

**SPONSOR: MAYOR ROBERT A.B. REICHERT**

**AN ORDINANCE OF THE MACON-BIBB COUNTY COMMISSION AMENDING CHAPTER 1 OF THE CODE OF ORDINANCES OF MACON-BIBB COUNTY, GEORGIA TO ADOPT A PROVISION IDENTIFYING THE COUNTY LOGO AND TAGLINE; TO PENALIZE THE UNAUTHORIZED USE OF SAID COUNTY LOGO AND TAGLINE; AND FOR OTHER PURPOSES.**

**WHEREAS**, by virtue of Article IV, Section III, Paragraph II of the Constitution of Georgia, Ga. Laws 2012, page 559 and Ga. Laws 2013, pages 3501, 3942, and by virtue of the will of the people in a referendum held on July 31, 2012 there is to be a consolidated local government known as "Macon-Bibb County"; and

**WHEREAS**, the political subdivision of Bibb County and the municipal corporation of the City of Macon were merged together and superseded by the new consolidated political subdivision of Macon-Bibb County and became effective as of January 1, 2014; and

**WHEREAS**, Macon-Bibb County recognizes the need for the consolidated government to have a unified logo and tagline that represents the consolidation of the two (2) entities and identifies the current and future state of the County; and

**WHEREAS**, during the January 21, 2014 meeting of the Macon-Bibb County Commission, an official seal/logo and tagline were approved and adopted for use by the Commission; and

**WHEREAS**, the purpose of this ordinance will be to monitor the use of the seal/logo and tagline of Macon-Bibb County and assure that the marks are used appropriately and only in conjunction with activities/events/items that have approved and/or have been vetted by authorized County officials; and

**NOW, THEREFORE, BE IT RESOLVED** by the Macon-Bibb County Commission, and it is hereby so ordained by authority of the same that Chapter 1 of the Code of Ordinances of Macon-Bibb County, Georgia is hereby added and shall read as follows:

**Section 1**

Chapter 1 of the Code of Ordinances of Macon-Bibb County, Georgia is hereby amended to add the following provision:

Sec. 1-13. County seal and tagline.

- (a) The Macon-Bibb County Commission finds that the seal and tagline of the County adopted in this Section are a symbol of authority of the County and a valuable asset of its population. The Macon-Bibb Commission desires to ensure that only appropriate uses are made of the County seal and tagline.
- (b) The Macon-Bibb County Commission adopts the symbol depicted below as its official County seal:



The County seal depicts a circular image with an illustration of the Fort Hawkins structure in the center of the design. In addition, the seal contains the name of the consolidated government across the top of the design in a circular motion, the year "1823" in the bottom left hand corner in honor of the year Bibb County was founded, and the year "1822" in the bottom right hand corner in honor of the year the City of Macon was founded. Furthermore, the words "Forward Together" are imbedded in a banner across the bottom portion of the seal.

- (c) The Macon-Bibb County Commission adopts the tagline "Forward Together" as the official County tagline.
- (d) Except as otherwise expressly provided by State or Federal law, or when done in the course of official County business, it shall be unlawful for any person or entity to use the County seal, tagline, or any emblem or logo approved for County use by the Macon-Bibb County Commission, or which is otherwise created by or for

the County in connection with or to identify any official County program or activity, by affixing or otherwise depicting the County seal, tagline, or any such official emblem, or logo, or replica thereof, on any document, thing, item, or material, or in or upon any Internet website, without first having obtained written permission from the Mayor or the Mayor's designee. Any use approved by the Mayor or the Mayor's designee may be subject to any reasonable conditions imposed by the Mayor or the Mayor's designee to carry out the purposes of the authorized use.

- (e) Any person who violates this Section and uses the County seal, tagline, or other official emblem or logo without prior approval shall be served by certified mail a written notice to cease and desist such behavior within ten (10) days from the date of receipt. Should such violation continues, a hearing shall be set before the municipal court or state court judge to hear the violations and issue penalties. Each day of any unauthorized use of the County seal, tagline, or official emblem or logo, shall constitute a separate offense. Any such violations shall be punishable as follows:
  - (1) A fine not to exceed five hundred dollars per offense (\$500.00)
  - (2) Any other punishment the court shall impose.
  
- (f) The County shall retain the right at all times to inspect any document, item, material, or website upon which the County seal, tagline, or other official emblem or logo is used in order to verify that the County seal, tagline, or other official emblem or logo is being used truly and correctly as represented by the authorized party and in an unaltered form. Permission to use the County seal, tagline, or other official emblem or logo shall not be assignable.
  
- (g) Should any part of this ordinance or its application to any person or circumstance be declared unconstitutional or invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision

or preemption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

### **Section 2**

It is hereby ordained that the provisions of this ordinance shall become a part of the Code of Ordinances of Macon-Bibb County, Georgia, and the sections of this ordinance may be renumbered to accomplish such intention.

### **Section 3**

(a) It is hereby declared to be the intention of the Macon-Bibb County Commission that all sections, paragraphs, sentences, clauses, and phrases of this Ordinance are and were, upon their enactment, believed by the Macon-Bibb County Commission to be fully valid, enforceable, and constitutional.

(b) It is hereby declared to be the intention of the Macon-Bibb County Commission that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Chapter is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Macon-Bibb County Commission that, to the greatest extent allowed by law, no section, paragraph, sentence, clause, or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.

(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 Macon-Bibb County Commission 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 and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs, and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

**Section 4.**

All Ordinances or parts of Ordinances in conflict with this Ordinance are, to the extent of such conflict, hereby repealed or set aside.

**Section 5.**

This Ordinance shall become effective immediately upon its approval by the Mayor or upon its adoption into law without such approval.

**APPROVED AND ADOPTED** this 16<sup>th</sup> day of June, 2015.

By: Robert A. B. Reichert  
ROBERT A.B. REICHERT, Mayor

Attest: Jean S. Howard  
JEAN S. HOWARD, Clerk of Commission

(SEAL)