

**A RESOLUTION OF THE CITY OF FOREST PARK ANNOUNCING THE CANCELLATION OF THE 2023 MUNICIPAL ELECTIONS AS MANDATED BY STATE LAW; TO DIRECT THE CITY CLERK TO EXECUTE ANY DOCUMENTS RELATING TO SUCH CANCELLATION, AND OTHERWISE PERFORM ALL NECESSARY ACTS TO ACCOMPLISH THE INTENT OF THIS RESOLUTION; TO PROVIDE FOR AN EFFECTIVE DATE OF THIS RESOLUTION; AND FOR OTHER PURPOSES**

**WHEREAS**, the governing authority of the City of Forest Park is the Mayor and City Council;

**WHEREAS**, in November 2023, municipal elections were scheduled for the City of Forest Park;

**WHEREAS**, the qualifying period for candidates in the 2023 municipal elections closed on August 24, 2023;

**WHEREAS**, as of the end of the qualifying period, only the incumbents in Wards 3, 4 and 5 qualified as candidates with no opposing candidates qualifying in each ward;

**WHEREAS**, pursuant to O.C.G.A. § 21-2-133(a) write-in candidates must file a notice of intent of their candidacy as write-in candidate with the elections superintendent “no later than seven days after the close of the municipal qualifying period for municipal elections in the case of a general election;”

**WHEREAS**, as of August 31, no person has filed their the required notice pursuant to O.C.G.A. § 21-2-133(a);

**WHEREAS**, there are no ballot questions submitted to the voters of the City of Forest Park in the 2023 municipal elections;

**WHEREAS**, O.C.G.A. § 21-2-285 (j) provides that “in the event there is no opposed candidate in a precinct in a general or special municipal election, no election shall be held in such precinct unless a write-in candidate has qualified as provided by law or unless there are issues to be submitted to the electorate within a precinct;”

**WHEREAS**, O.C.G.A. § 21-2-285 (k) provides that when “no election is to be conducted, the municipality shall provide notice reasonably calculated to inform the affected electorate that no election is to be conducted. Each such unopposed candidate shall be deemed to have voted for himself or herself. The superintendent shall certify such unopposed candidate as elected in the same manner as he or she certifies other candidates as elected pursuant to Code Section 21-2-502;”

**WHEREAS**, the City Council wishes to recognize that no election is to be conducted as mandated by State law; and

**WHEREAS**, the City Council wishes to direct the staff to provide the required notice to the voters of the City that no election is to be conducted;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL IN REGULAR SESSION THAT:

**SECTION 1. Recognition of Cancellation of 2023 Municipal Elections and Notice to the Public.** The City Council formally acknowledges and recognizes that under O.C.G.A. § 21-2-285 (j), no 2023 municipal election shall be conducted because there are no opposed candidates in the 2023 municipal election, no write-in candidates have qualified as provided by law and there are no issues to be submitted to the electorate. The City staff is therefore directed to provide notice reasonably calculated to inform the voters of the City that no 2023 municipal elections are to be conducted. The City Clerk is further directed inform Clayton County that there will be no election and to take all necessary steps required under State law with respect to the certification of the 2023 municipal election.

**SECTION 2. Public Record.** This document shall be maintained as a public record by the City Clerk and shall be accessible to the public during all normal business hours of the City of Forest Park.

**SECTION 3. Authorization of Execution.** The Mayor or Mayor Pro Tem is hereby authorized to sign all documents necessary to effectuate this Resolution.

**SECTION 4. Attestation.** The City Clerk is authorized to execute, attest to, and seal any documents which may be necessary to effectuate this ordinance, subject to approval as to form by the City Attorney.

**SECTION 5. Effective Date.** This resolution shall become effective immediately upon its adoption by the Mayor and City Council of the City of Forest Park as provided in the City Charter.

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SO RESOLVED, THIS 5<sup>th</sup> day of September, 2023.

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Mayor

(SEAL)

ATTEST:

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City Clerk

APPROVED AS TO FORM:

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City Attorney