

FIRST READING	November 13, 2017
FIRST CONSIDERATION	December 4, 2017
SECOND CONSIDERATION	December 18, 2017
PUBLICATION DATES:	November 22, 2017, November 29, 2017 and December 6, 2017

**AN ORDINANCE TO AMEND SECTIONS 5.11 and 5.16 OF THE CHARTER OF THE CITY OF DAWSONVILLE SO AS TO CREATE DISTRICT POSTS FOR COUNCIL MEMBERS; TO CLARIFY AND MAKE THE REMOVAL PROCESS CONSISTENT WITH STATE LAW; AND FOR OTHER PURPOSES.**

**WHEREAS**, an Act was passed in the Georgia Legislature in April of 1996 providing a new Charter for the City of Dawsonville and for other purposes;

**WHEREAS**, Section 5.11 of the City Charter sets forth the procedure for election procedures and requirements for the elected offices of the Mayor and members of the City Council members;

**WHEREAS**, the City desires to amend the election procedures and requirements to provide for geographic district posts in which each Council Member resides with similar numbers of registered voters in each district beginning on January 1, 2018; and

**WHEREAS**, the City now desires to amend Section 5.16 of the City Charter to clarify the same and make it consistent with state law allow.

**NOW THEREFORE**, THE COUNCIL OF THE CITY OF DAWSONVILLE, GEORGIA HEREBY ORDAINS AS FOLLOWS:

Section 5.11 (e) of the City Charter, as amended, is deleted in its entirety and a new Section 5.11 (e) along with a new section 5.11 (g) as set forth below is enacted and inserted. All other sub-sections of Section 5.11 and all other sections of the City Charter not specifically amended by this ordinance shall remain in full force and effect. Section 5.16 of the City Charter, as amended, is deleted in its entirety and a new Section 5.16 as set forth below is enacted and inserted. All other sub-sections of Section 5.16 and all other sections of the City Charter not specifically amended by this ordinance shall remain in full force and effect. A copy of this Charter Amendment along with all other required

documents shall be provided to the Secretary of State in accordance with O.C.G.A. § 36-35-5.

Sections 5.11 (e) and (g) of the City Charter shall read as follows:

### **Section 5.11. Regular Elections**

(e) The mayor and each council member shall be elected by the electors voting in the entire city at large. The mayor may reside in any district of the city as set forth in subsection (g) below. Each council member must reside in the district as set forth in subsection (g) below that they qualify for both at the time of qualification for that district post and throughout their elected service for that position. Each elector shall be entitled to vote for one candidate for each municipal office which is to be filled at any election. At the general municipal election conducted in 2019 and every four years thereafter, the candidates who receive the highest number of votes cast for the office of mayor and council member posts 1 and 3 shall be the persons elected to those offices. At the general municipal election conducted in 2021 and every four years thereafter, the candidates who receive the highest number of votes cast for council member posts 2 and 4 shall be the persons elected to those offices.

(g) There shall be four council member districts of approximately equal numbers of voters that shall be created and modified by ordinance as required by this Charter, state and federal law. In drawing district lines to achieve similar voter numbers in each district, the Council shall take into account neighborhoods, roads and other landmarks or land divisions that provide appropriate lines between districts. The four districts shall be each be represented by one council member who shall run for and be elected to that district post. The four district posts shall be known as Post 1, Post 2, Post 3 and Post 4. As of January 1, 2018, Post 1 is held by council member Caleb Phillips, Post 2 is held by council member Steve Tolson, Post 3 is held by council member Jason Power and Post 4 is held by council member Mark French. Any candidate for a council member position shall qualify only for the post of the district in which they reside and shall designate the post which the candidate is seeking when qualifying. The designation shall be entered upon the ballot in such manner so that in the ensuing election such candidate shall only oppose the other candidate or candidates, if any, designating the same specific district post.

### **Section 5.16. - Procedure for removal.**

Removal of an elected officer from office may be accomplished by one of the following methods:

(1) By action of two-thirds vote of the entire membership of the council. In the event an elected officer is sought to be removed by the action of the council, such 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 from the service of such written notice. Any elected officer sought to be removed from office as provided in this chapter shall have the right to appeal the decision of the council to the Superior Court of Dawson County by writ of certiorari in accordance with state law; or

(2) By an order of the Superior Court of Dawson County following a hearing on a complaint seeking such removal brought by a resident of the City of Dawsonville.

This ordinance shall take effect and be in force from and after its adoption.

**SO ADOPTED** by the City Council of Dawsonville, Georgia, this \_\_\_\_\_ day of December, 2017.

**CITY OF DAWSONVILLE**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Council Member

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Council Member

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Council Member

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Council Member

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Attested to by Beverly Banister, City Clerk