

1 STATE OF GEORGIA
2 COUNTY OF FULTON
3 CITY OF SOUTH FULTON

ORD2022-031

4
5 AN ORDINANCE AMENDING SECTION 4.13, CITY CLERK, OF THE CITY OF
6 SOUTH FULTON CHARTER AND FOR OTHER LAWFUL PURPOSES

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8 (Sponsored by Councilmembers Willis, Gumbs, Sebastian, Reeves, Williams)
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10 WHEREAS, the City Council is authorized pursuant to O.C.G.A. § 36-35-3 and
11 other applicable laws to amend the City Charter;

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13 WHEREAS, the City Council desires through this Ordinance to amend and
14 address the duties and office of the City Clerk set forth under the City Charter; and

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16 WHEREAS, the City Council finds that this Ordinance is in the best interests of the
17 health and general welfare of the City, its residents and general public.

18
19 THE COUNCIL OF THE CITY OF SOUTH FULTON HEREBY ORDAINS as
20 follows:

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22 Section 1. The City of South Fulton Charter, Section 4.13, City Clerk, is hereby
23 amended by deleting the same in its entirety and replacing it with a new Section 4.13,
24 City Clerk, which shall read as follows:
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26 **SEC. 4.13. City clerk.**

27 The mayor shall nominate and the city council shall confirm by a majority vote
28 a city clerk who shall not be a councilmember. The city clerk shall report to mayor and
29 city council. The city council shall provide for the compensation of the city clerk.

30 The city clerk's Office shall serve as the central repository for information regarding all
31 legislative actions of the governing authority. The City Clerk shall serve as the designated
32 custodian and administrator of the City Council's legislative actions. The records for all
33 City boards, authorities, commissions, etc., shall be maintained by the office of the city
34 clerk. The city clerk shall be custodian of the official city seal, maintain city council
35 records required by this Charter, and perform such other duties as may be required by
36 the city council. The city clerk may be removed by five affirmative votes of city council.

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39 Section 2. It is hereby declared to be the intention of the City Council that: (a) All
40 sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were,
41 upon their enactment, believed by the City Council to be fully valid, enforceable and
42 constitutional.

43 (b) To the greatest extent allowed by law, each and every section, paragraph,
44 sentence, clause or phrase of this Ordinance is severable from every other section,
45 paragraph, sentence, clause or phrase of this Ordinance. No section, paragraph,
46 sentence, clause or phrase of this Ordinance is mutually dependent upon any other
47 section, paragraph, sentence, clause or phrase of this Resolution.

48 (c) In the event that any phrase, clause, sentence, paragraph or section of this
49 Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or
50 otherwise unenforceable by the valid judgment or decree of any court of competent
51 jurisdiction, it is the express intent of the City Council that such invalidity,
52 unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not
53 render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases,
54 clauses, sentences, paragraphs or sections of the Ordinance.

55 **Section 3.** All Ordinances in conflict herewith are hereby expressly repealed.

56 **Section 4.** The City Attorney, City Clerk and contracted City Codifier are authorized
57 to make non-substantive formatting and renumbering edits to this ordinance for proofing,
58 codification, and supplementation purposes. The final version of all ordinances shall be
59 filed with the City Clerk.

60 **Section 5.** The effective date of this Ordinance shall be upon adoption by city council,
61 unless provided otherwise by applicable local, state and/or federal law.

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80 **[signatures and voting tabulations appear on the following page**

The foregoing ORDINANCE No. 2022-031, adopted on September 27, 2022 was offered by Councilmember Willis, who moved its approval. The motion was seconded by Councilmember Sebastian, and being put to a vote, the result was as follows:

	AYE	NAY
khalid kamau, Mayor	_____	_____
Carmalitha Gumbs	X	_____
Catherine Foster Rowell	X	_____
Helen Zenobia Willis	X	_____
Jaceey Sebastian	X	_____
Corey Reeves, Mayor Pro Tem	X	_____
Natasha Williams	X	_____
Vacant	_____	_____


First Read: August 23, 2022
 Second Read: September 27, 2022

THIS ORDINANCE adopted this 27th day of September 2022.


CITY OF SOUTH FULTON, GEORGIA



 khalid kamau, MAYOR

ATTEST:

 _____ 10/3/22
 COREY E. ADAMS, SR., CITY CLERK



APPROVED AS TO FORM:

 _____ 9/29/22
 VINCENT D. HYMAN, CITY ATTORNEY



MAYOR'S SIGNATURE PAGE

Per the City Charter, "Every ordinance, resolution, or other action adopted by the city council shall be presented to the mayor for signature within two business days following the adoption of such ordinance, resolution, or other action by the city council. The mayor shall have the right to veto any ordinance, resolution, or other action adopted by the city council, in accordance with the procedures set forth in this section. The mayor, within five business days following receipt of an ordinance, resolution, or other action adopted by the city council, shall return it to the city clerk with or without the mayor's approval or with the mayor's veto. If an ordinance, resolution, or other action adopted by the city council has been approved by the mayor or if it is returned to the city clerk neither approved nor disapproved, it shall become law upon its return to the city clerk. However, if the mayor fails to return an ordinance, resolution, or other action adopted by the city council to the city clerk within five business days of receipt, it shall become law at 12:00 Midnight on the fifth business day after receipt."

The mayor acknowledges receipt of the noted Item listed below:

Date of Adoption: September 27, 2022 **Item Number:** ORD2022-031

Subject: AN ORDINANCE AMENDING SECTION 4.13, CITY CLERK, OF THE CITY OF SOUTH FULTON CHARTER AND FOR OTHER LAWFUL PURPOSES

Date Received by Mayor: September 29, 2022

APPROVED **DISAPPROVED**

Mayor's Signature: 

Date to City Clerk: 10/3/22