
SUWANEE—NEW CHARTER.

No. 403 (House Bill No. 521).

An Act to create a charter for the Town of Suwanee, in the County of Gwinnett, State of Georgia; to define the corporate limits; to provide for the election of its officers and prescribing their duties; to provide for filling vacancies of said

town; to define the duties of Mayor; to fix the salaries of Mayor and Council; to provide for the election of all employees of said town and to define their duties; to provide for the collection of licenses; taxes, to provide for the manner in which property may be returned for taxation; to require building permits within the town; to prescribe the manner in which nuisances are declared; to provide for a sewerage tax and garbage tax; to assess abutting property owners in the improvements of street, alleys, sidewalks and public lanes of said town; to provide for eminent domain; to provide for a Mayor's Court; to create a bond commission for the Town of Suwanee and to provide a sinking fund for the same; to provide for the registration and qualification of voters; to provide for the collection of service rendered for water, lights, power and other services rendered by said town; and for other purposes.

Section 1. Be it further enacted by the General Assembly of the State of Georgia, and it is hereby enacted by authority of the same that the corporate limits of the Town of Suwanee, shall be as follows, to wit: One mile in every direction from the Southern Railway Company Depot in said town.

Corporate limits.

Section 2. Be it further enacted, that the inhabitants of the territory above set forth as the Town of Suwanee are hereby continued as a body politic and corporate under the name and style of the Town of Suwanee; with power to govern themselves by such ordinances, bylaws, rules and regulations for municipal purposes as they may deem proper, not in conflict with this charter, the Constitution or laws of this State or of the United States. The corporation hereby continued in existence shall have full power in and by said corporate name to contract and be contracted with; to sue and be sued; to plead and be impleaded; to purchase, hold, receive, enjoy, possess and retain for the use and benefit of said Town of Suwanee or the inhabitants thereof, in perpetuity or for any term, any estate, real or personal, or lands, tenements or hereditaments, of any kind, within or without the limits of said town, for corporate purposes; to use, manage, improve, sell, convey, rent or lease any such estate or property; to have and use a common seal; and to perform all acts necessary or incident to its corporate existence or capacity. Provided, no valid existing ordinance, rule or regulation adopted by any governing body of said municipality nor any contract

General powers.

made nor any right vested under and by virtue of any act shall be affected by this Act.

Authority over
land, etc.,
outside
corporate
limits.

Section 3. Be it further enacted, that the corporate authority of said town and the territorial jurisdiction of the governing body and the officers thereof shall extend, for police and sanitary purposes, over all lands which are now owned or controlled and all lands which may hereafter be owned or controlled by said town for water works, electric lights, sewerage, drainage, or cemetery purposes outside of the territory indicated as indicated in Section 1 thereof. The governing body and the officers of said town shall have full power and authority to make and enforce such ordinances, bylaws, rules and regulations as they may deem necessary to protect the land, premises, and other property referred to in this section and all rights, and interests of said city therein as fully and completely as if the same were located within the limits of said town proper as indicated in said first section.

Mayor and
Council.

Section 4. The municipal government and control of said town shall be vested in a Mayor and Five Councilmen.

Election
of Mayor
and Council.

Section 5. On the first Saturday in December there shall be an election for Mayor and Councilmen from among the qualified voters of said city, said election to be held annually thereafter. The persons elected as Councilmen shall be bona fide residents of said town. Such elections shall be held by three managers to be appointed by the Mayor and Council of said town, such managers to be qualified voters of said town. Such managers shall make a return of such election to the Mayor and Council then in office, who shall declare the result and cause the same to be entered upon the minutes of their proceedings. All persons shall be qualified to vote at such election who shall have bona fide resided in said town for sixty days next preceding the date of such election and are qualified to vote for members of the General Assembly from Gwinnett County and have complied with all the ordinances which may have been passed by said Mayor and Council providing for the registration of voters of said town.

Qualifications.

Procedure.

Vacancies;
Mayor and
Council.

Section 6. If the office of Mayor or any Councilman shall become vacant by death, resignation, removal or otherwise, the Mayor or a majority of the Councilmen shall order a special election to fill the unexpired term and give ten days notice

thereof in one or more newspapers or at two or more public places in said town; such special election shall be managed and returned and the result thereof shall be declared and published as heretofore provided in Section 5; provided, there shall be no election for Mayor if the office shall become vacant within three months of the expiration of the regular term thereof.

Section 7. The Mayor shall be the chief executive officer of said town and shall have general supervision over its affairs. He shall see that all laws and ordinances of said city are faithfully executed. He shall preside at all meetings of the Mayor and Council and shall have the right to take part in the deliberations of said body but shall not vote on any questions except in case of a tie. He shall have power to convene them in extra session whenever in his judgment the exigencies of the case require it. He shall examine and audit all accounts of the town before the same shall be paid. He shall sign all deeds and contracts, approve all bills and vouchers.

Duties of Mayor.

Section 8. Every ordinance and resolution passed and every election of an officer or employee by the Mayor and Councilmen shall be subject to the veto of the Mayor in the following manner: The Mayor shall within four days write out his objections to such resolution, ordinance, or election and the Mayor and Councilmen shall, at the next regular or called meeting at which a quorum shall be present, order said objections entered on the minutes and take a vote on the question as to whether said ordinance, resolution or other action shall become adopted over said veto. Should as many as three Councilmen vote in the affirmative, said resolution and ordinance shall stand affirmed and become effective and without the approval of the Mayor; otherwise, not. The "ayes" and "nays" shall in all cases be entered on the minutes.

Veto power of Mayor.

Section 9. Said Mayor shall receive a salary to be fixed by the Mayor and Councilmen preceding his election a sum not to exceed fifty (\$50) dollars per annum and the salaries of each Councilman shall be a sum not to exceed twenty-five (\$25) dollars, per annum, to be fixed by the Mayor and Councilmen preceding their election and such salaries shall not be changed during their terms of office.

Procedure to overrule.

Salary of Mayor and Councilmen.

Section 10. The power of legislation and the appointment of all subordinate officers of said city shall be vested in said Mayor

Legislative power and appointment of officers.

Quorum.	and Councilmen. They shall hold regular meetings at such times and places as may be determined upon by them. Three shall constitute a quorum for the transaction of business provided the Mayor or Mayor pro tem. shall constitute one of that number, but a less number may adjourn from time to time and compel the attendance of absentees.
Election of officers by Mayor and Councilmen.	Section 11. At the first regular or called meeting at the beginning of its fiscal year the Mayor and Councilmen shall proceed to elect for said city by ballot from among the qualified voters thereof, a Mayor pro tem., a Treasurer, three Tax Assessors, one Bond Commissioner, a Chief of Police and such other police officers as may be necessary for the protection of said city and the property rights thereof. They may also elect an Engineer and a Board of Health, Superintendent on water and lights and such other officers as may be in their judgment necessary to the interest of the town. The persons so elected shall hold their respective offices for one year until their successors are elected and qualified unless for sufficient cause removed from office but not until they have been given an opportunity to appear before said body for trial; provided further that the Mayor may suspend any official pending the trial before said body. The salaries of the officers provided for in this section shall be such as may be prescribed by ordinances of said Mayor and Councilmen. The Mayor and Councilmen shall fill any office which may become vacant to fill the unexpired term thereof.
Term of office.	
Removal.	
Suspension.	
Salaries.	
Vacancies.	
Duties of Mayor Pro Tem.	Section 12. In the case of the death, resignation, removal from office, or absence from the town of the Mayor thereof such Mayor pro tem. shall exercise all the powers and discharge all the duties conferred and imposed upon the Mayor of said town by this charter and the ordinances, rules and regulations of said town.
Financial statement.	Section 13. For the purpose of enabling said Mayor and Councilmen to know at all times the true financial condition of said city, the Clerk, when called upon to do so, shall prepare and read at a regular session of the Mayor and Councilmen, a statement showing the probable gross income of the city for the fiscal year and the amount of money which has been expended and voted to be expended up to the date of such statement. Such statement shall be entered upon the minutes if so directed by said Mayor and Council and such body may authorize the publication of the income and expenditures of said city. Said

receipts and the disbursements for each preceding quarter shall be verified by the chairman of the finance committee.

Section 14. The Clerk of said town is authorized and shall receive all returns of property for taxation both real and personal; assess and double tax all property not returned in said town for taxation; the Clerk shall collect all taxes and licenses fees due said town and keep such records as is necessary if said office for the proper handling the funds of said town. The Clerk shall perform all such duties as may be imposed upon same by the Mayor and Councilmen for said town.

Tax returns.

Duties of Clerk.

Section 15. The Board of Tax Assessors in said town is hereby vested with full power and authority to assess for taxation the fair market value of all property, real, personal and otherwise, subject to taxation by said town, so that said property shall stand upon the tax digest as its reasonable and fair market value. It shall be the duty of said board at all times to locate property that is not duly returned for taxation, to equalize taxation, and to ascertain the fair and reasonable market value of all property subject to taxation by said town. Said assessors shall receive reasonable compensation for their services, to be fixed by the Mayor and Aldermen. When any property subject to taxation by the Town of Suwance has not been returned for taxation by the first day of April, as required by law, it shall be the duties of the Board of Tax Assessors to assess said property for taxation at its fair market value. When any such property has been returned for taxation, at a value which in the opinion of said Board of Tax Assessors is less than its fair market value, it shall be the duty of said board to assess it for taxation at such value. When any assessment is made as provided herein, it shall be the duty of the town Clerk within ten days after the making of said assessment, to give to the owner of said property notice in writing of said assessment provided same has been raised. Such notice shall specify the amount of the assessment made, indicate the property assessed, and shall inform the owner that he may be heard on the justice and fairness of said assessment and of the time and place of the hearing, at which time and place a full, legal hearing shall be afforded by said board. Said notice shall be by mail, not registered, to the last known address of the owner of such property, and no other notice whatever shall be required. Proof of the mailing of said notice shall be conclusive evidence that said no-

Powers of Board of Tax Assessors.

Compensation.

Procedure; duty of Clerk.

- Appeal from assessment.
- tice has been given as required. If, for any reason, such notice cannot be given by mail, notice may be given by the posting in the town hall of such notice, in a conspicuous place. Notice shall be considered as given on the day it is mailed or posted. If the owner of any such property fails or refuses to appear either in person or by agent at the time and place designated in said notice, then the assessment made shall be final. Any taxpayer who shall be dissatisfied with any such assessment may appeal to said Mayor and Aldermen for a correction of such assessment within fifteen days after such assessment shall have been returned, and the judgment of said Mayor and Aldermen thereon shall be final.
- Duties of police officers.
- Section 16. It shall be the duty of the police officers to make arrests, within and without the limits of said town, of all persons violating any ordinance of said town, expressly including all ordinances authorized to be made by the Second Section hereof, and to make arrests of all persons who have violated the penal statutes of this State, either with or without warrant or summons therefor. They shall have power to release all persons upon bonds as provided in the section hereafter enacted. It shall be the duty of the Chief of Police to prosecute before the proper court of Gwinnett County for all offenses against the laws of this State committed in said town or upon property mentioned in the second section hereof. Said police force shall be so uniformed and armed as to be readily recognized by the public as peace officers, the arms and uniforms to be furnished by the town and to remain the property of the town.
- Release on bond.
- Duty of Chief of Police.
- Arms and uniforms.
- Duties of officers elected by Mayor and Aldermen.
- Bonds.
- Section 17. All officers elected by said Mayor and Aldermen shall discharge such duties in addition to those prescribed in this Act as are, or may be, prescribed by ordinances of said Mayor and Aldermen and shall give such bonds for the faithful discharge of their respective duties as said Mayor and Aldermen may require; provided, the surety on the bond or a bond commissioner shall be a duly authorized guaranty or surety company.
- Oath of office. Impeachment.
- Section 18. Each officer of said town before entering upon the discharge of the duties of his office shall take and subscribe before a judge of some court in Gwinnett County an oath that he will faithfully discharge the duties of his office to the best of his skill and ability.
- Section 19. Said Mayor and Aldermen shall have sole right

to try impeachments of all officers of said town. When sitting for that purpose they shall be under oath or affirmation when the Mayor shall be tried, the Council shall select one of their number to preside; and no person shall be convicted without the concurrence of all the members present. Judgment in cases of impeachment may extend to removal from office and disqualification to hold any office of trust, honor or profit under this charter, and no further; but the party convicted shall, nevertheless, be liable and subject to indictment, trial and punishment according to law.

Judgment.

Section 20. Said Mayor and Aldermen shall have full power and authority to make all ordinances, bylaws, rules and regulations respecting or relating to public buildings and grounds, work-houses and public houses; the use of wagons, carriages, carts, drays, hacks, pumps, wells, and fire engines; the care of the poor; the suppression of disorderly houses and hours of ill fame; the prevention and punishment of disorderly conduct, the conduct likely to disturb the peace and tranquillity of any citizen of said town, the punishment of persons loitering about the streets of said town; the inspection of steam boilers; the regulation and prevention of the storage of gun powder, tar, pitch, rosin, coal oil, benzine, naphtha, turpentine, hemp, cotton, petroleum, nitroglycerine, dynamite, and all other combustible or explosive substances and material; the regulation and prevention of the use of lights in stables, shops, and other places and the building of bonfires; and the regulation and prevention of the use of fire crackers, torpedoes, Roman candles, sky rockets and other fireworks.

Powers of Mayor and Aldermen to make ordinances, rules, etc.

Section 21. Said Mayor and Aldermen shall have full power and authority to declare what shall be a nuisance and to abate the same and provide for the punishment of any person who may create or continue such nuisance; to compel the owner or user of any cellar, stable, pig sty, sewer or any other unwholesome or nauseous houses or place in said town to cleanse, abate or remove the same and to regulate the location thereof; to prohibit the slaughtering of any kind of animal in said city; to establish and maintain quarantines against contagious or infectious diseases; to establish and regulate cemeteries within or without the corporate limits of said town, to acquire lands therefor by gift, bequest or otherwise and to require burial permits to be issued before any body can be interred within the limits of said city,

Power to declare a nuisance.

Abatement.

Other powers.

and funds now in the treasury of said town and funds arising from the sale of lots in said present cemetery, known as the cemetery fund shall not be used for any purpose except to maintain and beautify the present cemetery. And provided further at any time said Mayor and Aldermen may abolish said present cemetery and purchase land for a new one.

Fire limits.

Erection of fireproof buildings.

Unsafe buildings.

Streets, alleys, etc.

Condemnation.

Power to purchase, lease, condemn lands, etc.

Right of eminent domain; how exercised.

Section 22. Said Mayor and Aldermen shall have full power and authority to define and establish the fire limits of said city and from time to time in their discretion to extend and enlarge the same. Within such fire limits it shall be unlawful to erect buildings or structures of any kind not fireproof. Said Mayor and Aldermen shall have power to determine what buildings and structures are not fireproof. Should any person erect or cause to be erected within such fire limits any building or structure not fireproof, said Mayor and Aldermen shall, after giving such person ten days notice and opportunity to regard thereto cause the same to be removed at the expense of the owner or owners thereof. Said Mayor and Aldermen shall also have power to declare any building or structure in said town unsafe and dangerous and to condemn the same as such and cause the same to be repaired or removed at the expense of the owner thereof after giving such owner ten days notice and an opportunity to be heard in regard thereto.

Section 23. Said Mayor and Aldermen shall full power to open, lay out, widen, straighten and otherwise change streets, alleys, and squares in said town; to establish and fix such systems of grading and draining the streets of said town as they shall deem proper; and to condemn private property for any of these purposes.

Section 24. Said Mayor and Aldermen shall have full power and authority to purchase, lease or condemn any lands and premises, water rights, rights of way, easements, franchises, within or without the limits of said town for the purpose of establishing or maintaining an electric light plant, a waterworks system, or either of them.

Section 25. All rights of eminent domain and all rights and power to condemn property conferred by this Act upon said town, upon said Mayor and Aldermen, or upon any officer of said town shall be exercised in accordance with Sections 4657 to 4686 both

inclusive of the Code of Georgia 1895 and Acts amendatory thereof.

Section 26. Said Mayor and Aldermen shall have full power and authority to make and adopt all ordinances, rules and regulations they may deem proper for maintaining, operating and carrying on waterworks and electric light systems of said town for supplying water and lights for said town and the inhabitants thereof and collecting therefor.

Waterworks and electric light systems.

Section 27. Said Mayor and Aldermen are hereby authorized to make all necessary and proper arrangements for work on the public streets and public works of said town and to provide rules and regulations for the working of persons sentenced to confinement at labor for violations of ordinances of said town.

Work on streets and public works.

Section 28. Said Mayor and Aldermen shall have full power and authority to make, adopt and enforce all ordinances, bylaws, rules and regulations which they may deem proper for the security of the peace, health, morals, good order and general welfare of said town and the inhabitants thereof, and for the protection of the property, rights and interests of said town.

General welfare powers.

Section 29. Said Mayor and Aldermen shall have full power and authority to prescribe by ordinances adequate penalties for the violation of any of the ordinances, rules and regulations of said town; such penalties not to exceed for any such violation a fine of one hundred dollars, imprisonment in the calaboose or building used for that purpose for sixty days and confinement at labor on the public works of streets of said town, sixty days.

Penalties; violation of ordinances, etc.; maximum fine and imprisonment.

Section 30. Said Mayor shall have full power and authority to hold a Mayor's Court for said town for the trial of persons charged with offenses against the ordinances of said town and to impose such penalties for the violation of such ordinances as may be prescribed by ordinances of said town. Such court shall be held at such times and places and under such rules and regulations as may be fixed and prescribed by ordinances of said Mayor and Aldermen.

Mayor's Court.

Section 31. Any police officer of said town shall have authority to release any person arrested for violating any such ordinance of said town upon such person giving a bond payable to said town in an amount and with surety to be approved by the Chief of Police or Mayor of said town conditioned for the ap-

Release on bond of persons arrested.

When refused. appearance of such person before said Mayor's court at the time and place specified in said bond and from time to time until he shall have been tried for the offense for which he shall have been arrested. Provided the authorities of said town may refuse to release on bond any person whose appearance in said town would likely be dangerous, indescient or in violation of any ordinance of said town.

Bond forfeiture. Section 32. If any person so released shall fail to so appear for trial such bond shall be forfeited; and a rule nisi shall be issued requiring him and the surety upon such bond to show cause before said court at a time not less than sixty days from the date of such rule why such bond shall not be absolutely forfeited. Copies of said rule shall be served upon the persons to whom it shall be directed at least twenty days before the return day thereof personally or by leaving the same at the most notorious place of abode of the person to be served, or by publishing the same once a week for four weeks in a newspaper in said town. If at the time such rule is made returnable no sufficient cause to the contrary shall be shown the forfeiture of said bond shall be made final and absolute, and execution shall issue for the full amount thereof and all costs against the principal and sureties thereon or such of them as shall have been served. Such execution shall be signed by the Clerk and Mayor of said town, shall be directed to all police officers of said town and to all and singular the sheriffs and constables of this State, shall have the same lien and binding effect upon the property of the defendants therein as executions issued upon judgment in superior courts, and shall be levied by any officer to whom it shall be directed.

Procedure.

Taxes; rate, levy, executions. Section 33. For the purpose of raising revenues for the support and maintenance of the government of said town and defraying the ordinary current expenses thereof, said Mayor and Aldermen shall have full power and authority and it shall be their duty, to provide by ordinance for the levy and collection of an ad valorem tax on all real and personal property within the corporate limits of said town not exceeding two per cent thereof. Said levy shall be fixed after the return and assessment of said property as provided in the preceding sections hereof and before the first day of October in each year. All taxes so levied shall be due and collectible on the 20th day of December of the year for which they shall be so levied. The Clerk shall issue execu-

tions on all property for which taxes are not paid by December 20th and proceed to advertise and levy upon same as provided by law pertaining to the collection of ad valorem tax.

Section 34. Said Mayor and Aldermen shall have full power and authority to require all persons, firms, companies or corporations engaged in prosecuting or carrying on any trade, business, calling or avocation within the corporate limits of said town to register their names and businesses, callings, trades, avocations and professions annually, and to require them to pay for such registration and for license to engage in, prosecute, or carry on the same, not exceeding fifty dollars per annum. This restriction shall not apply to the business of selling spirituous or intoxicating liquors.

Business registration and licenses.

\$50 maximum.

Intoxicating liquors excepted.

Section 35. Said Mayor and Aldermen shall have full power to pass such ordinances as they may see proper in regard to granting or not granting licenses to theatrical companies or performances, or for shows or other exhibitions; provided, the price to be paid for such licenses when granted, shall not exceed one hundred dollars for each performance or exhibition.

Licenses; theaters, shows, exhibitions.

\$100 maximum.

Section 36. Said Mayor and Aldermen shall have full power and authority to license billard tables and tenpin alleys, shooting galleries and all public billard tables kept or used for the purpose of playing or renting, and all public tenpin alleys and ninepin alleys, or alleys of any kind which are kept or used for the purpose of renting the same and charge for said license a sum not exceeding two hundred dollars on each.

Licenses; tenpins, billiards, etc.

\$200 maximum.

Section 37. Said Mayor and Aldermen shall have full power and authority to assess a tax of not more than three hundred dollars per year upon all persons carrying on the brokerage business in said town in addition to all other tax in said city they may pay. They shall have power to license pawnbrokers, to define by ordinance their powers and privileges; to impose taxes upon them; to revoke their license; and generally to exercise such superintendance over pawnbrokers as will insure fair dealing between them and their customers.

Tax on brokerage business;

\$300 maximum.

License and regulation of pawnbrokers.

Section 38. Said Mayor and Aldermen shall have power to levy and collect from itinerant traders, who may, directly or indirectly, by themselves or others, sell any goods, wares or merchandise in said town, such tax as to them may seem proper.

Tax on itinerant traders.

Executions
for taxes,
license fees,
et al.

Section 39. Said Mayor and Aldermen shall have authority and power to provide by ordinance for the issuance of executions against the property of any persons who shall fail to pay when due to said town any tax, license fee, assessment, or any liability for the use of water or lights; and all such executions shall operate as tax executions.

Annual
expense
limit.

Section 40. The annual expenses of said town shall be so restricted as not to exceed the annual income thereof.

Debts,
bond issues,
etc.

Section 41. Said Mayor and Aldermen shall have the power and authority to contract debts and issue bonds of said town under and in accordance with the limitations provided in the Constitution of this State; from funds arising from the sale of any bonds thus issued to establish and maintain a system of waterworks, a system of lights, public buildings; or any other improvement, convenience or necessity for the use or convenience of the citizens of said town; to create a debt and issue bonds of said town for any other lawful purpose under the limitations herein stated; and to levy a tax of five-eighths of one percent annually upon the assessed property of said town to discharge said debts.

Taxes to pay.

Bond
Commission.

Election.

Duties and
powers.

Section 42. A Bond Commission of the Town of Suwanee is hereby created to be composed of three Bond Commissioners, who shall be discreet and conservative business men of said town to be elected by the Mayor and Aldermen as provided in this and preceding sections hereof. At the first election they shall elect three Bond Commissioners to serve for one, two and three years respectively and until their respective successors shall be elected and qualified. At each annual election thereafter they shall elect one Bond Commissioner who shall serve for three years and until his successor shall be elected and qualified. Said Bond Commissioners shall handle and control the funds which shall be turned over to them from time to time for the purpose of raising a sinking fund for the final redemption of the bonds of said town which now exist or which may hereafter exist and for the payment of the interest which may become due on any of such bonds. Said Mayor and Aldermen shall provide for delivering and paying over to said Commission all taxes which have been collected and all taxes which may hereafter be collected for the purpose of paying any bonded debt of said town or any interest thereon, and shall provide for delivering and paying over to said Commission annually a sufficient sum to pay

the accruing interest on all such bonded debt and the amount required by law to be held as a sinking fund for the final redemption of the entire bonded indebtedness of said town. From the funds which shall go into the hands of said Commission all bonds of said town and interest thereon shall be paid as the same shall fall due. Said Commission shall have power to invest any of the moneys in their custody in valid State, county or municipal bonds; to dispose of the same and to reinvest the proceeds; and in their discretion, to buy any of the bonds of said Town of Suwanee before maturity thereof and pay a premium therefor if necessary in their wise discretion. Said Commission shall on the first day of January and July of each year submit to the Mayor and Aldermen a written statement under oath, giving a full and accurate account of all the moneys in their hands, and dates of maturity of all outstanding bonds of said town and showing all other facts that will illustrate the matter over which they have jurisdiction. Said statements shall be published in the newspaper in which other statements of said town shall be published. Said Commissioners shall each give a bond with some authorized surety or guaranty company as surety and as provided in the preceding sections hereof. Said Mayor and Aldermen shall appropriate each year the sum necessary to defray the expenses of said commission.

Expenses.

Section 43. No order, ordinance or resolution having for its object the increase of the indebtedness of said town or the expenditure of the revenues or moneys thereof shall take effect or become binding until the same shall have received a vote of a majority of said Aldermen, when any such ordinance, resolution or order is passed or made any Alderman may give notice of a motion to reconsider the same and such notice shall operate to delay the force and effect of the same until such consideration can be had at the next regular meeting of the Mayor and Aldermen. And member shall have the right to call for the ayes and nays which shall be recorded on the minutes.

Orders, etc., for increase of indebtedness or expenditure of money, when to take effect, delay, etc.

Section 44. Be it further enacted, that the Mayor and Council of the Town of Suwanee shall have power and authority to employ competent counsel for said town whose salary or compensation, term of office and duties shall be fixed by ordinance.

Counsel.

Section 45. Said Mayor and Aldermen shall have executive power and authority to grant franchises to a person or persons

Franchises.

for the purpose of erecting water systems, light systems, gas systems, and telephone systems, and any other purpose for which the public streets of said town are used.

Registration
of voters.

Section 46. Said Mayor and Aldermen shall have power and authority to provide for the registration of voters prior to any municipal election in said town; to make all needful rules and regulations for the same, and to require that no person be permitted to vote unless registered as aforesaid.

Mayor and
Aldermen
as Justices
of the Peace.

Section 47. Said Mayor and each of said Aldermen shall have power and authority of justices of the peace to issue warrants for offenses committed within the corporate limits of said town or upon the property mentioned in the preceding sections hereof, to bind over offenders in bailable cases to the proper court in Gwinnett County, and to submit to the jail of said county for trial before such a court offenders in cases not bailable, and offenders in bailable cases in default of bond. Such warrant shall be directed to the police officers of said town and shall be executed by them. It shall be the duty of the jailer of said county to receive all persons so committed and safely keep them until discharged by due cause of.

Permanent
Registration
Book.

Section 48. Said Mayor and Aldermen shall require the Clerk to keep a book to be known as "The Permanent Registration Book of the Electors of said Town" in which event the electors of said town shall sign said book upon an oath containing therein substantially the following:

Oath of
electors.

"I do solemnly swear that I have resided within the limit of the Town of Suwanee for sixty days, and that I am qualified to vote for the members of the State Legislature in the County of Gwinnett."

No person not so registered shall be allowed to vote in any election.

Registration
of electors.

Section 49. *Registration of electors.* It shall be the duty of the town Clerk to keep said permanent registration book open daily during such reasonable hours as may be prescribed by the Mayor and Aldermen, to enable the electors of said town to register therein; provided that no person registering therein shall be required to again register as a qualified voter of said town so long as he remains a resident of said town, and does not disqualify himself by nonpayment of taxes or otherwise, it being

the purpose of this Act to provide a permanent system of registration for said town.

Section 50. Whenever any general or special election is to be held in said town, it shall be the duty of the Clerk to close said registration book one week before said election and turn over same to the Mayor, who shall, with the advice and consent of Aldermen, appoint a board of three Registrars whose duty it shall be to make from said books a list of voters for such election; and in making said list the Registrars shall exclude the names of all persons on the registration lists who registered less than one week before said election as well as those who have died, removed from the town limits, or who have disqualified themselves in any way as legal voters. The list of voters so made up by the Registrars shall be furnished to the managers of the election, and no person whose name does not appear on said list shall be allowed to vote in said election unless he produces a certificate signed by the Registrars that his name was omitted by accident or mistake. The Mayor and Aldermen shall provide a reasonable compensation for the work done by the Registrars.

Registrars.

Duties.

List of voters.

Compensation.

Section 51. There may be an appeal from decision of the Board of Registrars, as to the right of a person to registrar, to a committee of three registered voters of said town previously appointed by the Mayor and Council for that purpose, whose decision shall be final. All appeals shall be made, heard, and determined within five days from the time the appeal shall be filed. After all appeals are decided it shall be the duty of the Clerk of Registrars to make a correct list of the registered voters and furnish the managers of the election a certified copy of same. The registration book shall be open to the inspection of the public at all times during office hours. The said Committee of Registrars shall have the authority to purge said registration lists of all illegal voters upon three days' notice to the person or persons who have registered illegally or are disqualified. Notice may be given by a letter addressed to said illegally registered person by mailing same to him at Suwanee, Georgia.

Appeal to Committee of Voters.

Illegal voters; how purged.

Section 52. It shall be the duty of the Clerk of Registrars to furnish the managers of the election at or before the opening of the poles on the day of election, with a complete list of registered voters arranged in alphabetical order, certified to under

List of voters to election managers.

the hand of the Clerk of the Registrars, and the corporate seal of the town.

Sanitation;
tax,
department,
officers, duties,
regulations.

Section 53. That the Mayor and Council of said town are hereby authorized to assess, levy and collect a sanitary tax and to create and maintain a sanitary department, elect their officers and employees, prescribe their duties and fix their salaries. They shall have the right by ordinance to prescribe sanitary regulations for the said Town of Suwanee and collect the same against any person, firm or corporation domiciled within the corporate limits of said town for whom the sanitary department may render service.

Sewers and
drains: power
to establish,
make
charges, etc.

Section 54. That the Mayor and Council of said town are hereby invested with full power and authority to establish, equip, maintain, modify, extend, and improve, a system of sewerage and drains in said Town of Suwanee and to adopt by ordinance such regulations as may be needful and necessary in connection with the same, including such charges as may in the discretion of said Mayor and Council seem reasonable and proper for sewer connections and/or service, which said charges shall be enforceable in the same manner that charges for water furnished to said town are enforced.

Collection
of charges
for water,
lights, gas,
sewer service,
etc.

Section 55. That the Mayor and Council of said Town of Suwanee shall have full power and authority to regulate and enforce the collection of and insure payment of, charges for supplying of water, electric lights, or power energy, gas, heat, and sewer service; they shall have a right to require of each consumer a deposit, which may vary according to the estimated consumption, to insure the prompt payment for such service; the shut off and refuse to furnish water, heat, electric lights, electric energy or power, gas or other commodity, where deposit of where payment for same is not promptly paid and to enforce by execution against any consumer or person served in the same manner as tax executions are issued and enforced.

Street and
other
improvements.

Section 56. That the Mayor and Council of said town shall have the power and authority, in their discretion, to grade, pave, macadamize and otherwise improve the travel and drainage of the sidewalks, streets, squares, public lanes and alleys of said town. In order to carry into effect the authority above they shall have the right to assess the costs of such improvements or any part thereof on the real estate abutting upon said streets, sidewalks, public lanes and alleys of said town.

Assessment
of costs.

Section 57. That the Mayor and Council of said town shall have the right and power to require that permits be obtained for the purpose of erecting any building within the Town of Suwanee and to require that any person, firm or corporation conform to the standard building codes in the construction and erection of said buildings.

Building permits and codes.

Section 58. Be it further enacted that the Mayor and Council of the Town of Suwanee, shall not have the authority to license or permit the sale of intoxicating liquors and beverages, including malt beverages, beer and etc. within the territorial limits of said City by any person or persons, natural or artificial, and the sale of such beverages in said town is never to be permitted.

Sale of intoxicating beverages, including beer, etc., prohibited.

Section 59. Be it further enacted that the present incumbent Mayor and Councilmen of the Town of Suwanee shall serve as Mayor and Councilmen, until December 31, 1949, and until their successors are elected and qualified. That an election shall be held at the council chamber or such other place as the Mayor and Council may select on the first Saturday in December, 1949, for the election of a Mayor and five Councilmen, whose terms of office shall be as follows: The Mayor shall be elected for a term of two (2) years or until his successor is elected and qualified. The three persons receiving the highest number of votes for Councilmen shall serve a term of two years or until their successors are elected and qualified and the two persons receiving the next highest number of votes shall serve a term of one (1) year or until their successors are elected and qualified. Under this provision a Mayor for said town shall be elected on said date every two years. There shall be an election for Councilmen each year and the terms of office for the successors of those elected in the election to be held on the first Saturday in December, 1949, shall be two years, or until their successors are elected and qualified. The Mayor and Councilmen elected in said election shall take office on the 1st day of January, 1950, and serve until their successors are elected and qualified under the provisions of this section.

Incumbent Mayor and Council.

Election, December, 1949.

Terms of office of Mayor and Council.

Section 60. Be it further enacted that at the time the Mayor and Councilmen are elected on the first Saturday in December, 1949, and each year thereafter on said date, there shall be elected from the qualified voters of said town a Clerk who shall serve for one year, and shall perform such duties as the Mayor and Council may prescribe and before entering upon his duties

Election and term of Office of Clerk.

His duties.

as such Clerk he shall give a bond in such amount as may be required by the Mayor and Council conditioned for the faithful discharge of his duties as such Clerk.

Recall of
officers.

Section 61. Be it enacted by the General Assembly of the State of Georgia, and it is hereby enacted by the authority of the same, that from and after the passage of this Act that the Mayor, Councilmen, officers elected by the vote of the people, heads of departments, and members of any board or commission of the Mayor and Council of the Town of Suwanee, and all other officers appointed or elected by the Mayor and Council of the Town of Suwanee, shall be subject to removal during the several terms of office, in the following manner: Whenever twenty-five per cent. in number of the registered voters residing in the Town of Suwanee, as disclosed by the registration sheets of the nearest general election, past or present, shall so request in a petition filed in the office of the Clerk of the Superior Court of Gwinnett County, an election shall be called and held within thirty days from the date of the filing of said petition on the subject only of the recall or non-recall of such official or officials. It shall be the duty of the Clerk of the Superior Court to check the names of such list and report to the Judges of the Superior Court, the Judge of the City Court of Gwinnett County, and the Ordinary of Gwinnett County, the number of the registered voters thereon, in order to see that the required number have signed the said petition. This report shall be submitted to said judges, with the petition. When so reported, with this certificate, the said judge shall order an election to be held under the same rules and regulations as govern regular city elections. At this election the ballots will be as follows, with the names of such officer, or officers, and office and offices inserted in the blanks: For the recall of _____, holding the office of _____. Against the recall of _____, holding the office of _____. If a majority of the votes cast in said election are for recall of such office or officers, his office is declared vacant at the moment these votes are canvassed by the said judges and the result announced. A meeting of the said judges shall be held for this purpose within not less than three days of the election so held; at this meeting the election managers shall make a return of the votes cast in said election by report of the same to the said judges, and said judges shall examine this return and declare the result. If a majority

Procedure.

of the votes so cast be for the recall of the official, this office is vacated at the time the result is so declared by the said judges as herein provides, and the vacancy immediately exists. Said judges shall call an election to fill said vacancy or vacancies within thirty days from the date said vacancy is declared, which said election shall be under the same rules and regulations governing regular city elections, and at such election the official who has been recalled is eligible as a candidate for the reelection, and the person or persons elected shall hold office for the unexpired term.

Election to fill
vacancy
after recall.

Section 62. Be it further enacted, that if any portion of this Act shall be held invalid only such portion shall fall and the balance of said Act and of the Charter hereby created shall not be affected thereby.

If any part
invalid.

Section 63. Be it further enacted, that all ordinances, by laws, rules and regulations now in force in said town, not inconsistent with this Act, are hereby declared valid and of force until amended or repealed by said Mayor and Council of said town.

Ordinances,
etc., now
in force.

Section 64. Be it further enacted, that the provisions of this charter shall become effective immediately upon its passage and approval of the Governor.

Section 65. Be it further enacted by the authority aforesaid, that all laws and parts of laws in conflict with this Act as and the same are hereby repealed.

Notice of Proposed Legislation.

Georgia, Gwinnett County.

Notice is hereby given the general public that at the next session of the General Assembly of the State of Georgia, which convenes in regular session on the second Monday in January, 1949, a Bill will be introduced in said body as follows:

An Act to create a new charter for the Town of Suwanee, in the County of Gwinnett, said State; to define the corporate limits; to provide for the election of its officers and prescribing their duties; to provide for filling vacancies of said town; to define the duties of the Mayor; to fix the salaries of the Mayor and Council; to provide for the election of all employees and prescribe their duties; to provide for the collection of license taxes; to provide for the manner in which property may be re-

turned for taxation; to require building permits; to provide for a system of waterworks and sewerage for said town; to provide for a Sanitary Department; to prescribe the manner in which nuisances are declared; to provide for a sanitary and garbage tax; to assess abutting property owners for the improvements of streets, alleys, sidewalks and public lanes in said town; to provide for eminent domain; to provide for a Mayor's Court; to create a Bond Commission for said town and to provide a sinking fund for same; to provide for the registration and qualification of voters; to provide for the collection of services rendered for water, lights, power and other services rendered by said town, and for other purposes.

This November 15th, 1948.

Mayor and Council,
Town of Suwanee.

Georgia, Gwinnett County.

Personally appeared before the undersigned authority authorized by law to administer oaths in this State, P. M. Christian, who after first being duly sworn, deposes on oath and says that he is editor of the News-Herald, the newspapers published at Lawrenceville, Gwinnett County, Georgia, and being the newspaper in which the sheriff's advertisements appear in and for said county.

Deponent further says that the above notice of proposed legislation respecting a new charter for the Town of Suwanee, in said county, was duly published in said newspaper once a week for three weeks during the period of 60 days immediately preceding February 7, 1949, said notices appearing in the publication the following dates to wit: November 18th and November 25th, December 2nd, 9th, 16th, 23rd and 30th, 1948, therefore said notice of proposed legislation above set forth was published as required by the statute in such cases made and provided.

This affidavit is made to supplement and furnish additional publication dates not contained in the affidavit heretofore made by me in said matter.

P. M. Christian

Sworn to and subscribed before me this the 9th day of February, 1949.

Notary Public,
Gwinnett County, Georgia.

Notice of Proposed Legislation.

Georgia, Gwinnett County:

Notice is hereby given the general public that at the next session of the General Assembly of the State of Georgia, which convenes in regular session on the second Monday in January, 1949, a Bill will be introduced in said body as follows:

An Act to create a new charter for the Town of Suwanee, in the County of Gwinnett, said State; to define the corporate limits; to provide for the election of its officers and prescribing their duties; to provide for filling vacancies of said town; to define the duties of the Mayor; to fix the salaries of the Mayor and Council; to provide for the election of all employees and prescribe their duties; to provide for the collection of license taxes; to provide for the manner in which property may be returned for taxation; to require building permits; to provide for a system of waterworks and sewerage for said town; to provide for a Sanitary Department; to prescribe the manner in which nuisances are declared; to provide for a sanitary and garbage tax; to assess abutting property owners for the improvements of streets, alleys, sidewalks and public lanes in said town; to provide for eminent domain; to provide for a Mayor's Court; to create a Bond Commission for said town and to provide a sinking fund for same; to provide for the registration and qualification of voters; to provide for the collection of services rendered for water, lights, power and other services rendered by said town, and for other purposes.

This November 15th, 1948.

Mayor and Council
Town of Suwanee.

Georgia, Gwinnett County.

Personally appeared before the undersigned attesting officer P. M. Christian, who after first being sworn deposes on oath and says he is the editor of the News-Herald, the newspaper published in Lawrenceville, Gwinnett County, Georgia, and being the newspaper in which the sheriff's advertisements appear in and for said county. Deponent further says that the within and foregoing notice of proposed legislation regarding charter for the Town of Suwanee, Georgia, was published in said newspaper for three weeks during the period of November 15, 1948, to January

30, 1949, said notice being published in the issues of said paper published November 18th and November 25, December 2, and December 9, 1949, said notice having been published once a week for three weeks during said period as provided by law in such cases.

P. M. Christian, Editor.

Sworn to and subscribed before me this the 31st day of January, 1949.

Henry F. Wager,
C. S. C., Gwinnett Co., Georgia.

Approved February 25, 1949.
