

Charter amendment process:

Public notice, ads, and process to amend charter:

1). Notice to public:

a. Notice published containing synopsis of proposed amendment published in the Official organ of the county of legal situs of the city once a week for 3 weeks within a period of 60 days immediately preceding its final adoption

b. Notice shall state proposed amendment on file with the city clerk and with the clerk of superior court of the county where the city sits

c. The proposal should be read at 2 regular consecutive meetings, not less than 7 days apart nor more than 60.

First Meeting of the Year

Proposed charter amendment seeks to amend Sec. 2.09(a) Meetings, oath of office, and mayor pro tempore. by deleting the words "on the first working day" and adding the words "on the first Monday, excluding legal holidays, in" to read as follows:

Sec. 2.09. - Meetings, oath of office, and mayor pro tempore.

(a) The city council shall meet *on the first Monday, excluding legal holidays, in* January immediately following each regular municipal election. The meeting shall be called to order by the mayor-elect and the oath of office shall be administered to the newly elected mayor and councilmembers collectively by a judicial officer authorized to administer oaths. The oath shall, to the extent that it comports with federal and state law, be as follows:

"I do solemnly swear or affirm that I will faithfully execute the office of [councilmember or mayor as the case may be] of the City of Dunwoody, and will to the best of my ability support and defend the Constitution of the United States, the Constitution of Georgia, and the Charter, ordinances, and regulations of the City of Dunwoody. I am not the holder of any unaccounted for public money due this state or any political subdivision or authority thereof. I am not the holder of any office of trust under the government of the United States, any other state, or any foreign state which I by the laws of the State of Georgia am prohibited from holding. I am otherwise qualified to hold said office according to the Constitution and laws of Georgia. I have been a resident of my district and the City of Dunwoody for the time required by the Constitution and laws of this state and by the municipal charter. I will perform the duties of my office in the best interests of

the City of Dunwoody to the best of my ability without fear, favor, affection, reward, or expectation thereof."

Water Quality

Proposed charter amendment seeks to amend Sec. 1.03(b)(8) Powers and construction by adding the words "improve water quality" in subsection (b)(8), so that said subsection under Sec. 1.03.- Powers and construction reads as follows:

(8) Environmental protection. To protect and preserve the natural resources, environment, and vital areas of the city, the region, and the state through the enactment of ordinances that preserve and improve air quality, improve water quality, restore and maintain water resources, the control of erosion and sedimentation, manage storm water and establish a storm-water utility, manage solid and hazardous waste, and provide other necessary or beneficial actions for the protection of the environment. These ordinances shall include, without limitation, ordinances that protect, maintain, and enhance the public health, safety, environment and general welfare and minimize public and private losses due to flood conditions in flood hazard areas, as well as protect the beneficial uses of floodplain areas for water quality protection, stream bank and stream corridor protection, wetlands preservation and ecological and environmental protection. Such ordinances may: require that users vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction; restrict or prohibit uses which are dangerous to health, safety, and property due to flooding or erosion hazards, or which increase flood heights, velocities, or erosion; control filling, grading, dredging and other development which may increase flood damage or erosion; prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands; limit the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of flood waters; and protect the storm-water management, water quality, stream bank protection, stream corridor protection, wetland preservation and ecological functions of natural floodplain areas;

Budget Adoption

Proposed charter amendment seeks to amend Sec. 5.03.(a) and Sec.5.04.(b) in order to change the date(s) required under the charter for the city manager to submit for the ensuing fiscal year a proposed budget by October 1 of the fiscal year currently ending, and to change the date(s) required for council to adopt a budget for the ensuing fiscal year by December 1 of the fiscal year currently ending, to read as follows:

Sec. 5.03. - Submission of operating budget to city council.

(a) On or before a date fixed by the city council, but no later than October 1 of the fiscal year currently ending, the city manager shall, after input, review and comment by the mayor, submit to the city council a proposed operating budget and capital budget for the ensuing fiscal year. The budget shall be accompanied by a message from the mayor and city manager containing a statement of the general fiscal policies of the city, the important features of the budget, explanations of major changes recommended for the next fiscal year, a general summary of the budget, and such other comments and information as they may deem pertinent. The operating budget, capital budget, the budget message, and all supporting documents shall be filed in the office of the city manager and shall be open to public inspection.

Sec. 5.04. - Action by city council on budget.

(b) The city council shall adopt a budget for the ensuing fiscal year no later than December of the fiscal year currently ending. If the city council fails to adopt the budget by the prescribed deadline, the operating budget and capital budget proposed by the mayor and city manager shall be adopted without further action by the city council.

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Emergency Powers

Proposed charter amendment seeks to amend Sec. 2.12.-Administrative and service departments by deleting said section in its entirety and replacing said section as follows:

Sec.2.12.- Emergency Powers

In the event of manmade or natural disaster, actual enemy attack upon the United States or any other emergency which may affect the lives and property of the citizens of the city, the Mayor, or in the absence of the Mayor her/his lawfully appointed successor, may declare a local emergency and exercise for such period as such state of emergency exists or continues, the following emergency powers:

- (a)
 - (1) Consistent with a declaration of local emergency, the Mayor may request the Governor to provide assistance, provided that the disaster or emergency is beyond the capacity of the city to meet adequately, and state assistance is necessary to supplement

local efforts to save lives and protect property, public health and safety, or to avert or lessen the threat of a disaster;

(2) To exercise any and all powers authorized by law;

(3) To direct and compel the evacuation of all or part of the population from any stricken or threatened area, for the preservation of life or other disaster mitigation, response or recovery;

(4) To prescribe routes, modes of transportation and destinations in connection with evacuation;

(5) To make provision for the availability and use of temporary emergency housing, emergency shelters and/or emergency medical shelters;

(6) To transfer the direction, personnel or functions of any city departments and agencies or units thereof for the purpose of performing or facilitating emergency services;

(7) To utilize all available resources of the city and subordinate agencies over which the city has budgetary control as reasonably necessary to cope with the emergency or disaster;

(8) To utilize public property when necessary to cope with the emergency or disaster or when there is compelling necessity for the protection of lives, health and welfare; and/or the property of citizens;

(9) To suspend any law, code provision or regulation prescribing the procedures for conduct of city business, or the orders, rules or regulations of any city agency, if strict compliance with any ordinance, resolution, order, rule or regulation would in any way prevent, hinder or delay necessary action in coping with the emergency or disaster, provided that such suspension shall provide for the minimum deviation from the requirements under the circumstances and further provided that, when practicable, specialists shall be assigned to avoid adverse effects resulting from such suspension;

(10) To provide benefits to citizens upon execution of an intergovernmental agreement for grants to meet disaster-related necessary expenses or serious needs of individuals or families adversely affected by an emergency or disaster in cases where the individuals or families are unable to meet the expenses or needs from other means, provided that such grants are authorized only when matching state or federal funds are available for such purposes; and

(11) To perform and exercise such other functions, powers and duties as may be deemed necessary to promote and secure the safety and protection of the civilian population, including individuals with household pets and service animals prior to, during, and following a major disaster or emergency.

(b) The form of the Declaration of Local Emergency shall be in writing and generally contain the following:

“DECLARATION OF LOCAL EMERGENCY

WHEREAS, the City of Dunwoody, Georgia has experienced an event of critical significance as a result of *[DESCRIPTION OF EVENT]* on *[DATE]*; and

WHEREAS, in the judgment of the Mayor of the City of Dunwoody, there exist emergency circumstances located in *[DESCRIBE GEOGRAPHIC LOCATION]* requiring extraordinary and immediate corrective actions for the protection of the health, safety and welfare of the citizens of the City of Dunwoody, including individuals with household pets and service animals; and

WHEREAS, to prevent or minimize injury to people and damage to property resulting from this event;

NOW, THEREFORE, pursuant to the authority vested in me by local and state law;

IT IS HEREBY DECLARED that a local state of emergency exists and shall continue until the conditions requiring this declaration are abated.

WHEREFORE, IT IS ORDERED:

- (1) That the applicable local emergency operations plan is hereby activated;
- (2) That the following sections of the City of Dunwoody Code be implemented: _____;
- and
- (3) That the following measures also be implemented:

ENTERED at [TIME] on [DATE].

[Signed]
Mayor, City of Dunwoody, Georgia.”

(c) Punishment for violation(s) of a lawful rule, ordinance, law, or regulation during a declared emergency shall by up to the maximum authorized for imposition by a Municipal Judge for the City of Dunwoody, Georgia under Charter Section 4.04. Jurisdiction-Powers.

(d) The Authority of the Mayor, or her/his lawfully appointed successor, to declare an emergency and exercise emergency powers shall exist only until the next regular or special called meeting of council, whichever first occurs. The designation of an emergency and exercise of emergency

powers shall only be extended by resolution of the council in a duly called open meeting as prescribed by law.

Salaries – you need to give me the numbers!

Proposed charter amendment seeks to amend Sec. 2.07.-Compensation and expenses. by changing the salary of the mayor to \$ [REDACTED] and changing the salary of each councilmember to \$ [REDACTED]; to read as follows:

Sec. 2.07. - Compensation and expenses.

The annual salary of the mayor shall be \$ [REDACTED] and the annual salary for each councilmember shall be \$ [REDACTED]. Such salaries shall be paid from municipal funds in monthly installments. The mayor shall be provided an annual expense allowance of \$5,000.00 and each councilmember shall be provided an annual expense allowance of \$3,000.00 for the reimbursement of expenses actually and necessarily incurred by the mayor and councilmembers in carrying out their duties as elected

officials of the city.

Judges and Term Limits

Proposed charter amendment seeks to amend Sec. 4.01.-Creation, by: redesignating the title and number of judges to “a chief municipal judge duly appointed by the mayor and confirmed by council and such number of associate municipal judge(s) as duly appointed by the mayor and confirmed by council. Associate judges shall have the same power and duties while presiding as a chief judge”; Sec. 4.02.-Judges, subsection (c), by creating term limits, and Sec. 4.03.-Convening, by adding the word “chief” to read as follows:

Sec. 4.01. - Creation.

There is established a court to be known as the Municipal Court of the City of Dunwoody which shall have jurisdiction and authority to try offenses against the laws and ordinances of said city and to punish for a violation of the same. Such court shall have the power to enforce its judgments by the

imposition of such penalties as may be provided by law, including ordinances of the city; to punish witnesses for nonattendance and to punish also any person who may counsel or advise, aid, encourage, or persuade another whose testimony is desired or material in any proceeding before said court to go or move beyond the reach of the process of the court; to try all offenses within the territorial limits of the city constituting traffic cases which, under the laws of Georgia, are placed within the jurisdiction of municipal courts to the extent of, and in accordance with, the provisions of such laws and all laws subsequently enacted amendatory thereof. Said court shall be presided over by a chief municipal judge duly appointed by the mayor and confirmed by council and such number of associate municipal judge(s) as duly appointed by the mayor and confirmed by council. Associate judges shall have the same power and duties while presiding as a chief judge.

(c) All judges shall serve for a term of four years, but in no event more than two consecutive or non-consecutive terms. The term limits herein shall apply prospectively to all appointments or reappointments made on or after January 1, 2026. Judges may be removed from the position by a two-thirds vote of the entire membership of the city council or shall be removed upon action taken by the State Judicial Qualifications Commission for:

(1) Willful misconduct in office;

(2) Willful and persistent failure to perform duties;

(3) Habitual intemperance;

(4) Conduct prejudicial to the administration of justice which brings the judicial office into disrepute; or

(5) Disability seriously interfering with the performance of duties, which is, or is likely to become, of a permanent character.

Sec. 4.03. - Convening.

The municipal court shall be convened at such times as designated by ordinance or at such times as deemed necessary by the chief judge to keep current the dockets thereof.

Special Tax Districts

Proposed charter amendment seeks to amend Sec. 1.03. (b)(36), (37)(A) and (43) of Section 1.03.- Powers and construction., as follows: in subsection (36) by deleting the words “; subject to referendum”; in subsection (37)(A) by adding the following sentence: “This subsection shall not apply to special tax districts, special assessments, and fees;”; and in subsection (43) deleting the words: “It is the intent of the General Assembly that any fee imposed pursuant to this paragraph for the provision of fire and rescue services not exceed the average of ad valorem taxes levied by DeKalb County for the provision of the same services for the previous five years prior to the date the city begins providing such services”, to read as follows:

(36) *Special assessments.* To levy and provide for the collection of special assessments to cover the costs for any public improvements (remaining words deleted);

(37) *Taxes; ad valorem.* To levy and provide for the assessment, valuation, revaluation, and collection of taxes on all property subject to taxation; provided, however, that:

(A) The millage rate imposed for ad valorem taxes on real property shall not exceed [3.04](#) unless a higher limit is recommended by resolution of the city council and approved by a majority of the qualified voters of the City of Dunwoody voting on the issue. This subsection shall not apply to special tax districts, special assessments, and fees;

(43) *Special districts.* To exercise all authority provided by Article IX, Section II, Paragraph VI of the Constitution of Georgia to create special districts for the provision of local government services within such districts and to collect fees, assessments, and taxes within such districts to pay, wholly or partially, the cost of providing such services therein. (remainder of subsection intentional deleted)

Still to come – removal of some committee from the charter