

633 Millage rate; due dates; payment methods.

634 The city council, by ordinance, shall establish a millage rate for the city property tax, a due
635 date, and the time period within which these taxes shall be paid. The city council, by
636 ordinance, may provide for the payment of these taxes by installments or in one lump sum
637 and authorize the voluntary payment of taxes prior to the time when due.

638 **SECTION 6.12.**

639 Occupation and business taxes.

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

644 **SECTION 6.13.**

645 Regulatory fees; permits.

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

651 **SECTION 6.14.**

652 Franchises.

653 The city council shall have the power to grant franchises for the use of this city's streets and
654 alleys for the purpose of railroads, street railways, telephone companies, electric companies,
655 electric membership corporations, cable television and other telecommunications companies,
656 gas companies, transportation companies, and other similar organizations. The city council
657 shall determine the duration, terms, whether the same shall be exclusive or nonexclusive, and
658 the consideration for such franchises; provided, however, that no franchise shall be granted

659 for a period in excess of 35 years and no franchise shall be granted unless the city receives
 660 just and adequate compensation therefor. The city council shall provide for the registration
 661 of all franchises with the city clerk in registration within a reasonable time of all franchises
 662 previously granted.

663 **SECTION 6.15.**

664 Service charges.

665 The city council by ordinance shall have the power to assess and collect fees, charges, and
 666 tolls for sewers, sanitary and health services, or any other services provided or made
 667 available within and without the corporate limits of the city for the total cost to the city of
 668 providing or making available such services. If unpaid, such fees, charges, and tolls shall be
 669 collected as provided in Section 6.18 of this charter.

670 **SECTION 6.16.**

671 Special assessments.

672 The city council by ordinance shall have the power to assess and collect the cost of
 673 constructing, reconstructing, widening, or improving any public way, street, sidewalk,
 674 curbing, gutters, sewers, or other utility mains and appurtenances from the abutting property
 675 owners under such terms and conditions as are reasonable. If unpaid, such cost shall be
 676 collected as provided in Section 6.18 of this charter.

677 **SECTION 6.17.**

678 Construction; other taxes and fees.

679 Reserved.

680 **SECTION 6.18.**

681 Collection of delinquent taxes and fees.

682 The city council, by ordinance, may provide generally for the collection of delinquent taxes,
 683 fees, or other revenue due the city under Sections 6.10 through 6.16 of this charter by
 684 whatever reasonable means not precluded by law. This shall include providing for dates
 685 when the taxes or fees are due; late penalties or interest; issuance and execution of fix
 686 fi. fa.'s; creation and priority of liens; making delinquent taxes and fees personal debts of the

687 persons required to pay the taxes or fees imposed; revoking city permits for failure to pay any
 688 city taxes or fees; and providing for the assignment or transfer of tax executions.

689 **SECTION 6.19.**

690 General obligation bonds.

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

695 **SECTION 6.20.**

696 Revenue bonds.

697 Revenue bonds may be issued by the city council as state law now or hereafter provides.
 698 Such bonds are to be paid out of any revenue produced by the project, program, or venture
 699 for which they were issued.

700 **SECTION 6.21.**

701 Short-term loans.

702 The city may obtain short-term loans and shall repay such loans not later than December 31
 703 of each year, unless otherwise provided by law.

704 **SECTION 6.22.**

705 Lease-purchase contracts.

706 The city may enter into multiyear lease, purchase, or lease-purchase contracts for the
 707 acquisition of goods, materials, real and personal property, services, and supplies, provided
 708 that the contract terminates without further obligation on the part of the municipality at the
 709 close of the calendar year in which it was executed and at the close of each succeeding
 710 calendar year for which it may be renewed. Contracts shall be executed in accordance with
 711 the requirements of Code Section 36-60-13 of the O.C.G.A., or other such applicable laws
 712 as are or may hereafter be enacted.

713 **SECTION 6.23.**

714 Fiscal year.

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

718 **SECTION 6.24.**

719 Preparation of budgets.

720 The city council shall provide by ordinance the procedures and requirements for the
721 preparation and execution of an annual operating budget, a capital improvement plan, and
722 a capital budget, including requirements as to the scope, content, and form of such budgets
723 and plans.

724 **SECTION 6.25.**

725 Submission of operating budget to city council.

726 On or before a date fixed by the city council but not later than 45 days prior to the beginning
727 of each fiscal year, the mayor shall submit to the city council a proposed operating budget
728 for the ensuing fiscal year. The budget shall be accompanied by a message from the mayor
729 containing a statement of the general fiscal policies of the city, the important features of the
730 budget, explanations of major changes recommended for the next fiscal year, a general
731 summary of the budget, and such other pertinent comments and information. The operating
732 budget and the capital budget hereinafter provided for, the budget message, and all
733 supporting documents shall be filed in the office of the city clerk and shall be open to public
734 inspection.

735 **SECTION 6.26.**

736 Action by city council on budget.

737 (a) The city council may amend the operating budget proposed by the mayor; provided,
738 however, that the budget as finally amended and adopted shall provide for all expenditures
739 required by state law or by other provisions of this charter and for all debt service
740 requirements for the ensuing fiscal year, and the total appropriations from any fund shall not
741 exceed the estimated fund balance, reserves, and revenues.

742 (b) The city council by ordinance shall adopt the final operating budget for the ensuing fiscal
 743 year not later than the first day of each fiscal year. If the city council fails to adopt the
 744 budget by this date, the amounts appropriated for operation for the current fiscal year shall
 745 be deemed adopted for the ensuing fiscal year on a month-to-month basis, with all items
 746 prorated accordingly until such time as the city council adopts a budget for the ensuing fiscal
 747 year. Adoption of the budget shall take the form of an appropriations ordinance setting out
 748 the estimated revenues in detail by sources and making appropriations according to fund and
 749 by organizational unit, purpose, or activity as set out in the budget preparation ordinance
 750 adopted pursuant to Section 6.24 of this charter.

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

755 **SECTION 6.27.**

756 Tax levies.

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

763 **SECTION 6.28.**

764 Changes in appropriations.

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

769 **SECTION 6.29.**

770 Capital budget.

771 (a) On or before the date fixed by the city council but no later than 45 days prior to the
 772 beginning of each fiscal year, the mayor shall submit to the city council a proposed capital

773 improvements plan with a recommended capital budget containing the means of financing
 774 the improvements proposed for the ensuing fiscal year. The city council shall have power
 775 to accept, with or without amendments, or reject the proposed plan and proposed budget.
 776 The city council shall not authorize an expenditure for the construction of any building,
 777 structure, work, or improvement unless the appropriations for such project are included in
 778 the capital budget, except to meet a public emergency as provided in Section 2.24 of this
 779 charter.

780 (b) The city council shall adopt by ordinance the final capital budget for the ensuing fiscal
 781 year not later than the first day of each fiscal year. No appropriation provided for in a prior
 782 capital budget shall lapse until the purpose for which the appropriation was made shall have
 783 been accomplished or abandoned; provided, however, that the mayor may submit
 784 amendments to the capital budget at any time during the fiscal year accompanied by
 785 recommendations. Any such amendments to the capital budget shall become effective only
 786 upon adoption by ordinance.

787 **SECTION 6.30.**

788 Independent audit.

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

794 **SECTION 6.31.**

795 Contracting procedures.

796 No contract with the city shall be binding on the city unless it is:

- 797 (1) In writing;
- 798 (2) Drawn by or submitted to and reviewed by the city attorney, and as a matter of
 799 course, signed by the city attorney to indicate such drafting or review; and
- 800 (3) Made or authorized by the city council and such approval is entered in the city
 801 council journal of proceedings pursuant to Section 2.20 of this charter.

802 **SECTION 6.32.**

803 Centralized purchasing.

804 The city council may by ordinance prescribe procedures for a system of centralized
805 purchasing for the city.

806 **SECTION 6.33.**

807 Sale and lease of city property.

808 The city council may sell and convey or lease any real or personal property owned or held
809 by the city for governmental or other purposes as now or hereafter provided by law.

810 **ARTICLE VII**

811 **GENERAL PROVISIONS**

812 **SECTION 7.10.**

813 Bonds for officials.

814 The officers and employees of this city, both elective and appointive, shall execute such
815 surety or fidelity bonds in such amounts and upon such terms and conditions as the city
816 council shall from time to time require by ordinance or as may be provided by law.

817 **SECTION 7.11.**

818 Existing ordinances, resolutions, rules, and regulations.

819 Existing ordinances, resolutions, rules, and regulations of this city not in conflict with this
820 charter shall continue in force, unless repealed or amended, for two years from the effective
821 date of this charter. During such two-year period, the city council shall review all such
822 provisions and shall readopt, repeal, or amend each.

823 **SECTION 7.12.**

824 Existing personnel and officers.

825 Except as specifically provided otherwise by this charter, all personnel and officers of the
826 city and their rights, privileges, and powers shall continue until changed by the mayor and
827 city council.

828 **SECTION 7.13.**

829 Pending matters.

830 Except as specifically provided otherwise by this charter, all rights, claims, actions, orders,
831 contracts, and legal administrative proceedings shall continue, and any such ongoing work
832 or cases shall be completed by such city agencies, personnel or offices as may be provided
833 by the city council.

834 **SECTION 7.14.**

835 Construction.

836 (a) Section captions in this charter are informative only and are to be considered as a part
837 thereof.

838 (b) The word "shall" is mandatory and the word "may" is permissive.

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

841 **SECTION 7.15.**

842 Specific repealer.

843 An Act to provide a new charter for the City of Pavo, approved August 21, 1911 (Ga. L.
844 1911, p. 1503), as amended, is hereby repealed.

845 **SECTION 7.16.**

846 General repealer.

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