

## Content of Act/Resolution

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### LOCAL AND SPECIAL ACTS AND RESOLUTIONS OF THE GENERAL ASSEMBLY OF THE STATE OF GEORGIA 1981

### LOCAL AND SPECIAL ACTS AND RESOLUTIONS OF THE GENERAL ASSEMBLY OF THE STATE OF GEORGIA 1981

**1981 Vol. 2 -- Page:** 4470

**Sequential Number:** 405

**Short Title:** CITY OF WALNUT GROVE -- NEW CHARTER.

**Law Number:** No. 691

**Origin:** (House Bill No. 702).

**Type:** AN ACT

**Full Title:** To create and incorporate the City of **Walnut Grove** in the County of Walton and to grant a charter to that municipality under that corporate name and style; to prescribe and define the corporate limits thereof; to provide a municipal government for said city; to declare the rights, powers, privileges, and liabilities of said corporation; to authorize said city to issue bonds and other evidences of debt for public purposes such as school buildings and equipment for same, sewers, electric lights, and waterworks; to declare and define the police powers of said city; to declare and define the duties and powers of the officers of said city; to provide for other matters of municipal regulations and matters of concern and welfare; to provide an effective date; 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 City of **Walnut Grove**, Georgia, in the County of Walton and the inhabitants thereof shall

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**Page:** 4471

continue to be a body politic and corporate under the same name and style of the City of **Walnut Grove**, Georgia. Under that name, said city shall continue to be vested with all of the property and rights of property which now belong to the corporation; shall have perpetual succession; 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 later 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 corporate limits of the City of **Walnut Grove** shall encompass all the property and inhabitants of the territory embraced within the limits of a radius of a half mile in every direction from the center point of the intersection of Highways 81 and 138, as such intersection is located within the present corporate limits of the City of **Walnut Grove** or as may be changed by operation of law.

**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 City of **Walnut Grove** to be exercised by the governing authority may include the following:

- (1) To levy and to provide for the assessment, valuation, revaluation, and collection of taxes on all property subject to taxation;
- (2) To levy and to provide for the collection of license fees and taxes on privileges, occupations, trades, and professions; to license and regulate such privileges, occupations, trades, and professions; and to provide for the manner and method of payment of such licenses and taxes;
- (3) To make appropriations for the support of the government of the city; to authorize the expenditure of money for any purposes authorized by this charter and for any purpose for which a municipality is authorized by the laws of the State of Georgia; and to provide for the payment of expenses of the city;

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**Page:** 4472

- (4) To appropriate and borrow money for the payment of debts of the city and to issue bonds to carry out any project, program, or venture authorized by this charter or by the laws of the State of Georgia;
- (5) To acquire, dispose of, and hold in trust or otherwise any real, personal, or mixed property in fee simple or lesser interest inside or outside the property limits of the city;
- (6) To accept or refuse gifts, donations, bequests, or grants from any source for any purpose related to the powers and duties of the city and the general welfare of its citizens on such terms and conditions as the donor or grantor may impose;
- (7) To condemn property inside or outside the corporate limits of the city for present or future use and for any corporate purpose deemed necessary by the governing authority under Section 36-202 of the Code of Georgia of 1933 or under other applicable public acts as are or may be enacted;
- (8) To acquire, lease, construct, operate, maintain, sell, and dispose of public utilities, including, but not limited to, a system of waterworks, sewers and drains, sewage disposal, gas works, electric light plants, transportation facilities, public airports, and any other public utility; to fix the taxes, charges, rates, fees, fares, assessments, regulations, penalties, and withdrawal of service for refusal or failure to pay same; and to fix the manner in which such remedies shall be enforced;

- (9) To grant franchises or make contracts for public utilities and public services not to exceed periods of 35 years; and 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; 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, or change the grade of, abandon, close, construct, pave, curb, gutter, adorn with shade trees, improve, maintain, repair, clean, prevent erosion of, and light roads, alleys, and walkways within the corporate limits of the city;

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**Page:** 4473

- (11) To grant franchises and rights of way throughout the streets and roads and over the bridges and viaducts for the use of public utilities;
  - (12) To provide for the acquisition, construction, building, operation, and maintenance of public ways, parks and playgrounds, recreational facilities, cemeteries, markets and market houses, public building libraries, sewers, drains, sewerage treatment, airports, hospitals and charitable, cultural, educational, recreational, conservation, sport, curative, corrective, detentive, penal, and medical institutions, agencies, and facilities; and may make other public improvements inside or outside the corporate limits of the city and regulate the use thereof; and, for such purposes, property may be acquired by condemnation under Section 36-203 of the Code of Georgia of 1933 or under other applicable public acts as are or may be enacted;
  - (13) To require real estate owners to repair and maintain in a safe condition the sidewalks adjoining their lots or lands; and to enact ordinances establishing the terms and conditions under which such repairs and maintenance shall be effected, including the penalties to be imposed for failure to do so;
  - (14) 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 and 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;
  - (15) To adopt ordinances and regulations for the prevention of loitering, disorderly conduct, and disturbing the peace in the corporate limits of the city; 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 city by preventing the obstruction of the streets or the gathering of disorderly crowds; to prohibit or regulate by ordinance such other conduct and activities within the city which, while not constituting offenses against the laws of this state, nevertheless are deemed by the governing authority to be detrimental and offensive to the peace and good order of the city or the welfare of the citizens thereof;
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- (16) To regulate or prohibit junk dealers and 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 inflammable materials; the use of lighting and heating equipment; and any other business or situation which may be dangerous to persons or property;
- (17) To regulate and control the conduct of peddlers, itinerant trades, theatrical performances, exhibitions, and shows of any kind whatever by taxation or otherwise;
- (18) To license, tax, regulate, or prohibit professional fortunetelling or palmistry;
- (19) To prohibit or regulate and control the erection, removal, and maintenance of signs, billboards, trees, shrubs, fences, buildings, and any and all other structures or obstructions upon or adjacent to the rights of way of streets and roads and within view thereof, within or abutting the corporate limits of the city; and to prescribe penalties and punishment for violation of such ordinances;
- (20) To prescribe standards of health and sanitation and to provide for the enforcement of such standards;
- (21) To regulate the emission of smoke or other exhaust which pollutes the air; and to prevent the pollution of natural streams which flow within the corporate limits of the city;
- (22) To fix and establish fire limits and, from time to time, to extend, enlarge, or restrict the same; to prescribe fire safety regulations not inconsistent with general law relating to both fire prevention and detection and to fire fighting; and to prescribe penalties and punishment for violation thereof;
- (23) To provide for the destruction and removal of any building or other structure which may or might become dangerous or detrimental to the public;
- (24) To provide for the collection and disposal of garbage, rubbish, and refuse; to regulate the collection and disposal of garbage, rubbish, and refuse by others and to provide for the separate collection of glass, tin, aluminum, cardboard, paper, and

other recyclable materials and 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 city from all individuals, firms, and corporations residing in or doing business within the city and benefiting from such services; to provide for the collection of and to enforce the payment of such charges, taxes, and fees;

- (25) To levy a fee, charge, or tax as necessary to insure 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 and a sewer service charge, fee, or tax for the use of sewers; and to provide for the manner and method of collecting such charges and for enforcing payment of same;
- (26) To levy a fee, charge, or tax as necessary to insure the acquiring, constructing, equipping, maintaining, and extending of a waterworks system; to levy on the users of the

waterworks system a connection fee and a 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;

- (27) To define, regulate, and prohibit any act, conduct, practice, or use of property which is detrimental or likely to be detrimental to the health, sanitation, cleanliness, welfare, and safety of the inhabitants of the city; and to provide for the enforcement of such standards;
- (28) To define a nuisance and provide for its abatement whether on public or private property;
- (29) To provide for the preservation and protection of property and equipment of the city and the administration and use of the same by the public and to prescribe penalties and punishment for violations thereof;
- (30) To establish minimum standards for and to regulate building, construction, and repair, electrical wiring and equipment, gas installation and equipment, plumbing and housing for the health, sanitation, cleanliness, welfare, and safety of inhabitants of the city and to provide for the enforcement of such standards;

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**Page:** 4476

- (31) To provide that persons given jail sentences in the recorder's court shall work out such sentence in any public works or on the streets, roads, drains, and squares in the city or to provide for commitment of such persons to any county work camp or jail by agreement with the appropriate county officials;
- (32) 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 violation of ordinances enacted hereunder;
- (33) 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 city;
- (34) To regulate and license vehicles operated for hire in the city; to limit the number of such vehicles; to require the operators thereof to be licensed; to require public liability insurance on such vehicles in the amounts to be prescribed by ordinance; and to regulate and rent parking spaces in public ways for the use of such vehicles;
- (35) To provide and maintain a system of pensions and retirements for officers and employees of the city;
- (36) To levy and to provide for the collection of special assessments to cover the costs of any public improvements;
- (37) To enter into contracts and agreements with other governments, entities, and private persons, firms, and corporations providing for services to be furnished and payments to be made therefor;
- (38) To create, alter, or abolish departments, boards, offices, commissions, and agencies of the city and to confer upon such agencies the necessary and appropriate authority for carrying out all the powers conferred upon or delegated to same;

- (39) To make, ordain, and establish such bylaws, ordinances, rules, and regulations as shall appear necessary for the security, welfare, convenience, and interest of the city and the inhabitants

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**Page: 4477**

thereof and for preserving the health, peace, order, and good government of the city;

- (40) To provide penalties for violations of any ordinance adopted pursuant to the authority of this charter and the laws of the State of Georgia;
- (41) To exercise the power of arrest through duly appointed policemen;
- (42) To establish procedures for determining and proclaiming that an emergency situation exists within or without the city and to make and carry out all reasonable provisions deemed necessary to deal with or meet such an emergency for the protection, safety, health, or well-being of the citizens of the city; and
- (43) To exercise and enjoy all other powers, functions, rights, privileges, and immunities necessary or desirable to promote or protect the safety, health, peace, security, good order, comfort, convenience, or general welfare of the city and its inhabitants; to exercise all implied powers necessary to carry into execution all powers granted in this charter as fully and completely as if such powers 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 nor restrictive of general words and phrases granting powers but shall be held to be in addition to such powers unless expressly prohibited to municipalities under the Constitution or applicable laws of the State of Georgia.

**Section 1.13.** General powers. In addition to all other powers herein granted, the city shall be vested with any and all powers which municipal corporations are or may hereafter be authorized or required to exercise under the Constitution and laws of the State of Georgia as fully and completely as though such powers were specifically enumerated herein and any and all powers which the city was heretofore authorized to exercise upon the effective date of this charter.

**Section 1.14.** Construction. The powers of the city shall be construed liberally and in favor of the city. The specific mention or failure to mention particular powers in this charter shall not be

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**Page: 4478**

construed as limiting in any way the general power of the city as stated in this charter. It is the intention hereof to grant the City of **Walnut Grove** full power and right to exercise all governmental authority necessary for the effective operation and conduct of the city and all of its affairs.

**Section 1.15.** Exercise of powers. All powers, functions, rights, privileges, and immunities of the city, its officers, agencies, or employees shall be carried into execution as provided by this charter. If this charter makes no provision, such powers, functions, rights, privileges, and immunities shall be carried into execution as provided by ordinance of the governing authority and as provided by pertinent laws of the State of Georgia.

## **ARTICLE II GOVERNING BODY**

**Section 2.10.** Creation. The legislative authority of the City of **Walnut Grove**, except as specifically provided in this charter, shall be vested in a city council to be composed of a mayor and four council members. The mayor and council members shall be elected in the manner provided by Article V of this charter.

**Section 2.11.** Terms and qualifications of office. The members of the council shall serve for terms of two years and until their respective successors are elected and qualified. No person shall be eligible to serve as mayor or councilman unless he shall have been a resident of the city for a period of six months immediately prior to the date of the election of mayor or members of the council, shall continue to reside therein during his period of service, shall be registered and qualified to vote in municipal elections of the City of **Walnut Grove**, and shall meet the qualification standards required for members of the Georgia House of Representatives as are now or may in the future be prescribed by the Georgia Constitution.

**Section 2.12.** Vacancy; forfeiture of office; filling of vacancies. (a) The office of mayor or councilman shall become vacant upon the incumbent's death, resignation, forfeiture of office, or removal from office in any manner authorized by this charter or the laws of the State of Georgia.

(b) The mayor or any councilman shall forfeit his office if he:

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**Page:** 4479

- (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 councilman shall be filled for the remainder of the unexpired term, if any, as provided for in Article V.

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

**Section 2.14. Prohibitions.** (a) (1) Except as authorized by law, no member of the council shall hold any other elective city office or elective city employment during the term for which he was elected.

(2) The prohibition contained in paragraph (1) shall not apply to any person holding office on the effective date of this Act; and such prohibition may be waived by resolution adopted by three members of the council.

(b) Neither the mayor nor any council member shall vote upon any question in which he is personally interested.

**Section 2.15. Inquiries and investigations.** The council may make inquiries and investigations into the affairs of the city and the conduct of any department, office, or agency thereof and for this purpose may subpoena witnesses, administer oaths, take testimony, and require the production of evidence. Any person who fails or refuses to obey a lawful order issued in the exercise of these powers by the council shall be punished as provided by ordinance.

**Section 2.16. General power and authority of the council.** (a) Except as otherwise provided by law or by this charter, the council

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**Page:** 4480

shall be vested with all the powers of government of the City of **Walnut Grove** as provided by Article I.

(b) In addition to all other powers conferred upon it by law, the council shall have the authority to adopt and provide for the execution of such ordinances, resolutions, rules, and regulations, not inconsistent with this charter, the Constitution, and the laws of the State of Georgia which it shall deem necessary, expedient, or helpful for the peace, good order, protection of life and property, health, welfare, sanitation, comfort, convenience, prosperity, or well-being of the inhabitants of the City of **Walnut Grove** and may enforce such ordinances by imposing penalties for violation thereof.

(c) The council may by ordinance charge, create, alter, abolish, or consolidate offices, agencies, and departments of the city and may assign additional functions to any of the offices, agencies, and departments expressly provided for by this charter.

**Section 2.17. Regular and special meetings.** (a) The council shall hold regular meetings at such times and places as prescribed by ordinance. The council may recess any regular meeting and continue such meetings on any weekday or hour it may fix and may transact any business at such continued meeting as may be transacted at any regular meeting.

(b) Special meetings of the council may be held on call of the mayor or three members of the council. Notice of such special meetings shall be served on all other members personally, or shall be telephoned personally, or shall be left at their residences at least 24 hours in advance of the



meeting. Such notice shall not be required if the mayor and all councilmen are present when the special meeting is called. Notice of any special meeting may be waived in writing before or after such meetings, 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.

**Section 2.18.** Rules of procedure. The council shall adopt its rules of procedure and order of business consistent with the provisions

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**Page:** 4481

of this charter and shall provide for the keeping of a journal of its proceedings, which journal shall be a public record.

**Section 2.19.** Quorum; voting. The mayor or mayor pro tempore and two council members 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 2.20.** 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. The enacting clause shall be "The mayor and council of the City of **Walnut Grove** hereby ordain..." and every ordinance shall so begin.

(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 in Section 2.22. Upon introduction of any ordinance, the clerk shall, as soon as reasonable, distribute a copy to the mayor and to each council member 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 2.21.** Action requiring an ordinance. (a) Except as herein provided, every official action of the council which is to become law shall be by ordinance. Each proposed ordinance shall be introduced in writing and in the form required for final adoption. No ordinance shall contain a subject which is not expressed in its title. The enacting clause shall be "The mayor and council of the City of **Walnut Grove** hereby ordains....."

(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.

**Section 2.22.** 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

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**Page:** 4482

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 be plainly designated as an emergency ordinance and 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 council members 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 2.23.** 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 2.24.** Codification of ordinances. 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 City of **Walnut Grove**, Georgia, 1981, 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 city clerk.

**Section 2.25.** Organization meeting. (a) The council shall meet for organization on the first meeting day of the month following the city elections. The oath of office shall be administered to the newly elected members by the mayor, or 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 council member, as the case may be) of the City of **Walnut Grove** and that I will support and defend the charter thereof as well as the Constitution and laws of the State of Georgia and of the United States of America."

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**Page:** 4483

(b) The council shall have the right to elect one of its members to serve as mayor pro tempore for a one-year term of office.

**Section 2.26.** 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 or 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 his 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 three members, it shall become law.

(d) The mayor may disapprove or reduce any item or items of appropriation in any ordinance. The approved part or parts of any ordinance making appropriations shall become law; and the part or parts disapproved shall not become law unless subsequently passed by the council over the mayor's veto as provided herein.

**Section 2.27.** 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) The council shall cause each ordinance and each amendment in this charter to be printed promptly following its adoption. Following publication of the first Code of the City of **Walnut Grove** and at all times thereafter, the ordinances and charter amendments shall be printed in substantially the same style as the code currently in effect and shall be suitable in form for incorporation therein. The council shall make such further arrangements as deemed desirable with respect to reproduction and distribution of any current changes in or

additions to codes of technical regulations and other rules and regulations included in the code.

**Section 2.28.** Chief executive officer. The mayor shall be the chief executive officer of the City of **Walnut Grove**. He shall possess, have, and exercise all of the executive and administrative powers granted to the city under the Constitution and laws of the State of Georgia and all the executive and administrative powers contained in this charter.

**Section 2.29.** Terms; qualifications. The mayor shall be elected for a term of two years and until his successor is elected and qualified. He shall be a qualified elector of the City of **Walnut Grove**, shall meet the qualifications required of members of the State House of Representatives by the Georgia Constitution, and shall have been a resident of the City of **Walnut Grove** for a period of six months immediately preceding his election. He shall continue to reside in the City of **Walnut Grove** during the period of his service.

**Section 2.30.** Duties of mayor. As the chief executive officer of the City of **Walnut Grove**, the mayor shall:

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

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**Page: 4485**

- (8) Call special meetings of the council as provided in Section 2.17 of this charter;
- (9) Examine and audit all accounts of the city before payment;
- (10) Require any department or agency of the city to submit written reports in connection with the affairs thereof whenever he deems it expedient;
- (11) Suspend any appointed city 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 capability shall be decided by the council;
- (12) Prepare and submit to the city council a recommended annual operating budget and recommended capital budget;
- (13) Break a tie vote of the council members; and
- (14) Perform other duties as may be required by law, this charter, or ordinance.

**Section 2.31.** 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 council members 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 city as it shall deem necessary for the proper administration of the affairs and government of the city. The council shall prescribe the functions and duties of existing departments, offices, and agencies or of any departments, offices, and agencies hereinafter created or established. The council may provide that the same person shall fill any number of offices and positions of employment and may transfer or change the functions or duties of offices, positions of employment, departments, and agencies of the city.

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**Page:** 4486

(b) The operations and responsibilities of each department now or hereafter established in the city 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 city shall serve at the pleasure of the appointing authority. Vacancies occurring in an appointive office shall be filled in the same manner as prescribed by this charter for original appointment.

(d) Except as otherwise provided by law, the directors of departments and other appointed officers of the city shall be appointed solely on the basis of their respective administrative and professional qualifications.

(e) All appointive officers and directors of departments shall receive such compensation as prescribed by ordinance.

**Section 3.11.** Boards, commissions, and authorities. (a) The city council shall create by ordinance such boards, commissions, and authorities to fulfill any investigative, quasi-judicial, or quasi-legislative function as the city 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 city shall be filled for the unexpired term in the manner prescribed herein for original appointment except as otherwise provided by this charter or any applicable state law.

(d) No member of any board, commission, or authority shall assume office until he shall have executed and filed with the city 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.

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**Page: 4487**

(e) Any member of a board, commission, or authority may be removed from office for cause by a vote of the mayor, mayor pro tempore, and two 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 prescribed by the council.

(h) Except as otherwise provided by this charter or by applicable state law, each board, commission, or authority of the city 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 may elect one of its members as secretary or may appoint an employee of the city as secretary. Each board, commission, or authority of the city government may establish such bylaws, rules, and regulations, not inconsistent with this charter, ordinances of the city, or applicable state law, as it deems appropriate and necessary for the conduct of its affairs, copies of which shall be filed with the city clerk.

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

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

**Section 3.14.** City clerk. The council may appoint a city clerk to keep a journal of the proceedings of the city council, to maintain in a

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**Page: 4488**

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

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

**Section 3.16.** City accountant. The council may appoint a city 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 city clerk, city tax collector, and city accountant, or any other positions, or may assign the functions of any one or more of such positions to the holder or holders of any other positions.

**Section 3.18.** Position classification and pay plans. The mayor may 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 City of **Walnut Grove** 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 effected; and

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**Page: 4489**

- (4) Such other personnel policies as may be necessary to provide for adequate and systematic handling of the personal affairs of the City of **Walnut Grove**.

## **ARTICLE IV MUNICIPAL COURT**

**Section 4.10.** Municipal court; creation. There is hereby established a court to be known as the Municipal Court of the City of **Walnut Grove** which shall have jurisdiction and authority to try offenses against the laws and ordinances of said city and to punish for a violation of the same.

Such court shall have the power and authority to enforce its judgments by the imposition of such penalties as may be provided by law; to punish witnesses for nonattendance and to punish also any person who may counsel or 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 city constituting traffic cases which, under the laws of Georgia, are placed within the jurisdiction of municipal or police courts to the extent of and in accordance with the provisions of such laws and all laws subsequently enacted amendatory thereof. Said court shall be presided over by the judge of said court, said judge to be the recorder of the City of **Walnut Grove**, and he shall be appointed by the mayor and council for a yearly term; and said election by the mayor and council shall be by at least the mayor or the mayor pro tempore, if presiding, and two council members. 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 21 years. Such person shall serve at the discretion of the council and his compensation shall be fixed by the council.

(b) The judge pro tempore 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

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**Page:** 4490

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 for crimes against the City of **Walnut Grove** and for violation of its ordinances. The municipal court shall have authority to punish those in its presence for contempt, provided that such punishment shall not exceed \$25.00 or ten 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 90 days, or both, and, as an alternative to fine or imprisonment, to sentence any offender upon conviction to labor in a city workgang or on the streets, sidewalks, squares, or other public works for a period not exceeding 90 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 insure 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 an execution issued thereof 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 City of **Walnut Grove** or the property so deposited shall have a lien against it for the value forfeited, which lien shall be enforceable in the same manner and to the same extent as a lien for city property taxes.

(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.

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**Page: 4491**

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

(f) The municipal court may compel the presence of all parties necessary to a proper disposal of each case by the issuance of summons, subpoena, 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 City of **Walnut Grove** granted by state laws generally to mayor's, recorder's, and police courts and particularly by such laws as authorize the abatement of nuisances.

**Section 4.14.** Appeal. The right of appeal and any bond as may be required to secure the costs on appeal to the Superior Court of Walton County from the mayor's court shall be in the same manner and under the same procedure as generally prescribed for appeals and appeal bonds from the probate court; provided, however, that any person who fails to file his appeal within ten days of the date of his conviction shall be deemed to have waived any such right. An appeal to the superior court shall be a de novo proceeding.

**Section 4.15.** Rules for court. With the approval of the council, the judge shall have full power and authority to make reasonable rules and regulations necessary and proper to secure the efficient and successful administration of the 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 superior 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 city clerk and shall be available

for public inspection; and, upon request, a copy shall be furnished to all defendants in municipal court proceedings at least 48 hours prior to said proceedings.

## **ARTICLE V ELECTIONS**

**Section 5.10.** Regular elections; time for holding. (a) General elections for said city shall be held on the first Thursday in December of each year with the mayor and two council members who come up for office in the even-numbered years to be elected in the odd-numbered

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**Page:** 4492

years and the two council members who come up for office in the odd-numbered years to be elected in the even-numbered years.

(b) The city council shall have the power and authority to call a special election for the purpose of filling any vacancy caused for any reason in any office for which the holder thereof is elected by the voters of said city. Said special election should be held as soon as practicable and, not less than 30 days from the date of the vacancy, notice of the time of the special election shall be published once in a local newspaper; and said special election shall be held under the same rules and regulations as general elections.

**Section 5.11.** Qualifying; voting procedures. The council may, by ordinance, prescribe rules and regulations governing qualifying fees, nomination of candidates, absentee ballots, write-in votes, challenge of votes, and such other rules and regulations as may be necessary for the conduct of the election in the City of **Walnut Grove**.

**Section 5.12.** Applicability of general laws. The procedures and requirements for election of all elected officials for the City of **Walnut Grove** as to primary, special, or general elections shall be in conformity with the provisions of the Georgia Municipal Election Code, approved April 4, 1968 (Ga. Laws 1968, p. 885), as now or hereafter amended.

**Section 5.13.** Special elections; vacancies. In the event that the office of mayor or council member shall become vacant for any cause whatsoever, the council or those remaining shall order a special election to fill the balance of the unexpired term of such office; provided, however, that, if such vacancy occurs within six months of the expiration of the term of office, said vacancy in office shall be filled by appointment by the remaining members of the council. Both special elections and qualifications of candidates therefor shall conform to the applicable provisions of this charter and the Georgia Municipal Election Code and Title 34A of the Code of Georgia of 1933 as now or hereafter amended.

**Section 5.14.** Election of mayor and council. The candidate for mayor receiving the greatest number of the votes cast shall be deemed elected as the mayor of the City of **Walnut Grove**. The two council members elected each year shall be elected by a plurality and the two candidates

running who receive the largest number of votes cast in the election shall be deemed elected as the council members to hold office for the City of **Walnut Grove**.

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**Page:** 4493

**Section 5.15.** Grounds for removal of elected officers. The mayor or any council member 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 may be accomplished by either of the following methods:

- (1) By action of 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, then he shall not vote. 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 herein provided shall have the right of appeal from the decision of the council to the Superior Court of Walton County. Such appeal shall be governed by the same rules as govern appeals to the superior court from the probate court.
- (2) By information filed with the Superior Court of Walton County as provided by law.

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**Page:** 4494

## **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 City of **Walnut Grove**. The council shall use the county assessment for the year in which the city taxes are to be levied and shall request the county to furnish appropriate information for such purpose.

**Section 6.11.** Tax levy. The council shall be authorized to levy an ad valorem tax on all real and personal property within the corporate limits of the city for the purpose of raising revenue to defray the costs of operating the city government, providing governmental services, and for any other public purpose as determined by the council. 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 city 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 or specific or occupation taxes upon the residents of **Walnut Grove**, both individual and corporate, and on all those who transact or offer to transact business therein, or who practice or offer to practice any profession or calling therein, as the council may deem expedient for the public health, safety, benefit, convenience, or advantage of the city; to classify business, 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 herein conferred; and to prescribe penalties for the violation thereof. The council shall have full power and authority to levy an excise tax not prohibited by general law.

**Section 6.14.** Sewer service charge. The council may provide by ordinance for the assessment and collection of fees, charges, and tolls for sewer services rendered both within and without the corporate

limits of the city, said fees to provide for the cost and expense of collecting and disposing of sewerage through the sewerage facilities of the city. If unpaid, said sewer service charge shall constitute a lien against any property served, which lien shall be second in priority only to liens for county and city property taxes and enforceable in the same manner and under the same procedures as a lien for city property taxes.

**Section 6.15.** Sanitary and health services charge. The council shall have the authority to levy and collect by ordinance the cost of sanitary and health services necessary in the operation of the city from all individuals, firms, and corporations residing in or doing business in the city and benefiting from such service. Such authority shall include the power to assess, levy, and collect annual or monthly sanitary taxes or fees in such amount or amounts and based upon and in accordance with such classification of property and sanitary service or services provided, as may be fixed by 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 so assessed and the owner or owners thereof, superior to all other liens except liens for county and city property taxes. Said lien shall be enforceable in the same manner and under the same remedies as a lien for city 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 7 percent per annum from date due until paid. A lien shall exist against the abutting property superior to all other liens except that it shall be of equal dignity with liens for county and city property taxes. Said lien shall be enforceable in the same manner and under the same remedies as a lien for city 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 city clerk and executed by any police officer of the city under the same procedure provided by the laws governing execution of such process from the superior court or by the use of any other

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**Page:** 4496

available legal processes and remedies. A lien shall exist against all property upon which city property taxes are levied, as of the assessment date of each year, which lien shall be superior to all other liens except that it shall have equal dignity with those of federal, state, or county taxes. In cases of 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 city.

**Section 6.18.** Transfer of executions. The city clerk shall be authorized to assign or transfer any fi. fa. or execution issued for any tax or for any street, sewer, or other assessment in the same manner and to the same extent as provided by Georgia law governing sales and transfers of tax fi. fas. Such transfer or assignment, when made, shall vest the purchaser or transferee with all right, title, and interest as provided by Georgia law governing sales and transfers of tax fi. fas.; provided, however, that, upon levy of execution and sale of property pursuant to such tax fi. fa., whether assigned, transferred, or executed by the city, the owner of such property in fee simple or lesser interest shall not lose his right to redeem the property in accordance with the requirements of redemption of property sold under state or county ad valorem tax fi. fas., as said requirements now exist or as may be hereinafter provided.

**Section 6.19.** Construction; other taxes. This city shall be empowered to levy and 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 this city 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 an Act of the General Assembly known as the Revenue Bond Law, approved March 31, 1937 (Ga. Laws 1937, p. 761), as now or hereafter amended, or by any other Georgia law as now or hereafter provided.

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**Page:** 4497

**Section 6.22.** Short-term notes. Pursuant to applicable state law, the city 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 city 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 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 an 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 city 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 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 elapse 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

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**Page:** 4498

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 city 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 City of **Walnut Grove**.

(b) The council may sell and convey any real or personal property owned or held by the City of **Walnut Grove** 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 city.

(c) The council may quitclaim any rights it may have in property not needed for public purposes upon report by the mayor and adoption of a resolution, both finding that the property is not needed for public or other purposes and that the interest of the city has no readily ascertainable monetary value.

(d) Whenever in opening, extending, or widening any street, avenue, alley, or public place of the city a small parcel or tract of land is cut off or separated by such work from a larger tract or boundary of land owned by the city, the council may authorize the mayor to execute and deliver in the name of the city a deed conveying said cutoff or separated parcel or tract of land to an abutting or adjoining property owner or owners in exchange for rights of way of said street, avenue, alley, or public place or in settlement of any alleged damages sustained by said abutting or adjoining property owner. All deeds and conveyances heretofore and hereafter so executed and delivered shall convey all title and interest the city has in such property, notwithstanding the fact that no public sale after advertisement was or is hereafter made.

## **ARTICLE VII GENERAL PROVISIONS**

**Section 7.10.** Eminent domain. The council is hereby empowered to acquire, construct, operate, and maintain public ways, parks,

public grounds, cemeteries, markets, market houses, public buildings, libraries, sewers, drains, sewage treatment, waterworks, electrical systems, gas systems, airports, hospitals, and charitable, educational, recreational, sport, curative, corrective, detentional, penal, and medical institutions, agencies, and facilities, and any other public improvements inside or outside the city and to regulate the use thereof and, for such purposes, property may be taken under Chapter 36-202 of the Georgia Code, subject to such amendments as shall be enacted, or under any other Georgia law applicable now or provided in the future.

**Section 7.11.** Franchises. The council shall have the power to grant franchises for the use of this city's streets and alleys for the purposes of railroads, street railways, telephone companies, electric companies, cable television, gas companies, transportation companies, and other similar organizations. The council shall determine the duration, provisions, terms, whether the same shall be exclusive or nonexclusive, and the consideration for such franchises; provided, however, no franchise shall be granted for a period in excess of five years and no franchise shall be granted unless the city receives just and adequate compensation therefor. The council shall provide for the registration book to be kept. The council may provide by ordinance for the registration within a reasonable time of all franchises.

**Section 7.12.** Official bonds. The officers and employees, both elected and appointed, of the City of **Walnut Grove** shall execute such official bonds in such amounts and upon such terms and conditions as the council may from time to time require.

**Section 7.13.** Existing ordinances and regulations. Existing ordinances and resolutions of the City of **Walnut Grove** not inconsistent with the provisions of this charter shall continue in effect until they have been repealed, modified, or amended by the council. Existing rules and regulations of departments or agencies of the City of **Walnut Grove** not inconsistent with the provisions of this charter shall continue in effect until they have been repealed, modified, or amended.

**Section 7.14.** Pending matters. Except as specifically provided otherwise by this charter, all rights, claims, actions, orders, contracts, and legal or administrative proceedings initiated under the former charter of the City of **Walnut Grove** shall continue; and any such ongoing

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**Page:** 4500

work or cases shall be dealt with by such city, agencies, personnel, or office as may be provided by the city council.

**Section 7.15.** Construction. (a) Section captions in this charter are informative only and are not to be considered as a part thereof.

(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 the feminine and vice versa.

**Section 7.16.** Penalties. The violation of any provisions of this charter for which penalty is not specifically provided herein shall be punishable by a fine of not more than \$1,000.00, or by imprisonment not to exceed three months, or by both such fine and imprisonment.

**Section 7.17.** Continuance in office. The mayor and council members 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 as herein provided. 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 7.18.** Severability. In the event any section, subsection, sentence, clause, or phrase of this Act shall be declared or adjudged invalid or unconstitutional, such adjudication shall in no manner affect the other sections, subsections, sentences, clauses, or phrases of this Act, which shall remain of full force and effect as if the section, subsection, sentence, clause, or phrase so declared or adjudged invalid or unconstitutional were not originally a part hereof. The General Assembly hereby declares that it would have passed the remaining parts of this Act if it had known that such part or parts hereof would be declared or adjudged invalid or unconstitutional.

**Section 7.19.** Effective date. This Act shall become effective upon its approval by the Governor or upon its becoming law without his approval.

**Section 7.20.** Repealer. All laws and parts of laws in conflict with this Act are hereby repealed.

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**Page:** 4501

**Notice to Introduce Local Legislation.**

State of Georgia

County of Walton

Notice is hereby given that there will be introduced at the regular 1981 session of the General Assembly of Georgia, a bill to create a new charter for the Town of **Walnut Grove** and for other purposes.

This 23rd day of December, 1980.

Neal Jackson Representative-Elect from Walton County District

Georgia, Fulton County.

Personally appeared before me, the undersigned authority, duly authorized to administer oaths, Neal Jackson who, on oath, deposes and says that he/she is Representative from the 75th District, and that the attached copy of Notice of Intention to Introduce Local Legislation was published in the Walton Tribune which is the official organ of Walton County, on the following dates: January 1, 8, 15, 1981.

/s/ Neal Jackson Representative, 75th District

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**Page:** 4502

Sworn to and subscribed before me, this 17th day of February, 1981.

/s/ Cathy Ann Walls  
Notary Public, Georgia State at Large.  
My Commission Expires Jan. 4, 1985.  
(Seal).

**Approval Date:** Approved April 9, 1981.