

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

4
5 **AN ORDINANCE AMENDING SECTION 4.14, TREASURER, OF THE CITY OF**
6 **SOUTH FULTON CHARTER AND TITLE 1, CHAPTER 6, MUNICIPAL EMPLOYEES,**
7 **OF THE CITY CODE OF ORDINANCES AND FOR OTHER LAWFUL PURPOSES**
8

9 **(Sponsored by Councilpersons Reeves, Rowell and Willis)**

10
11 **WHEREAS**, the City of South Fulton ("City") is a municipal corporation duly
12 organized and existing under the laws of the State of Georgia;

13
14 **WHEREAS**, the duly elected governing authority of the City, is the Mayor and
15 Council thereof ("City Council");

16 **WHEREAS**, the City Council is authorized pursuant to O.C.G.A. § 36-35-3 and
17 other applicable laws to amend the City Charter;

18
19 **WHEREAS**, the City Treasurer currently serves a dual role as the Chief Financial
20 Officer;

21
22 **WHEREAS**, the City Council desires through this Ordinance to eliminate the
23 position of City Treasurer from the City Charter and have such position solely known as
24 the Chief Financial Director, who shall serve under the direction of the City Manager; and
25

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

28
29 **THE COUNCIL OF THE CITY OF SOUTH FULTON HEREBY ORDAINS** as
30 follows:

31
32 **Section 1.** The City of South Fulton Charter, Section 4.14, Treasurer, is hereby
33 amended by deleting the same in its entirety and replacing it with a new Section 4.14
34 titled "Reserved" as follows:

35
36 **SECTION 4.14**

37 Reserved.

38 ~~Sec. 4.14. - Treasurer. —~~

39 ~~The mayor shall nominate and the city council shall confirm by a majority vote a city~~
40 ~~treasurer to collect all taxes, licenses, fees, and other moneys belonging to the city subject~~
41 ~~to the provisions of this Charter and the ordinances of the city and to enforce all laws of~~
42 ~~Georgia relating to the collection of delinquent taxes and sale or foreclosure for~~
43 ~~nonpayment of taxes to the city. The city treasurer shall also be responsible for the~~

~~general duties of a treasurer and fiscal officer. The city council shall provide for the compensation of the treasurer.~~

Section 2. The City of South Fulton Code of Ordinances, Title 1, Administration, Chapter 6, Municipal Employees, Sec. 1-6007(2), Appointments, is hereby amended as follows:

Title 1 - Administration

Chapter 6. – Municipal Employees

Sec. 1-6007. - Appointment and removal of department heads and directors

...

(2) Appointments and Removal. The appointment and removal of department heads and directors shall be governed as follows:

~~a. 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.~~

a. 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.

Section 3. The duties of the Chief Financial Officer shall include all those duties set forth under Section 4.14 of the City Charter prior to this amendment. The Human Resources Department shall incorporate such duties into the job description of the Chief Financial Officer.

Section 4. Until such time as the City Code is amended, all references to the City Treasurer throughout the City Code and City documents shall refer to the Chief Financial Officer.

Section 5. 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 6. All Ordinance and Resolutions in conflict herewith are hereby expressly repealed.

Section 7. 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 City Clerk.

Section 8. The effective date of this Ordinance shall be as set forth under the City Charter and O.C.G.A. § 36-35-3, unless provided otherwise by applicable local, state and/or federal law.

The foregoing Ordinance No. 2020-xxx was moved for approval by Councilmember _____ The motion was seconded by Councilmember _____, and being put to a vote, the result was as follows:

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

THIS ORDINANCE so adopted this _____ day of _____ 2020. **CITY OF SOUTH FULTON, GEORGIA.**

WILLIAM "BILL" EDWARDS, MAYOR

ATTEST:

S. DIANE WHITE, CITY CLERK

APPROVED AS TO FORM:

EMILIA C. WALKER, CITY ATTORNEY