

Amendment to ordinances of the Town of Thunderbolt for the purpose of correcting errors and updating changes to code of ordinances commonly referred to as the Muni code.

It is hereby ordained by a duly called meeting or a regular meeting of the Mayor and Council of the Town of Thunderbolt that the ordinances of the Town of thunderbolt known as the MuniCode are hereby affirmed and readopted and that said code is hereby amended to make corrections and updated changes to the current ordinance book known as the Municode, said amendments and changes to be as follows:

Section 2 subparagraph (a a) of the charter is deleted as a result of said paragraph having been inserted by error.

EXPLANATION: This subparagraph includes within the Town Limits an area on the other side of Savannah State commonly known a Bona Bella. This area is not and has not been within the Town limits.

Section 4 (a) of the charter shall be changed to show the term of office of the Mayor and Members of Council as 4 years rather than 2 years as required by Georgia Code Ann. Section 21 – 2 – 541.1.

EXPLANATION: The original charter has two year terms. The Elections Code now sets all municipal terms as 4 years.

All references throughout the ordinances to Thunderbolt as a City should be changed to make such references to Thunderbolt as a Town.

All references throughout the code to the Town's court as a "recorder's Court" shall be changed to "Municipal Court" as required by Georgia Code Ann. 36 – 32 – 1.

Section 2 – 103 which had been deleted is reinserted in part to read as follows:

"Municipal elections:/conformance with Georgia municipal election code:

The procedures and requirements for election of all elected officials of the Town of Thunderbolt as to special or general elections shall be in conformity with the provisions of the Georgia elections code. (Georgia Code Ann. Title 21).”

EXPLANATION: This section was deleted by MuniCode but should be reinserted to make reference to the State Statutes. All other portions of old Sec. 2-103 were deleted properly because the State Elections Code now controls.

Section 2 – 202 (13) shall read as follows: “The mayor’s salary shall be \$400 per month.” Note: Town council approved this provision on 6/10/20 pursuant to Georgia Code Ann. 36 – 35 – 4 to become effective 1/1/22.

EXPLANATION: This is a new section recently adopted by Council.

Section 2 – 301 is reinserted to read as follows: “Composition: The Town Council shall consist of 6 council members who are elected at large to serve simultaneous 4 year terms.”

EXPLANATION: This section was deleted by MuniCode but should be reinstated to be consistent with the State Elections Code.

2 – 302 is reinstated to read as follows: “General authority. The Town Council shall be the legislative body of the municipality and it shall exercise limited administrative control as granted by local ordinance, town charter, and state law.”

EXPLANATION: This section was deleted by MuniCode but should be reinstated as a general statement of the Council’s authority.

Section 2 – 303 subparagraphs (1) and (2) are reinstated to read as follows:

“1. Legislative Town laws: To consider and enact Town ordinances and resolutions.

2. Exercise financial control. To fix an annual budget for the Town and approve all expenditures.”

EXPLANATION: Same as last section.

Section 2 – 303 (9) shall read as follows : ”Each council member’s salary shall be \$200 per month.” Note: Town council approved on 6/10/20 pursuant to Georgia Code Ann. 36 – 35 – 4 to become effective 1/1/22.”

EXPLANATION: This is a new section recently adopted by Council.

Section 2 – 804 (2) is amended to delete the words “either against him” which appear after the word “employee” and before the word “asserting”.

EXPLANATION: This is an editing change to clarify the sentence.

Section 3 – 203 (6) shall be corrected to change the word “and” to the word “a” where it appears after the word “due” and before the word “penalty”.

EXPLANATION: Typo correction.

Section 3 – 205 (1) shall be amended by inserting at the beginning of such paragraph the following: “Subject to any state law preempting local ordinances,”.

EXPLANATION: This is an editing change to clarify the sentence.

4– 211 is deleted and in lieu thereof a new provision is added to read as follows: “The permit fee for sinking a well and for inspection to ascertain that the well is not connected to the town water system shall be as set forth in the rate schedule in the Town Administrator’s or Clerk’s office.

EXPLANATION: This change is to delete an old \$5 charge and allow the fee to be changed from time to time by changing the fee in the rate schedule rather than the ordinance.

4 – 401 (1) is amended by deleting subparagraphs A, B and C and inserting in lieu thereof the following:

- A. Master meter complexes will use this formula: base charges x number of units + (gallons consumed/number of units) x (the rate in the town's rate schedule based upon number of gallons used per month.)
- B. County residents outside of Thunderbolt shall pay one and one half the rate of thunderbolt residents.
- C. Reserved.

EXPLANATION: This special formula was deleted my MuniCode and is being reinserted. Also, the subparagraphs are changed to eliminate actual fees in the code but to put the fees in the rate schedule.

Section 5 – 110 is amended by deleting the word “foundation” and inserting in lieu thereof the words “all foundations”.

EXPLANATION: This is an editing change for clarification.

Section 5 – 207 (3)(c) shall be amended by adding thereto the following: “Fences shall be constructed so that any structural supports such as posts, rails, etc. shall be facing the property on which the fence is constructed with the opposite side (good side) facing outward towards a neighboring property or right of way.” Note: adopted 9/9/20.

EXPLANATION: This is a recent change adopted by Council.

Section 5 – 209 is deleted:

EXPLANATION: This section dealt with Water Conservation and is now covered elsewhere or in the International Business Codes.

A new ordinance to be designated Article VIII Section 5- 332 adopted on 10/9/19 shall be included in the MuniCode said ordinance to read as shown on attachment A hereto.

EXPLANATION: This ordinance was adopted in October 2019 but has not been inserted in the MuniCode book yet.

A new ordinance to be designated Article IX Section 5- 333 adopted on 11/13/19 shall be included in the MuniCode said ordinance to read as shown on attachment B hereto.

EXPLANATION: This ordinance was adopted in November 2019 but has not been inserted in the MuniCode book yet.

Section 8 – 112 shall be deleted at the discretion of Town Council. The section deals with appeals from judgments of the Municipal Court and allows Town Council to hold a new hearing and make a decision on any conviction issued by Municipal Court Judge.

RECOMMENDATION: Delete.

Section 10 – 802.1 (1) is amended by deleting the words “in the unincorporated area of the county or”.

EXPLANATION: Typo error.

Article V of the zoning ordinance was amended to make changes to Section X paragraph (8) sub-paragraph (ii) in the River Drive Section and to Section IX paragraph (h) subparagraph (ii) of the Victory Drive Section to read as shown on exhibit C hereto.

EXPLANATION: This ordinance was adopted in September 2020 but has not been inserted in the MuniCode book yet.

Article XV of the zoning ordinance was amended to make changes and to add to paragraph Q new wording as shown on Attachment D hereto.

EXPLANATION: This ordinance was adopted in January 2020 but has not been inserted in the MuniCode book yet.