

ORDINANCE NO. 2014- 12

[ORDINANCE TO AMEND CHARTER BY HOME RULE]

AN ORDINANCE TO AMEND THE CHARTER OF THE CITY OF TIFTON BY AMENDING ARTICLE IV SECTION 4.13(c) TO REDUCE THE MAXIMUM TERM OF IMPRISONMENT FOR ORDINANCE VIOLATIONS FROM 12 MONTHS TO 180 DAYS; TO PROVIDE FOR AN EFFECTIVE DATE; TO REPEAL ALL OTHER ACTS AND ORDINANCES IN CONFLICT HERewith AND FOR OTHER PURPOSES.

WHEREAS, the City of Tifton, Georgia, a municipal corporation of the State of Georgia (the "City") operates pursuant to the Constitution and laws of the State of Georgia and its charter, approved April 4, 1997 (Ga. L. 1997, p. 3970), as amended; and

WHEREAS, the City has now determined that it is necessary to make certain amendments to its Charter pursuant to its home rule powers granted pursuant to Article IX, Section II, Paragraph II of the Constitution of the State of Georgia and O.C.G.A. Sections 36-35-1 through 36-35-7.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TIFTON, GEORGIA AND IT IS HEREBY ORDAINED, by the authority of the same, as follows:

Section 1. The Charter of the City of Tifton, Georgia, which was established by an Act creating a Charter for the City of Tifton, Georgia, approved on April 4, 1997 (Ga. L. 1997, p. 3970), as amended, is hereby amended by amending Article IV Section 4.13(c) of the Charter to reduce the maximum term of imprisonment for violations of City Ordinances from 12 months to 180 days, the amended Article IV Section 4.13(c) to read as follows:


Whenever in this Code or in any ordinance of the city any act is prohibited or is made or declared to be unlawful or an offense, or whenever in this Code or any ordinance the doing of any act is required and the failure to do such act is declared to be unlawful, and no specific penalty is provided; and unless otherwise provided by state law, the violation of any such provision of this Code or any such ordinance shall be punished by a fine not to exceed \$1,000.00 and imprisonment in the city or county jail not exceeding 180 days, or both a fine and sentence of imprisonment and labor; and all sentences may be in the alternative and fines may be imposed with the alternative of sentence to imprisonment and labor if the fines are not paid. Each day any violation of this Code or of any ordinance shall continue shall constitute a separate offense.

Section 2. All portions of the Charter or amendments thereto or all ordinances in conflict herewith be and same are hereby repealed.

Section 3. If any part of this ordinance shall be declared void, it is the intent and purpose hereof that all other provisions not so declared void shall remain in full force and effect.

Section 4. The Clerk of the City is hereby authorized and directed to cause a notice, a copy of which is attached hereto as Exhibit "A" and hereby incorporated by reference, to be published in *The Tifton Gazette*, the official newspaper in which Sheriff's advertisements are published in Tift County, in which the City is located, once a week for three weeks within a period of sixty days immediately preceding the day of the final adoption of this ordinance. The Clerk of the City is also hereby authorized and directed to cause the publisher of *The Tifton Gazette* to execute an affidavit of such publication.

This ordinance was introduced and read at a lawful meeting of the Council of the City of Tifton held on May 5, 2014 and read the second time, passed, and adopted in like meeting held on June 2, 2014.



J. G. "Jamie" Cater, Jr.
Mayor, City of Tifton

APPROVED as to Form:

Attest:

Robert C. Wilmot
City Attorney



Rona Martin
City Clerk

Exhibit A
Ordinance No. 2014- 12

**NOTICE OF INTENTION TO AMEND CHARTER OF THE
CITY OF TIFTON, GEORGIA, BY ORDINANCE PURSUANT TO THE
PROVISIONS OF THAT ACT OF THE GENERAL ASSEMBLY KNOWN AS
"THE MUNICIPAL HOME RULE ACT OF 1965"**

**CITY OF TIFTON
COUNTY OF TIFT
STATE OF GEORGIA**

Notice is hereby given that an ordinance will be introduced on May 5,, 2014 and read for final adoption on June 2, 2014 to amend the Charter of the City of Tifton, Georgia, which was created by an Act on April 4, 1997 (Ga. L. 1997, p. 3970), as amended, so as to reduce the maximum term of imprisonment for violations of City Ordinances from 12 months to 180 days and for other purposes.

A copy of this proposed amendment to the Charter of the City of Tifton, Georgia is on file in the office of the Clerk of the City of Tifton, and is on file in the office of the Clerk of the Superior Court of Tift County, Georgia, for the purpose of examination and inspection by the public, all as required by law. A copy of the ordinance will be filed with the Georgia Secretary of State upon passage.

This 4th day of June, 2014.

Rona Martin
City Clerk
City of Tifton, Georgia

Filed in the Office of the Clerk of Tift Superior Court on _____, 2014.

Print once per week for three weeks.