

STATE OF GEORGIA

TOWN OF TYRONE

ORDINANCE

NO. 2022-_____

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES FOR THE TOWN OF TYRONE, GEORGIA; TO CREATE A BODY CORPORATE AND POLITIC TO BE KNOWN AS THE DOWNTOWN DEVELOPMENT AUTHORITY OF TYRONE; TO DESIGNATE A DOWNTOWN DEVELOPMENT AREA; TO DESIGNATE THE TERMS OF THE INITIAL BOARD OF DIRECTORS; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROMOTE THE PUBLIC HEALTH, SAFETY AND WELFARE, AND FOR OTHER PURPOSES.

BE IT ORDAINED BY THE MAYOR AND COUNCIL FOR THE TOWN OF TYRONE AND IT IS HEREBY ENACTED PURSUANT TO THE AUTHORITY OF THE SAME THAT THE CODE OF ORDINANCES OF THE TOWN OF TYRONE AS IT PERTAINS TO BOARDS, COMMISSIONS, AND AUTHORITIES IN ARTICLE VI OF CHAPTER 2 SHALL BE AMENDED TO CREATE THE DOWNTOWN DEVELOPMENT AUTHORITY, THE DOWNTOWN DEVELOPMENT AREA, AND DESIGNATING THE TERMS OF THE INITIAL BOARD OF DIRECTORS OF THE DOWNTOWN DEVELOPMENT AUTHORITY AS FOLLOWS:

Section 1. By creating a new Section 2-256, pertaining to “Boards, Commissions, and Authorities,” in Article VI of Chapter 2, to read as follows:

Sec. 2-256. Downtown development authority.

(a) There is created in and for the Town of Tyrone a public body corporate and politic to be known as the Downtown Development Authority of Tyrone. The Downtown Development Authority of Tyrone shall consist of a board of seven directors, which includes a member of the governing body of the Town of Tyrone. Three members of the first board of directors shall be appointed for a term of two years each, and three for a term of four years each. The members initially serving two-year terms are: Ernie Johnson; Jeri Mount; and Adam She. The remaining members will serve four-year terms: John Kaufman; Carolyn Fludd; and Luci McDuffie. After expiration of the initial terms, except for the director who is also a member of the governing body of the Town of Tyrone, the terms of all directors shall be four years. The term of a director who is also a member of the governing body of the Town of Tyrone shall end when such director is no longer a member of the governing body of the Town of Tyrone. If at the end of any term of office of any director a successor to such director has not been elected, the director whose term of office has expired shall continue to hold office until a successor is elected. A majority of the board of directors shall constitute a quorum.

(b) The Downtown Development Authority of Tyrone shall operate and have jurisdiction exclusively over that geographic location in the Town of Tyrone known as the Downtown Development Area, more particularly described in Exhibit "A" attached hereto, with said Exhibit "A" being incorporated herein by this reference.

(c) The Downtown Development Authority of Tyrone shall have all those

powers and duties as spelled out in the Downtown Development Authorities Law for the State of Georgia, i.e., O.C.G.A. § 36-42-1 et seq.

Section 2. By creating a new Section 2-257, pertaining to “Qualifications and Reimbursement of Directors; Election of Officers; and Training,” in Article VI of Chapter 2 to read as follows:

Sec. 2-257. Qualifications and reimbursement of directors; election of officers; and training.

(a) Directors shall be:

(1) Taxpayers residing in the Town of Tyrone.

(2) Owners or operators of businesses located within the Downtown Development Area and who shall be taxpayers residing in Fayette County; or

(3) Persons having a combination of the qualifications specified in paragraphs (1) and (2) of this subsection;

provided, however, that one of such directors may be a member of the Mayor and Council.

(b) Not less than four of the directors having the qualifications specified in subsection (a) of this Code section shall be persons who, in the judgment of the Mayor and Council, either have or represent a party who has an economic interest in the redevelopment and revitalization of the Downtown Development Area.

Successors to the directors shall be appointed by the Mayor and Council.

(c) The directors shall elect one of their members as Chairman and another as Vice Chairman and shall also elect a Secretary and a Treasurer or a Secretary-Treasurer, either of whom may but need not be a director. The directors shall receive no compensation for their services but shall be reimbursed for actual expenses incurred by them in the performance of their duties.

(d) Notwithstanding subsection (a) of this Code section, one director appointed to the board may reside outside the county; provided, however, that such appointed director owns a business within the Downtown Development Area and is a resident of the State of Georgia. If subsequently to his or her appointment to the board pursuant to this subsection, the director ceases to own a business within the Downtown Development Area or reside in the State of Georgia, such director shall relinquish his or her seat on the board.

(e) Except for a director who is also a member of the Mayor and Council, each director shall attend and complete at least eight hours of training on downtown development and redevelopment programs within the first 12 months of a director's appointment to the Downtown Development Authority.

Section 3. By creating a new Section 2-258, pertaining to "Meetings," in Article VI of Chapter 2 to read as follows:

Sec. 2-258. Meetings.

(a) Meeting schedule. The Downtown Development Authority shall meet

monthly. The Chairman or members of the Downtown Development Authority may call additional meetings.

(b) Meeting location. The Downtown Development Authority shall meet in Tyrone Town Hall unless the Chairman or a majority of the members designates another location.

(c) Bylaws. The Downtown Development Authority shall create adequate bylaws to govern the functioning of the Downtown Development Authority.

Section 4. This ordinance shall become effective immediately upon its adoption by the Mayor and Council for the Town of Tyrone.

Section 5. All other ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 6. In any event any section, subsection, sentence, clause or phrase of this Ordinance shall be declared or adjudged invalid or unconstitutional, such adjudication shall in no manner affect other sections, subsections, sentences, clauses or phrases of this Ordinance, which shall remain in full force and effect as if the section, subsection, sentence, clause or phrase so declared or adjudged invalid or unconstitutional were not a part thereof. The Mayor and Council hereby declare that it would have passed the remaining parts of this Ordinance if it had known that such part or parts hereof would be declared or adjudged invalid or

unconstitutional.

SO ENACTED this _____ day of _____, 2022.

MAYOR AND COUNCIL FOR THE
TOWN OF TYRONE

(SEAL)

By: _____
Eric Dial, Mayor

ATTEST:

Dee Baker, Town Clerk

Approved as to form:

Town Attorney