



# **CITY OF VALDOSTA**

## **Boards, Commissions, Authorities, and Advisory Committees General Membership Requirements and Code of Ethics**

**May 5, 2021**

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**City of Valdosta**  
**Boards, Commissions, Authorities, and Advisory Committees**  
**General Membership Requirements**

1. Nominees will complete an application for consideration.
2. Nominees must be a resident of Lowndes County for at least six (6) months prior to their nomination.
3. Nominees will read and sign acknowledgement of the City of Valdosta Code of Ethics.
4. Nominees must maintain their residency in Lowndes County during their appointed term.
5. All members of any City of Valdosta Board, Commission, Authority, or Committee will serve without compensation.

## **I. Central Valdosta Development Authority:**

Recognizing downtown Valdosta as the historic core of the community, the Central Valdosta Development Authority manages the process of enhancing downtown's position as the governmental, cultural, and economic center of the Greater Lowndes County area by involving businesses, property owners, government, churches, and the entire community.

The Authority consists of seven (7) members; four (4) of whom shall be owners of an interest of at least a life estate or greater interest in real estate located in the Central Valdosta Area, or officers at the time of appointment of a corporation or other association owning such real estate or in fee or for life of an undivided interest in such real estate, and they shall be eligible to serve for the term for which they are appointed; one (1) member shall be the Mayor of the City of Valdosta by virtue of his office, or his Appointee; and two (2) members shall be at the time of their appointment, merchants or professional people operating businesses or practicing professions within the Central Valdosta Area. All members except for the Mayor or his/her designee shall be appointed by the City Council and serve a two-year term. All Board members must complete the State Development Authority Board Member Certification. Board members should actively participate in one of three of the four Main Street committees (Design, Economic Restructuring, Promotions and Marketing) prior to being appointed to the Board. Committee participation is required throughout the Board term. Board members must be willing to commit to attend at least 90% of the regular monthly Board meetings in addition to Committee meetings.

The Central Valdosta Development Authority meets the Tuesday following the second Sunday of each month at 5:00 p.m. All meetings are held in the Multi-Purpose Room in the City Hall Annex located at 300 North Lee Street.

## **II. Greater Lowndes Planning Commission:**

It shall be the function and duty of the Planning Commission, subject to the direction and control of the respective member governments, to make surveys and studies of existing conditions and future developments and to prepare or recommend such plans for community growth and development, as will best promote the public health, safety, morals, convenience, prosperity, general welfare, efficiency and economy of the member governments. In particular, the Planning Commission shall have the power and duty, subject to the control and direction of the member governments, to: (1) oversee and maintain a local Comprehensive Plan collectively or for each member government, that is in accordance with the State of Georgia requirements and guidelines and make recommendations on any amendments thereto, (2) provide each member government advice and recommendations upon proposed amendments to its respective zoning ordinance, subdivision regulations, and other ordinances and regulations as requested by such member government, (3) provide each member government advice and recommendations on such other matters as requested from time to time by such member government.

The Planning Commission is comprised of twelve (12) members of various backgrounds who are appointed by the elected officials of each governing body. Four (4) members will be appointed by Lowndes County, four (4) appointed by the City of Valdosta, one (1) appointed by the City of Dasher, one (1) appointed by the City of Hahira, one (1) appointed by the City of Lake Park, and one (1) appointed by the City of Remerton.

**II. Greater Lowndes Planning Commission (Con't):**

All Planning Commission members shall be appointed for a term of five years. Any Planning Commission member may be then reappointed to succeed himself or herself. If at the end of any term of any Commission member a successor thereto has not been appointed, the Commission member whose term has expired shall continue to serve as a Commission member until his or her successor is appointed; provided, however, the term of any such successor shall be deemed to begin on the day following the expired term of the Commission member then holding office.

Each Planning Commission member shall be a resident of Lowndes County at the time of his or her appointment and shall remain a resident of Lowndes County in order to continue serving as a Planning Commission member. It is recommended that appointees to the Planning Commission live within the jurisdictional boundaries of the appointing government. Planning Commission members shall hold no elected office.

The Planning Commission shall elect from its members a Chairman, to serve a term of two calendar years and until a successor is elected, and a Vice-Chairman, to serve a term of two calendar years and until a successor is elected. When possible, the Chair and at least two other members of the Planning Commission shall be professionally qualified in the fields of planning, architecture, landscape architecture, civil engineering, real estate, building construction, or related fields.

The Planning Commission meets the 4<sup>th</sup> Monday of each month (except December) at 5:30 p.m. at the South Health District Administrative Office Conference Room located at 325 W. Savannah Avenue.

**III. Valdosta-Lowndes County Zoning Board of Appeals:**

The Valdosta-Lowndes County Zoning Board of Appeals was established to hear Appeals and Variances of the City of Valdosta Land Development Regulations (LDR) as well as the Lowndes County Unified Land Development Code (ULDC).

The Zoning Board is comprised of eight members with four appointments by the City of Valdosta and four by the Lowndes County Board of Commissioners. Members will serve a three-year term. Board members should have experience in land development, be familiar with the City of Valdosta Land Development Regulations and be willing to commit sufficient time to the Board in order to be an effective Board member.

The Valdosta-Lowndes County Zoning Board of Appeals meets the first Tuesday of each month at 2:30 p.m. in the multi-purpose room at the City Hall Annex located at 300 North Lee Street.

**IV. Valdosta Historic Preservation Commission:**

The goal of the Valdosta Historic Preservation Commission is to protect, preserve, and promote the City's historic resources. The Historic Preservation Commission is empowered to regulate the demolition, relocation, or any material change to the exterior of historic resources and non-historic resources located in the Valdosta Local Historic District.

**IV. Valdosta Historic Preservation Commission (Con't):**

Members of the Valdosta Historic Preservation Commission must reside within the City of Valdosta and shall include representation for each of the district subareas. Members shall have demonstrated special interest, experience, or knowledge in historic preservation. To the extent that such professionals are available in Valdosta, members shall be appointed from the disciplines of architecture, history, architectural history, historic preservation, planning, archaeology, or other disciplines related to historic preservation. All seven members are appointed by the Mayor and Council and serve three-year terms. One of the appointees must be a registered architect in order for the City to retain its status as a Certified Local Government with the Georgia Department of Natural Resources. Members of the Preservation Commission are voluntary in nature and are not compensated although they may be reimbursed for expenses incurred related to their duty. Members of the Historic Preservation Commission will be expected to attend (once) monthly public Historic Preservation Commission meetings to review proposed applications for Certificates of Appropriateness. Prior to each meeting, members are expected to review the Board Packet containing the upcoming cases and make a site visit to each proposed applicant's site or building. Members of the Historic Preservation Commission are expected to be familiar with the Secretary of the Interior's Standards for Rehabilitation and the City of Valdosta Design Guidelines and to use these tools in making their decisions regarding current proposals. Members shall attend one of the Georgia Alliance of Preservation Commission's Historic Preservation Commission Training sessions held bi-annually within eight months of appointment. Additionally, each member shall attend at least one historic preservation educational session on an annual basis.

The Valdosta Historic Preservation Commission meets the first Monday of each month at 5:30 p.m. in the City Hall Annex multi-purpose room located at 300 North Lee Street.

**V. Downtown Development Authority Board:**

The Downtown Development Authority manages the process of enhancing Downtown's position as the governmental, cultural, and economic center of the Greater Lowndes County area by involving businesses, property owners, government, churches, and the entire community and by extending the boundaries of the Central Valdosta Development Authority.

The Downtown Development Authority is comprised of seven members all of whom are residents and taxpayers of the City of Valdosta, Georgia. Three members shall be appointed to a one-year term each and four members shall be appointed to a two-year term each. The Mayor and Council of the City of Valdosta may appoint one of its elected members as a member of the Authority. After expiration of the initial term, except for the Director who is also a member of the governing body of the municipal corporation, the term of all Directors shall be two years. The term of the Director who is also a member of the governing body of a municipal corporation shall end when such Director is no longer a member of the governing body of the municipal corporation. If at the end of any term of office of any Director a successor to such Director has not been elected, the Director whose term of office has expired shall continue to hold office until a successor is elected. A majority of the Board of Directors shall constitute a quorum. The Downtown Development Authority Board meets as needed with the location to be determined.

**VI. Community Improvement District Board:**

It is the purpose and responsibility of the Community Improvement District Board of Directors to oversee the collection of taxes and payment of the financing that represents the downtown property owner's contribution to the 1996 Streetscape Enhancement Project. This financing is scheduled to be repaid by February 2020. Upon retirement of the debt, this Board will be officially dissolved and the CID tax will sunset.

The Community Improvement District Board meets as needed with the location to be determined.

**VII. Valdosta Tree Commission:**

The Valdosta Tree Commission was formed by the Valdosta Mayor and City Council in 1976 to regulate the planting, maintenance, and removal of trees and shrubs in public places, to provide for the pruning and removal of trees which endanger public safety, and to improve the general welfare and health of the people of the City by promoting informed management of the City's urban forest. The Tree Commission recommends changes to the City's Tree and Landscape Ordinance, initiates and implements planting projects, and conducts educational programs regarding the importance and value of trees as part of the City's infrastructure. Individuals with a professional position, training, education, or an exhibited interest in the management of the City's urban forest can be members of the Tree Commission.

The Commission shall consist of ten (10) members as follows: Eight (8) members shall be appointed by Mayor and Council of the City of Valdosta and two (2) City of Valdosta employees shall be designated by the City Manager to serve as ex-officio members. The members appointed by Mayor and Council shall be citizens of the City of Valdosta, and the original respective terms of the members were as follows: (1) One member for one year, (2) Two members for three years, and (3) Four members for four years, and thereafter upon the expiration of such terms, successors shall be appointed for a term of four years by the Mayor and Council. Vacancies caused by death, resignation or otherwise, shall be filled for the unexpired term by Mayor and Council. The Chairman is a non-voting position.

The Tree Commission meets the second Monday of each month at 5:15 p.m. at the City Hall Annex, 300 North Lee Street, Engineering Conference Room, 2<sup>nd</sup> Floor.

**VIII. Valdosta Housing Board of Adjustments and Appeals:**

The purpose of the Housing Board of Adjustments and Appeals is to consider and determine appeals whenever it is claimed that the true intent and meaning of the Housing Code or any of its regulations have been misconstrued or wrongly interpreted. The Housing Board of Adjustments and Appeals also permits, in appropriate cases, where the application of the requirement of this Code in the allowance of the stated time for the performance of any action required hereunder would appear to cause undue hardship on an owner, one or more extensions of time not to exceed 120 days each from the date of such decision of the Board. Applications for additional extensions of time shall be heard by the Board. Such requests for additional extensions of time shall be filed with the Housing Official not less than 30 days prior to the expiration of the current extension. The Housing Board of Adjustments and Appeals shall establish its own rules of procedure for accomplishment of its duties and functions, provided

**VIII. Valdosta Housing Board of Adjustments and Appeals (Con't):**

that such rules shall not be in conflict with the provisions of the Housing Code and the laws of the state.

The Valdosta Housing Board of Adjustments and Appeals consists of five members all appointed by the City Council. Members will serve a three-year term. Board members should have some knowledge of construction or property management and should have some experience in community redevelopment.

The Board meets as needed in the City Hall Annex Building, Main Street Conference Room, 300 North Lee Street.

**IX. Valdosta-Lowndes County Construction Board of Adjustments and Appeals:**

The purpose of the Valdosta-Lowndes County Construction Board of Adjustments and Appeals is to review and decide specific appeals made by individuals concerning the interpretation or administration of the Construction Codes and to review and decide upon waiver requests. The Valdosta-Lowndes County Construction Board of Adjustments and Appeals will also advise the Governing Authorities, the Community Development Department, and any other affected Departments on issues and matters of concern as to procedures of the Board or interpretation of the Construction Codes. The holder of a permit, owner of a building, structure, or service system, or his duly authorized agent may appeal a decision of the Director of Community Development to the Board.

The Valdosta-Lowndes County Construction Board of Adjustments and Appeals consists of seven members. Four members are appointed by the City of Valdosta and three by the Lowndes County Board of Commissioners. Members will serve a three-year term. Members must have experience in the construction industry. The General Contractor appointment rotates between the City and the County.

The Valdosta-Lowndes County Construction Board of Adjustments and Appeals meets quarterly on the second Wednesday at 9:00 a.m. in the Inspections Department Conference Room, City Hall Annex, 300 North Lee Street.

**X. Lowndes County Board of Health:**

The Lowndes County Board of Health has established and adopted bylaws for its own governance. The Board exercises responsibility and authority in all matters within the County pertaining to health unless the responsibility for enforcement of such is by law that of another agency. The Board takes such steps as may be necessary to prevent and suppress disease and conditions deleterious to health and to determine compliance with health laws and rules, regulations and standards adopted thereunder. The Board adopts and enforces rules and regulations appropriate to its function and powers, provided such rules and regulations are not in conflict with the rules and regulations of the Department. The Board receives and administers all grants, gifts, monies, and donations for purposes pertaining to health pursuant to this chapter, and the Board makes contracts and establishes fees for the provision of public health services. The Board contracts with the Department of Human Resources or other agencies for assistance in the performance of its functions (O.C.G.A. §31-3-4).



**X. Lowndes County Board of Health (Con't):**

The City of Valdosta has one appointment that fills the position which requires the Board member to be a consumer or licensed nurse. The Mayor serves during his/her elected term of office. Members will serve a six-year term.

The Lowndes County Board of Health meets six times per year during the months of January, March, May, July, September, and November at 7:30 a.m. at the Lowndes County Health Department, First Floor Conference Room, 206 South Patterson Street.

**XI. Valdosta-Lowndes County Development Authority:**

The Valdosta-Lowndes County Development Authority is responsible for the proper applications of those powers associated with the promotion and encouragement of the location and expansion of industry, agriculture, trade, and commerce in Valdosta and Lowndes County. Other responsibilities of the Development Authority include the following: (1) to buy, acquire, develop, improve, own, operate, maintain, sell, lease and mortgage land, buildings, and property, (2) to grant, loan, or lease Development Authority funds and/or property to private persons or corporations operating or proposing to operate any industrial establishment, (3) to encourage industrial and agricultural development in Valdosta and Lowndes County, (4) to encourage the location of new industries in Valdosta and Lowndes County, (5) to elect Development Authority officers from the Authority's membership, (6) to appoint and select staff and agents and set compensation, and (7) to adopt and amend bylaws and regulations for the conduct and management of the Authority.

The Valdosta-Lowndes County Development Authority consists of five members with two members appointed by the City, two by the County, and one joint appointment by the City and County. Members will serve a five-year term.

The Valdosta-Lowndes County Development Authority meets the third Tuesday of each month at 5:30 p.m. at the Valdosta-Lowndes County Development Authority Office located at 103 Roosevelt Drive.

**XII. Valdosta Housing Authority:**

The Valdosta Housing Authority owns/administers 546 units of public housing within the City of Valdosta. The Authority has 20 employees and a total annual budget of approximately \$2 million. The Authority is operated fully under the guidelines, rules, and regulations of the U.S. Department of Housing and Urban Development with the Board providing oversight into local operations, policy-making, and governance. The goal of the Housing Authority is to provide safe, decent, affordable housing for the citizens of Valdosta and Lowndes County, while at the same time being responsive to the citizens and residents for the economically sound operation of the Authority in its day-to-day operations.

Responsibilities of the Housing Authority are as follows: (1) attend a monthly meeting of the Board of Commissioners (1-1½ hour commitment with lunch provided), (2) have the opportunity to attend state, regional and national housing conferences to gain knowledge in serving as a Commissioner, (3) work with the Board and Executive Director in setting goals for and assessing public and assisted housing needs in the community, and (4) work to keep the

**XII. Valdosta Housing Authority (Con't):**

community focused and informed on the Housing Authority's mission of providing safe, decent, and sanitary housing for the City's residents.

The Authority consists of six members that are all appointed by the Mayor with one member required to be a resident of the Public Housing Authority. Members will serve a five-year term. This six-member Board governs the Authority.

The Valdosta Housing Authority meets the third Monday of each month at 12:00 p.m. at the Housing Authority office, 610 East Ann Street.

**XIII. Valdosta –Lowndes County Airport Authority:**

The Valdosta-Lowndes County Airport Authority is a political subdivision of the State of Georgia created by an act of the General Assembly (H.B. No. 893) and was established effective May 1, 1987. The basic responsibility of the Authority is to construct, own, maintain, expand, and operate any and all public airports in Lowndes County. The Authority is charged with establishment, maintenance, and operation of a unified and coordinated airport system for the public welfare, safety, and convenience. The Authority has all the powers necessary or convenient for its purposes, which include power to contract for, lease, acquire, and dispose of any and all property required to accomplish the responsibilities of the Authority. The Authority has the responsibility to properly manage and account for all assets that come into its possession. The operating budget of the Authority shall be funded equally by the City and County from the general revenues of the local governments. The Authority has the responsibility to develop and expand sources of revenue generated by airport operations to reduce the need for local government revenues where such is reasonable and proper.

The Authority is comprised of six members with three appointed by the Mayor and Council of the City of Valdosta and three by the Board of Commissioners of Lowndes County. Authority members serve a term of four years each and until their successors are appointed. Members receive no compensation but may be reimbursed from funds of the Authority for reasonable and

necessary expenses incurred in pursuing the business of the Authority. The Authority has the power to appoint and fix the compensation of the Executive Director and such other officers and employees as it considers necessary and appropriate.

The Airport Authority meets the second Tuesday of each month at 9:00 a.m. in the Airport Conference Room, 1750 Airport Road.

**XV. Valdosta-Lowndes County Conference Center & Tourism Authority:**

The primary purpose of the Valdosta-Lowndes County Conference Center and Tourism Authority is to provide direction and leadership towards the achievement of the Authority's mission, goals, and objectives.

Responsibilities of the Conference Center & Tourism Authority are as follows: (1) to provide general continuity for the Authority, (2) to elect Authority Officers and to monitor their performance, (3) attend monthly and called meetings of the Authority Board of Directors as

**XV. Valdosta-Lowndes County Conference Center & Tourism Authority (Con't):**

stated per the Board Attendance Policy, (4) upon recommendation of the Board, the Chairman will appoint, define the powers of, and dissolve Committees of the Board, (5) upon recommendation of the Compensation Committee, the Authority Board will hire and establish compensation for the Executive Director/COO, (6) evaluate the performance of the President/COO, (7) develop and oversee the fiscal budget for the Authority which includes operational funding for the CVB, Conference Center, Sports Commission, The Crescent, Historical Society, and Hahira and Lake Park tourism-related promotions and special events, (8) review and approve capital expenditures in the amount of \$10,000.00 or more, (9) review and approve all Authority policies, procedures, rules, and regulations, (10) represent the Authority at special events and meetings on the local and State level, (11) review and approve contracts and agreements entered into on behalf of the Authority (12) to ensure, through continuous review, that the Directors and Officers of the Authority act in accordance with established ethical and professional standards, (13) to increase the effectiveness of management by rendering advice and guidance to the Authority Board Chairman and other principal Officers, (14) to advise the Authority Board Chairman in regard to major decisions affecting the Authority's capitalization structure, resource allocations, and other major financial matters, and (15) to act in accordance with Federal and State laws. All appointees must review and acknowledge receipt of the Authority's Code of Ethics, Conflicts of Interest Policy, and Board-Staff Contact Policy.

The Authority is composed of eight members with four appointed by the City and four appointed by the County. One City appointee must be a City Council member and one County appointee must be a County Commissioner. Also, one City appointee and one County appointee shall be associated with or employed in the lodging and tourism industry. The remaining two City and County appointees are At-Large positions. Members will serve a three-year term.

The Authority meets the fourth Tuesday of each month at 8:00 a.m. in the Executive Board Room at the James H. Rainwater Conference Center, #1 Meeting Place.

**XVI. Hospital Authority of Valdosta and Lowndes County:**

A member of the Board of Trustees of the Hospital Authority of Valdosta and Lowndes County, Georgia, is responsible for establishing policy and an adequate means of implementing policy associated with providing person-centered quality care to each sick or injured patient, for promoting healthful living and preventive medicine to the public, for seeking to provide optimal care at a reasonable price, for achieving and maintaining an excellent staff of competent and caring persons, for encouraging a creative partnership within the hospital community with mutual respect for the role of the public, administration, medical staff, nursing staff, and each individual employee involved in the provision of health care services, and for improving health care in Lowndes County and surrounding areas, while accepting any patient without regard to race, creed, color, or national origin.

Responsibilities of the Hospital Authority are as follows: (1) to provide for the management of all funds of the Medical Center, (2) to provide that all endowment and trust funds be deposited with a responsible trust company or comparable agency for investment, to receive prompt reports of such investments and seeing that the income, after deductions for legitimate expense,

**XVI. Hospital Authority of Valdosta and Lowndes County (Con't):**

is paid into the proper fund of the Medical Center, and to insure that both principal and income are used in accordance with the terms of the trust, (3) to review all capital purchase requests over \$25,000.00, (4) to see that a budget is prepared, (5) to cause an independent audit to be prepared and to receive the annual audit from a qualified certified public accounting firm, (6) to examine the financial reports and to require an explanation from Administration for any significant deviation from budgets, (7) to exercise general oversight of the physical plan of the Hospital as to additions, alterations, repairs, and maintenance, (8) to approve appropriate and qualified architectural, engineering, and general contracting services, (9) to receive and review recommendations on all matters concerning new and revised programs and facilities of the Medical Center, (10) to review proposals for the acquisition of real property, (11) to develop a long range plan for the hospital and to monitor progress toward the accomplishment of such plan, (12) to review recommendations from the Medical Staff Executive Committee concerning appointment, reappointment, and the awarding of privileges to members of the medical staff, (13) to monitor the performance improvement, quality assurance, and risk management activities of the Medical Center, (14) to review and adopt a Performance Improvement/Patient Safety Plan which delineates responsibility for performance improvement, and quality assurance activities in each level of the organization, and to monitor compliance with the plan, (15) to review Satisquest reports that measure patient satisfaction with SGMC services, (16) to review and approve professional contracts between the hospital and members of the medical staff, and (17) to oversee matters of salaried administration and employee benefits and oversee the administration of the hospital's pension plan.

The Hospital Authority is comprised of eight members with four appointed by the City and four appointed by the County. Members will serve a five-year term.

The Hospital Authority meets the third Wednesday of each month at 8:00 a.m. in the Executive Board Room at South Georgia Medical Center, 2501 North Patterson Street.

**XVII. Valdosta-Lowndes County Land Bank Authority:**

The Valdosta-Lowndes County Land Bank Authority was established pursuant to O.C.G.A. §48-4-60, et seq., to foster the public purpose of returning property which is in a non-revenue generating, non-tax producing status to effective utilization status in order to provide housing, new industry, and jobs for citizens.

Responsibilities of the Valdosta-Lowndes County Land Bank Authority are as follows: (1) Inventory and Analysis of Properties - The Board shall collect and receive data from public, private, professional, and volunteer sources to compile an inventory and analysis of desirable property for acquisition. (2) Administration by Authority of Properties - The Authority shall administer the properties acquired by it as follows: (a) all property acquired by the Authority shall be inventoried and appraised, and the inventory shall be maintained as a public record and shall be filed in the office of the Authority, (b) the Authority shall organize and classify the property on the basis of suitability of use, (c) all properties acquired by the Authority shall be appraised and the estimated value as established by the Lowndes County Board of Tax Assessors shall be deemed acceptable for this purpose, (d) The Authority shall provide for the maintenance of all property held by it in accordance with the applicable laws and codes, (e) the Authority shall have the power to manage, maintain, protect, rent, lease, repair, insure, alter,

**XVII. Valdosta-Lowndes County Land Bank Authority (Con't):**

sell, trade, exchange, or otherwise dispose of any property on terms and conditions determined in the sole discretion of the Authority and in accordance with applicable law, (f) the Authority may assemble tracts or parcels, property for public parks, or other public purposes, and, to that end, may exchange parcels or otherwise effectuate the purposes set forth herein, (g) the acquisition or disposal of the property by the Authority shall not be governed or controlled by any regulation or law of the parties unless specifically provided herein, and transfers of property by the parties to the Authority shall be treated as a transfer to a body politic as contemplated by subparagraph (a) (2) (A) of Code §36-9-3, (h) property held by the Authority may be sold, traded, exchanged, or otherwise disposed of by the Authority as long as the disposition is approved by the majority of the membership as required herein above and approved as follows: (i) if the property is located within the City, approved by both Authority Members appointed by the Mayor, and one of the Authority Members appointed by the County Commission, (ii) if the property is located within the County, but outside the City, approved by both Authority Members appointed by the County, and one of the Authority Members appointed by the City.

The Authority is comprised of seven members with three appointed by the City and three appointed by the County. The seventh member is an At Large position and is nominated and appointed by the Land Bank Authority. One of the City appointees must be a City Council member and one of the County appointees must be a County Commissioner. Members will serve a four-year term. The presence of four members shall constitute a quorum.

The Land Bank Authority will meet the third Wednesday of every month at 9:00 a.m. in the City of Valdosta's Annex Building located at 300 North Lee Street in the Multi-Purpose Room.

**XVIII. Community Development Block Grant (CDBG) Advisory Committee:**

Community Development Block Grant regulations, as found in 24 CFR 91.100-91.115, requires all Entitlement grantees to certify that they are following a Citizen Participation Plan. To comply with requirements, the City formed the Community Development Block Grant (CDBG) Advisory Committee, and with input from the Neighborhood Action Sub-committee, will work with the Public Involvement Department staff to provide input in the development of the Consolidated Plan, any amendments to the plan, and the annual performance report.

The Community Development Block Grant (CDBG) Advisory Committee consists of seven members. Five of the members are appointed by the City Council and the two remaining members are appointed by the Neighborhood Action Sub-committee from the Sub-committee membership. The Neighborhood Action Sub-committee consists of one resident from each of the 14 defined neighborhoods within the officially designated Revitalization Area. The Public Involvement Department staff will work with these neighborhoods to identify residents interested in serving on the Sub-committee. All appointees to the CDBG Advisory Committee shall serve four-year terms.

The CDBG Advisory Committee meets quarterly at 5:30 p.m. in the City Hall Annex Building, Multi-Purpose Room, 300 North Lee Street.

**XIX. Valdosta-Lowndes County Parks and Recreation Authority:**

The Legislative Act creating the Valdosta-Lowndes County Parks and Recreation Authority was approved by Governor Sonny Perdue on March 25, 2008. The purpose of the Valdosta-

Lowndes County Parks and Recreation Authority is to provide parks and recreation services throughout Lowndes County. No member of the Authority shall have, directly or indirectly, any financial interest, profit, or benefit in any contract, work, or business of the Authority nor in the sale, lease, or purchase of any property to or from the Authority unless: (a) any interest, profit, or benefit by such member is disclosed in advance to the other members of the Authority and is recorded in the Minutes of the Authority, (b) that no member having any such interest, profit, or benefit may be present during that portion of an Authority meeting when such contract, work, business, sale, lease, or purchase is being discussed, (c) that no member having such interest, profit, or benefit may participate in any decision of the Authority relating to such matter.

The Authority shall consist of seven members, with three members to be appointed by a majority vote of the Lowndes County Board of Commissioners, one of whom may be a member of such governing authority; three members to be appointed by a majority vote of the Mayor and City Council of the City of Valdosta, one of whom may be a member of such governing authority; and one member to be appointed by the Lowndes County Board of Commissioners and the Mayor and Council on an alternating basis, first by the Board of Commissioners and then by the Mayor and City Council. The County Manager for Lowndes County and the City Manager of the City of Valdosta shall be non-voting ex-officio members of the Authority. After the initial appointments made in 2008, all appointees shall serve a term of three years. Each July, the Authority shall elect one of its members as Chairperson, Vice-Chairperson, Secretary, and Treasurer or a Secretary-Treasurer, each of whom may be a member or a non-member of the Authority. Such officers shall serve a term of one year beginning July 1 of each calendar year and ending June 30 of the following calendar year, or until their successors are duly elected and qualified. The members of the Authority shall receive no compensation for their services but shall be reimbursed from any available funds for their actual and necessary expenses incurred in the performance of their duties.

The Parks and Recreation Authority meets the third Wednesday of each month at 4:30 p.m. the Parks and Recreation Office located at 1901 North Forrest Street.

**XX. Metropolitan Planning Organization Citizen's Advisory Committee:**

The Metropolitan Planning Organization Citizen's Advisory Committee is responsible for promoting public meetings, leading and participating in focus groups, identifying recipients of surveys, and recommending stakeholders to include in plan development. The Citizen's Advisory Committee will also ensure representation and consideration of disadvantaged citizens and provide extra outreach to those without a voice. The CAC will also make project recommendations as well as review plans and provide input.

The Metropolitan Planning Organization Citizen's Advisory Committee on the first Tuesday of each month at 3:00 p.m. at the Southern Georgia Regional Commission, 327 West Savannah Avenue.

**XXI. Animal Control Board of Lowndes County:**

The Animal Control Board of Lowndes County is responsible for conducting hearings when requested by the owner aggrieved by a decision of an Animal Control Officer with respect to classifying such owner's dog as a dangerous dog or a potentially dangerous dog, the reclassification of a potentially dangerous dog as a dangerous dog, or whether a vicious animal confiscated pursuant to the Animal Control Ordinance shall be destroyed. Except as otherwise provided in the Animal Control Ordinance, the hearings shall be requested on forms furnished by Animal Control within five (5) business days of receiving a notice of a right to request such hearing. If a person who has requested a hearing before the Animal Control Board fails to appear after receipt of the notice of the hearing, they shall be deemed to have abandoned the hearing request and the decision of the Animal Services Officer which was to be the subject of such hearing shall be affirmed and final. The owner of an animal requesting a hearing before the Animal Control Board shall pay the additional daily boarding and other fees as established in the Animal Control Ordinance. Failure to pay the fees and costs assessed against the owner, if affirmed by the Animal Control Board, shall constitute an abandonment of any claim to the animal and will result in the animal being disposed of as provided in the Ordinance. All decisions of the Animal Control Board may be appealed to a judicial court of competent jurisdiction within twenty (20) days of receiving notice of the Animal Control Board's decision.

The Animal Control Board shall consist of six (6) members, two (2) appointed by the County, two (2) appointed by the City, two (2) appointed from the Humane Society, and two (2) alternates appointed by either the unincorporated cities or the Humane Society. The alternates will be empowered to sit on the Animal Control Board in the absence of any member of the Animal Control Board. The Animal Control Board shall be divided into two (2) panels consisting of three (3) members. The panels shall alternate hearing days. The terms of the members shall be three (3) years and until a successor is appointed provided that the initial terms of the members may be for less than three (3) years so that the terms of the members of the Animal Control Board will be staggered. Members of the Animal Control Board shall receive no compensation for their services. Two (2) members of the Animal Control Board shall constitute a quorum for a panel. A decision shall be rendered by a majority vote of the members present. The panel hearing a matter within the jurisdiction of the Animal Control Board shall have the authority to continue or reschedule a hearing to a day and time certain. Said hearing may be continued or rescheduled by the action of one (1) member of the panel in the event there is no quorum.

The meeting time and location for the Animal Control Board will be determined as necessary.

**XXII. Public Art Advisory Committee:**

The City of Valdosta created the Public Art Program to further the purchase and foster the appreciation of works of public art and to promote the creation of works of art and the purchase of same for the citizens and the City of Valdosta in order to promote the aesthetic value to the entire community. The Program also encourages the preservation and protection of works of public art and to encourage economic development.

The Public Art Advisory Committee members will be appointed by Mayor and Council of the City of Valdosta to administer the Public Art Program. The Public Art Advisory Committee

**XXII. Public Art Advisory Committee (Con't):**

shall consist of nine (9) members. Five (5) members appointed from the membership of the Lowndes-Valdosta Art Commission, including at least two (2) professional artists and at least two (2) members from the Board of Directors of the Lowndes-Valdosta Art Commission. One (1) member from the general membership of the Lowndes-Valdosta Art Commission. Four (4) members of the Public Art Advisory Committee shall be members of the community at large. The initial Board and terms shall be appointed by Mayor and Council as follows: one (1) professional artist who is a member of the Lowndes-Valdosta Art Commission, one (1) Board member of Lowndes-Valdosta Art Commission and one (1) member from the community at large for a term of three (3) years; one (1) professional artist who is a member of the Lowndes-Valdosta Art Commission, one (1) member of the Board of Lowndes-Valdosta Art Commission and one (1) member from the community at large for a term of two (2) years; one (1) member at large from the Lowndes-Valdosta Art Commission for a term of one (1) year; two (2) members from the community of the City of Valdosta for a term of one (1) year. Thereafter members shall be appointed to three (3) year terms.

The Ex-Officio members shall include a representative of the following City Departments to be determined by the City Manager and the Department Head: Finance, Planning and Zoning, and Public Works. Ex-Officio members shall also include the City Manager and the Mayor or the Mayor's representative as appointed by the Mayor.

Five (5) members shall reside, own property or work within the corporate limits of the City of Valdosta. The remaining four (4) members shall be from the community at large.

Each year, the membership of the Public Art Advisory Committee shall meet as soon as practical after the effective date of this Ordinance and shall elect from among themselves a Chairperson and Vice-Chairperson, each of whom shall continue as voting members. The Chairperson shall preside over the meetings of the Committee and the Vice-Chairperson shall preside in his or her absence. Such officer shall have such other powers, duties and responsibilities as are set out elsewhere herein. The Committee shall also choose a Secretary who may or may not be a member of the Committee to keep minutes and records of the Committee. Five (5) members of the Committee shall constitute a quorum. A majority of a quorum may exercise any and all powers of the Committee. The Committee may adopt its own By-Laws, Rules and Procedures to govern internal workings in the conduct of its business. The Committee shall meet at least quarterly and at such other times as it may deem necessary.

The members shall receive no compensation but shall be reimbursed from the funds of the Committee for reasonable and necessary expenses incurred in pursuing the business of the Committee.

The Public Art Advisory Committee shall have the following powers and duties:

- (a) The committee shall act as an advisory body to the Mayor and the City Council and as an advocate for public arts and aesthetics in all aspects of city life. It shall encourage, develop and support a variety of programs which reflect the cultural art needs and experience of all citizens and shall encourage participation by all citizens in the cultural art activities carried on in the City;



**XXII. Public Art Advisory Committee (Con't):**

- (b) Develop, maintain, and update a Public Art Master Plan identifying locations for public artwork;
- (c) Develop Public Art Program Guidelines and amendments thereto as deemed appropriate;
- (d) Approve the location and installation of artwork based on Public Art Program Guidelines; and
- (e) Request annual funding from various public, private, foundation and other potential sources to support the capital and operational needs of the Public Art program.

The Committee will meet the third Thursday of each month at 11:30 a.m. - 12:30 p.m. at the Turner Center for the Arts, 527 North Patterson Street.

**APPENDIX A**  
**CODE OF ETHICS**

**ORDINANCE NO. 2014-13**

**AN ORDINANCE AMENDING THE CODE OF ETHICS IN THE CODE OF ORDINANCES FOR THE CITY OF VALDOSTA , GEORGIA, TO PROVIDE A NEW CODE OF ETHICS; TO PROVIDE FOR PENALTIES; TO PROVIDE FOR CODIFICATION; AND TO PROVIDE AN EFFECTIVE DATE**

**WHEREAS**, the duly elected governing authority of the City of Valdosta, Georgia is authorized by O.C.G.A. § 36-35-3 to adopt Ordinances relating to its property, affairs and local government; and

**WHEREAS**, the duly elected governing authority of the City of Valdosta, Georgia is the Mayor and Council thereof; and

**WHEREAS**, the governing authority deems it essential to the proper operation of democratic government that the public officials be, and give the appearance of being, independent, impartial, and responsible to the people; that governmental decisions and policies be made in the proper channels of the governmental structure; and that public office not be used for personal gain; and

**WHEREAS**, the members of the governing authority feel that all elected officials of the City of Valdosta should conduct themselves so as to not create any question or concern as to the appropriateness, legality or sincerity of any actions or conduct as a member of the governing authority; and

**WHEREAS**, such measures are necessary to provide the public with confidence in the integrity of its government.

**NOW THEREFORE** it is the policy of the City that its officials, employees, appointees, and volunteers conducting official City business:

- Serve others and not themselves;
- Be independent, impartial and responsible;
- Use resources with efficiency and economy;
- Treat all people fairly;
- Use the power of their position for the well-being of their constituents; and
- Create an environment of honesty, openness and integrity.

**BE IT ORDAINED** by the Mayor and Council of the City of Valdosta, Georgia, and it is hereby ordained by authority of same, as follows:

The Ordinance designated as Ordinance 96-18 previously approved by Mayor and Council and known as designated as at the Code of Ethics for the City of Valdosta, Georgia is hereby repealed in its entirety and substituting in lieu thereof a new Code of Ethics for the City of Valdosta, Georgia to read as follows:

## CITY OF VALDOSTA CODE OF ETHICS

### Section I. PURPOSE/SCOPE

The purpose of this Code of Ethics is to:

- (a) Encourage high ethical standards in official conduct by City Officials;
- (b) Establish guidelines for ethical standards of conduct for all such officials by setting forth those acts or actions that are incompatible with the interest of the city;
- (c) Require disclosure by such officials of private financial or other interest in matters affecting the city; and
- (d) Serve as a basis for disciplining those who refuse to abide by its terms.

The provisions of this Code of Ethics shall be applicable to all elected or appointed City Officials. Notwithstanding anything herein to the contrary, State law and the Charter of the City shall be controlling in the event of an actual conflict with the provisions of this Code of Ethics. This Ordinance shall be interpreted to supplement, and not replace, said provisions of State law and the Charter.

### Section II. DEFINITIONS

Solely for the purpose of this code of ethics:

- (a) *City Official* or *Official*, unless otherwise expressly defined does not include City employees but does mean the Mayor, Members of Council, Municipal Court Judges (including substitute Judges), City Manager, City Clerk, City Attorney, and all other persons holding positions designated by the City Charter, as amended. The term "City Official" also includes all individuals, including City employees, appointed by the Mayor and/or Mayor and Council as appropriate to City Authorities, Commissions, Committees, Boards, Task Forces, or other bodies which can or may vote or take formal action or make official recommendations to the mayor and/or Mayor and Council.
- (b) *Decision* means any Ordinance, Resolution, contract, franchise, formal action or other matter voted on by the Mayor and Council or other City Board or Commission, as well as the discussions or deliberations of the Council, Board, or Commission which can or may lead to a vote or formal action by that body.
- (c) *Employee* means any person who is a full-time or part-time employee of the City.
- (d) *Immediate family* means the spouse, mother, father, grandparent, brother, sister, son or daughter of any City Official related by blood, adoption or marriage. The relationship by marriage shall include in-laws.

- (e) *Incidental interest* means an interest in a person, entity or property which is not a substantial interest as defined herein and which has insignificant value.
- (f) *Remote interest means* an interest of a person or entity, including a City official, which would be affected in the same way as the general public. For example, the interest of an official in the property tax rate, general City fees, City utility charges or a comprehensive Zoning Ordinance or similar matters is deemed remote to the extent that the official would be affected in common with the general public.
- (g) *Substantial interest means* an interest, either directly or through a member of the immediate family, in another person or entity, where:
  - (1) The interest is ownership of five percent or more of the voting stock, shares or equity of the entity or ownership of \$5,000.00 or more of the equity or market value of the entity; or
  - (2) The funds received by the person from the other person or entity during the previous 12 months either equal or exceed (a) \$5,000.00 in salary, bonuses, commissions or professional fees, or \$5,000.00 in payment for goods, products or services, or (b) ten percent of the recipient's gross income during that period, whichever is less;
  - (3) The person serves as a Corporate Officer or Member of the Board of Directors or other governing board of a for-profit entity other than a corporate entity owned or created by the Mayor and Council; or
  - (4) The person is a creditor, debtor, or guarantor of the other person or entity in an amount of \$5,000.00 or more.

### **Section III. PROHIBITIONS**

- (a) No City Official shall use such position to secure special privileges or exemptions for himself or herself or others, or to secure confidential information for any purpose other than official duties on behalf of the City.
- (b) No City Official, in any manner before the council or other City body, relating to a person or entity in which the official has a substantial interest, shall fail to disclose for the record such interest prior to any discussion or vote or fail to recuse himself/herself from such discussion or vote as applicable.
- (c) No City Official shall act as an agent or attorney for another in any matter before the city council or other city body.
- (d) No City Official shall directly or indirectly receive, or agree to receive, any compensation, gift, reward, or gratuity in any matter or proceeding connected with, or related to, the duties of his office except as may be provided by law.
- (e) No City Official shall enter into any contract with, or have any interest in, either directly or indirectly, the city except as authorized by state law.

- (i) This prohibition shall not be applicable to the professional activities of the City Attorney in his or her work as an independent contractor and legal advisor on behalf of the City.
  - (ii) This prohibition shall not be applicable to an otherwise valid employment contract between the City and a City Official who is not elected (such as, by way of example, a City Manager, City Administrator or Chief of Police).
  - (iii) Any Official who has a proprietary interest in an agency doing business with the City shall make that interest known in writing to the City Council and the City Clerk.
- (a) All public funds shall be used for the general welfare of the people and not for personal economic gain.
  - (b) Public property shall be disposed of in accordance with state law.
  - (c) No City Official shall solicit or accept other employment to be performed or compensation to be received, while still a city official if the employment or compensation could reasonably be expected to impair such official's judgment or performance of city duties.
  - (d) If a City Official accepts or is soliciting a promise of future employment from any person or entity who has a substantial interest in a person, entity or property which would be affected by any decision upon which the official might reasonably be expected to act, investigate, advise, or make a recommendation, the official shall disclose the fact to the city council and shall recuse himself/herself and take no further action on matters regarding the potential future employer.
  - (e) No City Official shall use city facilities, personnel, equipment or supplies for private purposes, except to the extent such are lawfully available to the public.
  - (f) No City Official shall grant or make available to any person any consideration, treatment, advantage or favor beyond that which it is the general practice to grant or make available to the public at large.
  - (g) A City Official shall not directly or indirectly make use of, or permit others to make use of, official information not made available to the general public for the purpose of furthering a private interest.
  - (h) A City Official shall not use his or her position in any way to coerce, or give the appearance of coercing, another person to provide any financial benefit to such official or persons within the official's immediate family, or those with whom the official has business or financial ties amounting to a substantial interest.
  - (i) A City Official shall not order any goods and services for the city without prior official authorization for such an expenditure. No City Official shall attempt to obligate the City nor give the impression of obligating the City without proper

prior authorization.

- (j) No City Official shall draw travel funds or per diem from the City for attendance at meetings, seminars, training, or other educational events and fail to attend such events without promptly reimbursing the City thereof.
- (k) No City Official shall attempt to unduly influence the outcome of a case before the Municipal Court of the City of Valdosta nor shall any City Official engage in ex parte communication with a Municipal Court Judge of the City of Valdosta on any matter pending before the Municipal Court of the City of Valdosta.
- (l) The Mayor or Council shall not coerce City employees to do any job not approved by their Supervisor.

#### **Section IV. CONFLICT OF INTEREST**

- (a) A City Official may not participate in a vote or decision on a matter affecting an immediate family member or any person, entity, or property in which the official has a substantial interest.
- (b) A City Official who serves as a corporate officer or member of the board of directors of a nonprofit entity must disclose their interest in said entity to the mayor and council prior to participating in a vote or decision regarding funding of the entity by or through the City.
- (c) Where the interest of a City Official in the subject matter of a vote or decision is remote or incidental, the City Official may participate in the vote or decision and need not disclose the interest.

#### **Section V. DISCLOSURE AND DISQUALIFICATIONS**

- (a) A City Official with a conflict of interest shall disclose the precise nature of such interest by sworn written statement to the City prior to the vote, decision, or action affecting the City Official's family member or substantial interest.
- (b) If the conflict is not realized until immediately before the vote, action, or decision, the City Official must verbally declare such conflict, abstain from discussing and voting, and file a sworn statement at the earliest convenience.
- (c) Such sworn statements shall be public record.
- (d) Any City Official with a conflict shall disqualify himself from any vote, decision, or action, if the vote, decision, or action may result in a pecuniary benefit to the City Official which is not available to the general public at large.

#### **Section VI. BOARD OF ETHICS**

- (a) Upon receipt of a complaint a Board of Ethics shall be established in the following manner:

The Board of Ethics shall consist of three (3) residents of the City, one appointed by the Mayor, one appointed by the Council, and the third appointed by the two named Board members and approved by a majority of the Mayor and Council. The third member of the Board of Ethics shall be a member in good standing of the State Bar of Georgia. The Board of Ethics shall hear and render decisions on all properly verified complaints filed under this Ordinance. The Board shall elect one of its members to serve as Chair. The Board of Ethics shall as soon as practical after appointment and receipt of the complaint in proper form review it to determine whether the complaint is unjust, frivolous or patently unfounded or fails to state facts sufficient to evoke the disciplinary jurisdiction of the Mayor and Council.

- (b) All members of the Board of Ethics shall be residents of the City for at least one (1) year immediately preceding the date of taking office and shall remain a resident while serving on the Board.
- (c) No person shall serve as a member of the Board of Ethics if the person has, or has had within the preceding one (1) year period, any interest in any contract or contracting opportunity with the city or has been employed by the City.
- (d) The members of the Board of Ethics shall serve without compensation. The Mayor and Council shall provide meeting space for the Board of Ethics and, subject to budgetary procedures and requirements of the City, such supplies and equipment as may be reasonably necessary for the Board to perform its duties and responsibilities.
- (e) No person shall serve on the Board of Ethics who has been convicted of a felony involving moral turpitude in this state or any other state, unless such person's civil rights have been restored and at least ten years have elapsed from the date of the completion of the sentence without a subsequent conviction of another felony involving moral turpitude.
- (f) No person shall serve on the Board of Ethics who is less than 21 years of age, who holds a public elective office, who is physically or mentally unable to discharge the duties of a member of the Board of Ethics, or who is not qualified to be a registered voter in the City of Valdosta, Georgia.
- (g) Upon appointment, members of the Board of Ethics shall sign an affidavit attesting to their qualification to serve as a member of the Board of Ethics.

## **Section VII. RECEIPT OF COMPLAINTS**

- (a) All complaints against City Officials shall be filed with the City Clerk, who will give it to the Mayor and Council. The Mayor and Council may require that oral complaints, and complaints illegibly or informally drawn, be reduced to a memorandum of complaint in such form as may be prescribed by the Mayor and Council. Upon receipt of a complaint in proper form, the City Clerk or the Clerk's designee shall forward a copy of the complaint to the City Official or Officials charged in the complaint within no more than seven (7) calendar days.



- (b) All complaints shall be submitted and signed under oath, shall be legibly drawn and shall clearly address matters within the scope of this Ordinance.
- (c) Upon receipt of a complaint in proper form, the Board shall review it to determine whether the complaint is unjustified, frivolous, patently unfounded or fails to state facts sufficient to invoke the disciplinary jurisdiction of the Mayor and Council. The Board of Ethics is empowered to dismiss in writing complaints that it determines are unjustified, frivolous, patently unfounded or fail to state facts sufficient to invoke the disciplinary jurisdiction of the Mayor and Council; provided, however, that a rejection of such complaint by the Board of Ethics shall not deprive the complaining party of any action such party might otherwise have at law or in equity against the City Official. For complaints that are not dismissed, the Board of Ethics is empowered to collect evidence and information concerning any complaint and add the findings and results of its investigations to the file containing such complaint.
- (d) Upon completion of its investigation of a complaint, the Board of Ethics is empowered to dismiss in writing those complaints which it determines are unjustified, frivolous, patently unfounded or which fail to state facts sufficient to invoke the disciplinary jurisdiction of the Mayor and Council; provided, however, that a rejection of such complaint by the Board of Ethics shall not deprive the complaining party of any action such party might otherwise have at law or in equity against the City Official.
- (e) The Board of Ethics is empowered to conduct investigations, to take evidence, and to hold hearings to address the subject matter of a complaint.
- (f) The Board of Ethics is empowered to adopt forms for formal complaints, notices, and any other necessary or desirable documents within its jurisdiction where the Mayor and Council has not prescribed such forms.
- (g) Findings of the Board of Ethics shall be submitted to the Mayor and Council for action.
- (h) To discourage the filing of ethics complaints solely for political purposes, ethics complaints against a person seeking election as a City Official, whether currently serving as a City Official or not, which are filed between the date of qualifying for municipal office and the date of certification of the election results will be held and will not be processed until the election results for that office have been certified.
- (i) The Board of Ethics shall have the right and authority to seek the advice and counsel of the City Attorney at any stage of the proceedings.

## **Section VIII. SERVICE OF COMPLAINT**

The City Clerk or Board of Ethics as appointed herein set forth shall cause the complaint to be served on the City Official charged as soon as practicable but in no event later than seven (7) calendar days after receipt of a proper, verified complaint. Service may be by personal service, by certified mail, return receipt requested or by statutory overnight delivery. A hearing shall be held within sixty (60) calendar days after filing of the complaint.

The Board of Ethics shall conduct hearings in accordance with the procedures and regulations it establishes but, in all circumstances, at least one hearing shall include the taking of testimony and the cross-examination of available witnesses. The decision of the Board of Ethics shall be rendered to Mayor and Council within seven (7) calendar days after completion of the final hearing. At any hearing held by the Board of Ethics, the City Official who is the subject of inquiry shall have the right to written notice of the hearing and the allegations at least seven (7) calendar days before the first hearing, to be represented by Counsel, to hear and examine the evidence and witnesses and, to oppose or try to mitigate the allegations. The City Official subject to the inquiry shall also have the right but not the obligation of submitting evidence and calling witnesses. Failure to comply with any of time deadlines in this section of the ordinance shall not invalidate any otherwise valid complaint or in any way affect the power or jurisdiction of the Board of Ethics or the Mayor and Council to act upon any complaint.

#### **Section IX. RIGHT TO APPEAL**

- (a) Any City Official or complainant adversely affected by the findings or recommendations of the Board of Ethics may obtain judicial review of such decision as provided in this Section.
- (b) An action for judicial review may be commenced by filing an application for a writ of certiorari in the Superior Court of Lowndes County within thirty (30) days after the decision of the Board of Ethics. The filing of such application shall act as supersedes.

#### **Section X. PENALTY**

Any person violating any provision of this article is subject to:

- (a) Public reprimand or censure by the Mayor and Council; or
- (b) Request for resignation by the Mayor and Council.

#### **Section XI.**

The sections, subsections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any section, subsection, paragraph, sentence, clause or phrase shall be declared illegal by the valid judgment or decree of any court of competent jurisdiction, such illegality shall not affect any of the remaining section, subsections, paragraphs, sentences, clauses and phrases of this Ordinance.

#### **Section XII.**

All Ordinances and parts of ordinances in conflict herewith are expressly repealed.

#### **Section XIII.**

This Ordinance shall become effective on its passage.

**SO ORDAINED**, this 24<sup>th</sup> day of July, 2014.

