



**Carl Vinson  
Institute of Government  
UNIVERSITY OF GEORGIA**

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**COMMITTED TO EXCELLENCE IN GOVERNMENT**

# **Power Dynamics of Metropolitan Atlanta Counties**

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**The Interplay of Boards of Commissioners, Chairpersons & County Managers/Administrators**



# Introduction to Powers Conferred to Counties

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## Home Rule and Supplementary Powers



# Forms of Government



- A county's local legislation establishes the form or structure of the county governing authority. For example, local legislation typically establishes the governing authority as a traditional commission, sole commissioner, elected executive, commission-administrator, commission-manager or consolidated county structure.
- The local act also designates the number of commissioners, establishes the geographical boundaries of each commissioner's district, sets the length of terms of office, specifies whether the commissioners serve staggered or concurrent terms, and states whether the chairperson serves full time or part time.
- The local act specifies how the chairperson is elected
- Local legislation also specifies whether commissioners run in single-member, at-large districts, or a combination of the two.



# Professional Management

Although not required, more than 120 of Georgia's 159 counties currently maintain professional management in one form or another — typically, a county manager or a county administrator. Slightly more than half of those 120 counties use professional staff with the title of county administrator.



# LOCAL LEGISLATION



Local legislation may list:

- Powers and duties of the chairperson as well as other county officials and employees such as the county attorney, manager, clerk, or finance officer.
- Requirements regarding commission meetings such as dates and locations or specify use of certain meetings procedures such as Robert's Rules of Order.
- May also include thresholds and procedures for purchasing.

In some counties, the commissioners have been given power regarding the compensation of other county officers and their employees through local legislation.

While local legislation to change the form of government is often made subject to a referendum, a referendum is not required by the constitution.



# Home Rule: Counties

County “Home Rule” in Georgia is constitutionally granted giving the counties the power to:

1. Adopt clearly reasonable ordinances, resolutions, or regulations relating to its property, affairs, and local government; provided that state law has not preempted such enactments.
2. Fix the salary, compensation, and expenses of those employed by such governing authority and to establish and maintain retirement or pension systems, insurance, workers’ compensation, and hospitalization benefits for said employees.



Article IX, Section II,  
Paragraph I



# Limitation of Home Rule

- Affecting any elective county office including salaries or personnel except the personnel subject to the jurisdiction of the governing authority.
- Affect the composition, form, procedure for election or appointment, compensation, and expenses and allowances in the nature of compensation of the county governing authority.
- Define any criminal offense or providing for criminal punishment.
- Adopt any form of taxation beyond that authorized by law or by the Constitution.
- Extend the power of regulation over any business activity regulated by the Georgia Public Service Commission beyond that authorized by local or general law or by the Constitution.
- Affect the exercise of the power of eminent domain.
- Affect any court or the personnel thereof.
- Affect any public school system.



County “Home Rule” in Georgia is **limited** by the State Constitution. Counties may **not** take action:





# Supplementary Powers Conferred Upon Local Governments



- Police and fire protection.
- Garbage and solid waste collection and disposal.
- Public health facilities and services, including hospitals, ambulance and emergency rescue services, and animal control.
- Street and road construction and maintenance, including curbs, sidewalks, street lights, and devices to control the flow of traffic on streets and roads constructed by counties and municipalities or any combination thereof.
- Parks, recreational areas, programs, and facilities.
- Storm water and sewage collection and disposal systems.
- Development, storage, treatment, purification, and distribution of water.
- Public housing.
- Public transportation.
- Libraries, archives, and arts and sciences programs and facilities.
- Terminal and dock facilities and parking facilities.
- Codes, including building, housing, plumbing, and electrical codes.
- Air quality control.
- Retirement or Pension Systems



# DeKalb County

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## Powers of the Boards of Commissioners, Chief Executive Officer & Chief Operations Officer





# DeKalb County

GEORGIA

## County Population

764,382

## Government Structure

Chief Executive Officer

Board of Commissioners

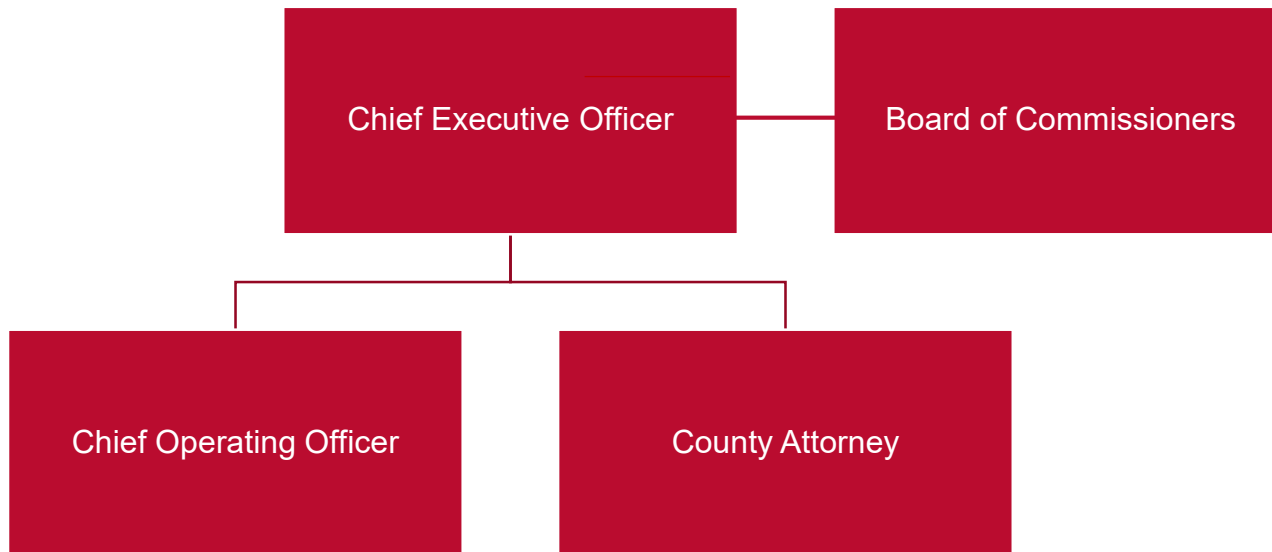
5 Districts

2 Super-Districts

Chief Operating Officer



# DeKalb County Government



Powers of the Board of Commissioners	Powers of the Chief Executive Officer	Powers of the Chief Operating Officer
Levy taxes, make appropriations, fix rates, and authorize debt	Holds exclusive power to supervise and control administration of county	Manages daily operations in the county
Authorize work to be done in the county	Changes, consolidate or abolish departments, agencies, or offices under their control	Responsible to the CEO and the BOC for the proper administration of the affairs of the county.
Establish and change public roads, private ways, bridges, and ferries	Maintains control over all departments except finances	At direction of CEO, may exercise any of the administrative duties and powers vested in the chief executive
Establish and change election precincts	Appoints executive assistant and county attorney	Aide to the CEO and the commission
Authorize optional statutes	Fixes the compensations of all employees	
Regulate land use with planning and zoning	Convenes special meetings when needed	
Create and change special taxing districts	Investigates affairs, records, and spending	
Enact ordinances	Represents county in intergovernmental matters	
Set priority for capital projects	Submits an annual report	
Adopt all ordinances and regulations they deem advisable	Submits proposals for county improvement	
Prepare agendas for BOC meetings	Must give full time service	



## How are they hired?

The CEO appoints the COO

## How are they dismissed from the position?

- The CEO can dismiss the COO
- The BOC may dismiss the COO with the affirmative vote of at least 5 members
- The CEO nominates the COO but such appointment requires BOC approval





## How are they hired?

The Department Heads are hired by the CEO

## How are they dismissed from the position?

- Department Heads can be dismissed by the CEO
- The Department of Finance cannot be abolished by the CEO or the commission



# Metropolitan Atlanta Counties

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## Powers of the Boards of Commissioners, Chairpersons & County Managers/Administrators





# Board of Commissioners General Statement



Unless otherwise denoted, the following Metropolitan Atlanta County Boards of Commissioners have exclusive jurisdiction over the hiring, suspension, and removal of the County Manager. Additionally, the chairperson of the Board of Commissioners is an elected at-large.





**FULTON  
COUNTY**

County Population

1,066,710

Government Structure

Chairperson

6 Districts

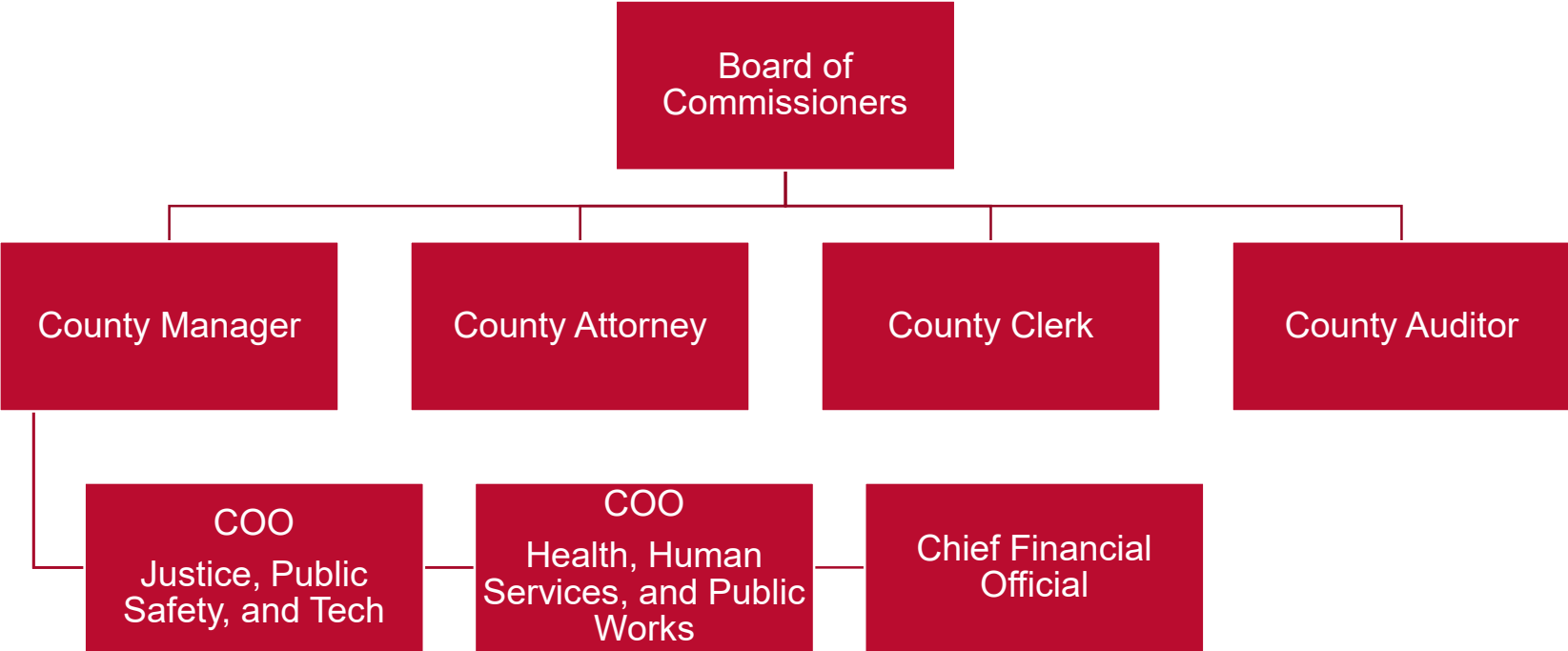
County Manager

Hiring Authority

The Fulton County Manager is elected by a majority vote of the Board of Commissioners for an indefinite term. The county manager may be suspended or removed at the pleasure of the Board of Commissioners.



# Fulton County Government



Powers of the Board of Commissioners	Powers of the Chairperson	Powers of the County Manager
Establish policy, ordinances, and regulations	Preside at meetings of the BOC	Appointed by BOC
Adopt the annual budget	Official spokesperson of the board	Implements BOC policies
Authorize bond referenda	Sign all official documents on behalf of BOC	Prepares the annual budget for approval
Enact plans for county growth and development	Make appointments of BOC to committees, boards, and public authorities	Appoints department heads except auditors, clerks, and county attorneys
Divide county into service districts		Supervises about 5,000 employees
Levy taxes and assessments		Supervises the executive branch of Fulton Co.
Control the property of the county		Prescribes duties and supervises county employees
Establish/alter/abolish roads, bridges and ferries		Requires reports from heads of departments
Establish election precincts		Authority to examine all books and papers of every county department office
Settle claims against the county		Authorizes purchases for the county, supply requests, and supervise all county funds
Examine/audit all claims or accounts of officers		Receives all public work requests
Authority to maintain and operate incarceration facilities		Prepares and recommends a budget for each calendar year
Redevelopment powers		





# Gwinnett

County Population

957,062

Government Structure

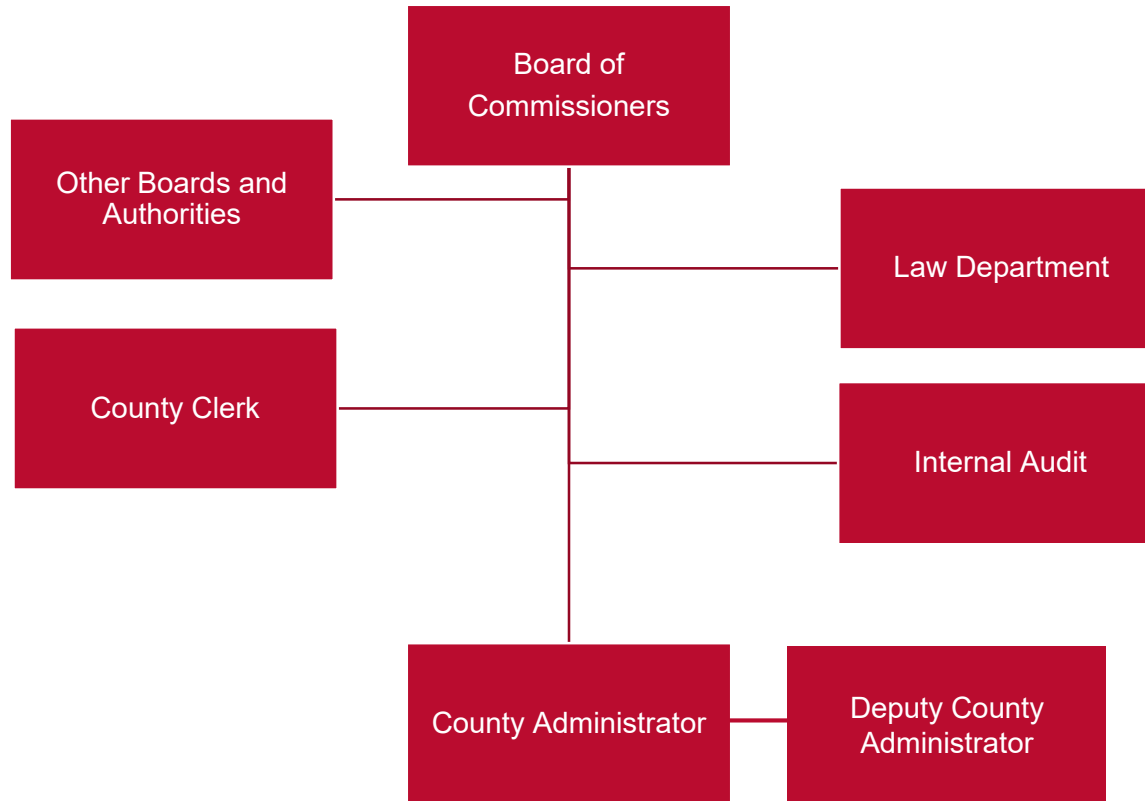
Chairperson

4 Districts

County Administrator



# Gwinnett County Government



Board of Commissioners Powers & Authority	Chairperson Powers & Authority	County Administrator Powers & Authority
Fix/establish policies, rules and regulations	Preside over meetings of the BOC	Manage the day-to-day functions of county government
Levy taxes	Maintain a full-time office in the administrative center	Carry out policies established by the BOC
Make appropriations	Preside at all public meetings	Manage 13 administrative departments
Fix rates of all charges	Represent county government at ceremonial functions	
Authorize and execute of contracts	Be available to the constituency	
Establish/alter/abolish public roads, bridges, ferries, and private ways	Coordinate intergovernmental activity	
Establish election precincts	Submit motions to the BOC as necessary	
Set priorities for capital improvements	Share responsibilities for budget approval with BOC	
	Lead role in needs assessments, evaluation of services and policy development	





## County Population

766,149

## Government Structure

Chairperson

4 Districts

County Manager

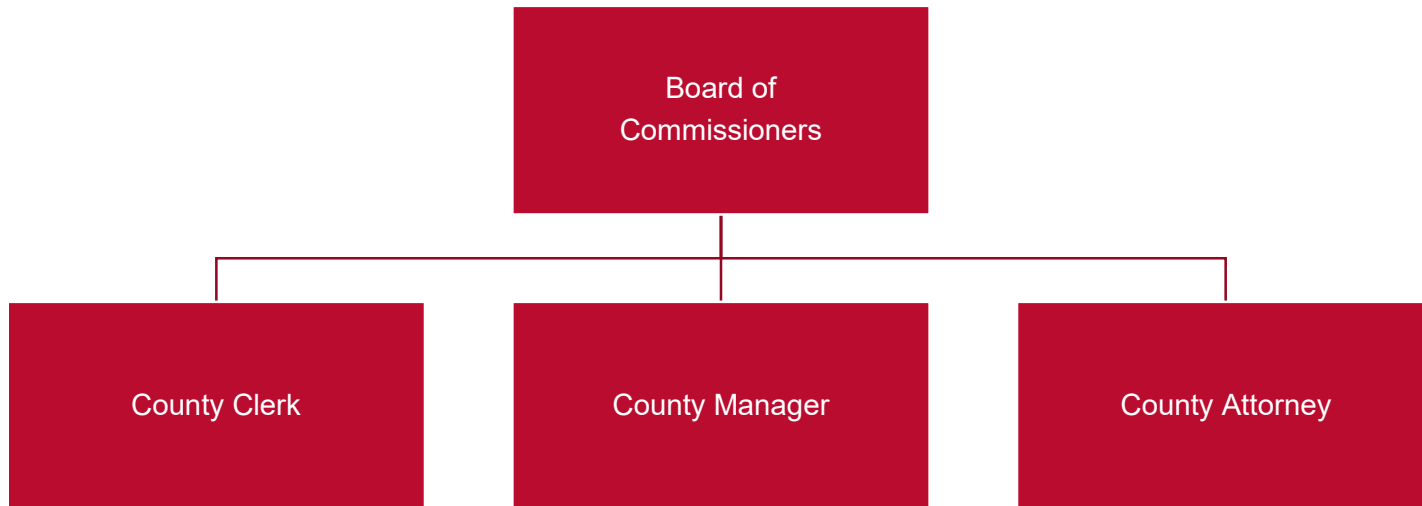
## Hiring Authority

The Board of Commissioners carries out the hiring and removal procedures for County Manager.





# Cobb County Government



Powers of the Board of Commissioners	Powers of the Chairperson	Powers of the County Manager
Fix and establish policies, rules, and regulations	Preside over meetings	Chief executive officer and administrative head of Cobb Co.
Levy taxes	Appoint the vice-chairman of the commission annually	Control all county departments
Make appropriations	Appoint the heads of department	Supervise the conduct of appointed county officers and department heads
Fix rates of all charges		Attend all meetings of the board
Call elections for voting of bonds		Supervise all contracts
Set priority for capital projects		Carry out the policies, rules, and regulations from the BOC
Establish/alter/abolish public roads, private ways, bridges and ferries		Advise the BOC on financial conditions and needs of the county
Exercise all powers for zoning and planning		Regulate all purchases of materials and supplies
Create and change boundaries of special tax districts		See that all laws/ordinances are enforced
		Confer with elected officials who receive financial support from BOC
		Hold no other office of employment





## County Population

266,620

## Government Structure

Chairperson (elected district member)

5 districts (includes Chairperson)

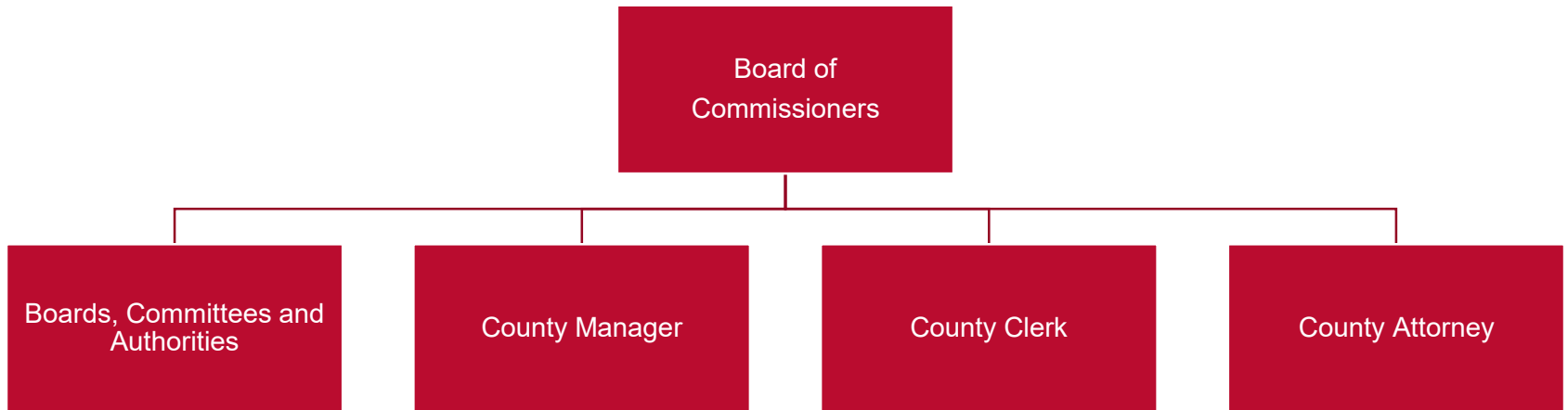
County manager

## Hiring Authority

The County Manager works at the discretion of the Board of Commissioners.



# Cherokee County Government



Powers of the Board of Commissioners	Powers of the Chairperson	Powers of the Chief Operating Officer
Direct and control all property of the county	Administrative and executive official of the board	Appointed by and receives daily direction from BOC
Levy taxes	Devotes their entire time to the board	Interviews candidates for department director positions before BOC hires
Establish/change/abolish roads, bridges, and ferries	Implements policies set by the BOC	Conducts investigations for disciplinary actions for departments
Settle claims, charges, and demands against the county	Elects director of finance with confirmation of BOC	Conducts performance reviews for department directors
Examine all claims and accounts of officers		Oversees contractors assigned SPLOST projects
Examine all claims for the collecting and disbursing of county money		Manage daily operations for strategic executions of initiatives
Elect or appoint all minor county officers		If COO position is vacant, BOC member can fill the position
Regulate land use with a development plan/zoning		
Set license fees, charges or taxes with anyone involved in a profession		
Set penalties for violations of zoning ordinances		
Provide ordinances for preservation of county property and equipment		





## County Population

297,595

## Government Structure

Chairperson

6 Districts

Chief Operating Officer

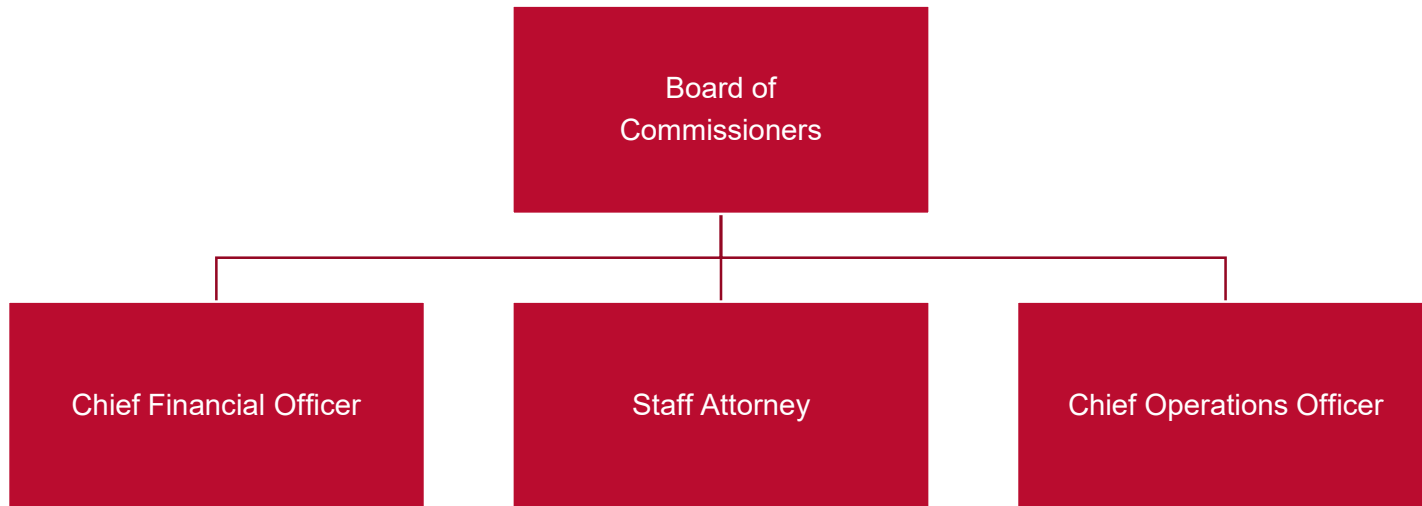
At-large Commissioner

## Hiring Authority

The Chief Operating Officer is appointed by the Board of Commissioners. The Chief Operating Officer performs their duties under the direction of the Board of Commissioners. The COO is a contracted employee and can be terminated by a majority vote of the BOC.



# Clayton County Government



Powers of the Board of Commissioners	Powers of the Chairperson	Powers of the City Manager
Fix and establish policies, rules, and regulations	Chief elective officer of the county	Reports to BOC for all affairs of the county
Levy taxes	Presides over BOC meetings	Supervise all contracts
Make appropriations	Presides at all public meetings	Control all departments of the county
Fix rates and charges for services provided by the county	Coordinates intergovernmental activity	Advise BOC on financial conditions and needs of county
Require all county officers to report on the conduct of financial affairs	Submits motions to the BOC	See that all laws and ordinances are enforced
Execute contracts	Shares responsibility with commissioners for budget approval	Direct all conduct of appointed county officers and department heads
Establish, change, and remove public roads, bridges and ferries	Initiates assessments	Attend all BOC meetings and participate in the discussions
Establish and change election precincts	Appoint subcommittee chairmen of the commission	Perform the duties required by the BOC
Zoning and planning	Accept subdivision plats when requirements established by the BOC have been met	Hold no other office or employment
Create and change special taxing districts		
Set priority for capital projects		







## County Population

251,283

## Government Structure

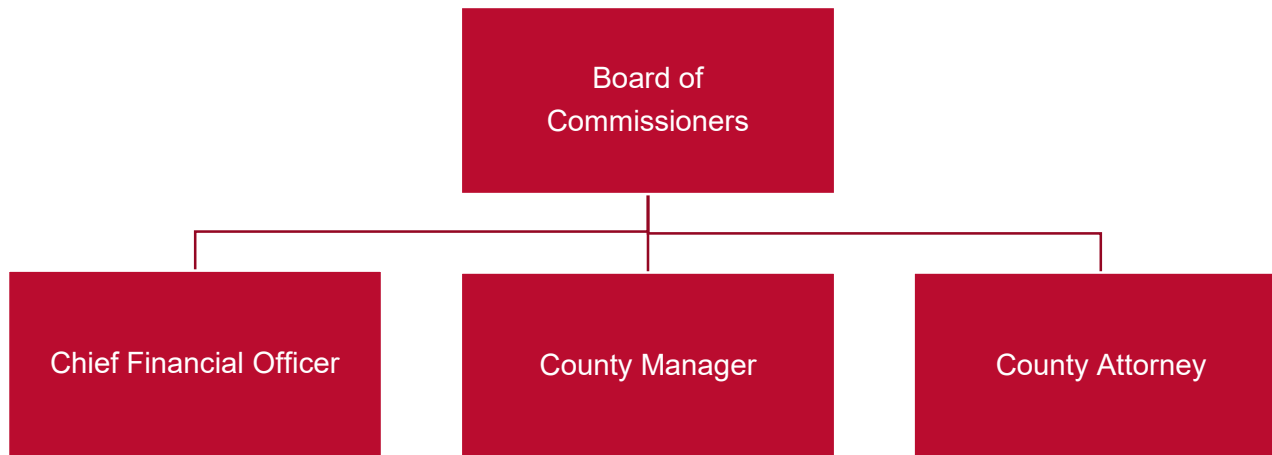
Chairperson (district)

5 Districts

County Manager



# Forsyth County Government



Powers of the Board of Commissioners	Powers of the Chairperson	Powers of the County Manager
Direct, control and care for all county property	Hold their own hours	Perform any and all duties from the BOC
Levy taxes	Presides over all meetings	Hired by the BOC
Establish/alter/abolish public roads, bridges and ferries	Serves as executive officer of BOC	
Establish and change election precincts		
Examine and settle claims against county		
Examine claims and accounts of officers		
Set the salary of county manager		
Regulate license fees		
Promote policies regarding employees of the county		
Set rules for suspension and termination		





County Population

119,194

Government Structure

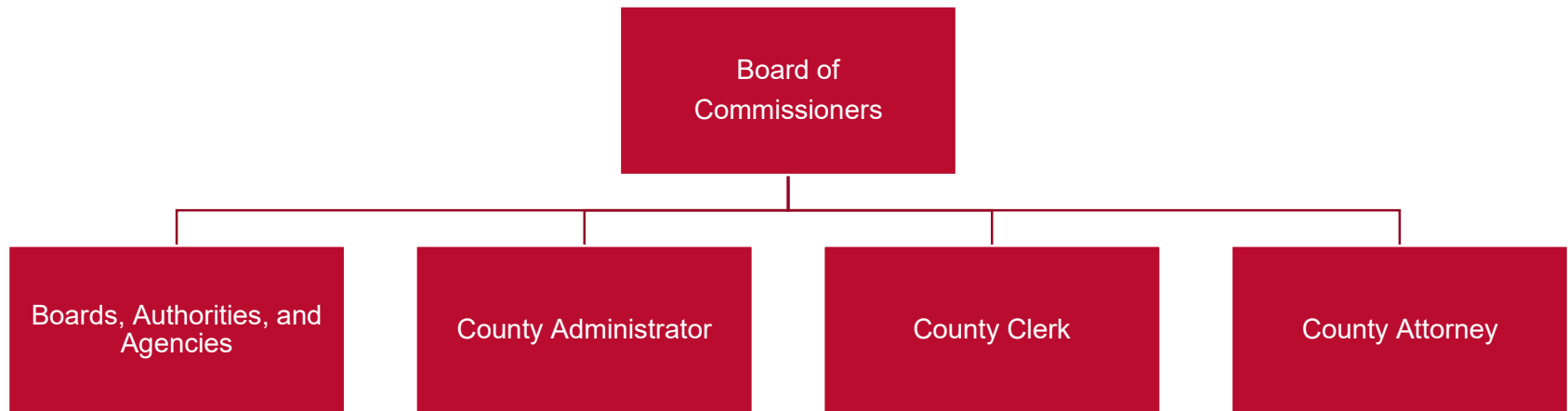
Chairperson

4 Districts

County Manager



# Fayette County Government



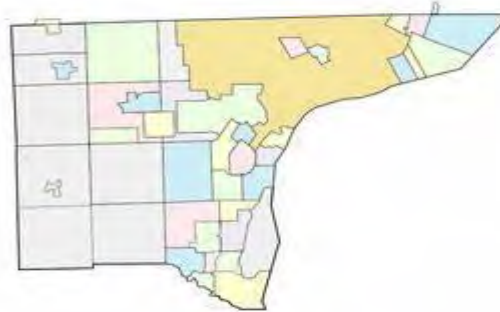
Powers of the Board of Commissioners	Powers of the Chairperson	Powers of the County Administrator
Holds complete power, authority and control on the matters of Fayette County	Presiding officer in BOC meetings	Subjects to the control, direction, and supervision of the BOC
Employs necessary personnel and fixes their compensation	Shall be impartial and conduct fair meetings	Controls all divisions and departments of the county
Land Use Regulations		Directs and controls personnel
Makes all purchases for the county		Attends BOC meetings
Ensures that all purchases over \$5,000 are on a competitive bid basis		Recommends measures for BOC to adopt and keeps BOC advised on financial matters in the county
		Prepares and submits annual budget and monthly financial reports
		Makes and executes all contracts
		Cannot make a contract or purchase over \$10,000 without BOC approval
		Enforces all county laws, ordinances and provisions



# What other counties in the United States have a CEO form of government?

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- The commission has 15 members
- While there was a clear intent in adopting the charter to provide for a strong executive branch, the county commission is vested with all legislative authority
- Rather than a strong mayor/weak council form of government, Wayne County government is modeled after the co-equal branches of the state and federal governments, which are moderated by a court-developed doctrine on the separation of powers
- The legislative body is mainly limited to making law with great detail as how a goal is to be accomplished but cannot supervise the implementation of the law
- The CEO has very substantial administrative authority over all county departments and operations.





Powers of the Board of Commissioners	Powers of the Chief Executive Officer
Appropriate funds, levy taxes, fees and other charges and authorize borrowing	Head of the executive branch of county government
Approve the making of all contracts	Executive and administrative power including appointments
Approve or reject appointments by the CEO of the Deputy CEO, department heads, their deputy directors, and members of the BOC	Supervise, coordinates and direct all county facilities, operations, and functions
Override a veto of the CEO by a 2/3 majority	Implement and enforce all laws of state and county ordinances, resolutions, orders, and rules
Approve, amend, or reject rules or regulations issued by any department of the county	Submits reports and recommendations to the BOC on county matters
Appoint and remove members of the Board of County Canvassers, Metro Airport Zoning Board of Appeals, Planning and Development Commission, and County Election Scheduling Board	Oversees emergency preparedness
Appoint a Commission Clerk	Maintains planning division
Judge the qualifications of Commissioners and remove those with a felony during term of office	Holds veto power that the BOC can override with a 2/3 vote
Establish compensation of elected officers	Can be removed from office by the governor

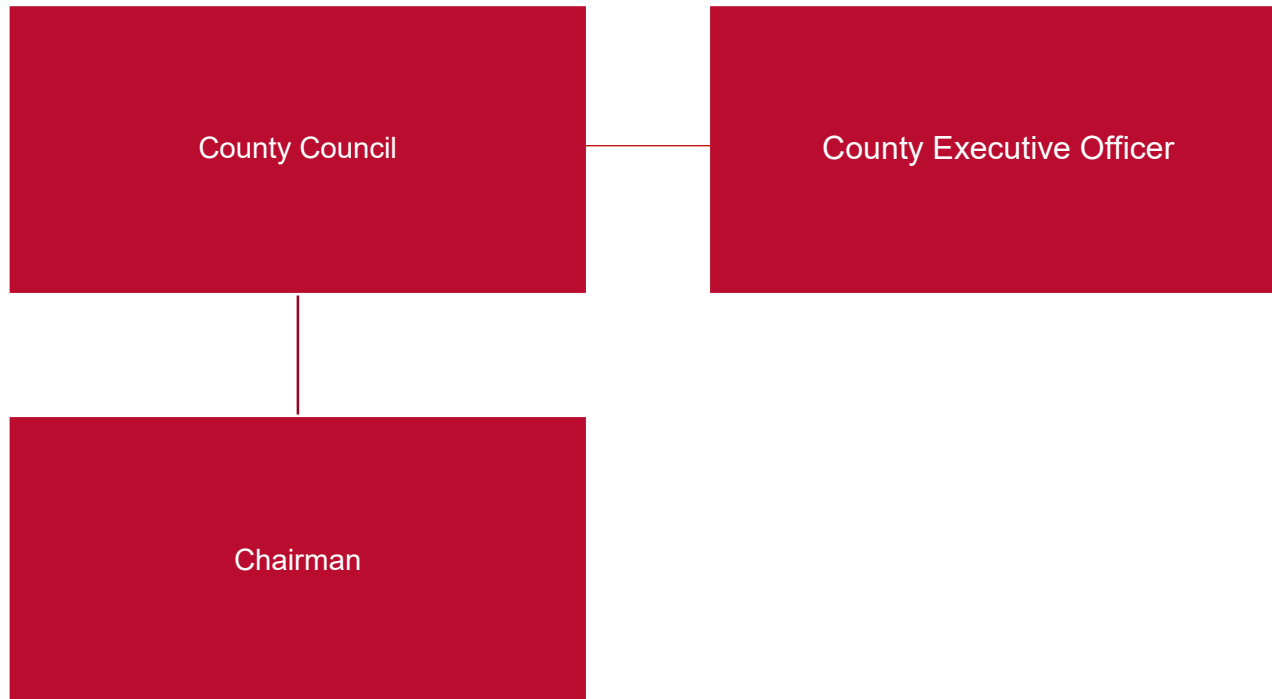




- 9 districts, 2 At-large members
- Chief Executive Officer holds many of the powers and duties
- County Council focuses on finances and logistics
- The County Executive can hire a Chief Administrative Officer to perform administrative duties and exercise general supervision over the agencies of the executive branch



# Prince George's County Government



Powers of the County Council	Powers of the County Executive
Authorize and prioritize the completion of capital projects	Holds power and authority of the chief executive officer of the county
Choose when to accrue debt and for which projects	Controls and supervises all officers, agents, and employees under their supervision and authority
Manage bonds except for school construction bonds or obligations	Prepares and submits to the council and public and annual report six months after the end of fiscal year
Vote on County Legislation	Provides councils and committees with information about the executive branch and powers
Budget	Recommends legislation they deem in the best interest of the county to the council
	Appoints and dismisses heads of agencies
	Prepare and executive pay plan
	Appoint the members of all boards and commissions
	Invest excess funds in the best interest of the county
	Sign on the county's behalf on deeds and contracts
	Enforce county laws





- 5 Districts and 2 At-large Divisions
- Parish President carries out the policies adopted by the council.
- As chief administrative officer, the parish president supervises all parish operations except for the offices of the Jefferson Parish sheriff, clerk of court, assessor, coroner, district attorney, and the public school board
- Chief Operating Officer is appointed by the parish president and assists the parish president in the supervision and coordination of the duties and obligations imposed upon the parish president by the Charter. Such assistance as provided by a staff member may include, but not be limited to, assuming the duties and responsibilities of an appointing authority for a department within parish government operations.
- [https://jefferson-parish-government.azureedge.net/\(DRAFT\)%20Recommended%20Amendments%20of%20the%20Charter%20Advisory%20Board.pdf](https://jefferson-parish-government.azureedge.net/(DRAFT)%20Recommended%20Amendments%20of%20the%20Charter%20Advisory%20Board.pdf)



# Jefferson Parish Government



Powers of the Parish Council	Powers of the Parish Council Chairperson	Powers of the Parish President
Legislative and policy-making body of the parish	Sign and authorize any and all contractual agreements on behalf of the parish	Chief administrative officer of the parish government
Levy and collect property taxes and other revenues		Elected at the same time and term as councilmembers
Make comprehensive plans for development and zoning purposes and provide law enforcement, police protection, and traffic control services		Responsible for the administration and supervision of all parish departments, offices, agencies, and districts
Provide and maintain streets, highways, bridges, tunnels, and off-street parking facilities		Power to appoint and remove all employees of the parish responsible to them
Make plans for traffic control and implement traffic control materials		Carries out the policies adopted by the PC
Regulate air, water, rail, bus, and public transportation terminals		Deals with administrative officers and employees on behalf of PC
Establish parish housing, urban rehabilitation, and urban conservation programs		
Make investigations of parish affairs		
Prepare and enforce building and technical codes for licensing		
Make appropriations		
Hold power of eminent domain		



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# **Fulton County**

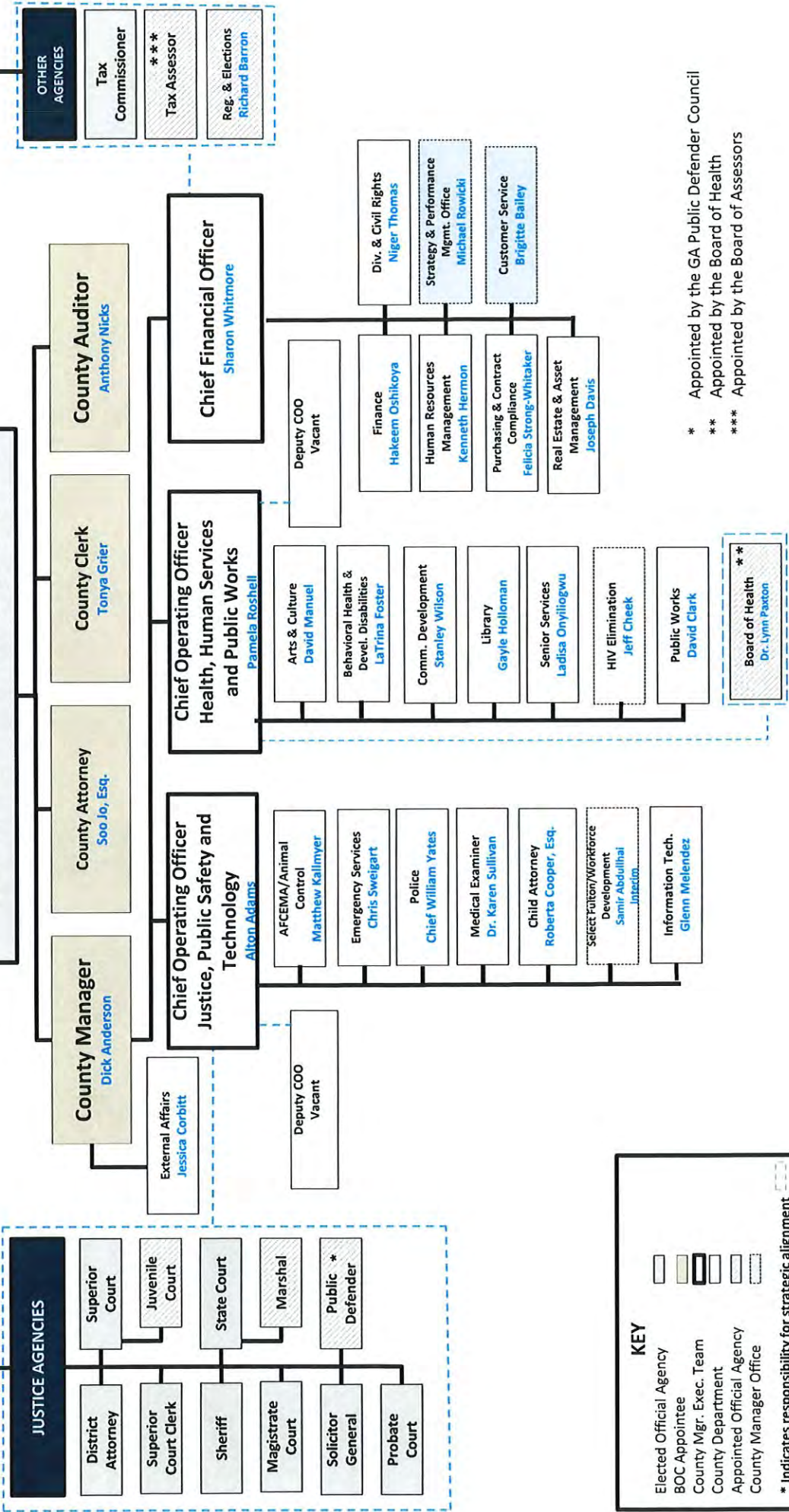
Organizational Chart

Charter Information



# CITIZENS OF FULTON COUNTY

## BOARD OF COMMISSIONERS



**KEY**

- Elected Official Agency
- BOC Appointee
- County Mgr. Exec. Team
- County Department
- Appointed Official Agency
- County Manager Office
- \* Indicates responsibility for strategic alignment

\* Appointed by the GA Public Defender Council  
 \*\* Appointed by the Board of Health  
 \*\*\* Appointed by the Board of Assessors



*DIVISION 2. COMPOSITION, TERMS, COMPENSATION, ETC.*

**Sec. 1-70. Board of commissioners created; bond; oath of members.**

A board of commissioners to consist of seven persons, for the County of Fulton, is hereby created. Said commissioners shall give bond in the sum of \$1,000.00 each, with sufficient sureties to be approved by the probate judge, and shall take an oath before the judge of the superior court to faithfully discharge their duties.

(1880-81 Ga. Laws (Act No. 3), page 508, § 1; 1952 Ga. Laws (Act No. 814), page 2672; 1973 Ga. Laws (Act No. 130), page 2462, § 1)

Editor's note(s)—The language in the above section was found in § 1-1-1 of the county's 1983 Code and is not found in such form in the acts listed in the history note for the above section. As enforcement of the 1973 act was enjoined (see *Pitts v. Carter*, 380 F. Supp. 4 (N.D. Ga. 1974)), the author has assumed that the language is derived from a court order related to such case.

**Sec. 1-71. Compensation of commissioners.**

The chairperson of the board of commissioners of counties of this state having a population of 550,000 or more according to the United States decennial census of 1990, or any future such census, shall be compensated in an amount not exceeding \$27,000.00 per annum. Each of the other members of any such board of commissioners shall be compensated in an amount not exceeding \$25,000.00 per annum. Said compensation shall be set within the limits of this section after a public hearing in a separate resolution adopted by a recorded vote and shall be included in the county's budget after such adoption. The compensation provided for in this section shall be paid in equal monthly installments on the first day of each month out of the county treasury. This section shall not apply to any county which has an elected chief executive officer having any powers which may only be changed if approved in a special election.

(1971 Ga. Laws (Act No. 168), page 2369, § 1; 1982 Ga. Laws (Act No. 1502), page 5100, § 1; 1983 Ga. Laws (Act No. 168), page 416, § 1; 1986 Ga. Laws (Act No. 1317), page 378, § 1; 1987 Ga. Laws (Act No. 121), page 171, § 1; 1996 Ga. Laws (Act No. 901), page 895, § 1)

Editor's note(s)—Pursuant to O.G.C.A. § 36-5-24, effective Jan. 1, 2003 (Item No. 01-1160, 1-16-02) the board of commissioners established the annual salary of the chairperson of the board of commissioners at \$37,000.00, and the annual salary of other members of the board of commissioners at \$35,000.00.

**Sec. 1-72. Commissioner districts; enumeration; qualifications of candidates for office.**

- (a) For purposes of electing members of the board of commissioners, Fulton County is divided into six commissioner districts. One member of the board shall be elected from each such district. Commissioner Districts 1, 2, 3, 4, 5, and 6 shall be and correspond to those six numbered districts described in and attached to and made a part of this Act and further identified as 'Plan: fultoncc-p1-2013 Plan Type: Local Administrator: HD050 User: Gina'. The chairperson of the board of commissioners shall be elected at large.
- (b) For the purposes of such plan:

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- (1) The term 'VTD' shall mean and describe the same geographical boundaries as provided in the report of the Bureau of the Census for the United States decennial census of 2010 for the State of Georgia. The separate numeric designations in a district description which are underneath a VTD heading shall mean and describe individual blocks within a VTD as provided in the report of the Bureau of the Census for the United States decennial census of 2010 for the State of Georgia; and
  - (2) Except as otherwise provided in the description of any district, whenever the description of any district refers to a named city, it shall mean the geographical boundaries of that city as shown on the census maps for the United States decennial census of 2010 for the State of Georgia.
  - (c) Any part of Fulton County which is not included in any district described in subsection (a) of this section shall be included within that district contiguous to such part which contains the least population according to the United States decennial census of 2010 for the State of Georgia.
  - (d) Any part of Fulton County which is described in subsection (a) of this section as being included in a particular district shall nevertheless not be included within such district if such part is not contiguous to such district. Such noncontiguous part shall instead be included within that district contiguous to such part which contains the least population according to the United States decennial census of 2010 for the State of Georgia.
  - (e) All members of the board of commissioners shall be qualified electors of Fulton County and shall be at least 21 years of age as of the date of taking office. All of such members shall have been residents of their respective districts for at least one year from the date of their taking office. The chairperson of the board of commissioners shall be elected by a majority vote of the qualified electors of the entire county voting at the elections provided for in this Act. The commissioners from Districts 1, 2, 3, 4, 5, and 6 shall be residents of their respective commissioner districts, and each such member shall be elected by a majority vote of the qualified electors voting within the member's respective commissioner district at the elections provided for in this Act. Any person offering as a candidate for commissioner shall designate the commissioner district for which he or she is offering. All members of the board of commissioners shall be nominated and elected in accordance with chapter 2 of title 21 of the O.C.G.A., the "Georgia Election Code."

(1880-81 Ga. Laws (Act No. 3), page 508, § 2; 1973 Ga. Laws (Act No. 130), page 2462, § 1(2); 1974 Ga. Laws (Act No. 805), page 2128, § 1; 1982 Ga. Laws (Act No. 1012), page 4148, § 1(2); 1990 Ga. Laws (Act No. 972), page 4531, § 1; 1993 Ga. Laws (Act No. 391), page 5241, § 1; 2013 Ga. Laws (Act No. 269), page 4374, § 1; 2017 Ga. Laws (Act No. 89), page 3635, § 1)

Editor's note(s)—The attachment describing the composition of the commission districts for Fulton County as referred to in this Act has not been included in the text of this publication at the discretion of the editor. Instead, a copy of the attachment may be found at 2013 Ga. Laws (ACT 269), p. 4377, § 6.

### **Sec. 1-73. Election of commissioners and terms; election of chairman and term; duties and powers of chairman; quorum; vacancies.**

- (a) Members of the board of commissioners from Commissioner Districts 1, 3, and 5 shall be elected in the 2014 general election by the qualified electors of their respective districts, shall take office on January 1, 2015, and shall serve a term of office of four years and until their respective successors are elected and qualified. Members of the board of commissioners from Commissioner Districts 2, 4, and 6 shall be elected in the 2014 general election by the qualified electors of their respective districts, shall take office on January 1, 2015, and shall serve a term of office of two years and until their respective successors are elected and qualified. Thereafter, successors shall be elected at the general election immediately preceding the expiration of the term of office, shall take office on January 1 immediately following such election, and shall serve terms of office of four years and until their respective successors are elected and qualified. In the event that the office of a commissioner from Commissioner District 1, 2, 3, 4, 5, or 6 becomes vacant and the unexpired term is six months or less, the Governor shall appoint a qualified person to serve for the remainder of the unexpired



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term of office. If the unexpired term of office is more than six months, such vacancy shall be filled by a special election held in accordance with O.C.G.A., tit. 21, ch. 2, the Georgia Election Code.

- (b) The commissioner from District 7 shall be elected in the 2014 general election by the qualified electors of the entire county, shall take office on January 1, 2015, and shall serve a term of office of four years and until his or her respective successor is elected and qualified. Thereafter, a successor shall be elected at the general election immediately preceding the expiration of the term of office, shall take office on January 1 immediately following such election, and shall serve a term of office of four years and until his or her respective successor is elected and qualified. Such commissioner shall serve as chairperson of the board of commissioners. In the event that the office of chairperson becomes vacant and the unexpired term is six months or less, the Governor shall appoint a chairperson from among the members of the board to serve as chairperson for the remainder of the term. If the unexpired term is more than six months, such vacancy shall be filled by a special election held in accordance with O.C.G.A., tit. 21, ch. 2, the Georgia Election Code. The chairperson shall be a full voting member of the board of commissioners.
- (c) The chairperson of the board of commissioners shall have the following powers and duties:
  - (1) To preside at meetings of the board of commissioners;
  - (2) To serve as the official spokesperson for the board of commissioners;
  - (3) To sign all official papers and other instruments and documents on behalf of the board of commissioners as directed or authorized by ordinance, resolution, or policy of the board of commissioners;
  - (4) To make appointments of members of the board of commissioners to committees thereof and to make appointments to other committees, boards, or public authorities as authorized by law or by ordinance, resolution, or policy of the board of commissioners; and
  - (5) To perform such other duties as may be provided by ordinance or resolution of the board of commissioners.
- (d) Four members of the board of commissioners shall constitute a quorum for the transaction of business, but the affirmative vote of at least four commissioners shall be required for the board of commissioners to take official action.

(1880-81 Ga. Laws (Act No. 3), page 508, § 3; 1952 Ga. Laws (Act No. 814), page 2672, §§ 1, 2; 1973 Ga. Laws (Act No. 130), page 2462, § 1(3); 1974 Ga. Laws (Act No. 805), page 2128, § 2; 1982 Ga. Laws (Act No. 1012), page 4148, § 1(3); 1990 Ga. Laws (Act No. 972), page 4531, § 2; 2013 Ga. Laws (Act No. 269), page 4374, § 3; 2017 Ga. Laws (Act No. 89), page 3635, § 2)

State law reference(s)—Vacancies in office, O.C.G.A. § 36-5-21.

Note(s)—See the editor's note to § 1-72.

### **Sec. 1-74. Meetings; quorum.**

Said commissioners shall hold one session on the first Monday in every month at the county site, in the courthouse building, in such office as shall be prepared for them, provided that a majority of said board may convene the same in extraordinary session whenever in their judgment it may be necessary, and not less than three of said board shall pass an order or decree on any subject matter.

(1880-81 Ga. Laws (Act No. 3), page 508, § IV)

Editor's note(s)—To the extent the above section provides for Monday meetings, it is superseded by 1880-81 Ga. Laws (Act No. 403), page 546, § VII. See § 1-75.

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**Sec. 1-75. Regular meetings; date.**

Said commissioners shall hold their regular sessions on the first Wednesday of each month, instead of on the first Monday of each month, as is now provided by law.

(1880-81 Ga. Laws (Act No. 403), page 546, § VII)

**Sec. 1-76. Exemptions from certain duties.**

Said commissioners and their clerk, shall be exempt from road, jury and militia duty.

(1880-81 Ga. Laws (Act No. 403), page 546, § III)

Editor's note(s)—The above section is probably superseded by O.C.G.A. § 15-12-1 et seq.

**Secs. 1-77—1-110. Reserved.**



### *DIVISION 3. MISCELLANEOUS POWERS*

#### **Sec. 1-111. Jurisdiction and power over special acts already in force.**

Said commissioners shall have exclusive jurisdiction and power over all special acts heretofore passed, and of force, relative to county matters applicable to Fulton County.

(1880-81 Ga. Laws (Act No. 403), page 546, § V)

State law reference(s)—Authority and procedure to amend or repeal local acts, Ga. Const. art. IX, § II, ¶ I.

#### **Sec. 1-112. Authority to divide county into service districts; levying of taxes and assessments.**

Notwithstanding any other provision of this constitution or the general laws of the state, the governing authority of Fulton County is authorized to divide said county into districts without regard to uniformity of area or population, for the purpose of providing to the residents of such districts any or all services which said county may now or hereafter be authorized to provide under the provisions of this constitution or of the laws of this state. Upon the establishment of such districts the governing authority of such county is hereby authorized to levy taxes or assessments, or both, throughout such district or districts to defray all or part of the cost of such services, all without the necessity of uniformity of taxation between such districts; provided, however, that the said county may not exercise any such powers or provide any service inside the boundaries of any other local governments except by contract with the local governments affected unless otherwise provided by any local or special law and no existing local or special laws or provision of this constitution is intended to be hereby repealed. The said county and the local governments therein, and any combination thereof, shall have the authority to enact ordinances and to contract with each other in pursuance of this paragraph and for the purpose of carrying out and effectuating the powers herein conferred.

(1972 Ga. Laws (Act No. 231), page 1481, § 1)

Editor's note(s)—The above amendment to Ga. Const. (1945) art. VII, § IV, was continued in effect by 1986 Ga. Laws (Act No. 1054), page 4430. See Ga. Const. (1983) art. XI, § I, ¶ IV.

Cross reference(s)—Special assessments, ch. 50; special assessments for lateral sewers, § 62-156 et seq.; taxation, ch. 58.

#### **Sec. 1-113. Reserved.**

#### **Sec. 1-114. Authority to establish and administer sewerage, water and fire prevention; establish and maintain parks; levy taxes and assessments on property.**

The Commissioners of Roads and Revenues of Fulton County shall have authority to establish and administer sewerage, water, and/or fire prevention systems; to establish and maintain parks; and to levy taxes or assessments on property therefor.

(1929 Ga. Laws (Act No. 411), page 135, § 1)

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Editor's note(s)—The above amendment to Ga. Const. (1877) art. XI, § 1 was continued in effect by 1986 Ga. Laws (Act No. 1050), page 4422. See Ga. Const. (1983) art. XI, § I, ¶ IV.

Cross reference(s)—Fire prevention and protection, ch. 18; parks and recreation, ch. 30; utilities, ch. 62.

**Sec. 1-115. Ordinances and regulations—General assembly's power to authorize county to adopt.**

The General Assembly of the State of Georgia is hereby authorized: 1. The governing authority of Fulton County is hereby authorized and empowered to adopt ordinances and regulations, including traffic regulations, for the governing and policing of the unincorporated areas of said county for the purpose of protecting and preserving the health, safety, welfare and morals of the citizens thereof as it may deem advisable, not in conflict with the general laws of this state and of the United States; and for the implementation and enforcement of all duties and powers now or hereafter vested in said governing authority; and to provide penalties for violations of such ordinances, setting the nature and amount of such penalties or punishments; and to designate the court or courts which shall have jurisdiction in Fulton County over such offenses.

(1976 Ga. Laws (Act No. 205), page 1880, § 1)

Editor's note(s)—The above amendment to Ga. Const. (1945) art. VI, § I was continued in effect by 1986 Ga. Laws (Act No. 905), page 4027. See Ga. Const. (1983) art. XI, § I, ¶ IV.

State law reference(s)—Board of commissioners authorized to adopt ordinances for the governing and policing of the unincorporated areas of the county, O.C.G.A. § 36-1-20(a).

**Sec. 1-116. Same—Authority of county to adopt.**

In accordance with the authority granted by an amendment to the Constitution of the State of Georgia, proposed by a resolution appearing in 1976 Ga. Laws, page 1880 [§ 1-115 hereof], the governing authority of Fulton County is authorized and empowered to adopt ordinances and regulations, including traffic regulations, for the governing and policing of the unincorporated areas of said county, for the purpose of protecting and preserving the health, safety, welfare, and morals of the citizens thereof, as it may deem advisable, not in conflict with general laws of this state and of the United States; and for the implementation and enforcement of all duties and powers now or hereafter vested in said governing authority. Said governing authority is further authorized and empowered to provide penalties for violation of said ordinances or regulations, setting the nature and amount of such penalty or punishments, and is further authorized to designate the court or courts which shall have jurisdiction in Fulton County over such offenses.

(1983 Ga. Laws (Act No. 167), page 4055, § 1)

**Sec. 1-117. Enumeration of matters over which commissioners have exclusive jurisdiction and control.**

Said commissioners shall have exclusive jurisdiction and control over the following matters, to-wit: In directing and controlling all the property of the county, as they may deem expedient, according to law; in levying taxes according to law; in establishing, altering or abolishing roads, bridges and ferries, in conformity to law; in establishing and changing election precincts, and militia districts; in supervising the tax collector and receiver's books, and allowing the insolvent list for said county, settling all claims against the county, examining and auditing all claims or accounts of officers, having the care, management, keeping, collecting, or disbursement, of money belonging to the county, or appropriated for its use and benefit, and bring them to a settlement; and making such rules and regulations for the support of the poor of the county, and for the promotion of health, as are not



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inconsistent with law; in regulating peddling, and fixing the license for selling liquors; and to exercise such other powers as are granted by law, or are indispensable to their jurisdiction over county matters and county finances.

(1880-81 Ga. Laws (Act No. 3), page 508, § II)

Cross reference(s)—Roads and bridges, ch. 42.

State law reference(s)—Matters over which governing authority has jurisdiction, O.C.G.A. § 36-5-22.1; home rule for counties, Ga. Const. art. IX, § II, ¶ I.

### **Sec. 1-118. Control and management of convicts.**

Said board shall have the entire control and management of the convicts in said county, sentenced to work on the public works of said county, and shall employ them on the public roads and works of said county and on the streets of the City of Atlanta, under the laws heretofore passed in reference to the working of such convicts.

(1880-81 Ga. Laws (Act No. 3), page 508, § III)

### **Sec. 1-119. Authority to exercise powers of inferior court; exception.**

The board of commissioners for the County of Fulton are authorized and empowered to exercise all the powers that could lawfully be exercised by the inferior court when sitting for county purposes, or by the justices thereof, at the time of the abolishment of the inferior court, except as to the proceedings and record in cases of lunacy.

(1880-81 Ga. Laws (Act No. 403), page 546, § I)

### **Sec. 1-120. Correction of errors in tax digests.**

Said commissioners shall have the power to correct any errors in the tax digests of said county, upon such evidence as may be deemed satisfactory by them.

(1880-81 Ga. Laws (Act No. 403), page 546, § VI)

Cross reference(s)—Taxation, ch. 58.

### **Sec. 1-121. Purchase of property sold for taxes.**

Said commissioners shall have the right to bid for and buy for the county all property sold for state and county taxes, provided the amount paid for the same does not exceed the amount due for taxes and cost.

(1880-81 Ga. Laws (Act No. 403), page 546, § VIII)

Cross reference(s)—Taxation, ch. 58.

### **Sec. 1-122. Authority to maintain and operate incarceration facilities.**

The governing authority of Fulton County is hereby authorized to maintain and operate facilities within or without the boundaries of said county for the detention, incarceration or confinement of all persons (including juveniles) subject to detention, incarceration or confinement under the laws of this state, under any county resolution or under any city ordinance. Such facilities, whether designated as a jail, public works camp or detention

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center, shall be under the control of such person or official as may be designated by the governing authority of Fulton County, and need not be used exclusively for any one class of prisoner or person.

(1972 Ga. Laws (Act No. 211), page 1439, § 1)

Editor's note(s)—The above amendment to Ga. Const. (1945) art. XI, § I, ¶ I was continued in effect by 1986 Ga. Laws (Act No. 1053), page 4428. See Ga. Const. (1983) art. XI, § I, ¶ IV.

State law reference(s)—County jails authorized, O.C.G.A. §§ 36-9-8, 36-9-9; Jail Construction and Staffing Act, O.C.G.A. § 15-21-90 et seq.; penal institutions generally, O.C.G.A. § 42-1-1 et seq.; jails, O.C.G.A. § 42-4-1 et seq.

### **Sec. 1-123. Construction of stands and stadiums—Issuance of revenue anticipation obligations.**

Revenue anticipation obligations may be issued by the City of Atlanta, Fulton County or DeKalb County, or either of them, or by any public corporation created by them or either of them, to provide funds for the construction, in whole or in part, of grandstands and stadiums, or either of them, or to provide funds to extend, repair or improve such existing facilities. Such revenue anticipation obligations shall be payable, as to principal and interest, only from revenue produced by such facilities, and shall not be deemed debts of or to create debts against, the issuing political subdivision within the meaning of the constitution, as amended; and no such issuing political subdivision shall exercise the power of taxation for the purpose of paying the principal or interest of any such revenue anticipation obligations or any part thereof.

(1947 Ga. Laws (Act No. 26), page 1759, § 1)

Editor's note(s)—The above amendment to Ga. Const. (1947) art. VII, § VII, ¶ V was continued in effect by 1986 Ga. Laws (Act No. 1193), page 4786. See Ga. Const. (1983) art. XI, § I, ¶ IV.

Cross reference(s)—Parks and recreation, ch. 30.

### **Sec. 1-124. Same—Authority to cooperate with City of Atlanta or other authority.**

*Paragraph XI.* Notwithstanding any other provision of this constitution, Fulton County is hereby authorized to cooperate with the City of Atlanta, or any authority now in existence or hereafter created, to construct a stadium and related facilities within the corporate limits of the City of Atlanta, and to that end is hereby authorized to contract with said city and any such authority for the purpose of paying up to one-third of the amount necessary to retire the principal of and the interest on any obligations issued to finance the construction of any such stadium and related facilities.

(1964 Ga. Laws (Act No. 128), page 891, § 1)

Editor's note(s)—The above amendment to Ga. Const. (1945) art. XI, was continued in effect by 1986 Ga. Laws (Act No. 915), page 4047. See Ga. Const. (1983) art. XI, § I, ¶ IV.

### **Sec. 1-125. Issuance of general obligation bonds; restrictions and limitations.**

Fulton County may issue general obligation bonds for any permanent public improvement having anticipated life equal to or greater than the period within which said bonds are to be amortized, without submitting the issuance thereof to the voters of said county at a referendum, subject to the following restrictions and limitations:

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- (1) The issuance of such bonds shall be authorized at a public meeting held for such purpose after at least ten days' notice thereof in the official organ of said county and in at least one of the daily newspapers of said county.
  - (2) Not more than \$3,000,000.00 in the aggregate in such bonds so issued without a referendum shall be issued in any fiscal year.
  - (3) The aggregate of all outstanding bonds, including those issued by vote of the people in a referendum and those issued under this amendment without a referendum, shall not exceed the limitations provided elsewhere in this section.

(1969 Ga. Laws (Act No. 107), page 1154, § 1)

Editor's note(s)—The above amendment to Ga. Const. (1945) art. VII, § VII was continued in effect by 1986 Ga. Laws (Act No. 1061), page 4444. See Ga. Const. (1983) art. XI, § I, ¶ IV.

Cross reference(s)—Finance, § 2-226 et seq.

### **Sec. 1-126. Redevelopment powers.**

Fulton County shall be and is authorized to exercise all redevelopment and other powers under O.C.G.A. tit. 36, ch. 44 (O.C.G.A. § 36-44-1 et seq.), known as the Redevelopment Powers Law, and as such Redevelopment Powers Law may hereafter be amended from time to time. The intention of this act is to authorize Fulton County to undertake and carry out community redevelopment, to issue tax allocation bonds, and to incur other obligations, within the meaning of, and as fully as permitted under, the provisions of paragraph VII of section II of article IX of the Constitution of the State of Georgia of 1983, as amended, and to authorize Fulton County to exercise redevelopment powers as fully as the Redevelopment Powers Law may now or hereafter permit, and not to limit any redevelopment powers permitted under the Redevelopment Powers Law.

(1986 Ga. Laws (Act No. 977), page 4148, § 1)



PART I - LOCAL CONSTITUTIONAL AMENDMENTS AND LOCAL ACTS  
Chapter 2 - ADMINISTRATION  
ARTICLE II. - OFFICERS, EMPLOYEES AND DEPARTMENTS  
DIVISION 4. COUNTY MANAGER

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*DIVISION 4. COUNTY MANAGER<sup>1</sup>*

**Sec. 2-141. Application of division.**

In all counties of the State of Georgia having a population of 200,000 or more by the last United States census or any future United States census, the provisions of the original act which is hereby amended shall not apply, but such counties shall be governed by the succeeding provisions of this amendment.

(1947 Ga. Laws (Act No. 17), page 100, § I(28))

**Sec. 2-142. Office created; election; term; vacancy.**

In all of such counties there is hereby created the office of county manager. Not later than six months following approval of this division, the county manager shall be elected by a majority vote of the board of commissioners of such counties, hereinafter referred to as the county commission, for an indefinite term. In the event of a vacancy in said office from any cause, the county commission shall elect a successor by a majority vote.

(1947 Ga. Laws (Act No. 17), page 100, § I(29))

**Sec. 2-143. Suspension or removal.**

The county manager may be suspended or removed at the pleasure of the county commission by a majority vote of the county commission. In case of suspension or removal the county manager shall be given a written statement of the reasons for such action. He may within five days from receipt thereof request a public hearing thereon before the county commission, which request shall be filed with the clerk of the county commission. Upon receipt of such request, a hearing shall be set not earlier than ten days, nor later than 15 days from the date of such request. Pending such hearing, and until final action has been taken thereon, the county manager may be suspended from office and all of the duties thereof performed by some other person designated by the county commission to perform such duties. The action of the county commission in suspending or removing the county manager shall be final; provided [however, that] during the period of 12 months immediately following the appointment of any person to the office of county manager, such person may be removed at will by the county commission or other governing authority, without notice, without cause, and without the necessity of any public or private hearing, it being the intention of this provision that a newly appointed county manager shall be on probation for a period of 12 months following his election and qualification.

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<sup>1</sup>Editor's note(s)—The population brackets in the 1947 act compiled in this division were amended by 1961 Ga. Laws, page 3012. The 1961 act was repealed by 1982 Ga. Laws, page 2107, § 54(50). The 1947 act was an amendment to a 1922 act that was codified in Ga. Code (1933) ch. 23-9 and the 1947 act was an exception thereto. The 1922 act has been repealed and no longer appears in the state code. While the 1982 act also repealed 1967 Ga. Laws (Act No. 368), page 3012, such repealer has been treated as a nullity. (As § 2-144 indicates, the 1947 act has been amended as late as 1970.), for the 1967 act did not amend the 1961 act as the 1982 act indicated.

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(1947 Ga. Laws (Act No. 17), page 100, § I(30); 1970 Ga. Laws (Act No. 770), page 24, § 2)

**Sec. 2-144. Eligibility requirements.**

No person shall be county manager of any such county before he shall have attained his 25th birthday, but shall not be eligible to hold the office after he reaches the age of 65 years. He shall be of good character, [and] be of proven executive ability and experience. No person related by blood or marriage within the third degree, to any member of the county commission, or who is a member of the county commission, or holder of a public elective office in the county, or in any city or town political subdivision located within the territorial limits of the county, at the time of his appointment or one year prior thereto, shall be eligible for appointment as county manager.

(1947 Ga. Laws (Act No. 17), page 100, § I(31); 1970 Ga. Laws (Act No. 770), page 24, § 1)

**Sec. 2-145. Compensation.**

The county manager shall be paid an annual salary to be established by the county governing authority.

(1947 Ga. Laws (Act No. 17), page 100, § I(32); 1967 Ga. Laws (Act No. 368), page 3012, § 1)

**Sec. 2-146. Bond required.**

Before entering upon his duties, the county manager shall give bond in the amount of \$25,000.00, payable to the county, upon which bond action may be brought in the name of the county at the instance of the county commission, for any act of misfeasance, nonfeasance or malfeasance. The premium on such bond shall be paid out of the county treasury, and the bond shall be kept by the probate court judge of such county.

(1947 Ga. Laws (Act No. 17), page 100, § I(33))

**Sec. 2-147. Oath of office.**

Before entering upon his duties, the county manager shall take and subscribe an oath, for the faithful performance of his duties under this division, which oath shall be duly entered on the minutes of the county commission.

(1947 Ga. Laws (Act No. 17), page 100, § I(34))

**Sec. 2-148. Chief executive of county; executive powers and duties.**

The county manager shall be the chief executive officer of the county. It shall be his duty to execute all lawful orders, directions, instructions and all rules and regulations adopted by the county commission consistent with this division and entered upon the minutes of said county commission. He shall have supervision over all employees of the county now or hereafter subject to the jurisdiction of the county commission. The county manager shall be the appointing authority for the heads of all departments where the power of appointment is now or hereafter vested in the county commission, except the county attorneys, auditors and clerk of the county commission. Subject to civil service rules and regulations, where applicable, the county manager shall be the appointing authority for all employees whose appointment is now or hereafter vested in the county commission, and shall have the right to employ and discharge the same; and subject to civil service rules and regulations to prepare and to recommend salary scales for all county employees; to prescribe the duties and supervise the work of county employees; to require reports from heads of departments, and other employees trusted with administrative duties or exercising



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discretion. The county manager shall have at all times the authority to examine all books and papers of every officer and department of the county.

(1947 Ga. Laws (Act No. 17), page 100, § I(35))

### **Sec. 2-149. Purchasing authority.**

Subject to rules established by the county commission, the county manager shall authorize all purchases for the county, subject only to the laws requiring advertisement and bids. He shall approve all requests for supplies and materials before same shall be delivered from any county warehouse or storage, shall supervise the disbursement of all county funds, and shall render such reports as may be required by the county commission. The county manager may delegate purely administrative duties to subordinates in the county government, whose work the county manager shall supervise and direct; provided, however, the delegation or assignment of duties to subordinates shall not relieve the county manager from his responsibilities for administration of county affairs.

(1947 Ga. Laws (Act No. 17), page 100, § I(36))

### **Sec. 2-150. Political activity.**

The county manager shall not engage in or be concerned with any partisan politics or any political campaign. He shall not contribute to any campaign fund or solicit funds for political purposes from any other person. He shall not appoint any relative as an employee of such county, unless such relative shall qualify and become eligible for appointment under the civil service and be recommended by the civil service board. He shall not be eligible for election as a member of the county commission for a period of four years after termination of his service as county manager.

(1947 Ga. Laws (Act No. 17), page 100, § I(37))

### **Sec. 2-151. Obligation to office.**

The county manager shall devote his entire time to the duties of his office and shall maintain his office at the courthouse or county office building.

(1947 Ga. Laws (Act No. 17), page 100, § I(38))

### **Sec. 2-152. Authority generally; limitations.**

As chief executive officer of such county, it shall be the duty of the county manager to conduct, supervise and administer all county affairs, subject only to the general law, to rules prescribed by the county commission, and subject to the right of the county commission to review, repeal or modify any action of the county manager which is contrary to the general law or such rules, by a vote of a majority of the county commission at any subsequent, regular or called meeting, when such vote thus reviewing, repealing or modifying the action of the county manager shall be entered in writing on the minutes of the county commission.

(1947 Ga. Laws (Act No. 17), page 100, § I(39))

### **Sec. 2-153. Public works responsibilities.**

The county manager shall receive all requests for public work; road building; repairs to bridges and roads and public buildings; the construction of water and sewer mains; [and] the opening, grading and improving of public

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roads and sidewalks. It shall be his duty to investigate and recommend to the county commission a program for all of such work, provided nothing herein shall be construed to prevent the county manager from performing immediately any work in an emergency that is necessary to protect the interests of the county or the citizens thereof. It shall be the duty of the county manager to receive and consider requests for appropriations of county funds, all of which he shall investigate and report to the county commission, with his recommendation thereon.

(1947 Ga. Laws (Act No. 17), page 100, § 1(40))

#### **Sec. 2-154. Submission of requests and reports of county officers and departments.**

All requests and reports of county officers and departments shall be made to the county manager for his recommendation to the county commission. The use and disposition of county property shall be under the supervision and direction of the county manager, subject to approval by the county commission. All claims against the county shall be presented to the county manager, who shall investigate same and report same to the county commission, together with his recommendation thereon.

(1947 Ga. Laws (Act No. 17), page 100, § 1(41))

#### **Sec. 2-155. Budget preparation, recommendation and execution.**

The county manager, with the cooperation of the county auditor, shall prepare and recommend to the county commission a budget for each calendar year. When the budget has been prepared and adopted as provided by law, it shall be the duty of the county manager to execute said budget. No department or officer of county government shall exceed the budget without the approval of the county commission.

(1947 Ga. Laws (Act No. 17), page 100, § 1(42))

#### **Sec. 2-156. Investigation of tax digests; recommendation of tax levies for balancing budget.**

It shall be the duty of the county manager to investigate the tax digests and to recommend to the county commission the levy of a sufficient tax upon all property of such county, which tax, together with all other sources of revenue which may lawfully be anticipated, shall be sufficient to balance the budget, after same has been adopted.

(1947 Ga. Laws (Act No. 17), page 100, § 1(43))

State law reference(s)—Preparation of proposed budget, O.C.G.A. § 36-81-5.

#### **Sec. 2-157. Orders, directions and instructions from county commission.**

All orders, directions and instructions from the county commission to the county manager shall be duly entered on the minutes of the county commission. No member of the county commission shall privately issue orders to the county manager or interfere with the county manager in the administration of his duties.

(1947 Ga. Laws (Act No. 17), page 100, § 1(44))

#### **Secs. 2-158—2-190. Reserved.**



**Carl Vinson  
Institute of Government  
UNIVERSITY OF GEORGIA**

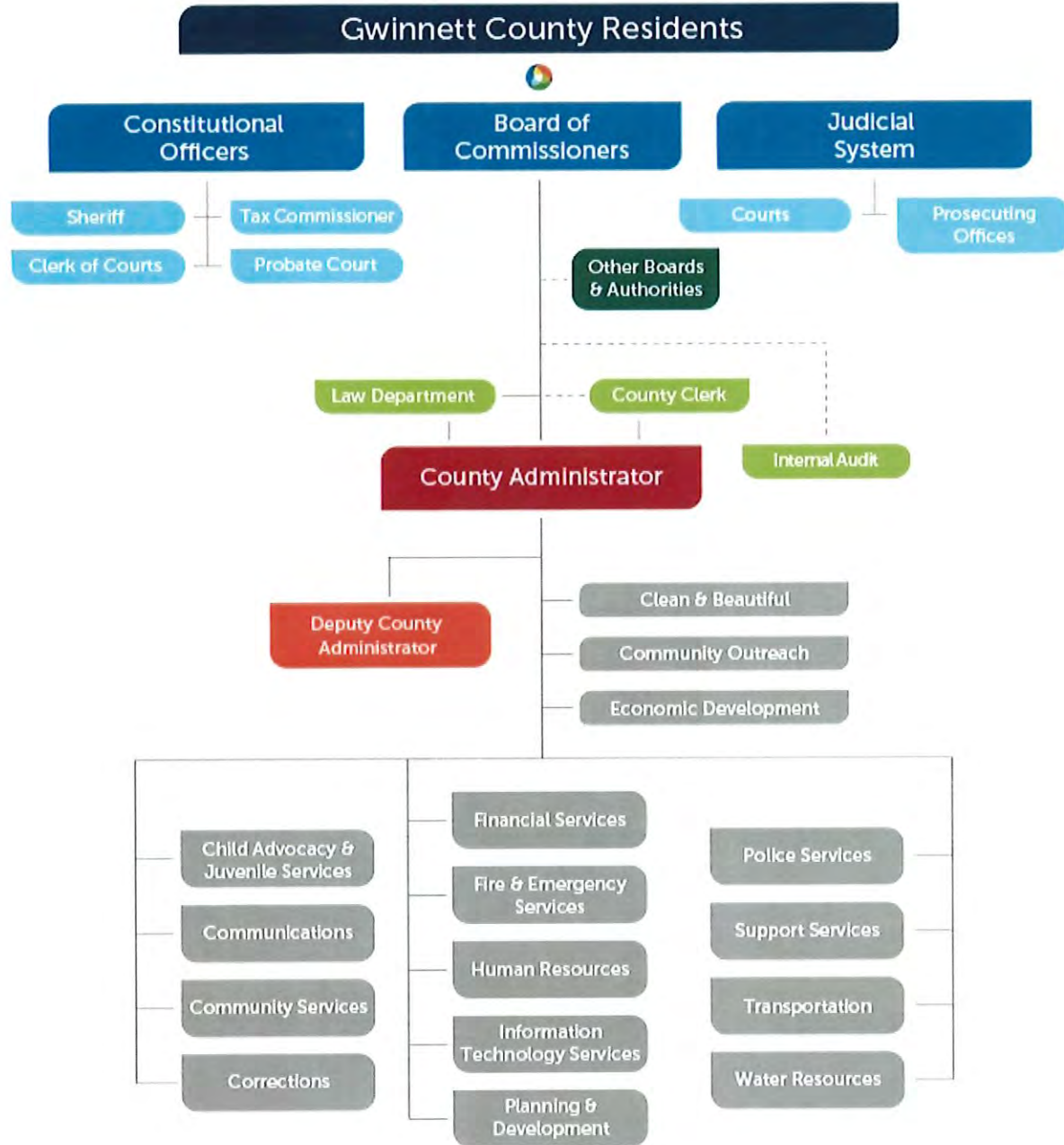
# **Gwinnett County**

Organizational Chart

Charter Information



# GWINNETT COUNTY ORGANIZATIONAL CHART



*DIVISION 3. EXECUTIVE ASSISTANT*

**Sec. 2-115. Duties.**

The executive assistant shall assist the county board of commissioners, including the chairman, in the following:

- (1) Develop administrative procedures to ensure that the policies of the board of commissioners are carried out.
- (2) Attend all meetings of the board of commissioners and issue follow through instructions on all matters decided by the board of commissioners.
- (3) Review the operation of all county departments and agencies and make reports to the commissioners on ways to improve delivery of services and reduce costs.
- (4) Act as liaison between the district commissioners, the chairman and department heads for all matters reserved to the exclusive jurisdiction of the board of commissioners.
- (5) Furnish weekly reports on road grading and paving to the board of commissioners.
- (6) Furnish weekly reports on water line construction to the board of commissioners.
- (7) Handle public relations matters for the commissioners and development brochures and programs to inform the public of county plans.
- (8) Receive and channel requests for assistance to the proper departments.
- (9) Work with the chamber of commerce, civic organizations and other groups to promote industrial development in the county.
- (10) Assist the chairman in carrying out the duties of that office specifically reserved to the chairman, when requested.
- (11) Serve as deputy clerk to the board of commissioners in the absence of the director of finance.

(Code 1978, § 1-3002; Code 1994, § 2-81)

**Sec. 2-116. Meaning of terms.**

The terms "administrative assistant," "county administrator" and "executive assistant," for purposes of county ordinances or state law, shall have equivalent meanings.

(Code 1978, § 1-3004; Code 1994, § 2-82)

**Secs. 2-117—2-145. Reserved.**

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### **Sec. 3. Membership; districts; elections and terms.**

- (a) The board of commissioners of Gwinnett County shall consist of four members and a chairperson. The chairperson shall be elected by the qualified voters of the entire county and may reside in any district in Gwinnett County, but each other candidate for membership on the board shall be a resident of the commissioner district created by this section which he or she offers to represent and shall be elected by the qualified voters of such district. The chairperson and members of the board of commissioners shall be elected by a majority vote.

### **Sec. 8. Vice-chairman.**

At the first regular meeting in January of each year, the board of commissioners shall elect from its members a vice-chairman. In the event of death, disqualification, or resignation of the chairman, the vice chairman shall perform the duties and authority of the chairman until a new chairman is chosen as provided in this act. The vice chairman shall preside at meetings of the board of commissioners in the absence of the chairman and shall serve for the current calendar year. In the event of a vacancy in the office of vice chairman, the board of commissioners shall elect a new vice chairman to serve for the remainder of the calendar year.

### **Sec. 10. Duties of chairman.**

- (a) The chairman shall be the chief elective officer of the county government and shall preside over the meetings of the board of commissioners.
- (b) The duties of the chairman shall include, but not be limited to, the following:
- (1) Maintaining a full-time office in the administrative center;
  - (2) Presiding at all public meetings;
  - (3) Representing the county government at ceremonial functions;
  - (4) Being available to the constituency on a regular basis;
  - (5) Coordinating intergovernment activity among municipalities, other counties, state, and federal agencies;
  - (6) Being empowered to submit motions to the board of commissioners for action and continuing to vote as necessary;
  - (7) Sharing equal responsibility with other commissioners for budget approval and amendments and the approval of the board of commissioners staff additions or separations; and
  - (8) Taking the lead role in initiating needs assessments, evaluation of county services, and policy development.

### **Sec. 11. Powers of board.**

The board of commissioners shall have the power and authority to fix and establish, by appropriate resolution entered on its minutes, policies, rules, and regulations governing all matters reserved to its exclusive jurisdiction. Such policies, rules, and regulations, when so adopted, with proper entry thereof made on the minutes of the board of commissioners, shall be conclusive and binding. The board of commissioners shall exercise only those administrative powers which are necessarily and properly incident to its functions as a policy-making or rule-making body or which are necessary to compel enforcement of its adopted resolutions. The following powers are vested in the board of commissioners and reserved to its exclusive jurisdiction:



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- (1) To levy taxes;
  - (2) To make appropriations;
  - (3) To fix the rates of all other charges;
  - (4) To authorize the incurring of indebtedness;
  - (5) To order work done where the cost is to be assessed against benefited property and to fix the basis for such assessment;
  - (6) To authorize and provide for the execution of contracts;
  - (7) To establish, alter, open, close, build, repair, or abolish public roads, private ways, bridges, and ferries, according to law; provided, however, that the chairman shall have the authority to accept subdivision plats when the requirements established by the board of commissioners for subdivisions have been met;
  - (8) To establish, abolish, or change election precincts and militia districts according to law;
  - (9) To accept, for the county, the provisions of any optional statute where the statute permits its acceptance by the governing authority of the county;
  - (10) To exercise all powers, duty, and authority formerly imposed upon or vested in the commissioner of roads and revenues of Gwinnett County in respect to zoning and planning;
  - (11) To create and change the boundaries of special taxing districts authorized by law;
  - (12) To fix the bonds of county officers where same are not fixed by statute;
  - (13) To enact any ordinances or other legislation which the county may be given authority to enact;
  - (14) To determine the priority of capital improvements;
  - (15) To call elections for the voting of bonds;
  - (16) To exercise all of the power and authority formerly vested by law in the board of commissioners of Gwinnett County together with the power and authority which may be delegated by law to the governing authority of the county, by whatever name designated; and
  - (17) To appoint retained legal counsel and an independent county auditor and provide for their compensation.

### **Sec. 15. Proposal and adoption of budget.**

The chairman shall submit or cause to be submitted annually to the board of commissioners, by not later than December 1, a proposed budget governing expenditures of all county funds, including capital outlay and public works projects, for the following year. The procedures for budget preparation, submission to the governing authority, review by the governing authority, public review, notice, and hearings shall be as provided for in chapter 81 of title 36 of the O.C.G.A. [O.C.G.A. § 36-81-1 et seq.]. The budget shall then be adopted by the board of commissioners at the first regular meeting in January of the year to which it applies, which budget, when so adopted by the board of commissioners, shall constitute the board of commissioners' appropriation of all funds for such year. The budget so adopted may be revised during the year only by formal action of the board of commissioners in a regular meeting which has been advertised in accordance with subsection (e) of Code section 36-81-5 of the O.C.G.A. [O.C.G.A. § 36-81-5(e)] and no increase shall be made in such budget without provision also being made for financing such increase. The proposed budget submitted by the chairman shall be accompanied by a report containing information and data required by subsection (b) of Code section 36-81-5 of the O.C.G.A. [O.C.G.A. § 36-81-5(b)]. A copy of the budget and of each revision or amendment to same shall be

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transmitted by the chairman to the grand jury of the Superior Court of Gwinnett County within ten days from the time such budget or amendment thereof is adopted by the board of commissioners.

**Sec. 17. Annual financial report.**

The board of commissioners shall obtain proposals and employ a certified public accountant for the making of an annual, continuous audit of county finances and financial records in the manner provided for in Code section 36-81-7 of the O.C.G.A. [O.C.G.A. § 36-81-7]. The accountant so employed shall be paid by the board of commissioners out of county funds and shall perform a complete audit of the financial records of the county for the ensuing year, point out any irregularities found to exist, and report the results of such audit to the board of commissioners annually. Each annual report submitted to the board of commissioners shall be made available for public inspection as are other records. The board of commissioners shall cause to be published in the official organ of Gwinnett County and posted at the courthouse door a statement of the financial condition of the county as of December 31 of each year. The accountant shall transmit to the grand jury of the Superior Court of Gwinnett County a copy of each annual report furnished by him to the board of commissioners.



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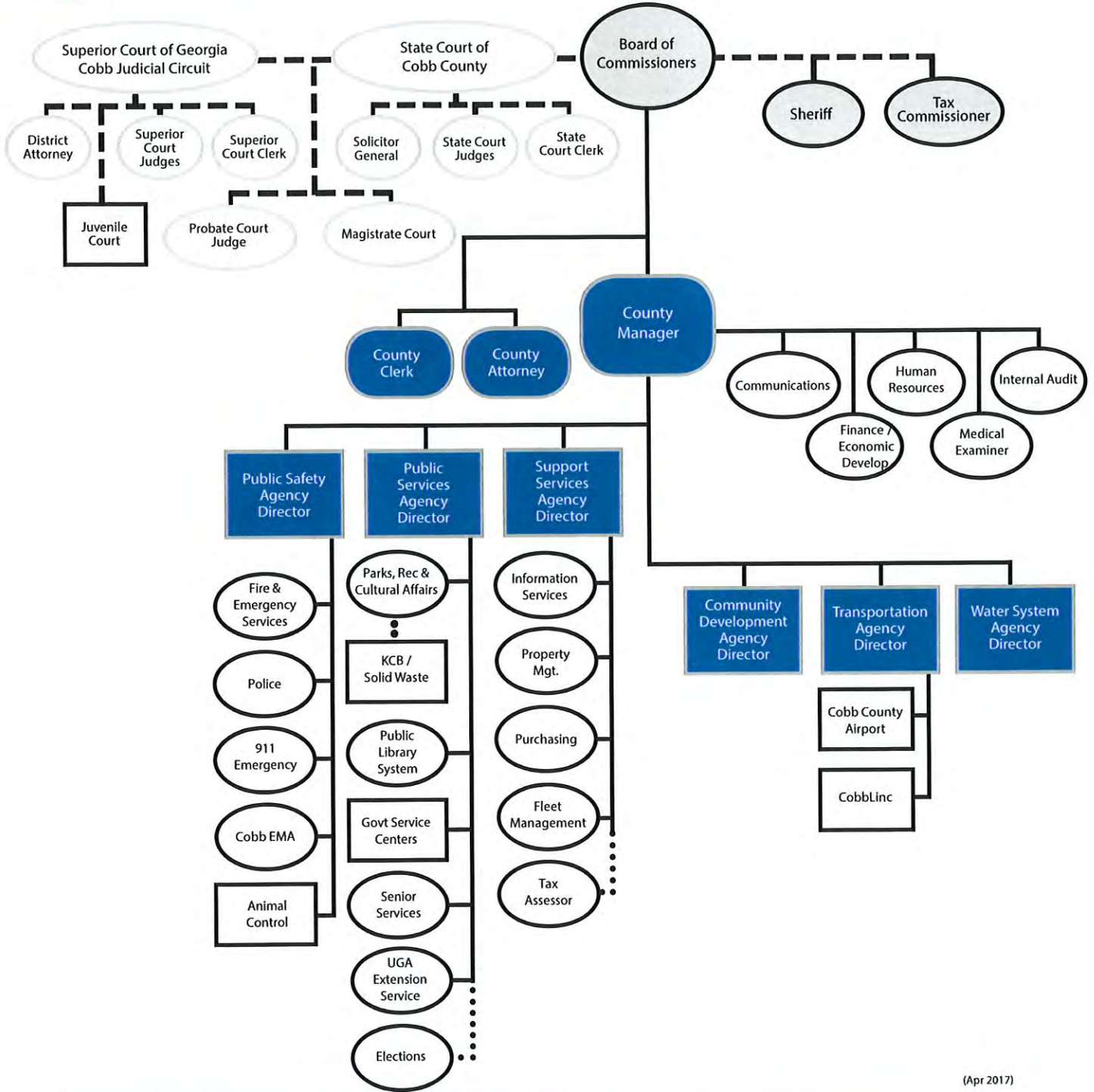
# **Cobb County**

Organizational Chart

Charter Information



# Cobb County Government ORGANIZATIONAL CHART



(Apr 2017)

KEY						
- - - - - For budget purposes only.			• • • • • Liaison responsibilities only.			



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### **Sec. 2-32. Powers and duties of chairman.**

The chairman shall be the chairman of the board of commissioners of the county, shall preside over meetings of the commission, shall appoint the vice-chairman of the commission on an annual basis, shall appoint the committee chairmen, and shall appoint the heads of the departments of the county government from a list provided by the county manager and with the consent of a majority of the commission members and chairman.

(1964 Ga. Laws (Ex. Sess.) (Act No. 22), page 2075, § 10; 1982 Ga. Laws (Act No. 1000), page 4111, § 2; 1983 Ga. Laws (Act No. 383), page 4283, § 2; 1986 Ga. Laws (Act No. 981), page 4157, § 2; Ord. of 6-11-91, § 2; 1992 Ga. Laws (Act No. 682), page 5100, § 7)

### **Sec. 2-33. County manager.**

- (a) There is created the office of county manager of Cobb County, who shall be appointed by the chairman with the consent of the commissioners. The qualifications, term of office, compensation, procedure for removal or suspension, method of filling vacancies, and other related matters pertaining to the office of county manager shall be provided for by resolution of the board of commissioners of Cobb County.
- (b) In his or her discretion, the chairman of the board of commissioners of Cobb County may select a person for the office of county manager solely upon the person's executive and administrative qualifications with specific reference to actual experience in or knowledge of accepted practices in respect to the duties of the office. In his or her discretion, the chairman of the board of commissioners may require any person appointed to the office of county manager to hold a bachelor's degree in business administration, accounting, finance, or related fields and possess at least five years' experience as a county or city manager or as an assistant county or city manager; or the chairman of the board of commissioners may require any person appointed to the office of county manager to hold a master's degree in any of the aforementioned fields and possess at least three years' experience as a county or city manager or as an assistant county or city manager.
- (c) The county manager shall be the chief executive officer of Cobb County and the administrative head of the county government. He shall be responsible to the board of commissioners for the proper and efficient administration of all affairs of the county, except as otherwise provided by law. It shall be the duty of the county manager to:
  - (1) See that all laws and ordinances of the county are enforced;
  - (2) Exercise control over all departments or divisions of the county which the board or chairman of the board has heretofore exercised or that may hereafter be created, except as otherwise provided in this article;
  - (3) Keep the board of commissioners fully advised as to the financial condition and needs of the county;
  - (4) Supervise and direct the official conduct of all appointive county officers and department heads, except as may be otherwise provided in this article;
  - (5) Attend all meetings of the board with the right to take part in the discussions, provided that the county manager shall have no vote on any matter or issue before the board;
  - (6) Supervise the performance of all contracts made by any person for work done for Cobb County and to supervise and regulate all purchases of materials and supplies for Cobb County within such limitations and under such rules and regulations as may be imposed by the board of commissioners, provided that the county manager is authorized to make purchases and contracts for the county in amounts not



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exceeding the formal sealed bid limit as defined by Cobb County ordinance or resolution and as may be amended from time to time;

- (7) Confer and advise with all other elected or appointed officials of Cobb County who are not under the immediate control of the board of commissioners but who receive financial support from said board;
- (8) Devote his entire time to the duties and affairs of his office and hold no other office or employment for remuneration while so engaged; and
- (9) Perform such other duties as may be required of him by the board of commissioners.

(1983 Ga. Laws (Act No. 383), page 4283, § 3; 1989 Ga. Laws (Act No. 226), page 4422, § 1; 1992 Ga. Laws (Act No. 682), page 5100, § 8; Ord. of 7-8-97, § 1; Ord. of 9-14-04, § 1)

### **Sec. 2-34. Powers generally; specific powers.**

The commission shall have the power and authority to fix and establish, by appropriate resolution entered on its minutes, policies, rules and regulations governing all matters reserved to its exclusive jurisdiction, which policies, rules and regulations, when so adopted, with proper entry thereof made on the commission minutes, shall be conclusive and binding on the county manager. The policies, rules and regulations so adopted by the commission shall be carried out, executed and enforced by the county manager as chief executive officer of the county; and the commission shall exercise only those administrative powers which are necessarily and properly incident to its functions as a policy-making or rule-making body or which are necessary to compel enforcement of its adopted resolutions. Any action taken by said county manager which is in conflict with such adopted resolutions and which deals with matters exclusively reserved to the jurisdiction of the commission shall be null, void and of no effect. The following powers are hereby vested in the commission and reserved to its exclusive jurisdiction:

- (1) To levy taxes.
- (2) To make appropriations.
- (3) To fix the rates of all other charges.
- (4) To authorize the incurring of indebtedness.
- (5) To order work done where the cost is to be assessed against benefited property, and to fix the basis for such assessment.
- (6) To authorize contracts and purchases except as otherwise provided for herein or under such rules and regulations as may be imposed by the board of commissioners, involving the expenditure of county funds.
- (7) To establish, alter or abolish public roads, private ways, bridges and ferries, according to law; provided, however, that the chairman shall have the authority to accept subdivision plats when the requirements established by the commission for subdivisions have been met.
- (8) To establish, abolish or change election precincts and militia districts according to law.
- (9) To allow the insolvent lists for the county.
- (10) To accept, for the county, the provisions of any optional statute where the statute permits its acceptance by the governing authority of the county, or by the commissioner or board of commissioners of the county.
- (11) To exercise all powers, duty and authority heretofore imposed upon or vested in the commissioner of roads and revenues of Cobb County in respect to zoning and planning.
- (12) To create and change the boundaries of special taxing districts authorized by law.

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- (13) To fix the bonds of county officers where same are not fixed by statute.
  - (14) To enact any ordinances or other legislation the county may be given authority to enact.
  - (15) To determine the priority of capital improvements.
  - (16) To call elections for the voting of bonds.
  - (17) To exercise all of the power and authority heretofore vested by law in the commissioner of roads and revenues of Cobb County or in the Cobb County advisory board together with the power and authority which may be delegated by law to the governing authority of the county, by whatever name designated, except such authority or power given to the chairman by the provisions of this article.
  - (18) To make purchases in amounts over the formal sealed bid limit as defined by Cobb County ordinance or resolution and as may be amended from time to time; provided, however, that for any purchases in amounts over the formal sealed bid limit, advertisements for bids or proposals shall be first published for a minimum of two consecutive weeks in the official organ of Cobb County and/or through the internet. Formal sealed bids or proposals, after said advertising has been published, must be obtained on all purchases exceeding the formal sealed bid limit. Advertisement and the obtaining of formal sealed bids or proposals may be dispensed with when, in the discretion of the commission, an emergency exists which will not permit a delay, or such is not required by the laws, rules and regulations as may be imposed by the board of commissioners or by general law. Nothing contained herein shall supersede more restrictive general laws applicable to county purchasing authority.

(1964 Ga. Laws (Ex. Sess.) (Act No. 22), page 2075, § 11; 1982 Ga. Laws (Act No. 1000), page 4111, § 3; 1983 Ga. Laws (Act No. 383), page 4283, § 4; 1989 Ga. Laws (Act No. 226), page 4422, § 2; 1992 Ga. Laws (Act No. 947), page 6128, § 1; Ord. of 7-8-97, § 2; Ord. of 9-14-04, § 2)



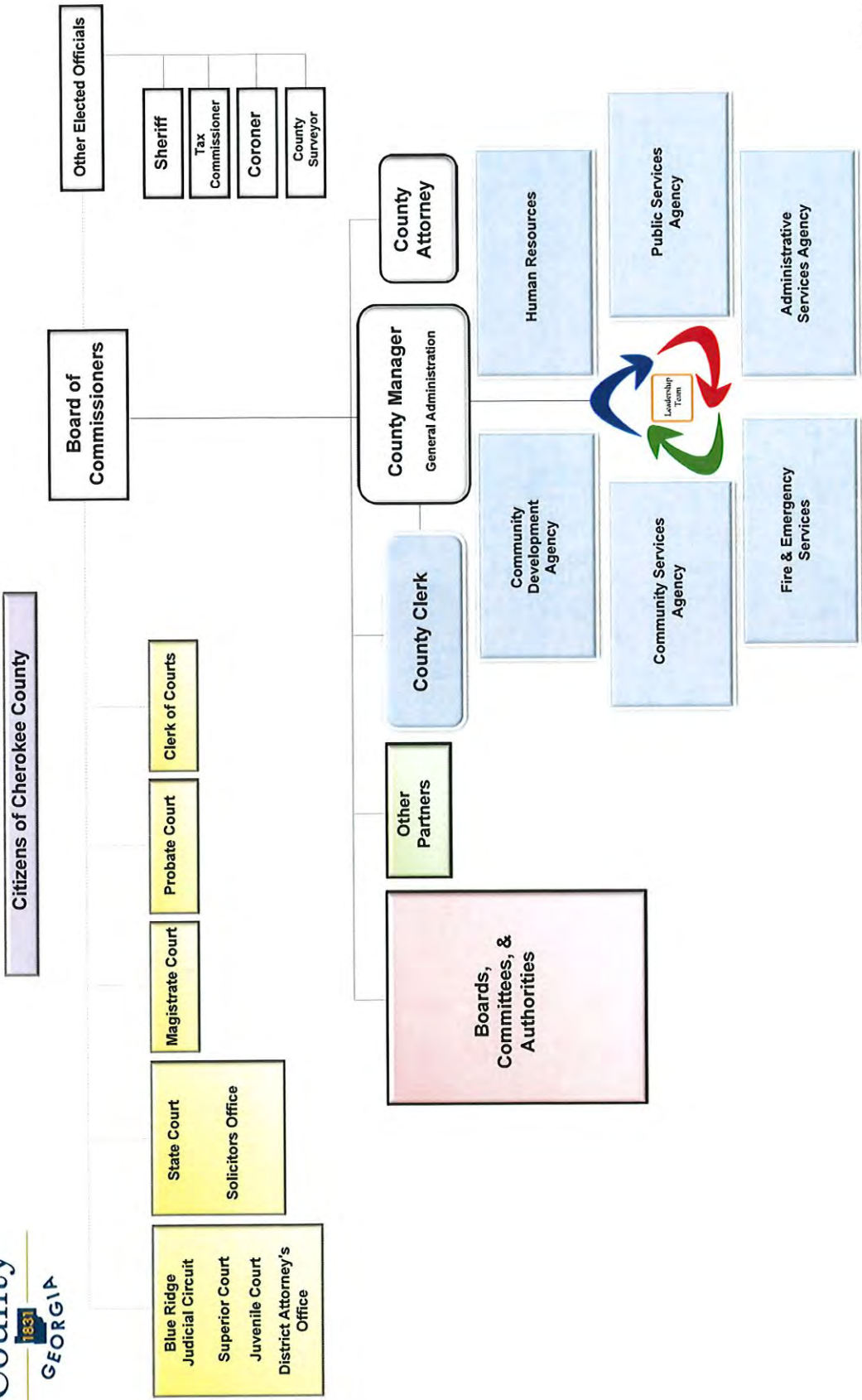
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# **Cherokee County**

Organizational Chart

Charter Information

# Cherokee County Government Organizational Chart





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## **Section 2. Membership; districts; qualifications of members.**

- (a) The board of commissioners of Cherokee County shall consist of five members. One of the members shall be the chairman and shall be elected by a majority of the registered voters of the county voting in the election. Each candidate for the other four positions must be a resident of the commissioner district created by this section which such person offers to represent and shall be elected by the registered voters of the Eastern District or the Western District of Cherokee County, whichever includes the commissioner district to which such candidate seeks election. For the purpose of electing members of the board of commissioners, Cherokee County is divided into an Eastern District and a Western District. The county is further divided into four commissioner districts, such that the Eastern District contains Commissioner Districts Nos. 1 and 2 and the Western District contains Commissioner Districts Nos. 3 and 4. Persons offering for commissioner districts shall be elected by majority vote.

## **Section 8. Vice chairman.**

At the first regular meeting of each year, the board of commissioners shall elect from its members a vice chairman. In the event of death, disqualification, or resignation of the chairman, the vice chairman shall perform the duties and authority of the chairman until a new chairman is chosen as provided in this Act. The vice chairman shall preside at meetings of the board of commissioners in the absence of the chairman and shall serve for the calendar year in which elected. In the event of a vacancy in the office of vice chairman, the board of commissioners shall elect a new vice chairman to serve for the remainder of calendar year.

## **Section 10. Duties of chairman.**

The chairman shall be the chief elective officer of the county government and shall preside over the meetings of the board of commissioners. The duties of the chairman shall include, but shall not be limited to, the following:

- (1) Maintaining an office in the administrative center;
- (2) Presiding at all public meetings;
- (3) Representing the county government at ceremonial functions;
- (4) Being available to the constituency on a regular basis;
- (5) Coordinating intergovernment activity among municipalities, other counties, the state, and the United States and any agencies thereof;
- (6) Being empowered to submit motions to the board of commissioners for action;
- (7) Sharing equal responsibility with other commissioners for budget approval and amendments and the approval of the board of commissioners staff additions or separations;
- (8) Taking the lead role in initiating needs assessments, evaluations of county services, and policy development; and
- (9) Appointing subcommittee chairmen with the approval of the commission.

## **Section 11. General powers.**

The board of commissioners shall have the power and authority to fix and establish, by appropriate resolution entered on its minutes, policies, rules, and regulations governing all matters reserved to its exclusive jurisdiction. Such policies, rules, and regulations, when so adopted with proper entry thereof made on the minutes

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of the board of commissioners, shall be conclusive and binding. The board of commissioners shall exercise only those administrative powers which are necessarily and properly incident to its functions as a policy-making or rule-making body or which are necessary to compel enforcement of its adopted resolutions. The following powers are vested in the board of commissioners and reserved to its exclusive jurisdiction:

- (1) To levy taxes;
- (2) To make appropriations;
- (3) To fix rates and charges for services provided by the county;
- (4) To authorize the incurring of indebtedness;
- (5) To order work done where the cost is to be assessed against benefited property and to fix the basis for such assessment;
- (6) To authorize and provide for the execution of contracts;
- (7) To establish, alter, open, close, build, repair, or abolish public roads, bridges, and ferries, according to law; provided, however, that the chairman shall have the authority to accept subdivision plats when the requirements established by the board of commissioners for subdivisions have been met;
- (8) To establish, abolish, or change election precincts and militia districts according to law;
- (9) To accept, for the county, the provisions of any optional statute where the statute permits its acceptance by the governing authority of the county;
- (10) To exercise all powers, duty, and authority formerly imposed upon or vested in the commissioner of roads and revenues of Cherokee County in respect to zoning and planning;
- (11) To create and change the boundaries of special taxing districts authorized by law;
- (12) To fix the bonds of county officers where same are not fixed by statute;
- (13) To enact any ordinances or other legislation which the county may be given authority to enact;
- (14) To determine the priority of capital improvements;
- (15) To call elections for the voting of bonds;
- (16) To exercise all of the power and authority formerly vested by law in the commissioner of Cherokee County together with the power and authority which may be delegated by law to the governing authority of the county, by whatever name designated;
- (17) To appoint retained legal counsel and an independent county auditor and provide for their compensation; and
- (18) To require all county officers to report on the general or specific conduct of the financial affairs of their respective offices.

## **Section 12. County manager.**

- (a) There is created the office of county manager of Cherokee County. The qualifications, method of selection, appointment, term of office, compensation, procedure for removal or suspension, method of filling vacancies, and other related matters pertaining to the office of county manager shall be provided for by resolution of the board of commissioners of Cherokee County.
- (b) In its discretion, the board of commissioners of Cherokee County may select a person for the office of county manager solely upon the person's executive and administrative qualifications with specific reference to actual experience in or knowledge of accepted practices in respect of the duties of the office. In its



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discretion, the board of commissioners may require any person appointed to the office of county manager to hold a bachelor's degree in public administration, business administration, accounting, finance, or related fields and possess at least three years' experience as a county or city manager or as an assistant county or city manager; or the board of commissioners may require any person appointed to the office of county manager to hold a master's degree in any of the aforementioned fields and possess at least two years' experience as a county or city manager or as an assistant county or city manager.

- (c) The county manager shall be the chief executive officer of Cherokee County and he shall be responsible to the board of commissioners for the proper and efficient administration of all affairs of the county, except as otherwise provided by law. It shall be the duty of the county manager to:
- (1) See that all laws and ordinances of the county are enforced;
  - (2) Exercise control over all departments or divisions of the county which the board or chairman of the board has heretofore exercised or that may hereafter be created, except as otherwise provided in this Act;
  - (3) Keep the board of commissioners fully advised as to the financial conditions and needs of the county;
  - (4) Supervise and direct the official conduct of all appointive county officers and department heads, except as may be otherwise provided in this Act;
  - (5) Attend all meetings of the board with the right to take part in the discussions, provided that the county manager shall have no vote on any matter or issue before the board;
  - (6) Supervise the performance of all contracts made by any person for work done for Cherokee County and to supervise and regulate all purchases of materials and supplies for Cherokee County within such limitations and under such rules and regulations as may be imposed by the board of commissioners, provided that the county manager is authorized to make purchases and contracts for the county in amounts not exceeding \$2,500.00;
  - (7) Devote his entire time to the duties and affairs of his office and hold no other office or employment for remuneration while so engaged; and
  - (8) Perform such other duties as may be required of him by the board of commissioners.

### **Section 16. Adoption of budget.**

The chairman shall submit annually to the commission a proposed budget governing expenditures of all county funds, including capital outlay and public works projects for the following fiscal year. The commission shall thereafter hold a public hearing on the budget, giving notice thereof at least ten days in advance by publication of such notice and of the proposed budget in the official organ of Cherokee County and by posting same at the courthouse door. The budget shall then be reviewed and adopted or amended by the commission prior to the beginning of the new fiscal year to which it applies, which budget, when so adopted or amended by the commission, shall constitute the commission's appropriation of all funds for such year. The budget so adopted may be revised during the year only by formal action of the commission in a regular meeting, and no increase shall be made therein without provision also being made for financing same. The proposed budget submitted by the chairman shall be accompanied by a report containing information and data relating to the financial affairs of the county pertinent to arriving at and establishing the annual budget. A copy of the budget and of each revision or amendment to same shall be transmitted by the chairman to the grand jury of the Superior Court of Cherokee County within ten days from the time such budget or amendment thereof is adopted by the commission. The board of commissioners may from time to time, upon a majority vote thereof, change the ending and beginning date of the fiscal year for the county or may operate on a calendar basis; provided, however, that in the event of such change, the budget shall be submitted at least two months prior to the beginning date of the next fiscal year or January 1, whichever shall apply, and shall be adopted at least one month prior to said beginning date. The

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procedures for budget preparation, submission to the governing authority, review by the governing authority, public review, notice, and hearings shall be as provided for in Chapter 81 of Title 36 of the O.C.G.A. [O.C.G.A. 36-81-1 et seq.]

**Section 18. Audit of county finances; financial statements.**

The commission shall on or before the final day of the month following the end of each fiscal year employ a certified public accountant for the making of an annual continuous audit of county finances and financial records. The accountant so employed shall be paid out of county funds and shall perform a complete audit of the financial records of the county for the preceding year, pointing out any irregularities found to exist, and reporting the results of such audit to the commission. Each annual report submitted to the commission shall be made available to public inspection as are other records in such office. The commission shall cause to be published in the official organ of Cherokee County and posted at the courthouse door a statement of the financial condition of the county as of December 31 and June 30 of each year. Said accountant shall transmit to the grand jury of the Superior Court of Cherokee County a copy of each annual report furnished by him to the commission.





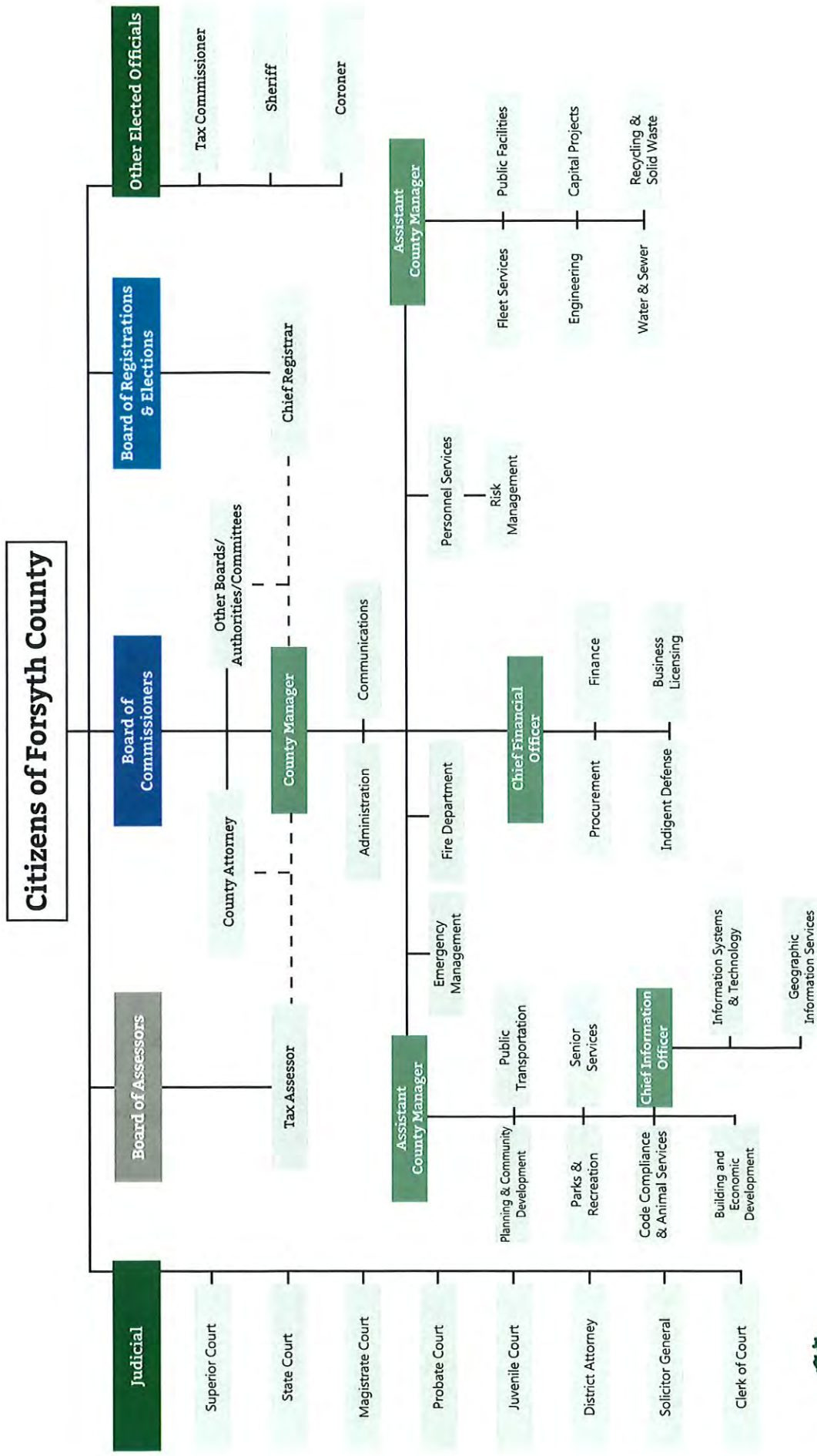
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# **Forsyth County**

Organizational Chart

Charter Information

# Forsyth County Government Organizational Chart



Section 2. - Membership; composition.

- (a) The board of commissioners of Forsyth County shall consist of five members. For the purpose [of] electing such members, Forsyth County shall be divided into five commissioner districts

Section 3. - County manager; qualifications; bond.

The board is hereby empowered and authorized to employ and engage the services of a county manager. The qualifications for such office shall be determined by the board. The salary of said county manager shall be fixed by the board. Said manager shall perform any and all duties as directed by the board.

(1972 Ga. Laws, page 2065; 1978 Ga. Laws, page 3484; Res. of 9-19-2013, § 1)

Section 12. - Powers generally.

The board shall have exclusive jurisdiction and control over the following matters: in directing, controlling, and caring for all property of the county, according to law; in levying taxes for county purposes, according to law; in establishing, altering, or abolishing public roads, bridges, ferries, in conformity to law; in establishing, abolishing, or changing election precincts and militia districts, according to law; in supervising the tax commissioner's books and allowing the insolvent list of said county, according to law; in examining, settling, and allowing all claims against the county, according to law; in examining and auditing all claims and accounts, of officers having the care, management, keeping, collecting, or disbursement of money belonging to the county or appropriated for its use and benefit and bringing them to a settlement and especially in the board charged with frequently examining and auditing the books of the county treasury or depository, the tax commissioner, the sheriff, and other officers of said county through whose hands county funds pass, and this may be done by the board or through certified accountants or bookkeepers employed for the purpose, and he or they may require from all such officers, subject to examination, such reports as may be necessary to keep said board fully informed at all times of the financial condition of the county; in controlling, calling for, and managing the convicts of the county, according to law; in making rules and regulations and provisions for the support of the poor of the county, according to law; in promoting and preserving the public health of the county with the authority to quarantine against contagious diseases and epidemics, according to law; in regulating and fixing license fees as authorized by law; and generally to have and exercise all powers heretofore vested in the board or ordinary of said county when sitting for county purposes, and to exercise such other powers as are granted by law, or as may be indispensable to the jurisdiction over county matters or county finances; and shall be authorized to promulgate policies regarding minor officers or employees of the county. Such policies shall set forth rules and regulations regarding suspension and termination.

(Res. of 9-19-2013, § 7)

Section 14. - Board to serve as purchasing agent.

The Board of Commissioners of Forsyth County is designated as the purchasing agent for Forsyth County. The Board or its designee shall receive bids and/or requests for proposals and authorize the purchase of material, supplies, or equipment in accord with the requirements of controlling State law or any purchasing policies approved by the Forsyth County Board of Commissioners or its designee so long as such policies do not offend State law.

(1965 Ga. Laws, page 2419; 1982 Ga. Laws, page 4792; 1992 Ga. Laws, page 5325; 1999 Ga. Laws, page 4934; 2007 Ga. Laws, page 4406; Res. of 9-19-2013, § 10)

Section 16. - Contracts.

It shall be unlawful for the board to enter into any contract involving services or property with any person or persons related to any member of the board by blood or marriage as a spouse, child, parent, brother, or sister or with any business entity in which a member of the board has an interest, except consistent with the disclosure and abstention provisions set forth in the Forsyth County Code.

(Res. of 9-19-2013, § 12)

Section 19. - Chairman.

The chairman shall hold such office hours as he may reasonably determine necessary to fulfill the responsibilities of his office and otherwise shall devote as much time to his office as the duties of the office require.

(Res. of 9-19-2013, § 14)

Section 20. - Duties.

It shall be the duty of the board, in all roads and bridge work done in said county, to keep always in view what will be to the greater good of the greatest number, and this policy shall be uniformly observed by the board.



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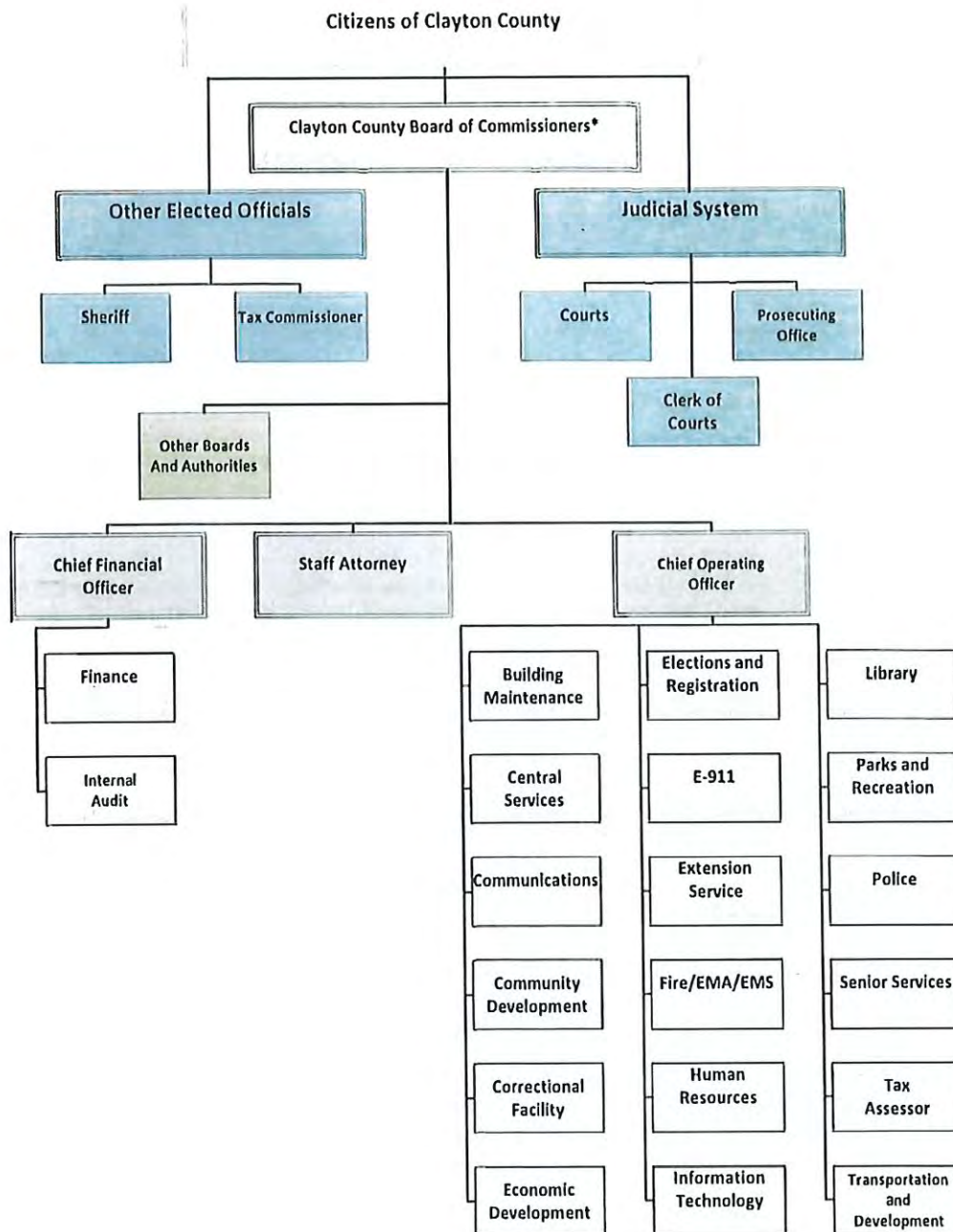
# **Clayton County**

Organizational Chart

Charter Information



# ORGANIZATIONAL CHART



\*Office of Youth Services & Planning and Zoning Divisions are subsidiary divisions of the Board of Commissioners



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## **Sec. 2-2. Composition; election, districts; terms.**

- (a) The board of commissioners of Clayton County shall consist of a chairman and four commissioners. The chairman shall be elected by the qualified voters of the entire county. Each commissioner shall be elected by the qualified voters of one commissioner district. To be elected as chairman or commissioner, a candidate must receive the highest number of votes cast, and, at the same time, such candidate must receive a majority of the total votes cast. The terms of office of the chairman and commissioners shall be for four years and until their successors are duly elected and qualified. Vacancies on the board shall be filled for the unexpired terms.
- (b) The person serving as chairman on the effective date of this Act shall serve the remainder of his term and until his successor is duly elected and qualified. The commissioners representing former Post 1 of Commissioner District A and Post 1 of Commissioner District B shall continue to serve for the remainder of their terms and until their successors are duly elected and qualified. On and after January 1, 1993, such commissioners shall represent Commissioner Districts 4 and 1 created by this Act, respectively. The commissioners representing former Post 2 of Commissioner District A and Post 2 of Commissioner District B shall continue to serve for the remainder of their terms. Commissioners from Commissioner Districts 2 and 3 created by this Act shall be elected at the general election held in 1992 to take office in January, 1993, for terms of four years and until their successors are duly elected and qualified. Each candidate other than a candidate for chairman shall certify at the time of qualifying that he is a bona fide resident of the commissioner district from which he is offering as candidate. A candidate for chairman shall so certify that he is a bona fide resident of Clayton County.

(Ga. Laws 1955, p. 2064, § 2; Ga. Laws 1958, p. 3118, § 1; Ga. Laws 1972, p. 2563, § 2; Ga. Laws 1974, p. 3308, § 1; Ga. Laws 1983, p. 3617, § 1; Ga. Laws 1992, p. 4584, § 1; Ga. Laws 1993, p. 4335, § 1)

## **Sec. 2-5. Selection of vice-chairmanship; authority of vice-chairman.**

- (a) At the first regular meeting in January of each year, the members of the Board shall elect a vice-chairman. The vice-chairman so elected shall serve until the first regular meeting in January of the next year and until his successor is qualified and assumes office. Any member may succeed him or her self as vice-chairman if so elected.
- (b) In the event the chairman is temporarily absent from the county or is unable temporarily to carry out his duties because of disability or for any other reason, the vice-chairman shall be clothed with all the authority of the chairman and shall carry out the duties of the chairman during such temporary absence from the county or disability of the chairman. The vice-chairman shall also act as presiding officer at the meetings of the board in the absence of the chairman.

(Ga. Laws 1955, p. 2064, § 5; Ga. Laws 1956, p. 3072, § 1; Ga. Laws 1958, p. 3118, § 2; Ga. Laws 1966, p. 3138, § 1; Ga. Laws 1971, p. 3208, § 2; Ga. Laws 1983, p. 4503, § 2; Ga. Laws 1986, p. 5563, § 1; Ga. Laws 1993, p. 5433(Ord.), § 1; Ord. No. 2009-189, pt. I, 12-8-09)

## **Sec. 2-10. Powers and duties.**

- (a) The board shall have exclusive jurisdiction and control of the following matters:
  - (1) To direct and control all of the property of the county;
  - (2) To levy taxes in accordance with the laws of this state;
  - (3) To establish, change, or abolish roads, bridges, and ferries according to law;

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- (4) To supervise the tax commissioner's books and allow the insolvent list of the County of Clayton;
  - (5) To settle all claims, charges, and demands against the County of Clayton;
  - (6) To examine and audit all claims and accounts of officers against the County of Clayton;
  - (7) To examine and audit all claims and accounts of officers having the care, keeping, and collecting or disbursing of any money belonging to Clayton County or appropriated for its use or benefit and to bring all such officers to settlement;
  - (8) To elect or appoint all minor officers of said county, where an election is not otherwise provided by law or the provisions of this Act;
  - (9) To have and exercise control and management over the inmates of said county according to the laws of this state;
  - (10) To have the authority to pay all or any portion of the premiums on a group life insurance and on a hospitalization plan or program for county employees, as may now exist or be implemented in the future, provided the employees have agreed to be covered under a group insurance plan;
  - (11) To pay actual and itemized expenses for travel, food, and lodging for county officials or permanent county employees while attending an institution of learning or schooling that is so closely connected to the employment that the county and its citizens will benefit from the attendance of such an institute or school of learning, which expenses shall be paid from revenue derived from sources other than ad valorem taxation;
  - (12) To regulate land use by the adoption of a comprehensive development plan or by the adoption of planning and zoning ordinances which relate reasonably to the public health, safety, morality, and general welfare of the county and its citizens;
  - (13) To call elections for the voting of bonds;
  - (14) To exercise all of the power and authority vested by law in the judge of the probate court when sitting for county purposes;
  - (15) To exercise all powers now or hereafter vested in county governing authorities by the constitution and general laws of this state;
  - (16) To fix, levy, and assess license fees, charges, or taxes on all persons, firms, and corporations engaging in or offering to engage in any trade, business, calling, avocation, or profession within the bounds of Clayton County, outside the incorporated limits of municipalities situated therein, as otherwise allowed, authorized, or permitted by law. The board shall be further authorized to adopt ordinances and resolutions to govern and regulate all such trades, businesses, callings, avocations, or professions, not contrary to regulations prescribed by general law, for the purpose of protecting and preserving the health, safety, welfare, and morals of the citizens of said county. Such license fees, charges, or taxes shall be in addition to all other taxes or assessments heretofore or hereafter levied by said county, and all funds received from same shall be paid into the county depository as general funds of said county;
  - (17) To adopt rules regulating the operation of the board;
  - (18) To prescribe penalties and punishment for the violation of zoning ordinances, building codes, including electrical, plumbing, heating, and air-conditioning regulations, and all other lawful ordinances adopted by the board pursuant to this or any other law in force in said county;
  - (19) To provide ordinances for the preservation and protection of county property and equipment and the administration and use of county facilities, such as parks, playgrounds, and swimming pools, by the public, and to prescribe penalties and punishment for violations thereof;



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- (20) To prescribe fire safety regulations not inconsistent with general law, relating to both fire prevention and detection and to fire fighting, and to prescribe penalties and punishment for violation thereof;
  - (21) To prohibit or regulate and control the erection and maintenance of signs, billboards, trees, shrubs, fences, buildings, and any and all other structures or obstructions upon or adjacent to the rights of way of streets and roads within the unincorporated area of said county, and to prescribe penalties and punishment for violation of such ordinances;
  - (22) To adopt ordinances and regulations for the prevention of idleness, loitering, vagrancy, disorderly conduct, public drunkenness, and disturbing the peace in the unincorporated area of said county and to prohibit the playing of lotteries therein, and to prohibit or regulate such other conduct and activities within said area of Clayton County which, while not constituting an offense against the general laws of this state, is deemed by the board to be detrimental and offensive to the peace, good order, and dignity of Clayton County and to the welfare and morals of the citizens thereof;
  - (23) To have the authority to furnish transportation to county officials and employees while conducting official county business, and the board of commissioners may, by resolution, establish a mode and means of providing such transportation. Any and all county owned vehicles provided for such official county use shall be used only for official Clayton County governmental purposes; however, in no instance, when a county employee utilizes a private vehicle for county business, shall the reimbursement for the cost of the transportation exceed the amount established by the State of Georgia on a mileage basis for state employees utilizing private vehicles while engaged in state business. The cost of furnishing transportation to county employees pursuant to this section shall be paid from county funds. All county owned vehicles shall be appropriately marked with easily discernible decals, except special vehicles designated by the sheriff and the chief of police for detective and investigative activities and assignments. The board shall have the authority to prescribe, by resolution, the requirements for reimbursement for all travel done on behalf of the county;
  - (24) To have the authority to pass resolutions for the control of domestic animals in the unincorporated areas of the county and to provide penalties for the violation of such resolutions not inconsistent with state laws; and
  - (25) To exercise such other powers as are granted by law or are indispensable to the carrying out of the provisions of this Act.
- (b) The enumeration of powers and duties in subsection (a) of this section shall not be construed as a limitation of the powers of the board to such powers expressly enumerated. The board is expressly given complete power, authority, and control relative to all county matters of Clayton County, and this power, authority, and control is cumulative and supplemental to any and all laws presently existing or future laws that may be enacted concerning the subject matter.

(Ga. Laws 1955, p. 2064, § 10; Ga. Laws 1966, p. 3138, § 2; Ga. Laws 1971, p. 3208, § 5; Ga. Laws 1972, p. 2585, § 1; Ga. Laws 1983, p. 4503, § 3)

### **Sec. 2-13. Chief operating officer and assistants.**

- (a) The position of chief operating officer is created. The chief operating officer shall be appointed by the board of commissioners. The duties of the chief operating officer shall be determined by the board of commissioners, and the chief operating officer shall perform those duties under the daily direction of the board of commissioners and shall perform such other duties imposed upon him or her from time to time by action of the board. The provisions of the Clayton County Civil Service Act shall not be applicable to the position of chief operating officer.

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- (b) The board may employ administrative assistants from time to time as it may deem necessary. Said assistants, subject to confirmation by the board, shall be appointed by the chairman and they shall be under the direction of the chairman and the chief operating officer as may be directed by the board. The compensation for said administrative assistants shall be fixed in the same manner as other county employees. Subsequent to appointment, said administrative assistants shall be subject to the provisions of the Clayton County Civil Service Act.

(Ord. No. 2013-12, § 1, 1-8-13; Ord. No. 2016-177, § 1, 12-20-16)

Editor's note(s)—Ord. No. 2013-12, § 1, adopted Jan. 8, 2013, deleted the former § 2-13 and enacted a § 2-13 as set out herein. The former § 2-13 pertained to the chief administrative assistant, other assistants and derived from Ga. Laws 1955, p. 2064, § 10C; Ga. Laws 1969, p. 3096, § 2; Ga. Laws 1971, p. 3208, § 7; Ga. Laws 1977, p. 2610, § 3; Ga. Laws 1983, p. 4503, § 4.

### **Sec. 2-16. Recall of member.**

The ordinary of said county is hereby empowered and directed to call an election to remove a member from his office at any time within 30 days after a petition signed by one-third of the qualified, registered voters of said county has been filed with said ordinary, in which said petition the recall of the such member is demanded. At such election so called by the ordinary such member shall be entitled to be a candidate, if otherwise qualified, and if he is successful in said election shall be entitled to serve the remainder of his term. If he is defeated in said election he shall be immediately removed from office and shall turn said office over to his successor. In said election no candidate shall be declared elected unless he shall have obtained a majority of all the votes cast in said election and in case no candidate shall receive a majority of the votes cast in said election the ordinary shall call another election in which the two candidates receiving the highest vote in the first election shall be the only candidates.

(Ga. Laws 1955, p. 2064, § 11)



**Carl Vinson  
Institute of Government**  
**UNIVERSITY OF GEORGIA**

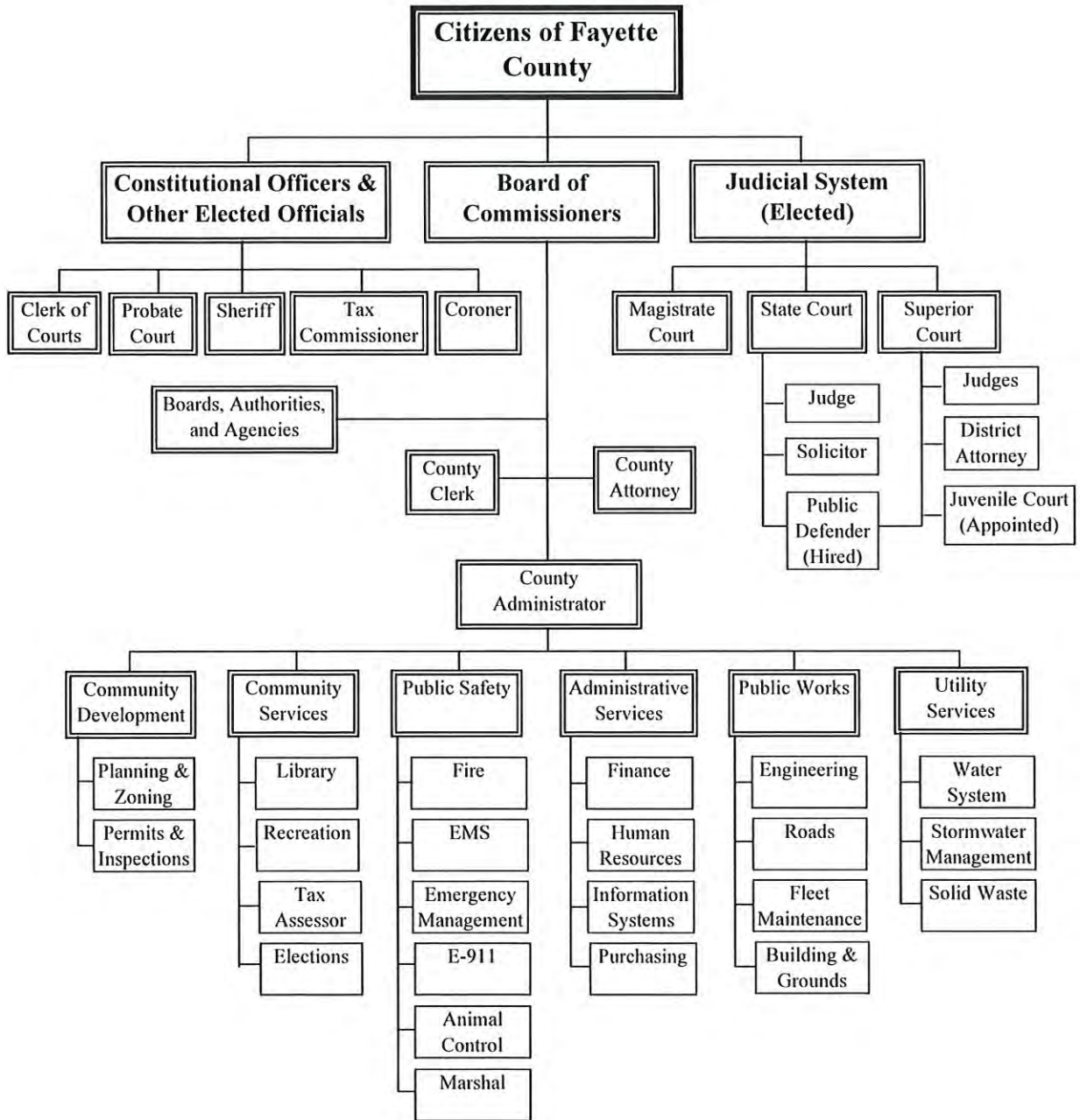
# **Fayette County**

Organizational Chart

Charter Information



# FAYETTE COUNTY, GEORGIA ORGANIZATIONAL CHART



PART II - COUNTY CODE  
Chapter 2 - ADMINISTRATION  
ARTICLE IV. - OFFICERS AND EMPLOYEES  
DIVISION 4. COUNTY ADMINISTRATOR

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*DIVISION 4. COUNTY ADMINISTRATOR*

**Sec. 2-240. Position created.**

There is hereby created the position of county administrator.

(Code 1983, § 2-1; Code 1992, § 2-66)

**Sec. 2-241. Responsibility.**

The county administrator shall devote his full-time attention to the affairs of the county, and shall be responsible to the board of commissioners for the efficient administration of all affairs of the county over which he has jurisdiction.

(Code 1983, § 2-2; Code 1992, § 2-67)

**Sec. 2-242. Powers; duties.**

Subject to the control, direction and supervision of the board of commissioners, the county administrator shall be empowered and it shall be his duty:

- (1) To see that all county laws, ordinances and provisions are enforced.
- (2) To see that the business and affairs of the county are efficiently organized and handled.
- (3) To exercise administrative control over all regular departments and divisions of the county; provided the county administrator shall not have or exercise any control over the planning commission, board of zoning appeals or other special boards, commissions, committees, authorities, or bodies set up under any general law or any ordinance or agreement of the board of commissioners.
- (4) To be the personnel director and have the power to appoint, discipline and/or remove all employees, including department and/or division heads, in their respective offices and departments except the county attorneys; provided, however, that he shall be guided in his actions by the county personnel management system and position classification plan. Nothing herein shall prevent the board of commissioners from creating, abolishing, consolidating, altering or modifying departments.
- (5) To attend the meetings of the board of commissioners, with the right to take part in all discussions, but have no vote.
- (6) To recommend to the board of commissioners for adoption such measures as he may deem necessary or expedient.
- (7) To have prepared and submitted to the board of commissioners an annual budget.
- (8) To keep the board of commissioners fully advised as to the financial conditions and needs of the county on the basis of submission of a monthly financial report.
- (9) To make and execute all lawful contracts on behalf of the county as to matters within his jurisdiction, except such as may be otherwise provided by law or by ordinance or resolution by the board of

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commissioners; provided, no contract, purchase or obligation involving more than \$10,000.00 shall be valid or binding until approved by the board of commissioners.

- (10) To submit to the board of commissioners such reports as he may deem necessary or as may be required of him by the board of commissioners.
- (11) To perform such other duties as may be required by ordinance or resolution of the board of commissioners.

(Code 1983, § 2-3; Code 1992, § 2-68; Ord. No. 2001-04, § 1, 6-6-2001)

**Secs. 2-243—2-262. Reserved.**

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**Sec. 1. Created.**

There shall be a Board of Commissioners of Fayette County, Georgia, hereinafter referred to as the board, to be composed of five members.

(1976 Ga. Laws (Act No. 1134), page 3398, § 1)

**Sec. 8. Quorum, chair, vice-chair.**

Three members of the board shall constitute a quorum and no action shall be taken by the board without the concurring vote of at least three members of the board. At the first meeting in each year the board shall elect a chairperson and a vice-chairperson to serve for that year. The chairperson shall preside at all meetings of the board and shall serve as the executive officer of the board. In the absence of the chairperson, the vice-chairperson shall preside.

(1976 Ga. Laws (Act No. 1134), page 3398, § 3)

**Sec. 13. Powers.**

- (a) The Board shall have and exercise all the powers which were vested by law in the judges of the inferior courts and the ordinary when sitting for county purposes and the sole commissioner of roads and revenues of Fayette County, Georgia. The Board is hereby given complete power, authority and control relative to county matters of Fayette County.
- (b) The Board is hereby authorized to employ the necessary personnel and fix their compensation to assist in the performance of the duties imposed by this act.

The Board shall make all purchases for Fayette County and shall make all purchases over \$5,000.00 on a competitive bid basis. The Board shall not expend any funds of Fayette County in payment of purchase made in violation of this section.

(Ord. of 2-10-1984; 1984 Ga. Laws, page 5308)

State law reference(s)—Jurisdiction of county governing authorities, O.C.G.A. § 36-5-22.1.