

STATE OF GEORGIA

COUNTY OF CLAYTON

ORDINANCE NO. 2009- 189

AN ORDINANCE ADOPTED UNDER THE HOME RULE POWERS SPECIFICALLY GRANTED TO THE GOVERNING AUTHORITY OF CLAYTON COUNTY PURSUANT TO ARTICLE IX, SECTION II, PARAGRAPH I (b) (1) OF THE CONSTITUTION OF THE STATE OF GEORGIA OF 1983, AMENDING THE LOCAL ACT OF THE GENERAL ASSEMBLY CREATING AND COMPOSING THE CLAYTON COUNTY BOARD OF COMMISSIONERS AND SETTING FORTH THE GENERAL PROVISIONS GOVERNING CLAYTON COUNTY GOVERNMENT; SO AS TO AMEND THE CLAYTON COUNTY CODE OF ORDINANCES ARTICLE II SECTION 2-5 ENTITLED ROTATION OF VICE-CHAIRMANSHIP; TO PROVIDE SEVERABILITY; TO PROVIDE AN EFFECTIVE DATE OF THIS ORDINANCE; AND FOR OTHER PURPOSES.

WHEREAS, Clayton County, Georgia is governed by an Act of the General Assembly of the State of Georgia, which was originally established and approved on February 8, 1955, and was last amended by Ga. L. 1983, p. 4503, and approved on March 29, 1983 (the "Act") ; and

WHEREAS, the Clayton County Board of Commissioners now desires to amend the Act pertaining to the selection of Vice-Chairman of the Board of Commissioners; and

WHEREAS, the Clayton County Board of Commissioners now desires to amend the Act so as to eliminate the rotation of the Vice-Chairman and provide for the election of the Vice Chairman in January of each year; and

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF
CLAYTON COUNTY, GEORGIA AND IT IS HEREBY ORDAINED:

PART I. ENACTMENT

By the authority granted to the Clayton County Board of Commissioners pursuant to Article IX, Section II, Paragraph I of the Constitution of the State of Georgia of 1983, the Board of Commissioners hereby amends the Act, originally established and adopted at Ga. L. 1955, p. 2064, and last amended by Ga. L. 1983, p. 4503 in the following particulars:

By deleting section 5 in its entirety, and by replacing it with a new section 5 which reads as follows:

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 temporary 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.”

PART II. EFFECTIVE DATE

This ordinance shall become effective upon adoption by the Clayton County Board of Commissioners.

PART III. SEVERABILITY

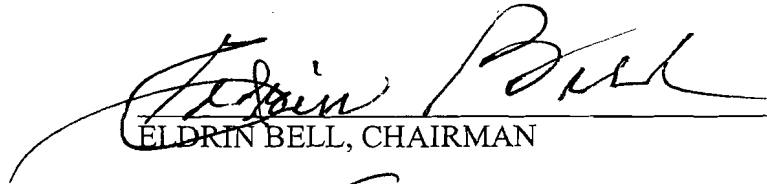
Should any section or provision of this ordinance be declared by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity of the ordinance as a whole nor any part thereof other than the part so declared to be invalid or unconstitutional. All ordinances or resolutions, or parts thereof, in conflict with this ordinance are repealed.

{SIGNATURES NEXT PAGE}

ADOPTED by the Clayton County Board of Commissioners this 8th day of

December, 2009.


CLAYTON COUNTY BOARD OF COMMISSIONERS


ELDRIN BELL, CHAIRMAN


WOLE RALPH, VICE CHAIRMAN


GAIL B. HAMBRICK, COMMISSIONER


SONNA SINGLETON, COMMISSIONER


MICHAEL EDMONDSON, COMMISSIONER

ATTEST:


SHELBY D. HAYWOOD, CLERK