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Chapter 2: Elections

Article I: In General

Sec. 2-101 Adoption of State Rules and Regulations

The rules and regulations promulgated by the State Election Board which pertain to municipal elections, together with the provisions of the Georgia Municipal Election Code contained to Title 21-3 of the Official Code of Georgia Annotated, are hereby adopted as the rules, regulations, and provisions that shall govern the conduct of municipal general and special elections in this city.

Sec. 2-102 Expenses

Such funds as are necessary for the conduct of elections and for the performance of the duties that are specified by this chapter shall be budgeted and appropriated annually, and as is necessary.

Article II: Registration

Sec. 2-201 Registrars and Deputy Registrars

1. Appointment Registrars and deputy registrars shall be appointed by the mayor and council, as necessary, and shall serve at the pleasure of same. One such appointee shall be designated as chief registrar, and such person shall serve as the chief administrative officer of the board of registrars and shall generally supervise and direct the administration of the affairs of said board.

All appointments shall be entered on the minutes of the council meeting at which they are made.

2. Qualifications Registrars and deputy registrars shall be electors of the municipality and shall be able to read, write, and speak the English language. Such appointees, while serving as registrars or deputy registrars or within a period of six months after so serving, shall not be eligible to any nomination or office to be voted for at a primary or election.
3. Oath Prior to entering upon his duties, each registrar and deputy registrar shall swear or affirm to faithfully perform his duties; such oath to be administered by an officer authorized by law to administer the oath.
4. Term of Office Persons appointed to the position of registrar or deputy registrar shall serve for a term of one year and until their successors are appointed and qualified, except in the event of resignation or removal as hereinafter provided.

Sec. 2-201 Registrars and Deputy Registrars (Continued)

5. Powers The registrars and deputy registrars shall exercise those powers and duties and shall be subject to such regulations as are set forth in the Georgia Municipal Election Code, Title 21-3 of the Official Code of Georgia Annotated.
6. Resignation or Removal Any registrar or deputy registrar shall have the right to resign at any time by submitting a resignation to the mayor and council. The mayor and council shall have the right at any time to remove one or more of such registrars for cause after notice and hearing. If any registrar resigns or is removed for cause, his duties and authority as such shall terminate instantly. In the event of death, resignation, or removal of a registrar or deputy registrar, the mayor and council shall appoint a successor who shall serve out the unexpired term. Each such appointment shall be entered on the minutes of the council meeting at which the appointment is made.

Sec. 2-202 Elector Qualifications

Any person desiring to vote in any municipal, general, or special election must: (1) register as an elector at least 22 days prior to the primary or election at which he desires to vote; (2) be a citizen of the State of Georgia and of the United States; (3) be at least 18 years of age; and (4) be a resident of this municipality.

Sec. 2-203 Registration Lists and Records

The city shall maintain its own registration system. The form of the registration cards shall conform to the provisions of the Official Code of Georgia Annotated, Section 21-2-217. The completed registration cards and other papers of the registrars shall be kept in the main office of the board of registrars in Woodbine (city hall or some other designated public building) and shall be open to public inspection during usual business hours.

Sec. 2-204 Challenge of Registration Lists

Any elector of the municipality shall have the right to challenge the registration of any person whose name appears on the registration list in the manner set forth below.

1. Challenge Procedure Any challenge of a person's right to register shall be made in the first instance to the registrar, who shall upon hearing the evidence decide whether the challenge is valid and the person so challenged is ineligible to vote.
2. Appeal to Mayor and Council Any person asserting a challenge under this section, or any person whose name was omitted from the registration list by

Sec. 202-204 Challenge of Registration Lists (Continued)

the registrar, shall have the right to appeal from the decision of the registrar to the mayor and council. If the mayor and council should decide, after hearing the evidence of such person and that of the registrar that the registrar erred in his decision, such body shall direct the registrar to correct the error.

Sec. 2-205 Permanency of Registration

Registration of an elector will remain permanent if the elector votes in at least one election every three years. If such person does not vote in at least one general or special election or primary in a three-year period and does not specifically request continuation of his registration, then the elector's name will be removed from the registration list and he shall be required to reregister in the manner provided for original registration.

Sec. 2-206 Absentee Registration

Absentee registration shall be allowed in any municipal primary or general or special election held in the city.

Article III: Candidates

Sec. 2-301 Notice of Candidacy

1. Filing Each candidate desiring to have his name placed on the ballot for an office to be filled in a municipal, general, or special election shall file personally, or by his agent, notice of his candidacy in the manner and accompanied by the documents and information required by Section 21-3-91 of the Official Code of Georgia Annotated.
2. Designation of Office Sought In the event a candidate seeks one of two or more public offices of the city, each having the same title and to be filled at the same election by the vote of the same electors, such candidate shall not be required to designate the specific office he is seeking.

Sec. 2-302 Qualification Fees

The qualification fee for candidates filing a notice of candidacy in any general or special election shall be three percent (3%) of the candidate's annual salary for the office of city councilman, which fee shall be paid to the municipal superintendent at the time of filing such notice of candidacy.

Sec. 2-303 Campaign Financing Disclosure

All candidates for municipal public office shall keep all such records and file all such reports as are required by the Georgia Campaign and Financial Disclosure Act.

Article IV: Voting

Sec. 2-401 Election Officials

1. Appointment. The following election officials shall be appointed by the mayor and council and shall receive such compensation as is provided by same:
 - a. Three managers; and
 - b. Clerks, as necessary.
2. Qualifications and Powers The municipal election managers and all poll officers shall meet such powers and duties as are provided in Title 21-3 of the Official Code of Georgia Annotated.

Sec. 2-402 Election Districts

The area comprising the corporate limits of the city, as the same is now or shall hereafter exist, shall constitute the sole election district of the city.

Sec. 2-403 Polling Places

The polling place within the city shall be the City Hall located on Eighth Street.

Sec. 2-404 Date of Election

All municipal elections shall be held on the 1st Tuesday in November in each election year.

Sec. 2-405 Write-in Votes

Write-in votes shall be permitted in municipal elections, except no write-in votes shall be counted in a primary, runoff primary, or runoff election.

Sec. 2-406 Absentee Ballots

Absentee ballots shall be used in all municipal elections, and such use shall be governed by the provisions of Section 21-3-285 of the Official Code of Georgia Annotated.

Sec. 2-407 Vote Required for Election

Candidates for nomination for any public municipal office in any primary, and candidates for any public municipal office in any election shall be nominated or elected by a plurality of the votes cast to fill such nomination or public office.

Sec. 2-408 Contested Elections

1. Petition of Contest If the result of any election held in said city is contested, notice of said contest shall be filed with the Ordinary of Camden County within three days after said election, and upon the payment in advance by the contestant, or contestants, to the said ordinary of twenty dollars (\$20.00) as his fees and costs.
2. Notice and Hearing The ordinary shall within two days after he receives the notice of the hearing cause a copy of the same to be served by the city marshal, the sheriff, or his deputy on the contestee within five days if such contest is for an office; and if the result of any election in which any question is submitted is contested, then said ordinary shall cause notice to be served within five days on the mayor of the city, said ordinary shall fix the time of hearing for said contest, which shall not be later than ten days after the filing of the notice of contest and payment of costs. Both parties (contester and contestee) shall have not less than five days' notice before the hearing. The contester shall pay to the marshal, the sheriff, or his deputy five dollars in advance for service of his notice of contest. Said notice of contest shall have set out there in plainly and distinctly the grounds upon which said results of grounds of contest. (See Act of 1953).
3. Determination The contest shall be heard at the Camden County Court House. Said ordinary is authorized to hear and determine any contest, and the losing party shall pay all costs, for which said ordinary is authorized to issue the usual execution.
4. Appeal The final determination of said ordinary may be appealed to the superior court of the county. Such appeal shall be made within ten days after determination of the contest by said ordinary.

Article V: Impeachment and Removal

Sec. 2-501 Grounds for Removal

The mayor or any councilman shall be subject to removal from office for one or more of the following causes:

1. Incompetence, misfeasance, or malfeasance in office;
2. Conviction of a crime involving moral turpitude;
3. Failure at any time to possess any of the qualifications of office as provided by charter or by law;
4. Willful violation of any express prohibition of the municipal charter;
5. Abandonment of office or neglect to perform the duties thereof; or
6. Failure for any other cause to perform the duties of office as required by charter or by law.

Sec. 2-502 Procedure for Removal

Removal of any elected officer from office shall be brought about in the following manner:

1. Initiation of Proceedings Any person desiring to initiate removal proceedings against an elected office shall file a complaint in writing with the city clerk, which complaint shall set forth distinctly the alleged ground or grounds for removal and the names of witnesses, or other documentation if any.
2. Preliminary Hearing Immediately upon receipt of a complaint as provided for in the preceding subsection, the city clerk shall notify the mayor (except in case of his own impeachment, when the clerk shall then notify the mayor pro tem) who shall call a meeting of the city council. If, at such meeting, a majority of the council shall deem the complaint sufficient to authorize an investigation, they shall call, at the earliest date practicable, a meeting for the trial of the officer in question.
3. Articles of Impeachment and Notice If a trial is ordered as provided in the preceding subsection, it shall be the duty of the city attorney to immediately draw articles of impeachment, based upon the complaint, which shall be filed with the city clerk at least five days prior to the date set for the trial. Upon receipt of the articles of impeachment it shall be the duty of the city clerk to attach to the same a notice directed to the party complained against, which notice shall specify the time and place of the trial and command the

Sec. 2-502 Procedure for Removal (Continued)

appearance of the accused. The notice and copy shall be served upon the accused by a police officer at least seven days before the date of trial.

4. Conduct of Trial The trial shall be conducted in the manner employed by the courts, both the council and the accused having the right to introduce evidence and be represented by counsel, it being the duty of the city attorney to act as prosecuting officer in such trials.
5. Verdict and Judgment The council shall render a verdict upon each article of impeachment, to be followed by the judgment, shall be entered by the city attorney upon the original articles and signed by the mayor or other presiding officer. Such verdict and judgment shall be placed upon the minutes of the council.

Sec. 2-503 Appeal of Decision

Any officer removed from office by the action of city council as provided in the preceding section shall have the right of appeal from the decision of the council to superior court of the county in which city hall is located. Such appeal shall be governed by the same rules as govern appeals to the superior court from the court of probate.

Article VI: Miscellaneous Provisions

Sec. 2-601 Sale of Alcoholic Beverages on Election Days

1. Pursuant to the delegation of authority granted to this governing authority by Act No. 750 (House Bill No. 247) approved April 10, 1985, amending the Official Code of Georgia Annotated Section 3-3-20 (b)(B), the sale of wholesale and retail of alcoholic beverages, to wit: distilled spirits, wine and malt beverages shall be lawful during the polling hours of any election; provided, however, that nothing herein shall authorize the sale of alcoholic beverages within 250 feet of a polling place during such time as the polls are opened.
2. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.
3. Approved by Woodbine City Council meeting in regular session on 2/1/93.