

STATE OF GEORGIA

COUNTY OF CLAYTON

ORDINANCE NO. 2016 – 177

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 AND COMPOSING THE CLAYTON COUNTY BOARD OF COMMISSIONERS AND SETTING FORTH THE GENERAL PROVISIONS GOVERNING CLAYTON COUNTY GOVERNMENT, 1983 GA. LAWS, PAGE 4503; TO MODIFY THE REPORTING STRUCTURE FOR THE POSITION OF CHIEF OPERATING OFFICER; TO PROVIDE AN EFFECTIVE DATE OF THIS ORDINANCE; AND FOR OTHER PURPOSES.

WHEREAS, Clayton County, Georgia is governed by a Local Act of the General Assembly of the State of Georgia (“Act”), which was originally established and approved on February 8, 1955, 1955 Ga. Laws, page 2064, and which was amended on March 29, 1983 Ga. Laws, page 4503; and

WHEREAS, the Clayton County Board of Commissioners exercised its Home Rule Power to further amended the Act on January 8, 2013, to create the position of Chief Operating Officer and define the reporting structure for the position of Chief Operating Officer; and

WHEREAS, the Clayton County Board of Commissioners now desires to amend the Act to modify the reporting structure for the position of the Chief Operating Officer.

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 Act, originally established and adopted at 1955 Ga. Laws, page 2064, and amended by 1983 Ga. Laws, page 4503, Section 4 (Section 10C(a)), and also hereby amends the *CODE OF CLAYTON COUNTY, GEORGIA*, as amended, Part I, Article II “Board of Commissioners”, Section 2-13 “Chief operating officer and assistants”, by deleting subsection (a) in its entirety and replacing it with a new subsection (a) to read as follows:

“The position of chief operating officer is created. The chief operating officer shall be appointed by the board of commissioners. The duties of the chief operating officer shall be determined by the board of commissioners, and the chief operating officer shall perform those duties under the daily direction of the board of commissioners and shall perform such other duties imposed upon him or her from time to time by action of the board. The provisions of the Clayton County Civil Service Act shall not be applicable to the position of chief operating officer.”

**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 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 3 yeas and 1 nays. [Chairman Turner opposed and Commissioner Rooks was absent for this meeting.]

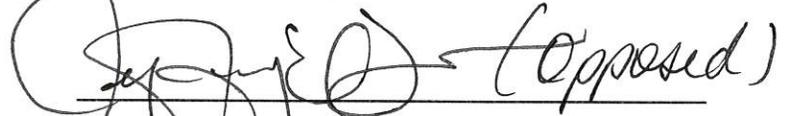
This Ordinance was approved on the 20<sup>th</sup> day of December, 2016,

by a vote of 3 yeas and 2 nays. [Chairman Turner and Commissioner Rooks opposed.]

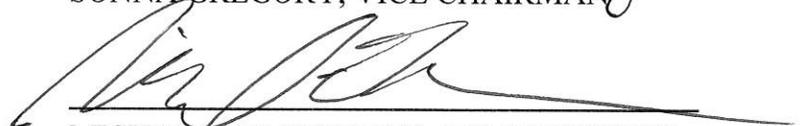
This Ordinance shall become effective immediately upon its second approval by the Board of Commissioners.

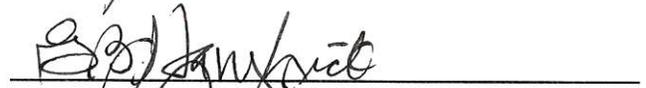
**SO ORDAINED**, this the 20<sup>th</sup> day of December, 2016.

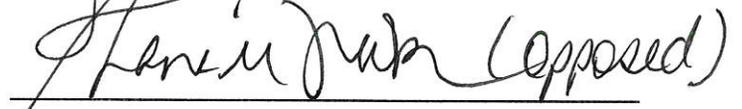
**CLAYTON COUNTY BOARD OF COMMISSIONERS**

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

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

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

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

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

ATTEST:

  
\_\_\_\_\_  
SANDRA T. DAVIS, CLERK