

Proposed Ordinance #0-10-21
Subject Matter: Election Procedures
Date of Public Hearing Before City Council: 6-17-21
Date of Adoption: 6-17-21

CITY OF FAYETTEVILLE
COUNTY OF FAYETTE
STATE OF GEORGIA

ORDINANCE NUMBER 0-10-21
(as enacted)
CITY OF FAYETTEVILLE, GEORGIA

PREAMBLE

AN ORDINANCE OF THE CITY OF FAYETTEVILLE, GEORGIA

WHEREAS, the Election Code adopted by the Georgia Legislature allows a municipality to authorize the county in which it lies to conduct municipal elections, and

WHEREAS, the Mayor and City Council of the City of Fayetteville find that it is in the best interest of the citizens of Fayetteville, and an orderly election process, to adopt the following election procedures for the November 2, 2021 election and any necessary run-offs,

WHEREFORE, IT IS HEREBY ORDAINED AND ENACTED BY THE MAYOR AND COUNCIL FOR THE CITY OF FAYETTEVILLE AS FOLLOWS:

ARTICLE I

Pursuant to O.C.G.A. §21-2-45(C)(2), the City of Fayetteville authorizes the Board of Elections of Fayette County to operate and manage the City elections for November 2, 2021, and any and all necessary run-offs and any special elections that may occur within 12 months of this agreement.

ARTICLE II

The ballots shall be counted by Fayette County election personnel with on-site overview by a designated member of the City's personnel.

ARTICLE III

For the City's elections to be held November 2, 2021, and any necessary run-offs or special elections, Fayette County shall maintain the official voting list of the registered voters within the City of Fayetteville for the purposes of said election, and will implement, with the guidance of the

City's designated personnel, the City's usual and customary procedures should any citizen claim to be registered voter for City elections, but whose name does not appear on said voting list; and should any such citizen establish to the satisfaction of the City's designated personnel and as required by law that he/she is a registered voter in the City of Fayetteville, said citizen will be allowed to vote in the said election.

ARTICLE IV

The City's absentee ballot for the City election of November 2, 2021, and any necessary run-offs or special elections, shall be administered, managed, and conducted by the Board of Elections for Fayette County and its representatives under the supervision of the City's designated personnel.

ARTICLE V

This ordinance and the procedures adopted hereby shall apply only to the City's election of November 2, 2021, and any necessary run-offs or special elections.

ARTICLE VI

Any ordinance or part of any ordinance in conflict herewith is hereby repealed.

ARTICLE VII

If any section, subsection, sentence, clause, phrase, or other portion of this ordinance for any reason is held invalid or unconstitutional by court of competent jurisdiction, such portion shall be deemed as a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portion hereof.

ARTICLE VIII

This ordinance shall become immediately effective upon its adoption.

ARTICLE IX

Attached hereto is an Agreement between the City and Fayette County to implement this Ordinance and to authorize the Fayette County Board of Elections and its Superintendent to conduct such elections as described in said attached Agreement. The City's Mayor is hereby authorized to sign and execute the attached Agreement on behalf of the City, and the clerk shall attest to the same.

APPROVED BY THE MAYOR AND COUNCIL OF THE CITY OF FAYETTEVILLE at a regular meeting of the Mayor and Council on the 17th day of June, 2021, by the following voting for adoption:

[Signatures on following page]

EDWARD J. JOHNSON, JR., MAYOR

Darryl Langford, Mayor Pro Tem

T. Joe Clark, Councilmember

ANNE BARKSDALE, CITY CLERK

Richard J. Hoffman, Councilmember

Paul C. Oddo, Jr., Councilmember

Scott Stacy, Councilmember