

**STATE OF GEORGIA
COUNTY OF DEKALB
CITY OF STONECREST**

ORDINANCE NO. 2022-_____

AN ORDINANCE TO AMEND CHAPTER 2 (ADMINISTRATION) ARTICLE V (ADVISORY COMMITTEES), OF THE CITY OF STONECREST CODE OF ORDINANCES TO INPUT TEXT RELATING TO OVERSIGHT, POLICY, AND STANDING COMMITTEES OF THE CITY COUNCIL; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN ADOPTION DATE; TO PROVIDE AN EFFECTIVE DATE; AND TO PROVIDE FOR OTHER LAWFUL PURPOSES.

WHEREAS, the City of Stonecrest, Georgia (the “City”) is a municipal corporation created under the laws of the State of Georgia; and

WHEREAS, the duly elected governing authority of the City is the Mayor and Council (“City Council”) thereof; and

WHEREAS, the City Council shall have the authority to adopt and provide for the execution of such ordinances, resolutions, policies, rules, and regulations, 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 Stonecrest and may enforce such ordinances by imposing penalties for violation thereof; and

WHEREAS, CHAPTER 2 (ADMINISTRATION) ARTICLE V (ADVISORY COMMITTEES) (“Committee Ordinance”) of the City of Stonecrest Code of Ordinances addresses procedures to establish committees within the City; and

21 **WHEREAS**, the text of the Committee Ordinance must be amended to align with the City
22 of Stonecrest City Charter; and

23 **WHEREAS**, the City Council finds that it is the best interest of the City to amend the
24 Committee Ordinance.

25 **NOW THEREFORE, BE IT AND IT IS HEREBY ORDAINED BY THE MAYOR**
26 **AND COUNCIL OF THE CITY OF STONECREST, GEORGIA and by the authority**
27 **thereof:**

28 **Section 1.** The Code of Ordinances, City of Stonecrest, Georgia is hereby amended by revising
29 CHAPTER 2 (ADMINISTRATION) ARTICLE V (ADVISORY COMMITTEES) by adopting
30 the provisions set forth in Exhibit A attached hereto and made a part by reference.

31 **Section 2.** That the amended ordinance be read and codified as follows with added text in **red**
32 **font, bold and underlined** and deleted text in **red and strikethrough** font.

33 **Section 3.** The preamble of this Ordinance shall be considered to be and is hereby incorporated
34 by reference as if fully set out herein.

35 **Section 4.** (a) It is hereby declared to be the intention of the Mayor and Council that all
36 sections, paragraphs, sentences, clauses, and phrases of this Ordinance are or were, upon their
37 enactment, believed by the Mayor and Council to be fully valid, enforceable, and constitutional.

38 (b) It is hereby declared to be the intention of the Mayor and Council that, to the
39 greatest extent allowed by law, each and every section, paragraph, sentence, clause, or phrase of
40 this Ordinance is severable from every other section, paragraph, sentence, clause, or phrase of this
41 Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the
42 greatest extent allowed by law, no section, paragraph, sentence, clause, or phrase of this Ordinance

is mutually dependent upon any other section, paragraph, sentence, clause, or phrase of this Ordinance.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

Section 5. The City Clerk, with the concurrence of the City Attorney, is authorized to correct any scrivener's errors found in this Ordinance, including its exhibits, as enacted.

Section 6. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed to the extent of the conflict only.

Section 7. The effective date of this Ordinance shall be the date of its adoption by the Mayor and Council unless otherwise stated herein.

Section 8. The Ordinance shall be codified in a manner consistent with the laws of the State of Georgia and the City of Stonecrest.

Section 9. It is the intention of the governing body, and it is hereby ordained that the provisions of this Ordinance shall become and be made part of the Code of Ordinances, City of Stonecrest, Georgia and the sections of this Ordinance may be renumbered to accomplish such intention.

SO ORDAINED this ____ day of _____, 2024.

CITY OF STONECREST, GEORGIA

Jazzmin Cobble, Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

EXHIBIT A

ARTICLE V. ~~ADVISORY~~ OVERSIGHT, POLICY, AND STANDING COMMITTEES

Sec. 2-137. Authorization.

The ~~mayer~~ city council may establish advisory oversight, policy, and standing committees. Each committee ~~may~~ shall have ~~one or more~~ no less than two councilmembers. The mayor is an ex-officio member of every committee. The city manager or a designee ~~shall oversee~~ may support the meetings of each committee and is an ex-officio, non-voting member of each.

(Ord. No. 09-05, § 2-137, 9-18-2017)

Sec. 2-138. Duties.

- (a) Each committee may, from time to time, propose policies and ordinances to the council in the subjects germane to the committee.
- (b) This section shall not be interpreted to require committee approval for a measure to be heard before the council.
- (c) Members must attend two-thirds of meetings in a calendar year. Failure to do so warrants removal from the committee.

(Ord. No. 09-05, § 2-138, 9-18-2017)

Sec. 2-139. Membership.

- (a) Except as provided in subsection (b) of this section, the ~~mayer~~ city council shall establish qualifications for members of each committee. Each committeeperson shall be nominated ~~by the mayer~~ and approved by the city council.
- (b) Each committee member must be either a resident of the city or an owner or officer of a business domiciled in the city. Should the committee member move out of the city or no longer be an owner or an officer of a business domiciled in the city, he may remain active until the mayor and council appoint his replacement.

(Ord. No. 09-05, § 2-139, 9-18-2017)

Sec. 2-140. Terms.

- (a) Each committee member shall serve until the succeeding end of the city's fiscal year. Consecutive terms are permissible.
- (b) The mayor and councilmembers on each committee shall serve ~~on that committee so long as they remain elected to office~~ for a term of one year. A former councilmember or former mayor may serve on a committee, but such person shall not take the place of the elected member.
- (c) Members filling vacancies shall serve the remainder of the term to which they were appointed. A consecutive appointment is permissible. Members whose terms expire shall continue to serve until a replacement is appointed or a consecutive appointment is made.
- (d) Any member may be removed with or without cause by the mayor.

(Ord. No. 09-05, § 2-140, 9-18-2017)

Sec. 2-141. Compensation.

Committee members may serve without compensation. Reasonable expenses for travel may be reimbursed and committee members may be compensated pursuant to a policy to be established by the city manager and approved by the council.

(Ord. No. 09-05, § 2-141, 9-18-2017)

Sec. 2-142. Quorum.

A majority of the actual number of committee members establishes a quorum. Any action taken requires a majority of affirmative votes of the quorum present.

(Ord. No. 09-05, § 2-142, 9-18-2017)

Sec. 2-143. Procedure.

- (a) Each of the committees shall adopt its rules of procedure, which shall be substantially similar to the rules of procedure of the city council, and determine its time of meetings. The date and time of each meeting as well as agenda items to be considered shall be publicized in the same manner as meetings of the mayor and council.
- (b) All meetings at which official action is taken shall be open to the public and all records maintained by the committee shall be public records unless expressly exempted by a provision of the state's Open Records Act. The committees shall keep minutes of their formal proceedings, showing the vote of each member upon each question, and records of their examinations and other official actions, all of which shall be filed in the office of the city clerk. Copies of the minutes shall be sent to the mayor and each member of the city council. The minutes of the meetings shall be a public record. This section shall not be construed as prohibiting closed sessions when permitted by the state open meetings and open records acts.
- (c) Expenditures of the committees, if any, shall be within the amounts appropriated for the purpose intended by the mayor and council during the annual budgeting process.

(Ord. No. 09-05, § 2-143, 9-18-2017)

Sec. 2-144. Training.

The mayor may establish a mandatory training program for committee members.

(Ord. No. 09-05, § 2-144, 9-18-2017)

Secs. 2-145—2-171. Reserved.
