

AN ORDINANCE BY COUNCILMEMBER KEISHA LANCE BOTTOMS TO AMEND THE CHARTER OF THE CITY OF ATLANTA, GEORGIA ADOPTED UNDER AND BY VIRTUE OF THE AUTHORITY OF THE MUNICIPAL HOME RULE ACT OF 1965, O.C.G.A. SECTION 36-35-1. ET SEQ., AS AMENDED, SO AS TO AMEND THE CHARTER OF THE CITY OF ATLANTA, GEORGIA, 1996 GA LAWS P. 4469, ET SEQ., BY AMENDING SUBPART A, ARTICLE 4, COURTS, SECTIONS 4-104 (G) AND 4-105(B) OF THE CITY OF ATLANTA CODE OF ORDINANCES FOR THE PURPOSE OF MODIFYING JUDGE COMPENSATION AND CHIEF JUDGE DUTIES; AND FOR OTHER PURPOSES.(TO BE ADVERTISED FOR A PUBLIC HEARING)

Workflow List:

Atlanta City Council	Completed	06/18/2014 5:39 PM
Public Safety & Legal Administration Committee	Pending	

HISTORY:

06/16/14	Atlanta City Council	REFERRED WITHOUT OBJECTION
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RESULT:	REFERRED WITHOUT OBJECTION	Next: 6/24/2014 3:00 PM
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RESULT:	REFERRED WITHOUT OBJECTION	Next: 6/24/2014 3:00 PM
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Certified by Presiding Officer	Certified by Clerk
Mayor's Action <i>See Authentication Page Attachment</i>	

LEGISLATION HISTORY – BLUE BACK

CITY COUNCIL
ATLANTA, GEORGIA

14-O-1337

SPONSOR SIGNATURES



Keisha Lance Bottoms, Councilmember, District 11

AN ORDINANCE BY COUNCILMEMBER KEISHA LANCE BOTTOMS TO AMEND THE CHARTER OF THE CITY OF ATLANTA, GEORGIA ADOPTED UNDER AND BY VIRTUE OF THE AUTHORITY OF THE MUNICIPAL HOME RULE ACT OF 1965, O.C.G.A. SECTION 36-35-1. ET SEQ., AS AMENDED, SO AS TO AMEND THE CHARTER OF THE CITY OF ATLANTA, GEORGIA, 1996 GA LAWS P. 4469, ET SEQ., BY AMENDING SUBPART A, ARTICLE 4, COURTS, SECTIONS 4-104 (G) AND 4-105(B) OF THE CITY OF ATLANTA CODE OF ORDINANCES FOR THE PURPOSE OF MODIFYING JUDGE COMPENSATION AND CHIEF JUDGE DUTIES; AND FOR OTHER PURPOSES.(TO BE ADVERTISED FOR A PUBLIC HEARING)

WHEREAS, due to the City of Atlanta's ("City") financial constraints in Fiscal Year 2009 the City's Municipal Court went to a four-day work week; and

WHEREAS, the City's improved financial condition and the demands of the general public now require the Municipal Court operate at least five days per week; and

WHEREAS, pursuant to the City of Atlanta Charter, 1996 Ga. Laws P. 4469, et seq. (the Charter) Subpart A, Article 4, Courts, Section 4-105(b) ("Section 4-105") the Municipal Court hours of operation are set by the Chief Judge and the City desires to amend Section 4-105 to remove that responsibility; and

WHEREAS, the City, by separate legislation, has added Section 62-48 to Part II, Chapter 62 Courts, Article II Municipal Court, Division 1 of the City of Atlanta Code of Ordinances setting forth hours of operation for the Municipal Court; and

WHEREAS, the Charter Subpart A, Article 4, Courts, Section 4-104 (g) ("Section 4-104") establishes Judge compensation; and

WHEREAS, the City desires to amend Section 4-104 to better align Judge compensation with the newly established Municipal Court hours of operation.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1: That the City of Atlanta Charter Subpart A, Article 4, Courts, Section 4-105(b) is hereby amended by removing the stricken language as shown below:

(b) *Duties*. The chief judge shall be responsible for the general supervision of the municipal court and shall promulgate all rules necessary for the supervision, conduct,

and administration of the court, including but not limited to the number of divisions into which the court is divided and the assignment of judges to duty therein; the hours of operation of the court; the preparation of calendars deemed necessary and proper; and a system for keeping court records and shall require such reports from the judges, solicitor, public defender, clerk/administrator, and other court personnel as deemed necessary and proper. Such rules so promulgated shall be reduced to writing. The chief judge shall be responsible also for the preparation and submittal of budgets of said court to the mayor and city council and appropriate departments, committees, and agencies. He or she shall further perform other duties as the council may provide by ordinance or as required by law.

SECTION 2: That City of Atlanta Charter Subpart A, Article 4, Courts, Section 4-104 (g) which currently reads:

Compensation. The municipal court judges shall be paid an annual salary no less than 90 percent of the total annual compensation of the judges of the Superior Court within the territorial jurisdiction of said court.

Is hereby amended to read:

(g) *Compensation.*

(1) The municipal court judges presiding over a court calendar at least five days per week shall be paid an annual salary no less than 90 percent of the total annual compensation of the judges of the State Court within the territorial jurisdiction of said court.

(2) The municipal court judges presiding over a court calendar four days or less per week shall be paid an annual salary no less than 80 percent of the total annual compensation of the judges of the State Court within the territorial jurisdiction of said court.

SECTION 3: That a copy of this proposed amendment to the Charter of the City of Atlanta, Georgia 1996 Ga. L., et seq. as amended, shall be filed in the Office of the Municipal Clerk of the City of Atlanta and in the Offices of the Clerks of the Superior Courts of Fulton and DeKalb Counties and that a "Notice of Proposed Amendment to

the Charter of the City of Atlanta, Georgia," attached hereto and marked Exhibit "A" and made a part of this ordinance, be published in the official organ of the county of the legal situs of the City of Atlanta or in a newspaper of general circulation in the City of Atlanta once a week for three weeks within a period of 60 days immediately preceding its final adoption, and that a copy of said advertisement be attached to this ordinance prior to its final adoption by the Council of the City of Atlanta.

SECTION 4: All ordinances in conflict herewith are hereby waived for purposes of this Ordinance only, and only to the extent of said conflict.

(Do Not Write Above This Line)

AN ORDINANCE TO AMEND THE CHARTER OF THE CITY OF ATLANTA

BY COUNCIL MEMBER:
KEISHA LANCE BOTTOMS

AN ORDINANCE TO AMEND THE CHARTER OF THE CITY OF ATLANTA, GEORGIA ADOPTED UNDER AND BY VIRTUE OF THE AUTHORITY OF THE MUNICIPAL HOME RULE ACT OF 1965, O.C.G.A. SECTION 36-51. ET SEQ., AS AMENDED, SO AS TO AMEND THE CHARTER OF THE CITY OF ATLANTA, GEORGIA 1996 GA LAWS P. 4469, ET SEQ., BY AMENDING SUBPART A, ARTICLE 4, COURTS, SECTIONS 4-104 (g) AND 4-105 (b) OF THE CITY OF ATLANTA CODE OF ORDINANCES FOR THE PURPOSE OF MODIFYING JUDGE COMPENSATION AND CHIEF JUDGE DUTIES; AND FOR OTHER PURPOSES.

Approved By:

KEISHA LANCE BOTTOMS
Councilmember

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1ST ADOPT 2ND READ & REFER
- PERSONAL PAPER REFER

Date Referred: 8/16/14
 Referred To: Public Safety
 Date Referred:
 Referred To:
 Date Referred:
 Referred To:

Committee _____
 Date _____
 Chair _____
 Referred To _____

First Reading

Committee _____

Date _____

Chair _____

Action
 Fav, Adv, Hold (see rev. side)
 Other _____

Members _____

Refer To _____

Committee _____

Date _____

Chair _____

Action
 Fav, Adv, Hold (see rev. side)
 Other _____

Members _____

Refer To _____

Committee _____

Date _____

Chair _____

Action
 Fav, Adv, Hold (see rev. side)
 Other _____

Members _____

Refer To _____

Committee _____

Date _____

Chair _____

Action
 Fav, Adv, Hold (see rev. side)
 Other _____

Members _____

Refer To _____

- FINAL COUNCIL ACTION
- 2nd
 - 1st & 2nd Readings
 - 3rd
 - Consent
 - V Vote
 - RC Vote

CERTIFIED

MAYOR'S ACTION

**AN ORDINANCE TO AMEND THE CHARTER OF THE CITY OF ATLANTA
BY**

COUNCILMEMBER KEISHA LANCE BOTTOMS

AN ORDINANCE TO AMEND THE CHARTER OF THE CITY OF ATLANTA, GEORGIA ADOPTED UNDER AND BY VIRTUE OF THE AUTHORITY OF THE MUNICIPAL HOME RULE ACT OF 1965, O.C.G.A. SECTION 36-35-1. ET SEQ., AS AMENDED, SO AS TO AMEND THE CHARTER OF THE CITY OF ATLANTA, GEORGIA, 1996 GA LAWS P. 4469, ET SEQ., by AMENDING SUBPART A, ARTICLE 4, COURTS, SECTIONS 4-104 (g) AND 4-105(b) OF THE CITY OF ATLANTA CODE OF ORDINANCES FOR THE PURPOSE OF MODIFYING JUDGE COMPENSATION AND CHIEF JUDGE DUTIES; AND FOR OTHER PURPOSES.

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WHEREAS, pursuant to the City of Atlanta Charter, 1996 Ga. Laws P. 4469, et seq. (the Charter) Subpart A, Article 4, Courts, Section 4-105(b) ("Section 4-105") the Municipal Court hours of operation are set by the Chief Judge and the City desires to amend Section 4-105 to remove that responsibility; and

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~~of operation of the court~~; the preparation of calendars deemed necessary and proper; and a system for keeping court records and shall require such reports from the judges, solicitor, public defender, clerk/administrator, and other court personnel as deemed necessary and proper. Such rules so promulgated shall be reduced to writing. The chief judge shall be responsible also for the preparation and submittal of budgets of said court to the mayor and city council and appropriate departments, committees, and agencies. He or she shall further perform other duties as the council may provide by ordinance or as required by law.

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SECTION 3: That a copy of this proposed amendment to the Charter of the City of Atlanta, Georgia 1996 Ga. L., et seq. as amended, shall be filed in the Office of the Municipal Clerk of the City of Atlanta and in the Offices of the Clerks of the Superior Courts of Fulton and DeKalb Counties and that a "Notice of Proposed Amendment to the Charter of the City of Atlanta, Georgia," attached hereto and marked Exhibit "A" and made a part of this ordinance, be published in the official organ of the county of the legal situs of the City of Atlanta or in a newspaper of general circulation in the City of Atlanta once a week for three weeks within a period of 60 days immediately preceding its final adoption, and that a copy of said advertisement be attached to this ordinance prior to its final adoption by the Council of the City of Atlanta.

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Exhibit "A"

**NOTICE OF PROPOSED AMENDMENT
TO THE CHARTER OF THE CITY OF ATLANTA**

Notice is hereby given that an Ordinance has been introduced to amend the Charter of the City of Atlanta (Ga. Laws, 1996, p. 4469, et seq.) approved April 15, 1996, as amended, said Ordinance being captioned as follows:

AN ORDINANCE TO AMEND THE CHARTER OF THE CITY OF ATLANTA, GEORGIA ADOPTED UNDER AND BY VIRTUE OF THE AUTHORITY OF THE MUNICIPAL HOME RULE ACT OF 1965, O.C.G.A. SECTION 36-35-1. ET SEQ., AS AMENDED, SO AS TO AMEND THE CHARTER OF THE CITY OF ATLANTA, GEORGIA, 1996 GA LAWS P. 4469, ET SEQ., BY AMENDING SUBPART A, ARTICLE 4, COURTS, SECTIONS 4-104 (G) AND 4-105(B) OF THE CITY OF ATLANTA CODE OF ORDINANCES FOR THE PURPOSE OF MODIFYING JUDGE COMPENSATION AND CHIEF JUDGE DUTIES; AND FOR OTHER PURPOSES.

A copy of the proposed Ordinance and Charter Amendment is on file in the Office of the Municipal Clerk of the City of Atlanta and in the Offices of the clerks of the Superior Courts of Fulton and DeKalb Counties, Georgia for the purpose of examination and inspection by the public.

This _____ day of _____, 2014.

Rhonda Dauphin Johnson
Municipal Clerk
City of Atlanta

Exhibit "A"

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TO THE CHARTER OF THE CITY OF ATLANTA**

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This _____ day of _____, 2014.

Rhonda Dauphin Johnson
Municipal Clerk
City of Atlanta

Attachment: EXHIBIT A (14-O-1337 : MUNICIPAL HOME RULE)