ORDINANCE O-03-23

AN ORDINANCE AMENDING CERTAIN SECTIONS OF CHAPTERS 1 & 2 OF THE CODE OF WALKER COUNTY, GEORGIA REGARDING SERVICE EXPECTATIONS FOR MEMBERS OF BOARDS, COMMITTEES AND COMMISSIONS; TO PROVIDE FOR AN EFFECTIVE DATE; TO REPEAL ANY AND ALL CONFLICTING ORDINANCES AND PARTS OF ORDINANCES; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR OTHER PURPOSES

WHEREAS, Walker County desires to amend its Code of Ordinances to create a uniform policy for all individuals serving on boards, committees or commissions of the Board of Commissioners;

THEREFORE, BE IT ORDAINED by the Board of Commissioners of Walker County that the Code of Walker County, Georgia is amended as follows:

1.

CHAPTER 1. GENERAL PROVISIONS is amended by adding the following section:

Sec. 1-21. Boards, committees and commissions that advise the Board of Commissioners.

Failure to attend three (3) consecutive regular scheduled meetings, or at least half of the regular scheduled meetings during a calendar year, shall be considered an automatic resignation. Upon such resignation, the chair of the board, committee or commission shall notify the Chair of the County Board of Commissioners of such occurrence as promptly as possible, so the Chair may appoint a replacement with approval of the Board to fill the unexpired term.

2.

CHAPTER 2. ADMINISTRATION; ARTICLE I. IN GENERAL; Section 2-97(c)(1) is deleted in its entirety and replaced with the following:

~~Failure to attend at least 8 regular voting meetings of the Planning Commission in a calendar year, without justification. To be excused, members of the Planning Commission shall notify the Planning and Development Department or Planning Commission Chair when they intend to be absent from a meeting;~~

Members are prohibited from having ex parte communication (discussions outside of the meetings), including, but not limited to verbal, written or social media communication, regarding matters that are to be heard and voted on by the Planning Commission.

Members found in violation of this rule shall be subject to removal from the Planning Commission by a vote of the Board of Commissioners.

3.

CHAPTER 2. ADMINISTRATION; ARTICLE I. IN GENERAL; Section 2-97(c) is hereby amended by adding the following sections to read as follows:

(4) Failure of a member of the Planning Commission to comply fully with the Georgia Open Meetings Act (O.C.G.A 50-14-1 et seq.), the Georgia Conflict of Interest in Zoning Act (O.C.G.A. 36-67A-1 et seq.) or any other provision of the Development Code applicable to property owned by, operated by or occupied by the member of the Planning Commission, shall constitute cause for removal by the Board of Commissioners.

(5) Newly appointed members must complete six-hours of training in zoning procedures and/or comprehensive planning conducted and/or sponsored by ACCG, GMA, or the University of Georgia's Carl Vinson Institute of Government. No newly appointed member shall be allowed to vote on any zoning matter until at least six hours of the aforementioned training has been completed. The appointed member may participate in all meetings, discussions, and activities, but may not vote until six hours of training has been completed. Failure to receive six-hours of training within three months of appointment will be automatic grounds for removal from office by the Board of Commissioners.

(6) All Planning Commission members must complete a minimum of six-hours of training in zoning procedures and/or comprehensive planning conducted and/or sponsored by ACCG, GMA, or the University of Georgia's Carl Vinson Institute of Government every two years. Failure to receive six-hours of training every two-years will be automatic grounds for removal from office by the Board of Commissioners.

4.

This ordinance is effective immediately upon its adoption.

5.

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

6.

If any section, clause, sentence, or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this ordinance.

PASSED AND ADOPTED this 26th day of January, 2023.

ATTEST:

Whitney Summey

Whitney Summey, Deputy Clerk

WALKER COUNTY, GEORGIA

Shannon K. Whitfield

SHANNON K. WHITFIELD, Chairman

The foregoing Ordinance received a motion for passage from Commissioner Stultz, second by Commissioner Hart, and upon the question the vote is 4 ayes, 0 nays to adopt the Resolution.