

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

ORD2019-018

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6 **AN ORDINANCE AMENDING TITLE 13, FIRE PROTECTION AND PREVENTION, OF**
7 **THE CITY CODE OF ORDINANCES, ADOPTING THE STATE FIREFIGHTER'S**
8 **MEDIATION ACT AND FOR OTHER LAWFUL PURPOSES**
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10 **(Sponsored by Councilmember Willis)**

11
12 **WHEREAS**, the City of South Fulton ("City") is a municipal corporation duly
13 organized and existing under the laws of the State of Georgia;

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

17 **WHEREAS**, of O.C.G.A. § 25-5-1, et seq. (known as the "Firefighter's Mediation
18 Act") sets forth rules and regulations governing firefighter related personnel issues, such
19 as the collective bargaining of firefighters;

20 **WHEREAS**, the Firefighter's Mediation Act provides that for a city's firefighters to
21 fall under the Act, "the governing authority of the municipality must agree by ordinance
22 that the municipality will be so covered." O.C.G.A. § 25-5-14;

23 **WHEREAS**, the City Council desires for the City's firefighters to be covered
24 under the Firefighter's Mediation Act; and

25 **WHEREAS**, this Ordinance will benefit the health and general welfare of the City,
26 its citizens and general public.

27 **NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL** as
28 follows:

29 **Section 1.** Title 13, Fire Protection and Prevention, Chapter 1, Purpose and
30 Administration, of the City Code of Ordinances is hereby amended by adding a new
31 Section 13- 1021, Firefighter's Mediation Act, which shall read as follows:

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33 **TITLE 13 - FIRE PROTECTION AND PREVENTION**

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35 **CHAPTER 1 - PURPOSE AND ADMINISTRATION**

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37 **Sec. 13-1021. –Firefighter's Mediation Act.**

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39 The State Fire Fighter's Mediation Act (O.C.G.A. § 25-5-1, et seq.) shall be applicable
40 and covered within the City.
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43 **Section 2.** It is hereby declared to be the intention of the Mayor and Council that: (a)
44 All sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were,
45 upon their enactment, believed by the City Council to be fully valid, enforceable and
46 constitutional.

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

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

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

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

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

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86 THIS ORDINANCE adopted this 9th day of July 2019.

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88 CITY OF SOUTH FULTON, GEORGIA

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William Edwards

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WILLIAM "BILL" EDWARDS, MAYOR

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ATTEST:

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S. Diane White 7/11/19

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S. DIANE WHITE, CITY CLERK

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APPROVED AS TO FORM:

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Emilia C. Walker

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EMILIA C. WALKER, CITY ATTORNEY

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108 The foregoing ORDINANCE No. 2019-018, adopted on July 9, 2019 was offered
109 by Councilmember Willis, who moved its approval. The motion was seconded by
110 Councilmember Rowell, and being put to a vote, the result was as follows:

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114 William "Bill" Edwards, Mayor
115 Mark Baker, Mayor Pro Tem
116 Catherine Foster Rowell
117 Carmalitha Lizandra Gumbs
118 Helen Zenobia Willis
119 Gertrude Naeema Gilyard
120 Rosie Jackson
121 khalid kamau

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