

## **CITY OF WHITESBURG, GEORGIA**

### **HOME RULE ORDINANCE TO AMEND SECTION 4.13 OF THE CHARTER OF THE CITY OF WHITESBURG TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES**

WHEREAS, the City of Whitesburg City Charter may be amended by the Mayor and Council by the Home Rule Amendment Process; and

WHEREAS, per O.C.G.A. Section 36-35-1, et seq., a municipal corporation may, as an instant of its home rule power, amend its charter by ordinances duly adopted at two regular consecutive meetings of the municipal governing authority, not less than seven nor more than sixty days apart; and

WHEREAS, the Mayor and Council find that the following amendment promotes the health, safety, morals, convenience, order, prosperity and general welfare of the City;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Whitesburg that the Charter is hereby amended to read as follows:

1. Section 4.13(a) of the Charter of the City of Whitesburg shall read as follows:

#### **Sec. 4.13. – Jurisdiction; Powers**

(a) The municipal court shall try and punish for crimes against the City of Whitesburg and for violation of its ordinances. The municipal court shall have authority to punish those in its presence for contempt, provided that such punishment shall not exceed \$1,000 or 6 months in jail. The municipal court may fix punishment for offenses within its jurisdiction not exceeding a fine of \$1,000 or imprisonment for 6 months or both and, as alternative to fine or imprisonment, to sentence any offender upon conviction to labor in a city work gang or on the streets, sidewalks, squares or other public works for a period not exceeding 6 months, or make provision with the county to have sentences imposed by said court to be served in the county jail or county prison farm or camp.

2. A copy of the proposed Charter amendment has been on file in the office of the City of Whitesburg, 60 Booster Field Drive, Whitesburg, Georgia, and also in the office of the Clerk of the Superior Court of Carroll County for the purpose of examination and inspection by the public. The City Clerk shall also furnish anyone, upon written request, a copy of the proposed amendment.

3. A notice containing a synopsis of the proposed amendment was published once a week for three weeks within a period of sixty days immediately preceding its final adoption on September 8, 2020.

4. Public hearing will be held on the proposed amendment on August 3<sup>rd</sup> at the regular City Council meeting.

5. All codes, sections, resolutions, or parts thereof in conflict herewith are repealed.

6. This amendment shall become effective upon adoption.

7. This amendment is severable and if any section, subsection, paragraph, clause or provision of this amendment shall be adjudged invalid or held unconstitutional, such decision shall not affect the remaining portions of the amendment.

8. This ordinance is finally adopted and approved by the Mayor and Council on September 8, 2020 after the Council considered the amendment at its regularly scheduled meetings on August 3, 2020 and September 8, 2020.

IT IS SO ORDAINED on this the 8<sup>th</sup> day of September, 2020.

CITY OF WHITESBURG

By: 

Mayor Amy Williford

Attested to:

By: 

William Smolar, City Clerk