

**CITY COUNCIL  
ATLANTA, GEORGIA**

**09-0-1888**

**AN ORDINANCE BY COUNCILMEMBER FELICIA A. MOORE AS  
SUBSTITUTED BY COMMITTEE ON COUNCIL**

**AN ORDINANCE TO AMEND THE FOLLOWING SECTIONS OF  
CHAPTER 66 ENTITLED "ELECTIONS" OF THE CODE OF  
ORDINANCES OF THE CITY OF ATLANTA, GEORGIA SO AS TO  
DELETE OBSOLETE REFERENCES TO THE GEORGIA MUNICIPAL  
ELECTION CODE, O.C.G.A. § 21-3-1 et seq. AND TO UPDATE SAID  
SECTIONS WITH CURRENT REFERENCES TO THE GEORGIA  
ELECTION CODE: SECTIONS 66-1, 66-2, 66-3, 66-4, 66-5, 66-6 AND  
66-7; TO WAIVE CONFLICTING ORDINANCES AND CODE SECTIONS;  
AND FOR OTHER PURPOSES.**

**WHEREAS**, the Georgia Municipal Election Code (O.C.G.A. §§ 21-3-1 through 21-3-480) was repealed by Ga. L. 1998, p. 295, § 2, effective January 1, 1999; and

**WHEREAS**, sections of Chapter 66 (entitled "Elections") of the Code of Ordinances of the City of Atlanta, were never updated to reflect this change in the state law and all but one of the sections codified in said chapter, contain references to the Georgia Municipal Election Code and the sections of the state code which have been repealed; and

**WHEREAS**, said city code sections are obsolete and should be updated.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE  
CITY OF ATLANTA, GEORGIA, as follows:**

**Section 1:** Sections 66-1 (Superintendent), 66-2 (Precinct boundary lines and polling places), 66-3 (Qualifying time for general and special elections), 66-4 (Petition for nomination), 66-5 Compensation of workers), 66-6 (Challenging right of elector to vote), and 66-7 (Contesting election results), which currently provide as follows:

#### Sec. 66-1. Superintendent

The municipal clerk is designated election superintendent in the city with all rights, powers and duties as provided by the Georgia Municipal Election Code (O.C.G.A. § 21-3-1 et seq.) and shall conduct all elections of the city in accordance with the Georgia Municipal Election Code.

#### Sec. 66-2. Precinct boundary lines and polling places.

The precincts and polling places as specifically described in a document entitled "City of Atlanta Precincts and Polling Places, as of October 24, 2001," dated October 24, 2001, and attached as Exhibit A, and the precinct boundary lines with corresponding precinct designations as specifically shown on the map entitled "City of Atlanta Council Districts and Voting Precincts Map" dated October 25, 2001, and attached as Exhibit B, both on file in the office of the municipal clerk, are incorporated in this chapter and adopted by reference as the official precinct boundary lines and polling places of the city.

#### Sec. 66-3. Qualifying time for general and special elections.

The qualifying time for a city general or special election shall be as provided in O.C.G.A. § 21-3-91. General election and special election shall be as defined by the Georgia Municipal Election Code (O.C.G.A. § 21-3-1 et seq.). Specific dates for such dates of qualification shall be published by ordinance as required by O.C.G.A. § 21-3-91.

#### Sec. 66-4. Petition for nomination.

In addition to O.C.G.A. § 21-3-91, a candidate for municipal office may qualify by filing a nomination petition as provided by law, signed by not less than two percent of the registered voters eligible to vote for the office sought, as disclosed by the registration lists then available. Any person signing this petition shall clearly write or print opposite the person's name, the person's residence address, and the petition shall show the person's council district and precinct.

#### Sec. 66-5. Compensation of workers.

The election commissioner or manager in chief, commissioners or associate managers and clerks shall be compensated as provided by O.C.G.A. § 21-3-37.

Sec. 66-6. Challenging right of elector to vote.

Challenges to the right of a person to vote in an election are covered by O.C.G.A. § 21-3-125.

Sec. 66-7. Contesting election results.

Procedures for hearings on petitions to contest election results and appeals relating thereto are governed by O.C.G.A. §§ 21-3-420--21-3-430 and other applicable state law.

**ARE HEREBY AMENDED BY DELETING REFERENCES TO THE GEORGIA MUNICIPAL ELECTION CODE AND THE STATE CODE REFERENCES CONTAINED IN SAID CITY CODE SECTIONS AND BY UPDATING AND REPLACING SAID OBSOLETE LANGUAGE, SO THAT WHEN AMENDED, SAID CODE SECTIONS SHALL PROVIDE AS FOLLOWS:**

Sec. 66-1. Superintendent.

The municipal clerk is designated election superintendent in the city with all rights, powers and duties as provided by the Georgia Election Code, as now or hereafter amended (O.C.G.A. § 21-2-1 et seq.) and shall conduct all elections of the city in accordance with the Georgia Election Code, as now or hereafter amended.

Sec. 66-2. Precincts, polling places, precinct boundary lines, and maps.

The precincts, polling places and maps showing precinct boundary lines within the City of Atlanta shall be designated, changed or created in accordance with O.C.G.A. 21-2-260 to 21-2-270.

Sec. 66-3. Qualification period and qualification fees for general and special elections.

(a) The qualification period for a city general or special election shall be as provided in O.C.G.A. § 21-2-132. General election and special election shall be as defined by the Georgia Election Code (O.C.G.A. § 21-2-1 et seq.).

(b) Qualification fees shall be fixed as provided in O.C.G.A. § 21-2-131.

(c) Specific dates for qualification and the amount of qualification fees, shall be adopted by ordinance or resolution and shall be

published in the official organs of Fulton and DeKalb Counties and in a newspaper of general circulation in the municipal corporation, as provided in O.C.G.A. § 21-2-131.

Sec. 66-4. Nomination by petition.

In addition to O.C.G.A. § 21-2-132, a candidate for municipal office may qualify by filing a nomination petition as provided by O.C.G.A. § 21-2-170.

Sec. 66-5. Compensation of workers.

The election commissioner or manager in chief, commissioners or associate managers and clerks shall be compensated as provided by O.C.G.A. § 21-2-71 and any other applicable state law.

Sec. 66-6. Challenging right of elector to vote.

Challenges to the right of a person to vote in an election are covered by O.C.G.A. § 21-2-230.

Sec. 66-7. Contesting election results.

Procedures for hearings on petitions to contest election results and appeals relating thereto are governed by O.C.G.A. §§ 21-2-520 to 21-2-529 and any other applicable state law.

**Section 2:** All ordinances or parts of ordinances in conflict herewith are hereby waived to the extent of any such conflict.

**A true copy,      ADOPTED by the Atlanta Council      NOV 02, 2009**  
**RETURNED WITHOUT SIGNATURE OF THE MAYOR**  
**APPROVED as per City Charter Section 2-403      NOV 11, 2009**  
**Deputy Clerk**

**2009-67 (09-O-1888)**  
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