

STATE OF GEORGIA

COUNTY OF CLAYTON

ORDINANCE NO. 2016 – 176

AN ORDINANCE ADOPTED UNDER THE HOME RULE POWERS GRANTED PURSUANT TO ARTICLE IX, SECTION II, PARAGRAPH I OF THE CONSTITUTION OF THE STATE OF GEORGIA OF 1983, TO AMEND THE LOCAL ACT OF THE GENERAL ASSEMBLY CREATING THE CLAYTON COUNTY CIVIL SERVICE SYSTEM, 1994 GA. LAWS, PAGE 4399, TO EXCEPT DEPARTMENT DIRECTORS AND DEPARTMENT HEADS FROM THE CIVIL SERVICE SYSTEM; TO PROVIDE AN EFFECTIVE DATE OF THIS ORDINANCE; AND FOR OTHER PURPOSES.

WHEREAS, the Clayton County Civil Service System Act (“Act”) was established and adopted by a Local Constitutional Amendment passed by the General Assembly of the State of Georgia, 1963 Ga. Laws, page 681, the Act was continued in force and effect on March 28, 1986, 1986 Ga. Laws, page 5573, and the Act was amended on March 29, 1994, 1994 Ga. Laws, page 4399; and

WHEREAS, the Act is codified in the Clayton County Code, Part I - Related Laws Pertaining to Clayton County, Article IV. - Civil Service System, Sections 4-1.-4-13.; and

WHEREAS, the Clayton County Board of Commissioners wishes to exercise its Home Rule Power to amend the Act to except department directors and department heads from the civil service system.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS

CLAYTON COUNTY, GEORGIA AND IT IS HEREBY ORDAINED

**Section 1.** 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 Clayton County Civil Service System Act (“Act”), originally established and adopted at 1963 Ga. Laws, page 681, continued in force and effect at 1986 Ga. Laws, page 5573, and amended by 1994 Ga. Laws, page 4399, Section 2(c), and also hereby amends the *CODE OF CLAYTON COUNTY, GEORGIA*, as amended, Part I - Related Laws Pertaining to Clayton County, Article IV. - Civil Service System, Section 4-2. Established; employees subject to system; exempt employees, subsection (c), by deleting subsection (c) in its entirety and replacing it with a new subsection (c) to read as follows:

“All employees of Clayton County may be placed under the civil service system except elected officials; appointed boards; members of commissions and authorities; probationary employees; temporary employees; part-time employees; judges of the juvenile court; judges of the magistrate court; the chief administrator; the chief operating officer; the economic development officer; the staff attorney; deputy clerks of the superior and state court; deputy tax commissioners; court reporters; law clerks; department directors; department heads; and other employees expressly exempt by law.”

**Section 2.** All laws, ordinances and resolutions, or parts thereof, which conflict with the provisions of this Ordinance are hereby repealed.

**Section 3.** If any part of this Ordinance shall be declared unconstitutional by the valid judgment of any court of competent jurisdiction, such unconstitutionality shall not affect the remainder of this enactment, and such remainder shall remain in full force and effect.

**Section 4.** Pursuant to Article IX, Section II, Paragraph I (b)(1) of the Constitution of the State of Georgia of 1983, local acts amended using to the Home Rule Power must be adopted at two regular consecutive meetings.

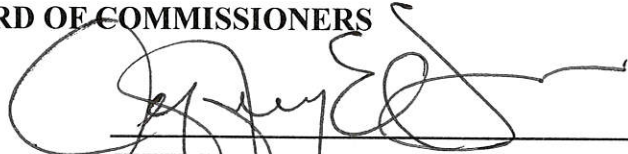
This Ordinance was approved on the 6<sup>th</sup> day of December, 2016,  
by a vote of 4 yeas and 0 nays. [Commissioner Rooks was absent from this meeting.]


This Ordinance was approved on the 20<sup>th</sup> day of December, 2016,  
by a vote of 5 yeas and 0 nays.

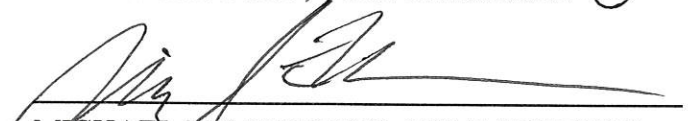
This Ordinance shall become effective immediately upon its second approval by the Board of Commissioners.

SO ORDAINED, this the 20<sup>th</sup> day of December, 2016.

**CLAYTON COUNTY BOARD OF COMMISSIONERS**

  
\_\_\_\_\_  
JEFFREY E. TURNER, CHAIRMAN

  
\_\_\_\_\_  
SONNA GREGORY, VICE CHAIRMAN

  
\_\_\_\_\_  
MICHAEL EDMONDSON, COMMISSIONER

  
\_\_\_\_\_  
GAIL B. HAMBRICK, COMMISSIONER

  
\_\_\_\_\_  
SHANA M. ROOKS, COMMISSIONER

ATTEST:

  
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SANDRA T. DAVIS, CLERK