

**CITY OF RINGGOLD
STATE OF GEORGIA**

ORDINANCE NO.: 2020-0727-02

AN ORDINANCE TO AMEND SECTION 2.28 OF THE CHARTER OF THE CITY OF RINGGOLD, GEORGIA TO CHANGE THE VOTE TO REMOVE A CITY MANAGER FROM THE AFFIRMATIVE VOTES OF ALL MEMBERS OF THE CITY GOVERNING AUTHORITY LESS ONE TO THE AFFIRMATIVE VOTES OF ALL MEMBERS OF THE CITY GOVERNING AUTHORITY LESS TWO.

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

WHEREAS, the duly elected governing authority of the City of Ringgold, Georgia is authorized under Article III, Section VI, Paragraph I of the Constitution of the State of Georgia and under O.C.G.A. § 36-35-1, *et seq.* to adopt an Amendment to its Charter which changes the vote to remove a city manager from five affirmative votes of members of the City Council to four affirmative votes of members of the City Council; and

WHEREAS, this Amendment to the municipal Charter of the City of Ringgold, Georgia has been duly adopted at two regular consecutive meetings of the City Council, which is the governing authority of the City of Ringgold, Georgia; and

WHEREAS, the two regular consecutive meetings were not less than seven nor more than sixty days apart; and

WHEREAS, a notice containing a synopsis of the proposed Amendment was published in the official organ of the county of the legal situs of the municipal corporation, the City of Ringgold, Georgia once a week for three weeks within a period of sixty (60) days immediately preceding its final adoption; and

WHEREAS, the notice stated that a copy of the proposed Amendment was on file in the office of the city clerk of the municipal governing authority and in the office of the clerk of the superior court of the county legal situs of the municipal corporation for the purpose of examination and inspection by the public; and

WHEREAS, the notice stated that the city clerk of the municipal governing authority shall furnish anyone, upon written request, a copy of the proposed Amendment.

NOW, THEREFORE, IT IS HEREBY ENACTED BY THE GOVERNING AUTHORITY OF THE CITY OF RINGGOLD, GEORGIA AS FOLLOWS:

SECTION I

That the Charter of the City of Ringgold, Georgia, is hereby amended by striking, deleting and repealing Section 2.28 in its entirety, and substituting in lieu thereof a new Section 2.28 which shall read as follows:

Sec. 2.28. - Removal of city manager.

The city manager shall be employed at will and may be summarily removed from office at any time by vote in favor of removal by all members of the city governing authority, less two.

SECTION II

The foregoing Amendment to the Charter shall become effective after adoption upon the filing of a copy of this Ordinance, a copy of the required Notice of Publication, and an affidavit of a duly authorized representative of the newspaper in which the notice was published with the Secretary of State of Georgia, the office of the Clerk of the Superior Court of Catoosa County, Georgia, and the office of the Clerk of the City of Ringgold, Georgia.

SECTION III

Should any portion of this Amendment to Charter be declared invalid or unconstitutional, the remainder of the Charter or Code of Ordinances shall remain in full force and effect.

SO ENACTED, this 27th day of July, 2020.

CITY OF RINGGOLD, GEORGIA

Nick Millwood, Mayor

Attest: _____
City Clerk

LEGAL NOTICE

Please take notice that the City Council of the City of Ringgold, Georgia is presently considering an Amendment to Charter which would change the vote to remove a city manager from the affirmative votes of all members of the city governing authority less one to the affirmative votes of all members of the city governing authority less two. A copy of the proposed Amendment is on file both in the office of the city clerk at City Hall, 150 Tennessee Street, Ringgold, Georgia 30736, and in the office of the clerk of the Superior Court of Catoosa County, Georgia, Catoosa County Courthouse, 7694 Nashville Street, Ringgold, Georgia 30736, for the purpose of examination and inspection by the public. The city clerk of the City of Ringgold, Georgia shall furnish anyone, upon written request, a copy of the proposed Amendment.

This _____ day of _____, 2020.

Nick Millwood, Mayor
City of Ringgold, Georgia

_____, 2020

The Honorable Brad Raffensperger
Georgia Secretary of State
2 MLK Jr. Dr. S.E. - Floyd W. Tower
Suite 814
Atlanta, GA 30344

RE: Filing of Home Rule Amendment

Dear Mr. Raffensperger:

Pursuant to O.C.G.A. § 36-35-5, enclosed please find a certified copy of Ordinance No. _____ which amends the Charter of the City of Ringgold, Georgia, a copy of the required Notice of Publication, and Affidavit of a duly authorized representative of the newspaper in which the notices were published, to the effect that the notices have been published as provided in this chapter. If you require any further information, please do not hesitate to contact me.

Yours truly,

The City of Ringgold, Georgia

By: _____
Dan Wright, City Manager

AFFIDAVIT OF PUBLICATION

I, _____, do solemnly swear that I am the _____ of the Catoosa County News, printed and published in Ringgold, Catoosa County, Georgia and that from my own personal knowledge and reference to the files of said publication the attached advertisement of the Notice of Proposed Amendment to the City Charter of the City of Ringgold, Georgia was inserted into the regular edition of said publication on _____, 2020, _____, 2020 and _____, 2020.

This ____ day of _____, 2020.

Affiant

Sworn to and subscribed before me,
this ____ day of _____, 2020.

Notary Public

_____, 2020

Tracy Hullender Brown
Clerk of the Superior Court of Catoosa County, Georgia
Catoosa County Courthouse
875 Lafayette Street
Ringgold, GA 30736

RE: Filing of Proposed Home Rule Amendment

Dear Ms. Brown:

Pursuant to O.C.G.A. §36-35-3, enclosed please find a copy of ordinance no. 2020- _____, a proposed amendment to the Charter of the City of Ringgold, Georgia. Please make the same available for public inspection. If you have any questions, please do not hesitate to contact me.

Yours truly,

The City of Ringgold, Georgia

By: _____
Dan Wright, City Manager

_____, 2020

Tracy Hullender Brown
Clerk of the Superior Court of Catoosa County, Georgia
Catoosa County Courthouse
875 Lafayette Street
Ringgold, GA 30736

RE: Filing of Adopted Home Rule Amendment
Ordinance No. 2020-_____

Dear Ms. Brown:

Pursuant to O.C.G.A. § 36-35-5, enclosed please find a copy of an amendment to the Charter of the City of Ringgold, Georgia adopted by the Mayor and Council on _____, 2020. Please file the same in the records of the Whitfield County Superior Court. If you have any questions, please do not hesitate to contact me.

Yours truly,

The City of Ringgold, Georgia

By: _____
Dan Wright, City Manager