

AN ORDINANCE TO AMEND TITLE 1, ADMINISTRATION, OF THE CITY OF SOUTH FULTON CODE OF ORDINANCES AND FOR OTHER LAWFUL PURPOSES

WHEREAS, the City of South Fulton ("City") is a municipal corporation duly organized and existing under the laws of the State of Georgia;

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

WHEREAS, the City desires to amend its code of ordinances through this Ordinance;

WHEREAS, this Ordinance is in the best interests of the health and general welfare of the City, its residents and general public.

THE COUNCIL OF THE CITY OF SOUTH FULTON HEREBY ORDAINS as follows:

Section 1. The City of South Fulton Code of Ordinances, **Title 1, Administration, Chapter 6, Municipal Employees, Sections 1-6005, Hiring**, is hereby revised to read as follows:

TITLE 1. - ADMINISTRATION

CHAPTER 6. - MUNICIPAL EMPLOYEES

Sec. 1-6005. - Hiring.

- (a) When considering hiring a department head, the city manager and/or city treasurer shall confirm that the proposed salary is consistent with the city pay scale and demonstrate to the city council how the potential hire will impact the annual budget.
- (b) Prior to extending any offer of employment to any person, the city manager and/or city treasurer shall confirm that the salary proposed is consistent with the pay scale adopted by the city council.

Section 2. The City of South Fulton Code of Ordinances, **Title 1, Administration, Chapter 6, Municipal Employees, Sections 1-6007, Appointment and Removal of Department Heads and Directors** is hereby revised as follows:

Sec. 1-6007. Appointment and Removal of Department Heads and Directors.

The following process shall govern the employment of department heads and directors:

- (a) *Duties.* Each city department shall be managed by a department head or director who shall be responsible for overseeing the day-to-day operations of their department and perform such duties and functions as provided by the city council and charter.
- (b) *Appointments.* The appointment of department heads and directors shall be governed as follows:
 - i. The city treasurer, who shall also serve as the chief finance officer, shall report to the City Council under both roles, and be responsible for the daily supervision, hiring and removal of all department heads and directors under the City Finance Department.
 - ii. All other department heads and directors shall be hired and removed by the city manager, and shall serve under the daily supervision of the city manager or his/her designee
- (c) *Qualifications.* Except as otherwise provided by the city charter, department heads and directors shall be appointed solely on the basis of their respective administrative and professional qualifications.
- (d) *Compensation.* Department heads and directors shall receive such compensation as prescribed by the city council.

Section 3. The City of South Fulton Code of Ordinances, **Title 1, Administration, Chapter 3, Mayor and Council, Section 1-3002, Presiding officer and rules for debate**, is hereby revised to read as follows:

TITLE 1, ADMINISTRATION

CHAPTER 3. - MAYOR AND COUNCIL

Sec. 1-3002. - Presiding officer and rules for debate.

(s) Reserved.

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

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

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

Section 3. All Ordinance and Resolutions in conflict herewith are hereby expressly repealed.

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

Section 5. The effective date of this Ordinance shall be on the date as set forth under Sec. 3.21 of the City Charter unless provided otherwise by applicable local, state and/or federal law.

THIS RESOLUTION adopted this 23 day of April 2019. CITY OF SOUTH FULTON, GEORGIA.

“SECOND READING”



WILLIAM “BILL” EDWARDS, MAYOR

ATTEST:



S. DIANE WHITE, CITY CLERK



APPROVED AS TO FORM:



EMILIA C. WALKER, CITY ATTORNEY

The foregoing **ORDINANCE No. 2019-008**, adopted on April 23, 2019 was offered by Councilmember Rowell, who moved its approval. The motion was seconded by Councilmember Willis, and being put to a vote, the result was as follows:

	AYE	NAY
William "Bill" Edwards, Mayor	_____	_____
Mark Baker, Mayor Pro Tem	_____√_____	_____
Catherine Foster Rowell	_____√_____	_____
Carmalitha Lizandra Gumbs	_____√_____	_____
Helen Zenobia Willis	_____√_____	_____
Gertrude Naeema Gilyard	_____	_____
Rosie Jackson	_____	_____
khalid kamau	_____√_____	_____