

Senate Bill 274

By: Senators Brown of the 26th and Staton of the 18th

A BILL TO BE ENTITLED  
AN ACT

1 To provide for the restructuring of the governments of the City of Macon, the City of Payne  
2 City, and Bibb County; to create and incorporate a new political body corporate under the  
3 name Macon-Bibb County; to provide for the status, boundaries, and powers of the  
4 restructured government; to provide for the form, administration, and affairs of the  
5 restructured government; to provide for officers and employees, elections, courts, authorities,  
6 taxation, and finance; to provide for related matters; to provide for severability; to provide  
7 for a referendum; to provide for effective dates; to repeal conflicting laws; and for other  
8 purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 **SECTION 1.**

11 (a) The governmental and corporate powers, duties, and functions now vested in the City of  
12 Macon, a municipal corporation created by an Act of the General Assembly, approved  
13 March 23, 1977 (Ga. L. 1977, p. 3776), as amended, are restructured with the governmental  
14 and corporate powers, duties, and functions of the County of Bibb and the City of Payne  
15 City, such restructuring of the governments of the City of Macon, the City of Payne City, and  
16 the County of Bibb being pursuant to the constitutional power granted by Article IX,  
17 Section III, Paragraph II of the Constitution of Georgia, as amended. Said restructuring shall  
18 result in the establishment of a single county-wide government with powers and jurisdiction  
19 throughout the territorial limits of Bibb County, which single government shall supersede  
20 and replace the governments of the City of Macon, the City of Payne City, and the County  
21 of Bibb, and, to the extent provided in this charter, shall also supersede and replace any  
22 public authorities and special service districts located and operating within Bibb County.  
23 Said county-wide government shall be a new political entity, a body politic and corporate,  
24 and a political subdivision of the State of Georgia, to be known as "Macon-Bibb County" (in  
25 this charter at times called "the restructured government"), having all of the governmental  
26 and corporate powers, duties, and functions heretofore held by and vested in the City of

27 Macon, the City of Payne City, and Bibb County, and also the powers, duties, and functions  
28 provided in this charter. The restructured government shall be a public corporation; shall  
29 have perpetual existence; shall, without the necessity or formality of a deed, bill of sale, or  
30 other instrument of transfer, own, possess, and hold all properties of whatsoever kind or  
31 nature, assets, contracts, franchises, things, rights, privileges, immunities, and real and  
32 personal property theretofore owned, possessed, enjoyed, or held by the City of Macon, the  
33 City of Payne City, and the County of Bibb; by the name of Macon-Bibb County shall be  
34 able to contract and be contracted with, sue and be sued as provided by this charter, plead  
35 and be impleaded in all courts of this state, and do all other acts relating to its corporate  
36 capacity; and shall be able in law and equity to purchase, have and hold, receive, enjoy,  
37 accept, possess, and retain for the use and benefit of said Macon-Bibb County, in perpetuity  
38 or for any term of years, any estate or estates, real or personal, lands, tenements, or  
39 hereditaments of whatsoever kind or nature inside or outside the territorial limits of the  
40 restructured government, as may be devised, bequeathed, sold, or by any manner conveyed  
41 or dedicated to or otherwise acquired by the restructured government and to use, manage,  
42 improve, sell and convey, rent, or lease same; and to have and use a common seal. From and  
43 after the effective date of this charter, the political subdivision known as Bibb County,  
44 Georgia, and the municipal corporations known as the City of Macon and the City of Payne  
45 City shall be merged into the said new political entity created in this charter.

46 (b) The territory embraced in the restructured government shall be the total area of Bibb  
47 County, as the same may be now or hereafter fixed and established by law. Any portion of  
48 the City of Macon as it exists on December 31, 2015, which extends in to any other county  
49 shall not be included in the territory of the restructured government and shall on  
50 January 1, 2016, become unincorporated land of the county in which it is located.

51 **SECTION 2.**

52 (a) The restructured government shall have and be vested with, to the same extent as if  
53 repeated in this charter, all rights, powers, duties, privileges, and authority that the City of  
54 Macon, the City of Payne City, or Bibb County, or all collectively, have under the  
55 Constitution and general and special laws of Georgia at the time of the adoption of this  
56 charter, except as expressly modified in this charter.

57 (b) In addition to the foregoing, the restructured government shall have all rights, powers,  
58 duties, privileges, and authority conferred or enlarged by this charter, and such other rights,  
59 powers, duties, privileges, and authority as may be necessary and proper for carrying the  
60 same into execution, and also all rights, powers, duties, privileges, and authority, whether  
61 express or implied, that may now be vested in or hereafter granted to counties or municipal

62 corporations, or both, by the Constitution and laws of this state, including the powers vested  
63 in the restructured government by this charter.

64 (c) The restructured government, in addition to the rights, duties, powers, privileges, and  
65 authority expressly conferred upon it by this charter, shall have the right, duty, power,  
66 privilege, and authority to exercise and enjoy all other powers, duties, functions, rights,  
67 privileges, and immunities necessary and proper to promote or protect the safety, health,  
68 peace, security, and general welfare of said government and its inhabitants and to exercise  
69 all implied powers necessary to carry into execution all powers granted in this charter as fully  
70 and completely as if such powers were fully enumerated in this charter and to do and perform  
71 all of the acts pertaining to its local affairs, property, and government that are necessary or  
72 proper in the legitimate exercise of its corporate powers and governmental duties and  
73 functions.

74 (d) No enumeration of any right, power, privilege, or authority hereinafter made shall be  
75 construed as limiting or abolishing any right, power, privilege, or authority set forth in this  
76 charter.

77 (e) No repeal of any law under which the restructured government derives any right, power,  
78 privilege, or authority, except by amendment of this charter as provided in this charter, shall  
79 be construed as limiting or abolishing any such right, power, privilege, or authority set forth  
80 in this charter.

81 (f) The general laws of the State of Georgia of a criminal nature shall be applicable to and  
82 within the limits of the restructured government. General laws of local application through  
83 classification by population, not in conflict with this charter:

84 (1) Which on the effective date of this charter apply to the City of Macon or Bibb County  
85 shall be applicable to the restructured government; and

86 (2) Which apply to the restructured government as either a city or a county at the time  
87 of their enactment or thereafter shall be effective, but those which did not apply to the  
88 City of Macon or Bibb County or the restructured government at the time of their  
89 enactment shall not become applicable to the restructured government except through the  
90 adoption of a resolution to that effect by the council.

91 (g) Local Acts of the State of Georgia which apply specifically to Bibb County, the City of  
92 Payne City, or the City of Macon, or all collectively, shall be applicable to the restructured  
93 government.

94 (h) In construing the applicability of provisions of the Constitution and the general laws of  
95 Georgia which apply in general terms to either counties or municipalities, or both, and local  
96 Acts of the General Assembly that apply specifically to Bibb County, the City of Payne City,  
97 or the City of Macon, or all collectively, the following terms as used in such laws shall be  
98 construed to include the restructured government as follows:

- 99 (1) "County" shall be construed to include Macon-Bibb County;
- 100 (2) "City," "town," "municipal corporation," or "municipality" shall be construed to  
101 include Macon-Bibb County;
- 102 (3) "Commissioners of roads and revenues" and "board of county commissioners" shall  
103 be construed to include the council of Macon-Bibb County;
- 104 (4) "Council," "mayor and council," "aldermen," and "board of aldermen" shall be  
105 construed to include the council of Macon-Bibb County, Georgia; and
- 106 (5) Any other terms and provisions as used in such Acts to refer specifically to Bibb  
107 County or the City of Macon, or both, and the officers, employees, departments, and  
108 agencies thereof shall be construed to mean Macon-Bibb County and its officers,  
109 employees, departments, and agencies.
- 110 (i) In construing the applicability of laws in force to the restructured government, the  
111 following order shall prevail:
- 112 (1) The Constitution of the State of Georgia;
- 113 (2) The general laws of uniform application now in force or hereafter enacted by the  
114 General Assembly, as distinguished from general laws of local application through  
115 classification by population, applicable to municipal corporations or counties, or both;
- 116 (3) The general laws of local application through classification by population as and to  
117 the extent provided in subsection (a) of this section;
- 118 (4) Special laws applicable to Bibb County, not in conflict with this charter;
- 119 (5) Special laws applicable to the City of Macon, not in conflict with this charter;
- 120 (6) Special laws applicable to the City of Payne City, not in conflict with this charter;
- 121 (7) This charter and all ordinances and resolutions passed pursuant thereto; and
- 122 (8) Existing ordinances and resolutions of the former City of Macon and City of Payne  
123 City and existing ordinances and resolutions of the former County of Bibb not in conflict  
124 with this charter.
- 125 (j) The tort and nuisance liability of the restructured government shall follow the law and  
126 rules of tort liability applicable to counties in Georgia.
- 127 (k) For purposes of all applicable laws, the restructured government shall constitute a  
128 municipality and a county, or both. Except as otherwise provided by this charter, if a law  
129 applicable to municipalities and the same or another law applicable to counties are in  
130 conflict, the law applicable to municipalities shall prevail.
- 131 (l) The restructured government shall have the power and authority to participate in,  
132 cooperate in, and take all necessary action with respect to any and all projects, programs, and  
133 undertakings of any nature authorized by any statute, rule, or regulation of the United States,  
134 the State of Georgia, or any federal or state agency or instrumentality, including, but not  
135 limited to, community development, highways, aviation, aviation terminals, airports, airport

136 facilities, municipal area or regional development, sewer and sewage disposal, public  
137 housing, housing for the aged, and transportation or mass transit or any phase thereof; to  
138 borrow money and issue promissory notes, general obligation bonds, or revenue bonds, or  
139 a combination thereof, for any such purposes in accordance with the provisions of this  
140 charter; and to execute mortgages or deeds of trust in favor of any federal agency, secured  
141 by property of which the restructured government is the legal or beneficial or equitable  
142 owner, or in favor of any private agency where the loan is guaranteed by a federal agency.

143 **SECTION 3.**

144 (a) Prior to the effective date of this charter, all powers vested in Bibb County, the City of  
145 Macon, or the City of Payne City, or any of their respective officers, agents, or agencies shall  
146 remain in full force and effect. Upon such effective date, the board of commissioners of  
147 Bibb County, the mayor and council of the City of Macon, the mayor and council of the City  
148 of Payne City, and the offices of all members thereof shall stand abolished, and all  
149 emoluments appertaining thereto shall cease. Thereupon, the governments of Bibb County,  
150 the City of Macon, and the City of Payne City shall terminate as such separate political  
151 entities and be merged into the government created by this charter.

152 (b) When an agency of the City of Macon, the City of Payne City, or Bibb County is  
153 abolished or restructured by this charter, all books, papers, maps, charts, plans, records, other  
154 equipment, and personal property in possession of the same shall be delivered to the agency  
155 to which its rights, powers, duties, and obligations are transferred.

156 (c) Notwithstanding any other provision of this charter, any officer performing duties under  
157 the government of the City of Macon, the City of Payne City, or Bibb County may continue  
158 to perform the duties thereof until a successor, whether under the same title of office or  
159 another, shall be elected or appointed and qualified to perform the duties, it being the  
160 intention of this charter that no duty or service shall lapse or be abandoned because of lack  
161 of an officer to perform same.

162 **SECTION 4.**

163 (a) All contracts, orders, leases, bonds, and other obligations or instruments entered into by  
164 the City of Macon, the City of Payne City, or Bibb County or for its benefit prior to the  
165 effective date of this charter shall continue in effect according to the terms thereof as  
166 obligations and rights of Macon-Bibb County.

167 (b) No action or proceeding of any nature, whether civil or criminal, judicial or  
168 administrative, or otherwise, pending on the effective date of this charter by or against the  
169 City of Macon or its departments and agencies, the City of Payne City or its departments and

170 agencies, or Bibb County or its departments or agencies shall be abated or otherwise affected  
171 by the adoption of this charter.

172 (c) The departmental organization of the cities existing immediately prior to adoption of this  
173 charter shall continue in effect upon the effective date of this charter until such organization  
174 is changed or reorganized as provided by ordinance of the council and administrative  
175 regulations consistent therewith.

176 (d) The provisions of this charter notwithstanding, the annual compensation of the mayor  
177 and councilmembers of the City of Macon and the City of Payne City for the remainder of  
178 their present terms of office shall be the same annual compensation as such officers received  
179 in the calendar year immediately preceding the date of adoption of this charter.

180

#### **SECTION 5.**

181 The governing authority of Macon-Bibb County shall consist of a mayor and a council of  
182 said county composed of 11 members. Said board is designated as the Macon-Bibb County  
183 Council, referred to in this charter as the "council." The members of said board are  
184 designated and referred to in this charter as "councilpersons." The council shall exercise and  
185 be subject to all of the rights, powers, duties, and obligations imposed by this charter or  
186 previously applicable to the governing authorities of the City of Macon, the City of Payne  
187 City, and Bibb County and to any general laws, local laws, or constitutional provisions  
188 applicable or effective within the former City of Macon, City of Payne City, and Bibb  
189 County. The council shall constitute a county as well as a municipality for the purpose of  
190 the application of the general laws and Constitution of this state. The council may exercise  
191 the powers vested in the governing authority of the municipality and municipalities generally  
192 as well as the powers vested in the former governing authority of the county and counties  
193 generally.

194

#### **SECTION 6.**

195 The governing authority shall exercise the jurisdiction, powers, and authorities vested in such  
196 body by this charter and perform and discharge the duties, obligations, and responsibilities  
197 imposed upon it by law, either directly or through such officers, agents, and employees as  
198 it may from time to time ordain, constitute, and appoint in addition to those created and  
199 provided for in this charter; and the governing authority shall, except as otherwise provided  
200 in this charter, prescribe by ordinances or resolutions the manners and methods in which such  
201 jurisdiction, powers, authorities, duties, obligations, and responsibilities shall be exercised,  
202 performed, and discharged, and the respective officers, agents, and employees by whom the  
203 several portions thereof shall be exercised, performed, and discharged.

204

**SECTION 7.**

205 (a) The Superior Court of Bibb County, including the office of the district attorney, shall  
 206 continue its operations without interruption resulting from the adoption of this charter, and  
 207 nothing in this charter shall be construed as affecting the status of said court. The court shall  
 208 be known as the Superior Court of Macon-Bibb County.

209 (b) The State Court of Bibb County, including the office of the solicitor, shall continue its  
 210 operations without interruption resulting from the adoption of this charter, and nothing in this  
 211 charter shall be construed as affecting the status of said court. The court shall be known as  
 212 the State Court of Macon-Bibb County.

213 (c) The Juvenile Court of Bibb County shall continue its operations without interruption  
 214 resulting from the adoption of this charter, and nothing in this charter shall be construed as  
 215 affecting the status of said court. The court shall be known as the Juvenile Court of  
 216 Macon-Bibb County.

217 (d) The Probate Court of Bibb County shall continue its operations without interruption  
 218 resulting from the adoption of this charter, and nothing in this charter shall be construed as  
 219 affecting the status of said court. The court shall be known as the Probate Court of  
 220 Macon-Bibb County.

221 (e) The Magistrate Court of Bibb County shall continue its operations without interruption  
 222 resulting from the adoption of this charter, and nothing in this charter shall be construed as  
 223 affecting the status of said court. The court shall be known as the Magistrate Court of  
 224 Macon-Bibb County.

225 (f) On the effective date of this charter, the operations and employees of the Municipal Court  
 226 of the City of Macon shall continue its operations without interruption resulting from the  
 227 adoption of this charter. The employees of such court shall become employees of the  
 228 restructured government of Macon-Bibb County. The court shall be known as the Municipal  
 229 Court of Macon-Bibb County. The judge of the Municipal Court of the City of Macon shall  
 230 be authorized to serve as the judge of said court. Vacancies in the office of judge of the  
 231 Municipal Court of Macon-Bibb County shall be filled by appointment of the mayor. Such  
 232 court shall have jurisdiction over all traffic offenses and code violations occurring in  
 233 Macon-Bibb County.

234

**SECTION 8.**

235 Except as otherwise provided in this charter, the duties of the sheriff, the tax commissioner,  
 236 and the clerk of the superior court shall remain as such duties are presently imposed by law  
 237 for such respective officers as county officers; provided, however, that such duties may be  
 238 expanded and enlarged by the governing authority to include like duties and responsibilities  
 239 in connection with the affairs of the restructured government. The compensation paid to any

240 such officer shall be fixed as heretofore provided by law and may not be reduced during his  
 241 or her term of office below the amount of such compensation as fixed at the commencement  
 242 of such term, nor shall his or her compensation during his or her term of office in effect upon  
 243 the effective date of this charter be reduced below the salary then being paid such officer.  
 244 Such compensation as so fixed shall be the sole remuneration to such officers for their  
 245 services and any and all other compensation for such services to Macon-Bibb County, the  
 246 State of Georgia, or any agency thereof, including salaries, fees, commissions, fines, or  
 247 forfeitures received from any source whatsoever, shall be the property of Macon-Bibb  
 248 County and paid into its treasury.

249

### SECTION 9.

250 (a) The territory of the restructured government shall consist of 11 election wards to be  
 251 designated as Council Wards 1 through 11 and the boundaries of the initial wards shall be  
 252 as described in the districting plan attached to and made a part of this charter and further  
 253 identified as Plan Name: bibb11p2 Plan Type: Local User: staff Administrator: S026.

254 (b) When used in such attachment, the terms "Tract" and "BG" (Block Group) shall mean  
 255 and describe the same geographical boundaries as provided in the report of the Bureau of the  
 256 Census for the United States decennial census of 2000 for the State of Georgia. The separate  
 257 numeric designations in a Tract description which are underneath a "BG" heading shall mean  
 258 and describe individual Blocks within a Block Group as provided in the report of the Bureau  
 259 of the Census for the United States decennial census of 2000 for the State of Georgia. Any  
 260 part of Macon-Bibb County which is not included in any such district described in that  
 261 attachment shall be included within that district contiguous to such part which contains the  
 262 least population according to the United States decennial census of 2000 for the State of  
 263 Georgia. Any part of Macon-Bibb County which is described in that attachment as being in  
 264 a particular district shall nevertheless not be included within such district if such part is not  
 265 contiguous to such district. Such noncontiguous part shall instead be included within that  
 266 district contiguous to such part which contains the least population according to the United  
 267 States decennial census of 2000 for the State of Georgia.

268 (c) The General Assembly shall adopt a new district plan for the election of members of the  
 269 council utilizing the 2010 United States decennial census prior to the referendum provided  
 270 for in Section 45 of this Act.

271 (d)(1) The council ward boundaries of the restructured government shall be  
 272 reapportioned by the council following the publication of each official federal decennial  
 273 census of the population of Macon-Bibb County. Such reapportionment of wards shall  
 274 be effective for the election of members to council at the next regular general municipal  
 275 election following the publication of the decennial census.



276 (2) The reapportionment of election wards shall comply with the following  
277 specifications:

278 (A) Each election ward shall be formed of contiguous territory and its boundary lines  
279 shall be the center lines of streets or other well defined boundaries as utilized by the  
280 United States Bureau of the Census;

281 (B) Such election wards shall be as nearly equal in population as practicable, and they  
282 shall comply with the requirements of the federal Voting Rights Act of 1965, as  
283 amended;

284 (C) Any reapportionment of election wards shall apply to officials of the restructured  
285 government elected at the next regular election following such reapportionment;  
286 provided, however, that any reapportionment ordinance shall not apply to any regular  
287 election or special election held within six months after this charter becomes effective;  
288 and

289 (D) The reapportionment shall be limited to adjusting the boundary lines of the existing  
290 wards only to the extent reasonably necessary to comply with the requirements of this  
291 paragraph, and the number of members of the council and the manner of electing such  
292 members, except for the adjustment of ward boundary lines, shall not be changed by the  
293 council.

294 (e) In addition to the reapportionment following publication of the decennial census, the  
295 council shall reapportion election wards pursuant to this section if the annexation of  
296 additional territory to the corporate boundaries of Macon-Bibb County has the effect of  
297 denying electors residing within the newly annexed territory the right to vote for the election  
298 of members of the council on substantially the same basis that the other electors of  
299 Macon-Bibb County vote for members of the council. The reapportionment provided for in  
300 this subsection shall meet the criteria specified in paragraph (2) of subsection (d) of this  
301 section and shall be further limited to making only those adjustments in ward boundary lines  
302 as may be reasonably necessary to include the newly annexed territory within such wards.  
303 Reapportionment under this subsection shall be effective for the next regular general  
304 municipal election following the annexation.

305 (f) The council shall consist of 11 members. The members shall be elected from the 11  
306 wards specified in subsection (a) of this section. All members of the council shall be full  
307 voting members of the council. The mayor shall not be a member of the council.

308 (g) No person shall be eligible to serve as a councilperson unless he or she:

309 (1) Has been a resident of Macon-Bibb County for a period of one year immediately  
310 prior to the date of the election;

311 (2) Continues to reside within the council ward from which elected during his or her term  
312 of office;

313 (3) Is a registered and qualified elector of Macon-Bibb County; and  
 314 (4) Meets the qualification standards required for members of the Georgia House of  
 315 Representatives as are now or may in the future be prescribed by the Georgia  
 316 Constitution.

317 (h)(1) Each councilmember shall be paid an annual salary of \$15,000.00. Future changes  
 318 in the salary and expenses of the councilmembers shall be effected in accordance with the  
 319 provisions of Code Section 36-35-4 of the O.C.G.A. and in accordance with the  
 320 procedures of Code Section 36-5-24 of the O.C.G.A.; provided, however, that any  
 321 increase in the salary or compensation of councilmembers shall equal no more than  
 322 one-half of the average percentage salary increase granted by such governing authority  
 323 to the restructured government employees over the preceding three years.

324 (2) Any action to increase the salary of councilmembers shall not become effective until  
 325 the date of commencement of the terms of those councilmembers elected at the next  
 326 regular election following such action.

327 (3) In addition to salary, councilmembers shall be reimbursed for all actual expenses  
 328 reasonably and necessarily incurred in carrying out the duties and responsibilities of the  
 329 restructured government.

330 (i) The council shall elect from among its members in January of each year a member to  
 331 serve as president of the council.

### 332 **SECTION 10.**

333 (a) Those members of the board of commissioners of Bibb County and the mayor and those  
 334 members of the city councils of the City of Macon and the City of Payne City who are  
 335 serving as such on the date the implementation of this charter is permissible under the federal  
 336 Voting Rights Act of 1965, as amended, and any persons filling vacancies in such offices  
 337 shall continue to serve as such members until January 1, 2016, and then all such offices shall  
 338 be abolished and all terms of office shall expire. On and after the date the requirements for  
 339 the implementation of this charter have been met and the implementation of this charter is  
 340 permissible under the federal Voting Rights Act of 1965, as amended, no further elections  
 341 shall be conducted to elect members of the board of commissioners of Bibb County and the  
 342 mayor and members of the city councils of the City of Macon and the City of Payne City and  
 343 all elections for the mayor and the members of the council shall be conducted pursuant to this  
 344 charter. Such members of the board of commissioners of Bibb County and the mayor and  
 345 members of the city councils of the City of Macon and the City of Payne City shall continue  
 346 to receive the compensation to which they were entitled pursuant to local law or Code  
 347 Section 36-35-4 of the O.C.G.A. until January 1, 2016.

348 (b)(1) One initial member of the council from each council ward shall be elected in a  
349 special election to be held on the Tuesday after the first Monday in November, 2015.  
350 Members elected in such special election shall take office on the second Tuesday of  
351 January immediately following their election. Each member shall serve for a term of  
352 office of four years and until a successor is elected and qualified. A special primary shall  
353 be conducted in accordance with law prior to such special election. Candidates shall be  
354 nominated and elected by majority vote as provided in this section. Thereafter,  
355 successors to members of the council shall be elected at a general municipal election to  
356 be held on the Tuesday following the first Monday in November immediately preceding  
357 the expiration of their respective terms of office, shall be nominated and elected as  
358 provided in this section, shall take office on the second Tuesday of January immediately  
359 following the date of their election, and shall have terms of office of four years and until  
360 their respective successors are elected and qualified. Each member of the council shall  
361 be elected by the electors residing within such member's council ward.

362 (2) The president of the council shall preside at all meetings of the council and possess  
363 and have all the rights, privileges, and responsibilities of other councilmembers. The  
364 president of the council shall serve as acting mayor with all the powers and duties of that  
365 office should the mayor temporarily be unable to serve, and the president shall act as  
366 mayor or succeed to the office of mayor as provided in Section 15 of this charter.

367 (c) The initial mayor shall be elected in a special election to be held on the Tuesday after the  
368 first Monday in November, 2015. A special primary shall be conducted in accordance with  
369 law prior to such special election. Candidates shall be nominated and elected by majority  
370 vote as provided in this section. The person elected as mayor at such election shall take  
371 office on the second Tuesday of January, 2016, for a four-year term of office and until a  
372 successor is elected is and qualified. Thereafter, each successor to the office of mayor shall  
373 be elected at a general municipal election to be held on the Tuesday following the first  
374 Monday in November immediately preceding the expiration of a term of office, shall take  
375 office on the second Tuesday of January immediately following the date of the election, and  
376 shall have a term of office of four years and until a successor is elected and qualified. The  
377 mayor shall be elected by a majority vote on a county-wide basis by the electors of the entire  
378 county.

379 (d) To be eligible for election to the office of mayor, a person at the time of election shall:

- 380 (1) Have attained the age of 25 years;
- 381 (2) Reside in Macon-Bibb County;
- 382 (3) Be a qualified elector of the restructured government; and
- 383 (4) Meet any other requirements as may be established by general law.

384 (e) Except as otherwise provided in this section, all primaries and elections for the mayor  
 385 and members of the council shall be in accordance with the provisions of Chapter 2 of  
 386 Title 21 of the O.C.G.A., known as the "Georgia Election Code," as now or hereafter  
 387 amended. Any person who is a registered voter of Macon-Bibb County shall be eligible to  
 388 vote in any election under this section.

### 389 SECTION 11.

390 (a) The council shall provide by ordinance for the execution of all powers, functions, rights,  
 391 privileges, duties, and immunities of the restructured government and its officers, agencies,  
 392 or employees as provided by this charter or general state law.

393 (b) Without limiting the general legislative powers of the council, it is empowered to:

394 (1) Adopt all annual appropriations for the restructured government by ordinance and  
 395 any supplements or amendments the council deems necessary from time to time during  
 396 the fiscal year;

397 (2) Adopt, by ordinance, a fiscal year for the restructured government and each of its  
 398 departments, boards, or other agencies and any other ordinances for the regulation and  
 399 management of the financial affairs of the restructured government it deems necessary;

400 (3) Adopt, by ordinance, provisions for governmental reorganization including the  
 401 establishment, alteration, or abolishment of any and all nonelective offices, positions,  
 402 departments, and agencies of the restructured government unless otherwise established  
 403 or provided by this charter;

404 (4) Adopt ordinances establishing any and all personnel policies it deems necessary for  
 405 an adequate and systematic handling of personnel affairs;

406 (5) Make adjustments, by ordinance, to the boundaries of council wards of the  
 407 restructured government as provided in Section 9 of this charter;

408 (6) Establish committees of its members for legislative, investigative, and study purposes  
 409 without the need for approval of the mayor;

410 (7) Establish and appoint any board or commission of citizens to advise the council as  
 411 it deems necessary without the need for approval by the mayor; provided, however, that  
 412 the term of such boards or commissions shall automatically expire at the end of the term  
 413 of office of the council who appointed same, if not earlier abolished by the council;

414 (8) Provide for the collection of residential solid waste throughout Macon-Bibb County  
 415 utilizing the equipment formerly utilized for residential solid waste collection by the  
 416 former City of Macon; and

417 (9) Adopt any other ordinance, resolution, or amendment to this charter as is allowed or  
 418 not denied now or hereafter under general state law or this charter and exercise any other

419 power as may be provided now or hereafter under general state law, this charter, or  
420 ordinance.

421 (c)(1) The council shall, by a majority vote of all members, appoint a clerk of council  
422 who shall serve at the pleasure of the council. The clerk of council may also serve as  
423 clerk of the restructured government or on any other positions he or she may be appointed  
424 to in the restructured government.

425 (2) The clerk of council shall attend all meetings of council; keep the minutes, rules, and  
426 records of council; provide notice of meetings; and perform other duties required by the  
427 council or by ordinance. The compensation of the clerk shall be as fixed by the council.

428 **SECTION 12.**

429 The council shall, without the need for approval by the mayor, provide for an independent  
430 annual audit of all restructured government accounts and may provide for more frequent or  
431 continuing audits as it deems necessary. Audits shall be made by a certified public  
432 accountant or firm of certified public accountants who has no personal interest, direct or  
433 indirect, in the fiscal affairs of the restructured government or any of its officers. The council  
434 may, without requiring competitive bids, designate the accountant or firm annually, provided  
435 that the designation for any particular fiscal year shall be made no later than 30 days after the  
436 beginning of the fiscal year. The council may also provide for special independent audits of  
437 any office, department, board, commission, or other agency of the restructured government  
438 without the need for approval by the mayor.

439 **SECTION 13.**

440 The council, if authorized by a majority vote of the entire council, may, without the need for  
441 approval by the mayor, make inquiries and investigations into the affairs of the restructured  
442 government and the conduct of any department, office, or agency of the restructured  
443 government or any joint or independent commission, board, or authority of the restructured  
444 government. Such authority may be vested in a committee of not less than three members  
445 of council by a two-thirds' vote of the entire council. For this purpose, the council or its  
446 authorized committee may request or subpoena witnesses, administer oaths, take testimony,  
447 and require the production of evidence in the same manner as the Superior Court of  
448 Macon-Bibb County; provided, however, that, in the event the inquiry or investigation is  
449 being conducted by council's authorized committee, subpoenas of witnesses or evidence must  
450 be authorized by a two-thirds' vote of the entire council and issued by the chairperson of the  
451 authorized committee or authorized by a majority vote of the authorized committee and  
452 approved and issued by the president of council. Any person who fails or refuses to obey a  
453 subpoena issued in the exercise of this power by the council or its authorized committee may

454 be held in contempt of the council by a majority vote of all councilmembers and punished  
 455 as provided for contempt of a municipal court. Appeals to the Superior Court of Macon-Bibb  
 456 County from a council contempt conviction is allowed as for any conviction in the municipal  
 457 court. Any participant in any hearing authorized may require that such hearing be closed to  
 458 the public and all reports to council of the result of any inquiry or investigation by an  
 459 authorized committee shall be closed to the public. Any action taken by council as a result  
 460 of such inquiry or investigation shall be taken at and during an open meeting.

461 **SECTION 14.**

462 (a) All of the executive powers of the restructured government are vested in the mayor. The  
 463 mayor shall be the chief executive officer of Macon-Bibb County and shall be responsible  
 464 for execution of the laws and policies of the restructured government and applicable state and  
 465 federal laws. The mayor shall possess and exercise the following executive and  
 466 administrative powers and duties:

467 (1) To see that the ordinances, resolutions, and regulations of the restructured  
 468 government and laws of this state are faithfully executed and enforced;

469 (2) To exercise supervision over the executive and administrative affairs of the  
 470 restructured government and to provide for the coordination of executive and  
 471 administrative activities;

472 (3) To appoint department heads to serve at the pleasure of the mayor;

473 (4) To sign and approve deeds, bonds, contracts, and other instruments and documents  
 474 in any case in which the legal instruments must be in writing or where the general laws  
 475 of this state or ordinance or resolution of the council so require;

476 (5) To submit to the council annually a draft of the recommended appropriations  
 477 ordinance, the budget message, and the budget report and to submit annually to the  
 478 council a capital improvement program;

479 (6) To conduct studies and investigations and to make recommendations to the council  
 480 for legislation concerning all matters relating to the restructured government and the  
 481 welfare of its citizens;

482 (7) To represent the restructured government in its intergovernmental relations;

483 (8) To appoint for information and assistance advisory boards, commissions, or  
 484 committees which shall be answerable only to the mayor, but whose actions shall be  
 485 advisory in nature; provided, however, that the term of such boards, commissions, or  
 486 committees shall automatically expire at the end of the term of office of the mayor who  
 487 appointed same, if not earlier abolished by the mayor;

488 (9) To appoint the attorney for the restructured government who shall serve at the  
 489 pleasure of the mayor;

- 490 (10) To provide an annual financial audit of all authorities and provide a report of such  
491 audit to the council; and
- 492 (11) To perform any other duties as may be required by law, ordinance, or resolution.
- 493 (b)(1) Every ordinance adopted by the councilmembers shall be presented promptly by  
494 the clerk of council to the mayor after its adoption.
- 495 (2) The mayor, within ten calendar days of receipt of an ordinance, shall return it to the  
496 clerk of council with or without the mayor's approval or with the mayor's disapproval.  
497 If the ordinance has been approved by the mayor, it shall become law upon its return to  
498 the clerk of council; if the ordinance is neither approved nor disapproved, it shall become  
499 law at 12:00 Noon on the tenth calendar day after its adoption; if the ordinance is  
500 disapproved, the mayor shall submit to the councilmembers through the clerk of council  
501 a written statement of the reasons for the veto. The clerk of council shall record upon the  
502 ordinance the date of its delivery to and receipt from the mayor.
- 503 (3) Ordinances vetoed by the mayor shall be presented by the clerk of council to the  
504 councilmembers at their next meeting. If the councilmembers then or at their next  
505 meeting adopt the ordinance by an affirmative vote of eight members, it shall become  
506 law.
- 507 (4) The mayor may disapprove or reduce any item or items of appropriation in any  
508 ordinance. The approved part or parts of any ordinance making appropriations shall  
509 become law, and the part or parts disapproved shall not become law unless subsequently  
510 passed by the councilmembers over the mayor's veto as provided in this subsection. The  
511 reduced part or parts shall be presented to the councilmembers as though disapproved and  
512 shall not become law unless overridden by the councilmembers as provided in  
513 paragraph (3) of this subsection.
- 514 (c) The mayor shall be considered full time and he or she shall receive an annual salary of  
515 \$150,000.00. In addition, the mayor shall be reimbursed for all actual expenses reasonably  
516 and necessarily incurred in the performance of his or her official duties. Future changes in  
517 the salary and expenses of the mayor shall be effected in accordance with the provisions of  
518 Code Section 36-35-4 of the O.C.G.A. and in accordance with the procedures of Code  
519 Section 36-5-24 of the O.C.G.A.; provided, however, that any increase in the salary or  
520 compensation of the mayor shall equal no more than one-half of the average percentage  
521 salary increase granted by the governing authority to restructured government employees  
522 over the last preceding three years.
- 523 (d) An amount not exceeding 1 percent of the annual operating budget for Macon-Bibb  
524 County shall be appropriated as the annual operating budget for the office of the mayor,  
525 excluding the salaries for the mayor, two administrative assistants, one secretary, and one

526 receptionist. Any amount appropriated to the office of the mayor over the amount authorized  
 527 by this subsection shall be approved by a majority of the members of the council.

528 **SECTION 15.**

529 (a) In the event that the office of mayor or any councilmember shall become vacant for any  
 530 cause whatsoever, the council or those remaining shall, by resolution, order a special election  
 531 to fill the balance of the unexpired term of that office.

532 (b) If, however, the vacancy in any council seat occurs within 12 months of the expiration  
 533 of the term of that office, the council or those remaining may, within 20 days of the  
 534 occurrence of the vacancy, appoint a successor for the remainder of the term.

535 (c) If, however, a vacancy in the office of the mayor occurs, the president of the council  
 536 shall be acting mayor with all the powers and duties of that office until a successor is elected  
 537 and qualified, and if the vacancy in the office of the mayor occurs within 12 months of  
 538 expiration of the term of that office, the president shall succeed to the office of the mayor for  
 539 the remainder of the term and the council seat of such person shall be filled in accordance  
 540 with this section.

541 **SECTION 16.**

542 (a) The mayor shall appoint an officer whose title shall be chief administrative officer who  
 543 shall serve at the pleasure of the mayor. The chief administrative officer shall be appointed  
 544 solely on the basis of executive and administrative qualifications. The chief administrative  
 545 officer shall hold a master's degree in public or business administration or a related field and  
 546 shall have at least four years' experience in public administration or in business management  
 547 in the private sector or shall hold a bachelor's degree in public or business administration or  
 548 a related field and shall have at least eight years' experience in public administration or in  
 549 business management in the private sector. Such person need not be a resident of  
 550 Macon-Bibb County or the State of Georgia at the time of appointment.

551 (b) The chief administrative officer shall have the following powers, duties, and  
 552 responsibilities:

- 553 (1) To serve as director of the department of administration;  
 554 (2) To advise and assist the mayor in the performance of designated duties;  
 555 (3) To coordinate the activities of the departments of the restructured government;  
 556 (4) To serve as a liaison between the mayor and the departments of the restructured  
 557 government;  
 558 (5) To carry out the written directives of the mayor; provided, however, that the mayor  
 559 shall not be authorized to delegate to the chief administrative officer any of the powers  
 560 or duties conferred upon the mayor by charter or by ordinance;



561 (6) To make periodic reports with any recommendations to the mayor as required by the  
 562 mayor or as he or she deems appropriate concerning the affairs of the restructured  
 563 government; and

564 (7) To perform any other duties as shall be required by the mayor.

565 (c) There shall be an attorney for the restructured government who shall be appointed by and  
 566 serve at the pleasure of the mayor. Such person shall be an active member of the State Bar  
 567 of Georgia in good standing and shall have been engaged in the active practice of law for at  
 568 least five years prior to the date of appointment. The attorney shall be legal counsel to the  
 569 restructured government and perform any other duties as may be provided by ordinance.  
 570 Such person shall be responsible to the mayor and to the council. The compensation of the  
 571 attorney shall be as prescribed by a duly adopted ordinance. The attorney shall recommend  
 572 legal counsel to all authorities of the restructured government when needed except as  
 573 otherwise instructed by the mayor.

574 (d)(1) There shall be a finance officer who shall be appointed by and serve at the  
 575 pleasure of the mayor.

576 (2) The finance officer shall perform financial duties for the restructured government and  
 577 any other duties as may be provided by ordinance. Such person shall be responsible to  
 578 the mayor and to the council.

579

#### **SECTION 17.**

580 (a) The newly elected mayor and councilmembers shall take office and meet for organization  
 581 and swearing-in ceremonies on the second Tuesday of January following their election. All  
 582 committees and the membership thereof shall be created, abolished, and appointed as  
 583 directed by the council. The mayor shall not have the right to vote on the appointment of any  
 584 member to a committee. The mayor shall not be a voting member of any committee  
 585 established by the council. At this meeting, the newly organized council shall make any  
 586 appointments and selections as may be required by this charter.

587 (b) At the meeting provided for in subsection (a) of this section, the newly elected mayor  
 588 and councilmembers shall each qualify to take office by taking the oath of office for public  
 589 officials as provided by state law and the following oath:

590 "I do solemnly swear or affirm that I will well and truly perform the duties of (mayor or  
 591 councilmember, as the case may be) by adopting such measures as in my judgment shall  
 592 be best calculated to promote the general welfare of the inhabitants of Macon-Bibb County  
 593 and the common interest thereof."

594

**SECTION 18.**

595 No person shall fill a vacancy for an unexpired term by appointment of the council unless  
596 that person receives a majority of the votes of the full council.

597

**SECTION 19.**

598 (a) Seven members of the council shall constitute a quorum for the transaction of ordinary  
599 business, but the affirmative vote of at least six members shall be required for the council to  
600 take official action. Official action of the council shall be entered upon its minutes. Any  
601 member of the council shall have the right to request a roll-call vote.

602 (b) The council may fix the date and time of regular meetings in the council rules of  
603 procedure but there shall be at least one regular meeting each month.

604 (c) Special meetings of the council may be held on call of the president of the council or a  
605 majority of all members of the council. The mayor shall also be authorized to call special  
606 meetings regarding fiscal affairs or emergencies involving public safety. Notice of a special  
607 meeting shall be served on all other members personally, or by telephone personally, at least  
608 48 hours in advance of the meeting. If, after diligent effort, personal service is not possible,  
609 notice shall be deemed to have been served if delivered to the residence of record of the  
610 member by a police officer who certifies that such delivery was made at least 24 hours prior  
611 to the convening of the meeting. This notice to councilmembers shall not be required if all  
612 councilmembers are present when the special meeting is called. This notice of any special  
613 meeting may be waived by a councilmember in writing before or after such a meeting, and  
614 attendance at the meeting shall also constitute a waiver of notice on any business transacted  
615 in the councilmember's presence. Only the business stated in the call may be transacted at  
616 the special meeting.

617 (d) All meetings of the council shall be public to the extent required by general state law and  
618 notice to the public of special meetings shall be made fully as is reasonably possible 48  
619 hours prior to the meetings.

620 (e)(1) To meet a public emergency affecting life, health, property, or public peace, the  
621 council may convene on call of the mayor, the president of the council, or a majority of  
622 all councilmembers and promptly adopt an emergency ordinance, but this ordinance may  
623 not levy taxes; grant, renew, or extend a franchise; regulate the rate charged by any public  
624 utility for its services; or authorize the borrowing of money except for loans to be repaid  
625 within 30 days. An emergency ordinance shall be introduced in the form prescribed for  
626 ordinances generally, except that it shall be plainly designated as an emergency ordinance  
627 and shall contain, after the enacting clause, a declaration stating that an emergency exists  
628 and describing it in clear and specific terms. An emergency ordinance may be adopted  
629 with or without amendment or rejected at the meeting at which it is introduced. It shall

630 become effective upon adoption and approval or at any later time as it may specify.  
 631 Every emergency ordinance shall automatically stand repealed 30 days following the date  
 632 upon which it was adopted, but this shall not prevent reenactment of the ordinance in the  
 633 manner specified in this section if the emergency still exists. An emergency ordinance  
 634 may also be repealed by adoption of a repealing ordinance in the same manner specified  
 635 in this section for adoption of emergency ordinances.

636 (2) Such emergency meetings shall be open to the public to the extent required by law  
 637 and notice to the public of emergency meetings shall be made as fully as is reasonably  
 638 possible in accordance with Code Section 50-14-1 of the O.C.G.A. or such other  
 639 applicable laws as are or may hereafter be enacted.

#### 640 **SECTION 20.**

641 (a) Elected and appointed officers and employees shall demonstrate by their example the  
 642 highest standards of ethical conduct, to the end that the public may justifiably have trust and  
 643 confidence in the integrity of government. They, as agents of public purpose, shall hold their  
 644 offices or positions for the benefit of the public, shall recognize that the public interest is  
 645 their primary concern, and shall faithfully discharge the duties of their offices regardless of  
 646 personal consideration.

647 (b) No elected official, appointed officer, or employee of the restructured government, any  
 648 authority of the restructured government, or any agency or political entity to which this  
 649 charter applies shall knowingly:

650 (1) Engage in any business or transaction in which the person has a financial interest  
 651 which is incompatible with the proper discharge of official duties;

652 (2) Disclose confidential information concerning the property, government, or affairs of  
 653 the governmental body by which such person is engaged or is a member of without  
 654 proper legal authorization or use that information to advance the financial or other private  
 655 interest of such person or others;

656 (3) Accept any valuable gift from any person, firm, or corporation which to his or her  
 657 knowledge is interested, directly or indirectly, in business dealings with the governmental  
 658 body he or she is a member of or by which such person is engaged; provided, however,  
 659 that an elected official who is a candidate for public office may accept campaign  
 660 contributions and services in connection with any campaign;

661 (4) Represent private interests, other than his or her own, in any action or proceeding  
 662 against the restructured government or any portion of its government; or

663 (5) Vote or otherwise actively participate in the negotiation or the making of any contract  
 664 between the restructured government and any business or entity in which he or she has  
 665 a substantial financial interest.

666 (c) Any elected or appointed officer or employee of the restructured government, any  
667 authority of the restructured government, or any agency or political entity to which this  
668 charter applies who possesses or who acquires any financial interest as might reasonably tend  
669 to create a conflict with the public interest shall make full disclosure in writing to the  
670 appointing authority or the council, in the case of a member of the council, at any time a  
671 conflict becomes apparent. The disclosure statement shall be made a matter of public record  
672 and be filed with the clerk of council. Any member of the council who has any personal or  
673 private interest, indirect, financial, or otherwise, in any proposal before the council shall  
674 disclose the interest in writing to the council. The disclosure shall be made a matter of public  
675 record prior to the taking of any vote on the proposal.

676 (d) No elected member of the governing authority of Macon-Bibb County nor any company  
677 or business in which such elected member presently has an interest or in which such elected  
678 member held an interest within the 12 month period immediately prior to such member's  
679 election shall do business with an authority associated with Macon-Bibb County nor an  
680 authority whose members in whole or in part are appointed by the governing authority of  
681 Macon-Bibb County nor shall any member of an authority of the restructured government  
682 do business with an authority associated with Macon-Bibb County or an authority whose  
683 members in whole or in part are appointed by the governing authority of Macon-Bibb  
684 County.

685 (e) No elected official, appointed officer, or employee of the restructured government, any  
686 authority of the restructured government, or any agency or entity to which this charter applies  
687 shall use property owned by the restructured government for financial benefit, convenience,  
688 or profit except in accordance with policies of the restructured government.

689 (f) Any violation of this charter which occurs with the knowledge, express or implied, of  
690 another party to a contract or sale shall render the contract or sale involved voidable and  
691 rescindable as to that party, at the option of the council.

692 (g) Except where authorized by law, neither the mayor nor any councilmember shall hold  
693 any other elective or compensated appointive office in the government of Macon-Bibb  
694 County or otherwise be employed by Macon-Bibb County or any agency thereof during the  
695 term for which such official was elected, provided that the provisions of this section shall not  
696 apply to any elective office holder in office on the effective date of this charter.

697 (h) No person shall be hereafter appointed by the mayor, council, or any member thereof,  
698 to any office, agency, or employment who is related within the third degree of consanguinity  
699 or affinity to the mayor or any member of the council, nor shall any other board created by  
700 this charter or the head of any department of the restructured government hereafter appoint  
701 or employ any person who is so related to any member of such board or head of such  
702 department; nor shall any person be hereafter appointed or employed in any capacity on

703 behalf of the restructured government who is so related to the person so appointing or  
704 employing him or her.

705 (i) Employees of Macon-Bibb County may, individually exercise their right to vote and  
706 privately express their views as citizens, but no employee of Macon-Bibb County shall:

707 (1) Use his or her official authority or capacity for the purpose of interfering with or  
708 affecting the result of an election or nomination for office; or

709 (2) Directly or indirectly coerce, attempt to coerce, or command a state or local officer  
710 or employee to pay, lend, or contribute anything of value to a party, committee,  
711 organization, agency, or person for political purposes.

712 (j)(1) A knowing violation of this section shall be a misdemeanor.

713 (2) Any officer or employee of Macon-Bibb County who knowingly violates any  
714 requirement of this section shall upon conviction be guilty of malfeasance in office or  
715 position and shall forfeit the office or position.

716 (3) The appointing authority may reprimand, put on probation, demote, suspend, or  
717 discharge an employee or appointed officer found to have violated the standards of conduct  
718 established by this section.

719 **SECTION 21.**

720 (a) The bonded indebtedness of the City of Macon which is outstanding on the effective date  
721 of this charter shall become the debt and obligation of a special tax district which shall  
722 correspond to and be conterminous with the corporate limits of the City of Macon as said  
723 corporate limits existed on the day immediately preceding the effective date of this charter.  
724 The ad valorem taxes imposed by the City of Macon prior to the effective date of this charter  
725 to retire such bonded indebtedness shall continue to be imposed within the special tax district  
726 in the same manner and to the same extent that such ad valorem taxes were previously  
727 imposed by the City of Macon in accordance with the terms of the obligations of such  
728 bonded indebtedness. The council, as the governing authority of Macon-Bibb County, shall  
729 be the successor to the previously existing governing authority of the City of Macon for all  
730 purposes relating to such bonded indebtedness, including the enforcement of rights and  
731 remedies of bondholders.

732 (b) The bonded indebtedness of the City of Payne City which is outstanding on the effective  
733 date of this charter shall become the debt and obligation of a special tax district which shall  
734 correspond to and be conterminous with the corporate limits of the City of Payne City as said  
735 corporate limits existed on the day immediately preceding the effective date of this charter.  
736 The ad valorem taxes imposed by the City of Payne City prior to the effective date of this  
737 charter to retire such bonded indebtedness shall continue to be imposed by the council within  
738 the special tax district in the same manner and to the same extent that such ad valorem taxes

739 were previously imposed by the City of Payne City in accordance with the terms of the  
 740 obligations of such bonded indebtedness. The council, as the governing authority of  
 741 Macon-Bibb County, shall be the successor to the previously existing governing authority  
 742 of the City of Payne City for all purposes relating to such bonded indebtedness, including the  
 743 enforcement of rights and remedies of bondholders.

744 (c) The bonded indebtedness of Bibb County outstanding on the effective date of this charter  
 745 shall not be affected by this charter, and the council, as the governing authority of  
 746 Macon-Bibb County, shall become the successor to the previously existing governing  
 747 authority of Bibb County for all purposes relating to such bonded indebtedness, including the  
 748 enforcement of rights and remedies of bondholders.

749

## SECTION 22.

750 (a) Existing ordinances and resolutions of the board of commissioners of Bibb County and  
 751 existing rules and regulations of departments or agencies thereof not inconsistent with the  
 752 provisions of this charter shall continue to be effective as ordinances and resolutions of the  
 753 council and as rules and regulations of the appropriate department or agency thereof until  
 754 they are modified or repealed.

755 (b) Existing ordinances and resolutions of the board of commissioners of Bibb County and  
 756 existing rules and regulations of departments and agencies of Bibb County which, by their  
 757 terms or by their operation, were applicable prior to the effective date of this charter  
 758 throughout the territorial limits of Bibb County shall continue to be effective throughout the  
 759 territorial limits of Bibb County until such time as the council, by resolution or ordinance,  
 760 modifies or repeals such ordinances, resolutions, or regulations.

761 (c) Existing ordinances and resolutions of the city council of the City of Macon which are  
 762 not inconsistent with the provisions of this charter shall continue to be effective as ordinances  
 763 and resolutions of the council until they are modified or repealed.

764 (d) In the event of a conflict between any of the ordinances or resolutions continued by this  
 765 section, the provisions thereof shall apply only to the territory of the restructured government  
 766 that such ordinance or resolution applied to prior to the effective date of this charter and until  
 767 such ordinance or resolution is repealed, changed, or amended to eliminate the conflict.

768 (e) Twelve months after the effective date of this charter, all ordinances and resolutions shall  
 769 apply uniformly throughout the area of the restructured government. Prior to this date, the  
 770 transition task force created pursuant to Section 42 of this charter shall review all ordinances  
 771 and resolutions and take whatever action is needed to remove any conflicts between  
 772 ordinances and resolutions continued by this section in order to produce a uniform body of  
 773 ordinances and resolutions free of any conflicts or contradictions between such provisions.

774

**SECTION 23.**

775 (a) Until July 1, 2016, the restructured government shall operate under the funds remaining  
 776 from the fiscal year 2015-2016 of the combined budgets of the City of Macon, the City of  
 777 Payne City, and Bibb County.

778 (b)(1) The first full 12 month budget of the unified government for fiscal year 2016 shall  
 779 not exceed an amount equal to the combined fiscal year general operating budgets of the  
 780 City of Macon and Bibb County, plus increases due to inflation as specified in the  
 781 Consumer Price Index, but not including capital road improvement and other special  
 782 revenue funds.

783 (2) The 12 month budget of the unified government for fiscal year 2017 shall not exceed  
 784 an amount equal to 95 percent of the preceding year's fiscal year general operating  
 785 budget, plus increases due to inflation as specified in the Consumer Price Index, but not  
 786 including capital road improvement and other special revenue funds.

787 (3) The 12 month budget of the unified government for fiscal year 2018 shall not exceed  
 788 an amount equal to 90 percent of the preceding year's fiscal year general operating  
 789 budget, plus increases due to inflation as specified in the Consumer Price Index, but not  
 790 including capital road improvement and other special revenue funds.

791 (4) The 12 month budget of the unified government for fiscal year 2019 shall not exceed  
 792 an amount equal to 85 percent of the preceding year's fiscal year general operating  
 793 budget, plus increases due to inflation as specified in the Consumer Price Index, but not  
 794 including capital road improvement and other special revenue funds.

795 (5) The 12 month budget of the unified government for fiscal year 2020 shall not exceed  
 796 an amount equal to 80 percent of the preceding year's fiscal year general operating  
 797 budget, plus increases due to inflation as specified in the Consumer Price Index, but not  
 798 including capital road improvement and other special revenue funds.

799 (c) The budget limits established by subsection (b) of this section may be exceeded by not  
 800 more than 15 percent in any given year if extreme economic circumstances require or if  
 801 additional expenditures for public safety purposes are needed but only by a vote of nine of  
 802 the 11 councilmembers at an open meeting after notice on the official website of Macon-Bibb  
 803 County once a week for two consecutive weeks prior to the meeting and the hearing of public  
 804 comments.

805 (d) The tax assessments made by the board of tax assessors of Bibb County and the City of  
 806 Macon and the City of Payne City as of the effective date of this charter shall constitute the  
 807 basis for the assessment and collection of taxes of the council for the calendar year in which  
 808 this charter becomes effective.

809 (e) It is the purpose of this section that property shall be subject to taxation in relation to  
 810 services received.

811 (f) Within four years of the effective date of this charter, the restructured government shall  
812 adopt a service delivery plan that includes, but is not limited to, the following:

813 (1) An administrative mechanism with appropriate status and adequate budget to develop  
814 and implement a comprehensive program of economic development. The program shall  
815 be responsible for identifying problems and needs that exist in the community and for  
816 identifying and securing resources needed to effectively address these problems and  
817 needs; and

818 (2) An administrative mechanism with appropriate status and adequate budget to develop  
819 and implement adequate parks and recreation programs that will be available to all  
820 citizens of Macon-Bibb County.

821 **SECTION 24.**

822 The council may create special services tax districts and shall assess, levy, and collect ad  
823 valorem taxes and collect service charges and fees for the provision of district services within  
824 a special services district only in accordance with the kind, character, type, and degree of  
825 district services provided by the council within such special services tax district. The  
826 provisions of this section shall control ad valorem taxation and the collection of service  
827 charges and fees for the provision of district services within special services tax districts by  
828 the council. District services shall mean and include all of those governmental services  
829 enumerated in Article IX, Section II, Paragraph III of the Constitution.

830 **SECTION 25.**

831 (a) All employees and former employees of Bibb County, the City of Payne City, and the  
832 City of Macon and of every agency, instrumentality, commission, or authority thereof shall  
833 retain those pension rights, if any, which had accrued to them prior to the effective date of  
834 this charter under any pension plan adopted by law or by ordinance or resolution by the board  
835 of commissioners of Bibb County, the mayor and city councils of the City of Macon, or the  
836 governing authority of the City of Payne City. The council shall assume on the effective date  
837 of this charter all obligations arising under all such pension plans, but the assumption of such  
838 obligations by the council shall not create any obligation on the part of the council or create  
839 any right which did not exist prior to the effective date of this charter.

840 (b) The council is authorized and empowered to establish and maintain a new pension  
841 system or pension systems affecting new employees and such other employees as desire to  
842 be covered thereby and to revise, combine, and consolidate any pension system in effect on  
843 the effective date of this charter; provided, however, that in no event shall any revision,  
844 combination, or unification of any existing pension system in effect when this charter is  
845 adopted result in the curtailment or diminishment of any right accrued under any existing



846 pension system to any person heretofore employed by the City of Macon, the City of Payne  
847 City, Bibb County, or of any agency of such former governments.

848

**SECTION 26.**

849 (a)(1) The mayor shall submit to the council at least six weeks prior to the start of the  
850 fiscal year a budget message and a budget report, accompanied by a draft of the  
851 recommended appropriations ordinance, in a form and manner as may be prescribed by  
852 ordinance, which shall provide for the appropriation of the funds necessary to operate all  
853 the various departments and to meet the current expenses of the restructured government  
854 for the next fiscal year. Such ordinance must be approved by a two-thirds' majority vote  
855 of the council.

856 (2) The council shall annually appropriate the funds necessary to operate all the various  
857 departments and to meet the current expenses of the restructured government for the next  
858 fiscal year. The fiscal year of Macon-Bibb County shall be as determined by ordinance.

859 (b)(1) Each appropriations ordinance, as enacted or as amended from time to time, shall  
860 continue in force and effect for the next fiscal year after adoption and it shall then expire  
861 except for any mandatory appropriations required to meet contractual obligations or the  
862 continued appropriation and authorization of state or federal grants.

863 (2) The council shall not appropriate funds for any given fiscal year which, in aggregate,  
864 exceed a sum equal to the amount of unappropriated surplus expected to have accrued in  
865 the city treasury at the beginning of the fiscal year, together with an amount not greater  
866 than the total receipts from existing revenue sources anticipated to be collected in the  
867 fiscal year as determined by the mayor, less refunds as estimated in the budget report and  
868 amendments thereto.

869 (3) All appropriated funds, except for the mandatory appropriations required by law and  
870 those required to meet contractual obligations or the continued appropriation and  
871 authorization of state or federal grants, remaining unexpended and not contractually  
872 obligated at the expiration of the appropriations ordinance shall lapse.

873 (4) All state or federal funds received by Macon-Bibb County are by this charter  
874 continually appropriated in the exact amounts and for the purposes authorized and  
875 directed by the state or federal government in making the grant.

876 (c)(1) In addition to the appropriations made by the appropriations ordinance and  
877 amendments thereto, the council may make additional appropriations in the same manner  
878 as provided in this charter, which shall be known as supplementary appropriations  
879 ordinances, provided that no supplementary appropriation shall be made unless there is  
880 an unappropriated surplus in the treasury of the restructured government or the revenue

881 necessary to pay the appropriation has been collected into the general fund of the treasury  
882 as provided by law.

883 (2) In no event shall a supplementary appropriations ordinance continue in force and  
884 effect beyond the expiration of the appropriations ordinance in effect when the  
885 supplementary appropriations ordinance was adopted and approved.

886 (d)(1) The appropriation for each department, office, bureau, board, commission,  
887 function, or line item for which appropriation is made shall be for a specific amount of  
888 money and no appropriation shall allocate to any object the proceeds of any particular tax  
889 or fund or a part or percentage thereof. All appropriations by function or line item shall  
890 be lump sum by function or line item.

891 (2) Any appropriation made in conflict with the foregoing provisions shall be void.

892 **SECTION 27.**

893 (a) The council shall prescribe, by ordinance, the procedures to be followed in the making  
894 of contracts which shall bind the restructured government. All contracts and all ordinances  
895 which shall make or authorize contracts shall be approved as to form by the attorney for the  
896 restructured government. The mayor shall sign and authorize all contracts; provided,  
897 however, the council may authorize the mayor, by ordinance, to designate another  
898 appropriate official to sign any type of contract. The clerk of council shall authenticate all  
899 contracts. The original of all contracts shall be maintained on file in the office of the clerk  
900 of council.

901 (b) The council shall prescribe, by ordinance, the procedures for all purchases of real and  
902 personal property by the restructured government. Competitive bidding shall be required for  
903 purchases and contracts and awards shall be made to the lowest or best bidder; provided,  
904 however, that the council by ordinance may authorize the purchase of goods, materials,  
905 supplies, equipment, and services without the receipt of formal sealed bids where the price  
906 does not exceed a specified dollar amount. Prior to the making of purchases and contracts,  
907 the availability of adequate funds shall be certified as provided by ordinance.

908 (c) The council shall prescribe, by ordinance, the procedures for all sales and other  
909 disposition of real and personal property by restructured government.

910 **SECTION 28.**

911 (a) On the effective date of this charter, the Board of Public Education and Orphanage for  
912 Bibb County established pursuant to an Act approved August 23, 1872 (Ga. L. 1872, p. 388),  
913 as amended, shall continue in the exercise of its functions and duties, subject to the  
914 provisions of law applicable thereto and subject to the provisions of subsections (b) and (c)  
915 of this section.

916 (b) The Board of Public Education and Orphanage for Bibb County shall annually certify  
 917 to the council of Macon-Bibb County a school tax for the support and maintenance of  
 918 education in Macon-Bibb County. The council shall annually levy said tax upon the assessed  
 919 value of all taxable property within Macon-Bibb County and collect the same like other taxes  
 920 of the restructured government. The levy made by the board of education and certified to the  
 921 council shall not exceed 22 mills per dollar unless such mill limitation shall be increased or  
 922 removed in the manner provided by law.

923 (c) Notwithstanding any contrary provisions of local law, the Board of Public Education and  
 924 Orphanage for Bibb County shall not be required to submit to the council of Macon-Bibb  
 925 County a copy of the school budget which is prepared pursuant to the provisions of Part 4  
 926 of Article 6 of Chapter 2 of Title 20 of the O.C.G.A. as the same is now or hereafter  
 927 amended.

### 928 **SECTION 29.**

929 (a) Macon-Bibb County shall have power and authority to levy and provide for the  
 930 assessment, valuation, revaluation, and collection of taxes on all property subject to taxation  
 931 and to levy and collect such other taxes as may be allowed now or in the future by law.

932 (b)(1) The council, by ordinance, shall establish a millage rate within the limits provided  
 933 in subsection (a) of this section for the restructured government property tax; a due date;  
 934 and in what length of time these taxes must be paid.

935 (2) The council, by ordinance, may provide for the payment of these taxes by  
 936 installments or in one lump sum, as well as authorize the voluntary payment of taxes prior  
 937 to the time when due and provide for interest on late installments.

938 (c)(1) Macon-Bibb County shall have the power to levy any occupation or business taxes  
 939 as are not prohibited by general state law. These taxes may be levied on both individuals  
 940 and corporations who transact business in Macon-Bibb County or who practice or offer  
 941 to practice any profession or calling therein to the extent the persons have a  
 942 constitutionally sufficient nexus to Macon-Bibb County to be so taxed. These taxes may  
 943 be levied and imposed on a fixed rate or gross receipts basis or any combination thereof.  
 944 The council may classify businesses, occupations, professions, or callings for the purpose  
 945 of these taxes in any manner as is reasonable and payment of these taxes may be  
 946 compelled as provided in subsection (i) of this section.

947 (2) Notwithstanding any other provisions of this section, no occupation or business tax  
 948 based on gross receipts shall be levied and imposed prior to the holding of a special  
 949 public hearing thereon, and in no event shall the total revenue received from the  
 950 imposition of an occupation or business tax based on gross receipts exceed in its first year

951 the total revenue received the immediately preceding year from the occupation and  
952 business taxes levied.

953 (d) Macon-Bibb County shall have the power to require individuals or corporations who  
954 transact business in Macon-Bibb County or who practice or offer to practice any profession  
955 or calling therein to obtain a license or permit for these activities from Macon-Bibb County  
956 and to pay a reasonable fee for the license or permit where the activities are not now  
957 regulated by general state law in such a way as to preclude regulation by Macon-Bibb  
958 County. These fees may reflect the total cost to Macon-Bibb County of regulating the  
959 activity and if unpaid shall be collected as provided in subsection (i) of this section. The  
960 council by ordinance may establish reasonable requirements for obtaining or keeping licenses  
961 as the public health, safety, and welfare necessitate.

962 (e) Macon-Bibb County shall have power and authority to impose and collect license fees  
963 and taxes on life insurance companies in the manner provided by Code Section 33-8-8.1 of  
964 the O.C.G.A. and on fire and casualty insurance companies in the manner provided by Code  
965 Section 33-8-8.2 of the O.C.G.A., as now or hereafter amended.

966 (f) Macon-Bibb County shall have the power to assess and collect fees, charges, and tolls  
967 for sewer, sanitary and health services, and garbage and solid waste collection and disposal  
968 services, or any other services rendered inside and outside the corporate limits of  
969 Macon-Bibb County for the total cost to Macon-Bibb County of providing these services.  
970 If unpaid, these charges or fees shall be collected as provided in subsection (i) of this section.

971 (g) Macon-Bibb County shall have the power to assess and collect the cost of constructing,  
972 reconstructing, widening, or improving any public way, street, sidewalk, curbing, gutters,  
973 sewers, or other utility mains and appurtenances from the abutting property owners under any  
974 terms and conditions as are reasonable. If unpaid, these charges shall be collected as  
975 provided in subsection (i) of this section.

976 (h) Macon-Bibb County shall be empowered to levy any other tax allowed now or hereafter  
977 by state law and the specific mention of any right, power, or authority in this charter shall not  
978 be construed as limiting in any way the general powers of Macon-Bibb County to tax or  
979 otherwise govern its local affairs.

980 (i) The council, by ordinance, may provide generally for the collection of delinquent taxes,  
981 fees, or other revenue due Macon-Bibb County under this charter or general state law by  
982 whatever reasonable means as are not precluded by general state law. This shall include  
983 providing for the dates when the taxes, fees, or other revenues are due; late penalties or  
984 interest; issuance and execution of fi.fa's.; creation and priority of liens; making delinquent  
985 taxes, fees, and other revenues personal debts of the persons required to pay the taxes, fees,  
986 or other revenues imposed; revoking licenses issued by Macon-Bibb County for failure to  
987 pay any Macon-Bibb County taxes, fees, or other revenues; allowing exceptions for hardship;

988 providing for the assignment or transfer of executions and collection of transferred  
989 executions; providing for the billing and collecting of principal, interest, and costs of  
990 delinquent executions as an addition to and a part of the annual ad valorem tax bill issued by  
991 the Macon-Bibb County tax commissioner.

992 (j) The council, by ordinance, shall prescribe the amount and terms of surety bonds  
993 conditioned upon the faithful performance of the duties of office of any officer or employee  
994 of Macon-Bibb County charged with the responsibility of handling moneys on a regular  
995 basis.

996 (k) Macon-Bibb County shall have the power to issue bonds for the purpose of raising  
997 revenue to carry out any project, program, or venture authorized under this charter or the  
998 general laws of the state. This bonding authority shall be exercised in accordance with the  
999 laws governing bond issuances by municipalities in effect at the time the issue is undertaken.

1000 (l) Revenue bonds may be issued by Macon-Bibb County as state law now or hereafter  
1001 provides. Such bonds are to be repaid out of any revenue produced by the project, program,  
1002 or venture for which they were issued.

1003 (m) Macon-Bibb County may issue short-term notes as now or hereafter provided by state  
1004 law.

1005 (n)(1) In order to facilitate the financing of any improvements authorized by law,  
1006 Macon-Bibb County may issue bonds of Macon-Bibb County in the aggregate amount  
1007 of assessments for the improvement then unpaid, which bond or bonds and the interest  
1008 thereon shall in no event become a liability of Macon-Bibb County or the mayor and  
1009 council issuing them.

1010 (2) These bonds shall mature at a date and bear an interest rate as the council may  
1011 determine by ordinance but in no event shall the rate of interest exceed that which the  
1012 assessments are to bear.

1013 (3) These bonds shall be signed by the mayor and attested by the clerk of council, shall  
1014 have the impression of the corporate seal of Macon-Bibb County thereon, and shall be  
1015 payable at a place designated by ordinance.

1016 (4) These bonds shall be designated as improvement bonds and shall, on the face thereof,  
1017 recite the nature and location of the improvement for which they have been issued and  
1018 shall recite that they are payable solely from assessments which have been levied upon  
1019 the lots and tracts of land abutting upon or being the situs of the improvement made.

1020 (5) These bonds shall be sold at not less than par and the proceeds thereof applied to the  
1021 payment of the costs and expense of the improvement for which the bonds were issued,  
1022 or the bonds, in the amount that shall be necessary for that purpose, may be turned over  
1023 and delivered to the contractor, in respect to the improvement at par value, in payment  
1024 of the amount due on the contract, and the portion thereof which shall be necessary to pay

1025 other expenses, incident to and incurred in providing for the improvement, shall be sold  
1026 or otherwise disposed of as the council by ordinance shall direct.

1027 **SECTION 30.**

1028 (a) The sheriff of Bibb County in office upon the date the governing authority of the  
1029 restructured government is installed shall become the sheriff of Macon-Bibb County. He or  
1030 she shall serve for the same term and his or her compensation shall be fixed as heretofore  
1031 provided by law. Subsequent elections for sheriff shall be upon the basis provided by state  
1032 law for sheriffs generally. The sheriff of Macon-Bibb County shall execute the orders and  
1033 processes of the courts, shall enforce executions issued by any officer or agency of  
1034 Macon-Bibb County, shall maintain and operate the jail wherein state or federal prisoners are  
1035 incarcerated, be responsible for the transport of prisoners, and shall perform such other duties  
1036 as are provided for in Code Section 15-16-10 of the O.C.G.A. and the Constitution of this  
1037 state. Except as provided in this section, the law enforcement powers and duties of the  
1038 sheriff are transferred and vested in the chief of police of Macon-Bibb County.

1039 (b) The chief of the Macon-Bibb County Police Department shall be appointed by and serve  
1040 at the pleasure of the mayor and shall be the chief law enforcement officer throughout the  
1041 entire limits of Macon-Bibb County.

1042 (c) The council shall utilize the facilities, equipment, vehicles, records, and personnel of  
1043 both the former Macon Police Department and the Bibb County Sheriff's Department in such  
1044 manner as it shall deem necessary to ensure adequate protection of the lives and property of  
1045 all of the citizens of Macon-Bibb County.

1046 (d) The chief of the Macon-Bibb County Fire Department shall be appointed by and serve  
1047 at the pleasure of the mayor and shall perform his or her official duties as the chief firefighter  
1048 throughout the entire limits of Macon-Bibb County.

1049 (e) The council in cooperation with the chief shall utilize the facilities, equipment, vehicles,  
1050 records, and personnel of both the former Macon Fire Department and the Bibb County Fire  
1051 Department in such manner as it shall deem necessary to ensure the most advantageous rating  
1052 classification of the commercial, residential, and public property in Macon-Bibb County.

1053 (f) Except as otherwise provided by this charter or by law, the administrative and service  
1054 departments of the restructured government shall be created and established by ordinance and  
1055 shall perform such functions, duties, services, and responsibilities as enumerated therein and  
1056 as prescribed by administrative regulations.

1057 (g) The council may by ordinance reorganize, combine, consolidate, or discontinue any  
1058 department or agency of the restructured government subject to the jurisdiction of the council  
1059 and may by ordinance prescribe the functions and duties thereof and may establish, abolish,

1060 or alter all nonelective offices and positions of employment as necessary for the proper  
1061 administration of the restructured government.

1062 (h) Except as provided by this charter or prohibited by the general laws of this state, the  
1063 terms of office of all members of all boards, commissions, committees, panels, authorities,  
1064 or other entities who were appointed by the board of commissioners of Bibb County or the  
1065 governing authority of the City of Macon shall continue for not more than one year after the  
1066 members of the council take office under this charter unless extended by such council. Each  
1067 such member shall serve out the term of office to which such member was appointed. Except  
1068 as provided by this charter or prohibited by the general laws of this state, the positions of  
1069 director or administrative head, by whatever name known, of each department or entity of  
1070 the governments of Bibb County and the City of Macon shall be abolished 90 days after the  
1071 members of the council take office under this charter. Such departments may be abolished,  
1072 reestablished, reorganized, or restructured; new job descriptions shall be established as  
1073 appropriate; and a director or administrative head shall be appointed for each department by  
1074 the mayor. Any person who formerly occupied such position and any other person shall have  
1075 the right to apply for any position thus created. The provisions of this subsection shall not  
1076 result in the automatic termination from employment with the reorganized government of any  
1077 such person and the provisions of Section 14 of this charter shall be applicable to any such  
1078 person. On or after January 1, 2016, no person shall be eligible for appointment to any  
1079 position as the administrative head of any department or agency of the restructured  
1080 government unless such person meets such qualifications as may be established by the  
1081 mayor. Each person serving as the administrative head of any department or agency of the  
1082 restructured government shall serve at the pleasure of the mayor.

1083 (i) Notwithstanding any provision of this charter to the contrary, the Macon-Bibb County  
1084 Hospital Authority shall continue to exist as provided by law and the ordinances and  
1085 resolutions activating such authority on the effective date of this charter except that  
1086 appointments and the filling of vacancies on such authority shall be made by the council of  
1087 Macon-Bibb County.

1088 **SECTION 31.**

1089 (a) The council shall establish by ordinance a system of civil service for sworn employees  
1090 of the police and fire departments which shall provide for the establishment of a civil service  
1091 board to orally interview and pass upon the qualifications of applicants and promotional  
1092 candidates. To provide for requirements for selections, training, promotion, physical  
1093 condition, and appeal procedures and other related matters, the council shall adopt civil  
1094 service rules and regulations to govern and control the police and fire departments.

1095 (b) The council shall establish by ordinance a personnel management system based on merit  
 1096 principles that meets the social, economic, and program needs of the people of Macon-Bibb  
 1097 County. This system shall provide means to recruit, select, train, develop, and maintain an  
 1098 effective and responsive work force and shall include policies and guidelines for employing,  
 1099 hiring and advancement, training and career development, job classification, discharge, code  
 1100 of conduct, fringe benefits, and other related activities. All appointments and promotions in  
 1101 Macon-Bibb County shall be made without regard to sex, race, religion, national origin, age,  
 1102 or political affiliation and shall be based on merit and fitness.

### 1103 **SECTION 32.**

1104 (a) The mayor shall create a permanent citizens review board for the purpose of  
 1105 investigating police abuse or misconduct by executive order which shall provide for the  
 1106 number and qualifications of members of such board, the manner of filing complaints with  
 1107 such board, the manner of investigating such complaints by such board, and the method of  
 1108 reporting findings by the board.

1109 (b) Each member of the board shall receive training on the issues of abusive language, false  
 1110 arrest, false imprisonment, harassment, use of excessive force, serious bodily injury, and  
 1111 death which is alleged to be the result of the actions of an employee of the police department.

1112 (c)(1) Members of the board shall serve without compensation but shall be eligible for  
 1113 reimbursement for actual expenses reasonably and necessarily incurred in the  
 1114 performance of their duties.

1115 (2) A member of the board shall not contract to provide goods and services to  
 1116 Macon-Bibb County in the ordinary course of the business or profession of such member.  
 1117 No member shall participate as a member in the review and recommendations of the  
 1118 board on any proposed work or work done by any such member or any corporation,  
 1119 partnership, or other legal entity in which such member has any financial interest.

1120 (d)(1) The board shall have full access to relevant police department personnel for  
 1121 interview and to relevant documents.

1122 (2) All employees of Macon-Bibb County shall fully cooperate with the board and shall,  
 1123 on request of the board, be available to meet with and be interviewed by the board or its  
 1124 representatives and to testify before the board.

1125 (3) The board may exercise subpoena power by majority vote and compel access to or  
 1126 production of such materials or the appearance of such person as may be relevant to  
 1127 investigate or study or review matters within the board's authority and discretion.

1128 (4) Police personnel who are designated the subject of a related criminal investigation  
 1129 by a local law enforcement agency may elect not to appear until the conclusion of that  
 1130 investigation. Hearings shall be informal and strict rules of evidence shall not be applied.



1131 Testimony under oath shall be received from all persons who appear and purport to have  
1132 information which is material to the complaint. A record shall be kept and shall be made  
1133 available, upon payment of costs, to any person requesting such record.

1134 (5) All hearings shall be open to the public, except when, in the opinion of the board,  
1135 executive sessions are required and are authorized under Chapter 14 of Title 50 of the  
1136 O.C.G.A.

1137 (6) The board shall have the power to recommend that the chief of police make general  
1138 reforms such as changes in training, changes in the preservation of records, and changes  
1139 in counseling available to officers or specific actions directed at individual officers  
1140 including, but not limited to, hiring, firing, promotion, demotion, punishment, or  
1141 commendation; provided, however, that the chief of police shall retain full and ultimate  
1142 authority, power, discretion, management prerogatives, and responsibility to set  
1143 disciplinary policies or take other lawful actions he or she deems appropriate relative to  
1144 the police department; and, provided, further, that nothing in this section shall be  
1145 construed to limit the rights of members of the police department with respect to  
1146 disciplinary action, including, but not limited to, the right to notice and a hearing, which  
1147 may be established by any provision of law or otherwise. The provisions of this section  
1148 shall not be construed to prevent or hinder the investigation or prosecution of members  
1149 of the department for violations of law by any court of competent jurisdiction, a federal  
1150 or state grand jury, a United States Attorney, the district attorney, or other authorized  
1151 officer, agency, or body. The chief may not accept a recommendation from the board that  
1152 shall punish the same officer more than once for the same act or omission that constitutes  
1153 misconduct for which the officer has already been punished by the city.

1154 (7) The board and its members shall not make public any confidential police document  
1155 or information derived from any such confidential police document. The findings of the  
1156 board as they may relate to conclusions drawn from interviews, study, and review of  
1157 documents shall remain confidential until the board officially releases such findings.

1158 **SECTION 33.**

1159 (a) The council shall afford equal opportunities for employment and promotion to all persons  
1160 regardless of sex, race, religion, national origin, age, or political affiliation. No  
1161 reorganization of the delivery of services shall be undertaken that results in reduced  
1162 employment or employment opportunities for any minority group.

1163 (b) It shall be the policy of the council that all citizens shall have equal opportunity for  
1164 employment, promotion, and appointment by the council. It shall further be the express  
1165 policy of the council that all persons shall have equal opportunity for conducting business  
1166 with the council to the greatest extent possible.

1167 (c) In furtherance of the policies stated in subsection (b) of this section, there is created and  
 1168 established the Office of Small Business Affairs as an agency of the Macon-Bibb County  
 1169 Economic Development Authority as provided in Section 35 of this charter.

1170 (d) The purposes for which the Office of Small Business Affairs is established shall include  
 1171 the following:

1172 (1) To promote, stimulate, develop, and advance the economic growth of small  
 1173 businesses and minority businesses within Macon-Bibb County and thereby promote,  
 1174 stimulate, develop, and advance the business, prosperity, and economic welfare of the  
 1175 entire county;

1176 (2) To stimulate and assist in the expansion of all kinds of small business activity which  
 1177 will tend to promote small business and minority business development;

1178 (3) To cooperate and act in conjunction with other organizations, public or private, in the  
 1179 promotion of small business and minority business development in Macon-Bibb County;

1180 and

1181 (4) To promote economic literacy among low wealth citizens of Macon-Bibb County.

1182 (e) In furtherance of its purposes, the Office of Small Business Affairs shall have the  
 1183 following powers:

1184 (1) To provide technical advice and assistance for both public and private sources of  
 1185 contract opportunities for small businesses and minority businesses;

1186 (2) To monitor the progress and improvement of small business and minority business  
 1187 owners' access to business with local government authorities and other publicly financed  
 1188 entities;

1189 (3) To implement procedures and promulgate rules and regulations to increase  
 1190 procurement opportunities extended to the small business and minority business  
 1191 community and to provide direct assistance to small business and minority businesses on  
 1192 how government and private contracting processes work;

1193 (4) To encourage small business and minority business participation in the public sector;

1194 (5) To operate an economic development program designed to transition persons who  
 1195 are receiving public assistance to gainful employment;

1196 (6) To construct or establish the necessary legal mechanism to be able to apply for and  
 1197 to accept any gifts, bequests, or grants or loans of funds or property or financial or other  
 1198 aid in any form from the federal government or agency or instrumentality thereof or from  
 1199 the state or any agency or instrumentality thereof or from any other source for any or all  
 1200 of the purposes specified in this section and to comply with the terms and conditions  
 1201 thereof;

1202 (7) To review governmental policies and recommend changes to ensure fair participation  
 1203 by small businesses and minority businesses in contract bidding;

- 1204 (8) To randomly and statistically review purchase orders and bids to ensure compliance  
1205 with fair participation by small businesses and minority businesses in government  
1206 contracts;
- 1207 (9) To ensure that bid specifications do not discriminate against small businesses and  
1208 minority businesses;
- 1209 (10) To contact small businesses and minority businesses as to contracts available for  
1210 bidding;
- 1211 (11) To work with local agencies in assisting small businesses and minority businesses  
1212 in bid application and funding available for doing business with the governing authority;
- 1213 (12) To manage and recommend economic development assistance to small businesses  
1214 and minority businesses from governing authority economic development funds;
- 1215 (13) To work with local agencies in determining and coordinating all sources of  
1216 education and financial assistance available to small business and minority business  
1217 owners;
- 1218 (14) To encourage contractors and large bidders to include small businesses and minority  
1219 businesses among their subcontractors;
- 1220 (15) To maintain statistical information to ensure that small business and minority  
1221 business participation is improving in contracts with the council and issue an annual  
1222 report; and
- 1223 (16) To establish a mentor program where proactive businesses which have pledged  
1224 increased minority business relationships can assist minority businesses in doing business  
1225 with government and the private sector.
- 1226 (f) The Office of Small Business Affairs shall be under the direction and supervision of the  
1227 director of the Macon-Bibb County Economic Development Authority. The director shall  
1228 have the following powers and duties:
- 1229 (1) To appoint assistants, clerks, and other employees as the director may deem  
1230 necessary within constraints of budget provided by authority, council, or other source of  
1231 funds;
- 1232 (2) To furnish technical advice and assistance with respect to small business economic  
1233 development to further the purposes of this section;
- 1234 (3) To render monthly written reports to the advisory board. The reports may contain  
1235 recommendations of the director for legislative or other action to effectuate the purposes  
1236 of this section;
- 1237 (4) To act as a liaison between community based groups, small businesses and minority  
1238 businesses, government agencies, community development corporations, and the private  
1239 sector; and

1240 (5) To request from any state or local governmental agency or department such reports  
 1241 and information at such times as it may deem reasonably necessary to carry out the  
 1242 purposes of this section.

1243 (g)(1) There shall be an advisory board to the Office of Small Business Affairs, which  
 1244 shall be referred to in this charter as the "advisory board." The advisory board shall  
 1245 consist of six members as follows:

1246 (A) A president of a bank licensed in the State of Georgia and doing business in  
 1247 Macon-Bibb County or such person's designee to be appointed by the mayor of  
 1248 Macon-Bibb County;

1249 (B) A small or minority business owner doing business in Macon-Bibb County whose  
 1250 business has a net profit after taxes of the last two taxable years of less than \$1 million  
 1251 and employs fewer than 50 people to be appointed by the Macon-Bibb County Chamber  
 1252 of Commerce;

1253 (C) A big business owner or such person's designee doing business in Macon-Bibb  
 1254 County to be appointed by the council of Macon-Bibb County;

1255 (D) A representative to be appointed by an organization that represents the interest of  
 1256 minority businesses that has been in existence in Macon-Bibb County for at least one  
 1257 year;

1258 (E) A representative of the local chapter of the National Association for the  
 1259 Advancement of Colored People; and

1260 (F) The executive director of the Macon-Bibb County Economic Opportunity Council.

1261 (2) Members of the advisory board shall serve for terms of three years.

1262 **SECTION 34.**

1263 (a) Except as otherwise provided in this charter or applicable state law, all boards,  
 1264 commissions, and authorities of the City of Macon and Bibb County shall continue in the  
 1265 exercise of their functions and duties, subject to the provisions of laws applicable thereto and  
 1266 subject to the provisions of this charter. As used in the Acts and amendments creating the  
 1267 existing boards, commissions, and authorities of the City of Macon and Bibb County, the  
 1268 terms "Macon City Council" and "Bibb County Board of Commissioners" shall mean the  
 1269 council of Macon-Bibb County and the term "mayor of Macon" shall mean the "mayor of  
 1270 Macon-Bibb County."

1271 (b) All boards, commissions, and authorities of the restructured government, including those  
 1272 boards, commissions, and authorities of the City of Macon and Bibb County which are  
 1273 continued under the restructured government pursuant to subsection (a) of this section, shall  
 1274 consist of seven members, three of whom shall be appointed by the council and four of  
 1275 whom shall be appointed by the mayor, except where other appointment authority, term of

1276 office, or manner of appointment is prescribed by this charter or by applicable state law.  
 1277 Each member shall have been a resident of the area encompassed by Macon-Bibb County for  
 1278 a period of at least five years immediately prior to appointment.

1279 (c) Any vacancy in the office of any member of a board, commission, or authority of the  
 1280 restructured government shall be filled for the unexpired term in the manner prescribed in  
 1281 subsection (b) of this section for original appointment, except as otherwise provided in this  
 1282 charter or by applicable state law.

1283 (d) Members of all boards, commissions, and authorities of the restructured government  
 1284 shall be limited to two consecutive full terms of office on such boards, commissions, and  
 1285 authorities. Filling more than one-half of an unexpired term of office shall constitute a full  
 1286 term of office.

1287 (e) Members of all boards, commissions, and authorities of the restructured government  
 1288 shall serve four years terms of office unless otherwise provided in this charter or applicable  
 1289 state law, provided that such members are subject to removal at any time by the appointing  
 1290 authority.

1291 (f) No board, commission, or authority shall create any other entity or subsidiary whatsoever  
 1292 without first obtaining approval by a two-thirds' vote of the council of Macon-Bibb County  
 1293 and approval by the mayor.

1294 (g) The mayor and council are authorized to review and dissolve at their discretion any  
 1295 entity to which this section is applicable that was created prior to the effective date of this  
 1296 charter.

1297 **SECTION 35.**

1298 (a) There is created as a subordinate branch of the restructured government an agency to be  
 1299 known as the Macon-Bibb County Economic Development Authority. Said authority shall  
 1300 be an instrumentality of the restructured government and a public corporation.

1301 (b) The Macon-Bibb County Economic Development Authority shall consist of seven  
 1302 members, four of whom shall be citizen members who hold no elective or appointive office  
 1303 in the restructured government.

1304 (c) On the effective date of this charter, the Macon-Bibb County Urban Development  
 1305 Authority established by an Act of the General Assembly approved March 22, 1974 (Ga. L.  
 1306 1974, p. 3093), as amended, shall stand abolished. Thereupon, the Macon-Bibb County  
 1307 Economic Development Authority created pursuant to this section shall succeed, replace, and  
 1308 have the powers and duties in every respect and shall perform every function as was  
 1309 performed by the Macon-Bibb County Urban Development Authority, and all rights,  
 1310 privileges, obligations, and powers heretofore vested therein are transferred to and vested in  
 1311 the Macon-Bibb County Economic Development Authority and to such extent said local Act

1312 of the General Assembly (Ga. L. 1974, p. 3093), as amended, is continued in unimpaired  
1313 force and effect.

1314 (d) On the effective date of this charter, the Macon-Bibb County Industrial Authority  
1315 established by an Act of the General Assembly approved February 27, 1962 (Ga. L. 1962,  
1316 p. 2323), as amended, shall stand abolished. Thereupon, the Macon-Bibb County Economic  
1317 Development Authority created pursuant to this section shall succeed, replace, and have the  
1318 powers and duties in every respect and shall perform every function as was performed by the  
1319 Macon-Bibb County Industrial Authority, and all rights, privileges, obligations, and powers  
1320 heretofore vested therein are transferred to and vested in the Macon-Bibb County Economic  
1321 Development Authority and to such extent said local Act of the General Assembly (Ga. L.  
1322 1962, p. 2323), as amended, is continued in unimpaired force and effect.

1323

### **SECTION 36.**

1324 On and after the effective date of this charter, the Middle Georgia Coliseum Authority  
1325 established by an Act of the General Assembly approved March 15, 1963 (Ga. L. 1963,  
1326 p. 2250), as amended, shall be known as the Macon Entertainment and Tourism Authority.  
1327 The entertainment and tourism authority shall succeed, replace, and have the powers and  
1328 duties in every respect and shall perform every function as was performed by the Middle  
1329 Georgia Coliseum Authority, and all rights, privileges, obligations, and powers heretofore  
1330 vested therein are transferred to and vested in the Macon Entertainment and Tourism  
1331 Authority. In addition to its other functions and powers, the Macon Entertainment and  
1332 Tourism Authority shall promote and support the film and music industry in Macon-Bibb  
1333 County.

1334

### **SECTION 37.**

1335 (a) On the effective date of this charter, the housing authority of the City of Macon shall be  
1336 redesignated as the Housing Authority of Macon-Bibb County, and it shall continue its  
1337 operations without interruption resulting from the adoption of this charter. As of that date,  
1338 the provisions of Article 1 of Chapter 3 of Title 8 of the O.C.G.A., the "Housing Authorities  
1339 Law," shall apply to the restructured government. As used in said article, as amended or as  
1340 may hereafter be amended, the terms "authority" or "housing authority" shall be construed  
1341 to mean the Housing Authority of Macon-Bibb County; the term "county" shall be construed  
1342 to include Macon-Bibb County; the term "governing body" shall be construed to include the  
1343 council of Macon-Bibb County; the term "mayor" shall be construed to include the mayor  
1344 of Macon-Bibb County; and the term "clerk" shall be construed to include the clerk of the  
1345 council of Macon-Bibb County.

1346 (b) Every act of the City of Macon heretofore done or performed under Article 1 of  
 1347 Chapter 3 of Title 8 of the O.C.G.A., the "Housing Authorities Law," Article 2 of Chapter 3  
 1348 of Title 8 of the O.C.G.A., the "Housing Cooperation Law," Chapter 4 of Title 8 of the  
 1349 O.C.G.A., the "Redevelopment Law," or Chapter 61 of Title 36 of the O.C.G.A., the "Urban  
 1350 Redevelopment Law," or laws amendatory thereof, or under any state or federal law relating  
 1351 to the subject matters thereof is affirmed and ratified and is continued in unimpaired force  
 1352 and effect to the same extent as if the respective governments of the City of Macon and Bibb  
 1353 County had continued to exist and function as separate political entities, and nothing  
 1354 contained in this charter shall affect the status of the housing authority created for the City  
 1355 of Macon pursuant to said laws, or any of them, nor shall any cooperation agreement or other  
 1356 obligation entered into or undertaking by the governing authorities of either of said  
 1357 governments be impaired or otherwise affected. Any and all agreements made by such  
 1358 housing authority are approved and ratified, including, without limiting the generality of the  
 1359 foregoing, all bonds or notes or other monetary commitments issued or made by such  
 1360 housing authority and including any and all agreements made by such housing authority with  
 1361 the federal government, or any agency thereof, pertaining in any way to the functions of such  
 1362 housing authority. By this section the corporate existence, functions, and powers of the  
 1363 housing authority of the City of Macon are expressly recognized and are continued in  
 1364 unimpaired force and effect notwithstanding anything contained elsewhere in this charter.

1365 (c) The members of the Housing Authority of Macon-Bibb County shall be appointed by the  
 1366 mayor and shall not be subject to council approval.

### 1367 **SECTION 38.**

1368 (a) The Macon-Bibb County Planning and Zoning Commission established pursuant to a  
 1369 local constitutional amendment approved March 28, 1947 (Ga. L. 1947, p. 1240), and  
 1370 continued in force and effect as a part of the Constitution by an Act approved March 28,  
 1371 1986 (Ga. L. 1986, p. 5308), shall continue in the exercise of its functions and duties, subject  
 1372 to the provisions of law applicable thereto and subject to the provisions of this charter.

1373 (b) The Macon-Bibb County Planning and Zoning Commission shall consist of one member  
 1374 from each council ward in Macon-Bibb County, each of whom shall be appointed by the  
 1375 council. Those members of the Macon-Bibb County Planning and Zoning Commission  
 1376 serving as such on the date the implementation of this charter is permissible under the federal  
 1377 Voting Rights Act of 1965, as amended, shall continue to serve as such members until  
 1378 January 31, 2016. On that date, the Macon-Bibb County council shall appoint eleven  
 1379 members of the commission pursuant to this subsection who shall each reside within the  
 1380 ward he or she is appointed to represent. The initial terms of office of members appointed  
 1381 to represent odd-numbered wards shall be until December 31, 2017, and until a successor is

1382 appointed and qualified. The initial terms of office of members appointed to represent  
 1383 even-numbered wards shall be until December 31, 2019, and until a successor is appointed  
 1384 and qualified. Thereafter, all members of the commission shall serve for terms of office of  
 1385 four years and until successors are appointed and qualified.

1386 **SECTION 39.**

1387 All officers, officials, and employees of the former City of Macon, City of Payne City, and  
 1388 Bibb County shall cooperate with and assist the council, mayor, and other officers of  
 1389 Macon-Bibb County:

1390 (1) In planning the restructuring of departments, boards, commissions, and agencies of  
 1391 said former governments and in transferring the functions, duties, and responsibilities of  
 1392 such departments, boards, commissions, authorities, and agencies to the appropriate  
 1393 agencies of the restructured government of Macon-Bibb County; and

1394 (2) In all other respects in order that the transfer of the governments be accomplished in  
 1395 the most orderly manner possible. The officers of the restructured government shall be  
 1396 entitled to examine all records, files, and other data in the possession of the former  
 1397 governments and of all officers, officials, employees, and departments thereof. The  
 1398 former governments shall to the extent possible provide working areas and facilities for  
 1399 the officers of the restructured government.

1400 **SECTION 40.**

1401 This charter may be modified, rescinded, changed, or amended by only the following  
 1402 methods:

1403 (1) An Act of the General Assembly of Georgia; or

1404 (2) An ordinance adopted by the council of Macon-Bibb County, Georgia, as provided  
 1405 for in Article IX, Section II, Paragraph I of the Constitution of the State of Georgia.

1406 **SECTION 41.**

1407 (a) Except as otherwise provided by this charter, all contracts, orders, leases, bonds, and  
 1408 other obligations or instruments entered into by Bibb County or for its benefit prior to the  
 1409 effective date of this charter shall continue in effect according to the terms thereof as  
 1410 obligations and rights of the restructured government; provided, however, any obligation  
 1411 created by Bibb County to become effective after the date of approval of this charter and  
 1412 prior to the effective date of this charter shall be subject to ratification and approval by the  
 1413 council of the restructured government within six months following the effective date of this  
 1414 charter.



1415 (b) Except as otherwise provided by this charter, contracts, orders, leases, bonds, and other  
 1416 obligations or instruments entered into by the City of Macon or the City of Payne City or for  
 1417 its benefit prior to the effective date of this charter shall continue in effect according to the  
 1418 terms thereof as obligations and rights of the restructured government; provided, however,  
 1419 any obligation created by the City of Macon or the City of Payne City to become effective  
 1420 after the date of approval of this charter and prior to the effective date of this charter shall be  
 1421 subject to ratification and approval by the council of the restructured government within six  
 1422 months following the effective date of this charter.

1423 (c) No pending action or proceeding of any nature, whether civil, criminal, judicial,  
 1424 administrative, or other, by or against the City of Macon, the City of Payne City, or Bibb  
 1425 County or an agency or department thereof shall be abated or otherwise affected by the  
 1426 adoption of this charter, and the restructured government shall stand substituted as a party  
 1427 in lieu thereof.

1428

#### SECTION 42.

1429 (a) Effective January 1, 2013, there is created a transition task force for the purpose of  
 1430 planning and preparing for the assumption of governmental powers by the restructured  
 1431 governing authority. The transition task force shall be composed of members as follows:

1432 (1) The chairperson of the board of commissioners of Bibb County who shall be the  
 1433 co-chief executive officer of the task force;

1434 (2) The chairperson of the finance committee of the board of commissioners of Bibb  
 1435 County;

1436 (3) The chairperson of the finance committee of the city council of the City of Macon;

1437 (4) The mayor of the City of Macon who shall be the co-chief executive officer of the  
 1438 task force;

1439 (5) The president of the city council of the City of Macon;

1440 (6) The president of the Bibb County League of Women Voters or such person's  
 1441 designee;

1442 (7) The president of the Macon-Bibb County branch of the National Association for the  
 1443 Advancement of Colored People or such person's designee;

1444 (8) The chairperson of the Bibb County delegation in the General Assembly who shall  
 1445 serve as chairperson of the transition task force; and

1446 (9) A member appointed by the members of the General Assembly whose districts  
 1447 include all or any portion of Bibb County from among themselves who is a member of  
 1448 a different political party than the chairperson of the delegation.

1449 The transition task force shall meet upon the call of the chairperson of the transition task  
1450 force for the purpose of planning and scheduling the initial organization of the government  
1451 in accordance with the applicable provisions of this charter.

1452 (b) The transition task force shall be authorized to make such recommendations as it deems  
1453 appropriate for the assumption of governmental powers by the council on the second  
1454 Tuesday in January, 2016. The transition task force is specifically charged with the  
1455 responsibility of developing proposed ordinances which should be considered for adoption  
1456 by the council at its first regular meeting held following the second Tuesday in January,  
1457 2016, or at a regular meeting of the council held as soon thereafter as practicable.

1458 (c) All officers, officials, including elected officials, and employees of Bibb County, the City  
1459 of Macon, and the City of Payne City shall cooperate with and assist the transition task force.  
1460 The transition task force shall be entitled to examine all records, files, and other data in the  
1461 possession of Bibb County, the City of Macon, and the City of Payne City and all officers,  
1462 officials, and employees and departments thereof. Bibb County, the City of Macon, and the  
1463 City of Payne City shall, to the extent possible, provide working areas and facilities for the  
1464 transition task force.

1465 (d) The transition task force shall be authorized to receive and expend appropriations from  
1466 the board of commissioners of Bibb County and from the mayor and city council of the City  
1467 of Macon and from the governing authority of the City of Payne City for the purpose of  
1468 carrying out its duties, but members of the transition task force shall receive no compensation  
1469 for their services as such members.

1470 (e) During the period beginning on the date on which this charter is approved in the  
1471 referendum provided for by Section 45 of this charter, it shall be the duty of the transition  
1472 task force to recommend and the duty of the board of commissioners of Bibb County and the  
1473 mayor and city council of the City of Macon to implement, where possible, such  
1474 restructuring or reorganization of services, functions, powers, and duties as may be  
1475 advantageous to the restructuring of such governments.

1476 (f) The transition task force shall be abolished on the date specified by the council.

1477 **SECTION 43.**

1478 (a) Nothing contained in this charter shall be construed to affect the status of any  
1479 incorporated municipality located within Bibb County other than the City of Macon and the  
1480 City of Payne City, and the status or relationship that such incorporated municipality bears  
1481 to Bibb County prior to the adoption of this charter shall continue to the same extent with the  
1482 restructured government.

1483 (b) On and after January 1, 2016, that portion of the City of Macon that is located in Jones  
 1484 County shall be treated as having been deannexed from the City of Macon and shall be an  
 1485 unincorporated area of Jones County.

1486 **SECTION 44.**

1487 In the event any section, subsection, sentence, clause, or phrase of this charter shall be  
 1488 declared or adjudged invalid or unconstitutional, such adjudication shall in no manner affect  
 1489 the other sections, subsections, sentences, clauses, or phrases of this charter, which shall  
 1490 remain of full force and effect as if the section, subsection, sentence, clause, or phrase so  
 1491 declared or adjudged invalid or unconstitutional were not originally a part hereof. The  
 1492 General Assembly declares that it would have passed the remaining parts of this charter if  
 1493 it had known that such part or parts hereof would be declared or adjudged invalid or  
 1494 unconstitutional.

1495 **SECTION 45.**

1496 Unless prohibited by the federal Voting Rights Act of 1965, as amended, the election  
 1497 superintendent of Bibb County shall call and conduct an election as provided in this section  
 1498 for the purpose of submitting this Act to the electors of Bibb County for approval or  
 1499 rejection. The election superintendent shall conduct that election on the Tuesday after the  
 1500 first Monday in November, 2012, and shall issue the call and conduct that election as  
 1501 provided by general law. The superintendent shall cause the date and purpose of the election  
 1502 to be published once a week for two weeks immediately preceding the date thereof in the  
 1503 official organ of Bibb County. The ballot shall have written or printed thereon the words:

1504 "( ) YES Shall the Act restructuring the governments of the City of Macon, the City  
 1505 of Payne City, and Bibb County and creating a single county-wide  
 1506 ( ) NO government to supersede and replace these governments and providing for  
 1507 the termination of the terms of office of members of the governing  
 1508 authorities of Bibb County, the City of Macon, and the City of Payne City  
 1509 be approved?"

1510 All persons desiring to vote for approval of the Act shall vote "Yes," and those persons  
 1511 desiring to vote for rejection of the Act shall vote "No." If more than one-half of the votes  
 1512 in the county as a whole cast on such question are for approval of the Act and if more than  
 1513 one-half of the votes cast in the City of Macon on such question are for approval of the Act,  
 1514 this charter shall become of full force and effect on January 1, 2013. If the Act is not so  
 1515 approved or if the election is not conducted as provided in this section, the remaining  
 1516 sections of this Act shall not become effective and this Act shall be automatically repealed  
 1517 on the first day of January immediately following that election date. The expense of such

1518 election shall be borne by Bibb County. It shall be the election superintendent's duty to  
1519 certify the result thereof to the Secretary of State.

1520 **SECTION 46.**

1521 (a) Section 45 of this Act and this section shall become effective upon the approval of this  
1522 Act by the Governor or upon its becoming law without such approval.

1523 (b) Except as provided in Section 45 of this Act, the remaining provisions of this Act shall  
1524 become effective on January 1, 2013.

1525 **SECTION 47.**

1526 All laws and parts of laws in conflict with this Act are repealed.

1527 Plan Name: bibb11p2 Plan Type: Local User: staff Administrator: S026

1528 Redistricting Plan Components Report

1529 District 001

1530 Bibb County

1531 Tract: 126

1532 BG: 1

1533 1000 1001 1002 1003 1004 1008 1009 1010 1011 1012 1013 1014

1534 1015 1016 1017 1018 1019 1020 1021 1022

1535 BG: 2

1536 BG: 3

1537 BG: 4

1538 BG: 5

1539 Tract: 127

1540 BG: 1

1541 BG: 2

1542 Tract: 128

1543 BG: 1

1544 Tract: 129

1545 BG: 1

1546 BG: 2

1547 2006 2007 2008 2009 2010 2011 2015 2016 2017 2018 2019 2020

1548 2021 2022 2023 2024 2025 2026 2027 2028 2029 2030 2031 2032

1549 2033

1550 Tract: 130

1551 BG: 2

1552 2203 2204 2205 2206 2207 2208 2209 2210 2211 2212 2213 2223

1553 2224 2225

1554 Tract: 131.01

1555 BG: 1

1556 1000 1001

1557 BG: 5

1558 5000 5003 5005 5006 5007 5008 5036

1559 Tract: 131.02

1560 BG: 1

1561 BG: 2

1562 BG: 3  
  
 1563 District 002  
 1564 Bibb County  
 1565 Tract: 131.01  
 1566 BG: 4  
 1567 BG: 5  
 1568 5039 5040 5041 5042 5043 5044 5045  
 1569 Tract: 131.02  
 1570 BG: 4  
 1571 Tract: 132.01  
 1572 BG: 1  
 1573 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011 1012  
 1574 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023 1024  
 1575 1025 1026 1027 1028 1029 1030 1031 1032 1033 1034 1035 1036  
 1576 1037 1038 1039 1040 1999  
 1577 BG: 2  
 1578 BG: 3  
 1579 BG: 4  
 1580 Tract: 132.02  
 1581 Tract: 134.01  
 1582 BG: 1  
 1583 1036  
 1584 Tract: 136.01  
 1585 BG: 2  
 1586 2000 2002 2003 2004  
 1587 BG: 4  
 1588 4000 4001 4002 4003 4004 4005 4006 4008 4009 4039 4040  
 1589 Tract: 136.02  
 1590 BG: 1  
 1591 BG: 2  
 1592 2000  
  
 1593 District 003  
 1594 Bibb County

1595 Tract: 101  
 1596 BG: 1  
 1597 Tract: 102  
 1598 BG: 1  
 1599 1000 1001 1002 1003 1004 1015 1016 1017 1018 1019  
 1600 Tract: 103  
 1601 BG: 1  
 1602 1000 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011 1012  
 1603 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023 1024  
 1604 1025 1026 1027 1028  
 1605 Tract: 104  
 1606 BG: 1  
 1607 1000 1001  
 1608 Tract: 105  
 1609 Tract: 106  
 1610 Tract: 107  
 1611 Tract: 108  
 1612 BG: 1  
 1613 BG: 2  
 1614 2004 2005 2006 2007 2008 2010 2011 2012 2013 2014 2015 2016  
 1615 2017 2018 2019 2020 2021 2022 2023 2024 2025 2026 2027 2028  
 1616 2029 2030 2031 2032 2033 2034 2035 2036 2037 2038 2039 2040  
 1617 2997 2998  
 1618 Tract: 114  
 1619 Tract: 115  
 1620 Tract: 127  
 1621 BG: 3  
 1622 Tract: 128  
 1623 BG: 2  
 1624 BG: 3  
 1625 Tract: 129  
 1626 BG: 2  
 1627 2000 2001 2002 2003 2004 2005 2012 2013 2014  
 1628 Tract: 130  
 1629 BG: 1  
 1630 BG: 2  
 1631 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011

1632 2012 2013 2014 2015 2016 2017 2018 2019 2020 2021 2022 2023  
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 1649 2999

1650 District 004  
 1651 Bibb County  
 1652 Tract: 110  
 1653 BG: 1  
 1654 BG: 2  
 1655 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011  
 1656 2012 2013 2014 2015 2016 2017 2999  
 1657 BG: 3  
 1658 BG: 4  
 1659 BG: 5  
 1660 Tract: 111  
 1661 Tract: 112  
 1662 Tract: 113  
 1663 Tract: 117.01  
 1664 Tract: 117.02  
 1665 BG: 2  
 1666 2000 2001 2002 2003 2004 2005 2007 2010 2011



1667 BG: 4  
 1668 Tract: 133.01  
 1669 BG: 1  
 1670 1046 1047 1048 1049 1050 1051 1992 1993  
  
 1671 District 005  
 1672 Bibb County  
 1673 Tract: 102  
 1674 BG: 3  
 1675 3015  
 1676 Tract: 103  
 1677 BG: 2  
 1678 2003 2004 2005 2006 2007 2008 2009 2010 2011 2012 2013 2014  
 1679 2015 2016 2017 2018 2019 2020 2021 2022 2023 2024 2025 2026  
 1680 2027 2028 2029 2030 2031 2032 2033 2034 2035 2036 2037 2038  
 1681 Tract: 104  
 1682 BG: 1  
 1683 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011 1012 1013  
 1684 1014 1015 1016 1017 1018 1019 1020 1021  
 1685 BG: 2  
 1686 BG: 3  
 1687 BG: 4  
 1688 Tract: 122  
 1689 BG: 1  
 1690 1008 1009 1010 1011 1012  
 1691 Tract: 123  
 1692 BG: 1  
 1693 BG: 2  
 1694 BG: 3  
 1695 3000 3009 3010 3011 3012 3013 3014 3015 3016 3017 3018 3019  
 1696 3020 3021 3022 3023 3024 3025 3026 3027 3028 3029 3030 3031  
 1697 3032 3033 3034 3035 3036 3037 3038 3039 3040 3041  
 1698 Tract: 124  
 1699 BG: 1  
 1700 1007  
 1701 BG: 3

1702 BG: 4  
 1703 BG: 5  
 1704 Tract: 125  
 1705 Tract: 126  
 1706 BG: 1  
 1707 1005 1006 1007  
  
 1708 District 006  
 1709 Bibb County  
 1710 Tract: 101  
 1711 BG: 2  
 1712 BG: 3  
 1713 Tract: 102  
 1714 BG: 1  
 1715 1005 1006 1007 1008 1009 1010 1011 1012 1013 1014  
 1716 BG: 2  
 1717 BG: 3  
 1718 3000 3001 3002 3003 3004 3005 3006 3007 3008 3009 3010 3011  
 1719 3012 3013 3014 3016 3017 3018  
 1720 Tract: 103  
 1721 BG: 1  
 1722 1001  
 1723 BG: 2  
 1724 2000 2001 2002  
 1725 Tract: 108  
 1726 BG: 2  
 1727 2000 2001 2002 2003 2009 2999  
 1728 Tract: 110  
 1729 BG: 2  
 1730 2018 2019 2020 2021 2998  
 1731 Tract: 118  
 1732 Tract: 119  
 1733 Tract: 120  
 1734 Tract: 121  
 1735 BG: 3  
 1736 3000 3001 3002 3003 3004 3005

1737 Tract: 122  
 1738 BG: 1  
 1739 1000 1001 1002 1003 1004 1005 1006 1007  
 1740 Tract: 123  
 1741 BG: 3  
 1742 3001 3002 3003 3004 3005 3006 3007 3008  
  
 1743 District 007  
 1744 Bibb County  
 1745 Tract: 121  
 1746 BG: 2  
 1747 BG: 3  
 1748 3006 3007 3008 3009 3010 3011 3012 3013 3014 3015 3016 3017  
 1749 3018  
 1750 BG: 4  
 1751 Tract: 134.02  
 1752 BG: 1  
 1753 BG: 2  
 1754 BG: 3  
 1755 3000 3001 3002 3003 3004 3005 3006 3007 3008 3009 3012 3013  
 1756 3014 3015 3016 3026  
 1757 BG: 4  
 1758 BG: 5  
 1759 BG: 6  
  
 1760 District 008  
 1761 Bibb County  
 1762 Tract: 121  
 1763 BG: 1  
 1764 Tract: 122  
 1765 BG: 2  
 1766 Tract: 124  
 1767 BG: 1  
 1768 1000 1001 1002 1003 1004 1005 1006  
 1769 BG: 2

1770 Tract: 132.01  
 1771 BG: 1  
 1772 1000  
 1773 Tract: 134.01  
 1774 BG: 1  
 1775 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011  
 1776 1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023  
 1777 1024 1025 1026 1027 1028 1029 1030 1031 1032 1033 1034 1035  
 1778 1037 1998 1999  
 1779 BG: 2  
 1780 BG: 3  
 1781 Tract: 134.02  
 1782 BG: 3  
 1783 3010 3011 3017 3018 3019 3020 3021 3022 3023 3024 3025 3027  
 1784 3028 3029  
 1785 Tract: 136.01  
 1786 BG: 3  
 1787 3000 3001 3002 3003 3004 3034 3035 3036

1788 District 009  
 1789 Bibb County  
 1790 Tract: 134.01  
 1791 BG: 4  
 1792 Tract: 136.01  
 1793 BG: 1  
 1794 BG: 2  
 1795 2001 2005 2006 2007 2008 2009 2010 2011 2012 2013 2014 2015  
 1796 2998 2999  
 1797 BG: 3  
 1798 3005 3006 3007 3008 3009 3010 3011 3012 3013 3014 3015 3016  
 1799 3017 3018 3019 3020 3021 3022 3023 3024 3025 3026 3027 3028  
 1800 3029 3030 3031 3032 3033 3994 3995 3996 3997 3998 3999  
 1801 BG: 4  
 1802 4007 4010 4011 4012 4013 4014 4015 4016 4017 4018 4019 4020  
 1803 4021 4022 4023 4024 4025 4026 4027 4028 4029 4030 4031 4032  
 1804 4033 4034 4035 4036 4037 4038 4041 4042 4999

1805 Tract: 136.02  
 1806 BG: 2  
 1807 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011 2012  
 1808 2013 2014 2015 2016 2017  
 1809 BG: 3  
 1810 3004  
 1811 BG: 4  
 1812 4000 4001 4002 4003 4004 4010 4011 4012 4013 4014 4999  
 1813 BG: 5  
 1814 BG: 6  
  
 1815 District 010  
 1816 Bibb County  
 1817 Tract: 130  
 1818 BG: 2  
 1819 2214 2218  
 1820 Tract: 131.01  
 1821 BG: 1  
 1822 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011 1012 1013  
 1823 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023 1024  
 1824 BG: 2  
 1825 BG: 3  
 1826 BG: 5  
 1827 5001 5002 5004 5009 5010 5011 5012 5013 5014 5015 5016 5017  
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 1829 5030 5031 5032 5033 5034 5035 5037 5038  
 1830 Tract: 135.01  
 1831 BG: 1  
 1832 1000 1001 1002 1003 1004 1005 1006 1008 1009 1010 1011 1012  
 1833 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023 1024  
 1834 1025 1026 1027 1028 1029 1999  
 1835 BG: 2  
 1836 BG: 3  
 1837 BG: 4  
 1838 4002 4003 4004 4005 4006 4007 4008 4009 4010 4011 4997 4999  
 1839 Tract: 136.02

1840 BG: 3  
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 1842 3013 3014 3015 3016 3017 3018 3019 3020 3999  
 1843 BG: 4  
 1844 4005 4006 4007 4008 4009  
  
 1845 District 011  
 1846 Bibb County  
 1847 Tract: 117.02  
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 1849 BG: 2  
 1850 2006 2008 2009 2999  
 1851 BG: 3  
 1852 BG: 5  
 1853 BG: 6  
 1854 Tract: 130  
 1855 BG: 2  
 1856 2200 2201 2202 2215 2216 2217 2219 2220 2221 2222 2235 2236  
 1857 2990 2991  
 1858 Tract: 133.01  
 1859 BG: 1  
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 1861 1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023  
 1862 1024 1025 1026 1027 1028 1029 1030 1031 1032 1033 1034 1035  
 1863 1036 1037 1038 1039 1040 1041 1042 1043 1044 1045 1052 1053  
 1864 1054 1055 1056 1057 1058 1059 1060 1061 1062 1063 1064 1065  
 1865 1066 1067 1068 1069 1070 1071 1072 1073 1074 1075 1076 1077  
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 1868 Tract: 133.02  
 1869 Tract: 135.01  
 1870 BG: 1  
 1871 1007  
 1872 BG: 4  
 1873 4000 4001 4012 4013 4014 4015 4016 4017 4018 4996 4998  
 1874 BG: 5

1875 Tract: 135.02  
1876 BG: 1  
1877 BG: 2  
1878 2000 2001 2002 2005 2006 2007 2008 2009 2010 2011 2012 2013  
1879 2014 2015 2016 2017 2018 2019 2020 2021 2022 2023 2024 2025  
1880 2026 2027 2028 2999

