

AN ORDINANCE 22-121
ENTITLED

AN ORDINANCE ADOPTED PURSUANT TO THE PROVISIONS OF TITLE 36, CHAPTER 35 OF THE OFFICIAL CODE OF GEORGIA ANNOTATED, AS AMENDED, AMENDING SECTION 3(i) OF THE CHARTER OF THE CITY OF ALBANY MANDATING APPOINTMENTS; ADDING THE POSITION DIRECTOR, MUNICIPAL COURT ADMINISTRATION; TO PROVIDE FOR APPOINTMENT OF SUCH POSITION; REPEALING PRIOR ORDINANCES AND CHARTER PROVISIONS IN CONFLICT AND FOR OTHER PURPOSES.

WHEREAS, the first reading for the Charter Amendment re Director, Municipal Court Administration was on July 26, 2022, and the second reading on October 4, 2022, was outside the statutory requirement in O.C.G.A. § 35-36-6(b)(1); and

WHEREAS, it is necessary that the Ordinance be reintroduced for adoption; and

WHEREAS, the Mayor and Board of Commissioners of the City of Albany find that there is a need for Municipal Court to have a Director, Municipal Court Administration; and

WHEREAS, the Mayor and Board of Commissioners believe that adding such position will aid in and benefit public health and safety to Municipal Court; and

WHEREAS, the position of Director, Municipal Court Administration, shall be subject to appointment on the fourth Tuesday in January 2023, and on the fourth Tuesday in January every two (2) years thereafter; and

WHEREAS, it is in the best interest of the City of Albany that hereafter Section 3(i) of the City Charter will read as depicted in Section 1 below,

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the City of Albany, Georgia and it is hereby ordained by authority of same:

SECTION 1. **Ordinance #22-111 is hereby null and void.**

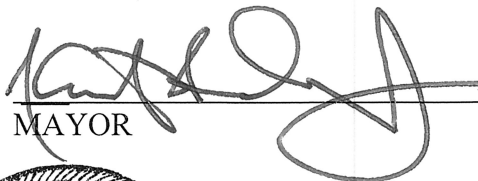
SECTION 2. Section 3(i) shall hereinafter read:

- (i) *Election of officers; terms; rights reserved; acceptance of gifts, etc.* The board of city commissioners shall on the fourth Tuesday in January 2023 and on the fourth Tuesday in January every two (2) years thereafter elect a city manager, a city attorney and such assistant city attorney(s) it shall deem appropriate, a city clerk, an assistant city clerk, and at the pleasure of the board, may elect a chief judge for the

municipal court for Albany and an associate judge or such part-time, full-time, or stand-by judges as it shall deem appropriate, **and a director, municipal court administration.** One or more assistant city managers may be appointed by the city manager with the concurrence and approval of the board of city commissioners, and, if appointed, shall discharge such functions and duties as shall be assigned to him/her by the city manager. All other officers and employees of city, except those specifically mentioned above, shall be appointed by the city manager, and shall not be elected or employed for any specific term, but shall be retained so long as the duties of the job are performed with efficiency.

SECTION 3. Pursuant to the provisions of §36-35-3 of the Official Code of Georgia Annotated, this Ordinance shall become effectively immediately upon its adoption by the Board of Commissioners of the City of Albany, Georgia at two regularly scheduled consecutive meetings and after compliance with all of the provisions of the Municipal Home Rule Act of 1965, as amended.

SECTION 4. All Ordinances, or parts of Ordinances, and all Charter provisions, or parts of Charter provisions, in conflict herewith are repealed.


MAYOR

ATTEST:


CITY CLERK



Adopted: December 13, 2022

1st reading: 11-29-2022

2nd reading: 12-13-22

1st Reading Introduced By: 

2nd Reading Introduced By: 