

AN ORDINANCE TO AMEND ARTICLE IV, DIVISION 1 THROUGH 7 OF THE ADMINISTRATION ORDINANCE OF PEACHTREE CITY, GEORGIA, AS AMENDED, TO PROVIDE FOR THE ORGANIZATION OF CITY DEPARTMENTS AND DIVISIONS; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO ESTABLISH AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PEACHTREE CITY, AND IT IS HEREBY ORDAINED by authority of the same that:

Section 1. Chapter 2, Article IV, Division I through 7, as amended, be further amended to read as follows:

DIVISION 1. GENERALLY

Sec. 2-126. Organization of All Divisions.

- (a) The municipal government workforce shall be organized into divisions and departments reporting to the city manager's office as follows:
 - (1) The executive services division, headed by the city clerk, shall be responsible for the public information and city clerk functions.
 - (2) The planning and development division, headed by the planning and development director, shall be responsible for planning, zoning, protective/building inspection, and code enforcement functions.
 - (3) The financial and administrative services division, headed by the financial and administrative services director, shall be responsible for the financial, accounting, treasury, information technology, geographic information systems, municipal court, city hall customer service, purchasing, payroll, accounts receivable, accounts payable, grant administration, and budgeting functions.
 - (4) The human resources and risk management division, headed by the human resources and risk management director, shall be responsible for human resources and risk management, including workers' compensation and safety functions.
 - (5) The public safety division shall be divided into two separate departments, each of which shall be regarded as a division:
 - a. The police department, headed by the police chief, shall be responsible for law enforcement, security, and safety education functions.
 - b. The fire department, headed by the fire chief, shall be responsible for fire suppression, fire prevention, fire inspections, fire investigations, public fire and life safety education, technical rescue, hazardous materials response and mitigation, emergency planning and management, and emergency medical services functions.
 - (6) The public works division, headed by the public works director, shall be responsible for the public works functions including the maintenance of city infrastructure including but not limited to streets, right of ways, paths, signs, facility grounds, recycling functions, vehicles, and equipment.
 - (7) The engineering services division, headed by the city engineer, shall be responsible for city engineering services, building maintenance, and stormwater.
 - (8) The recreation and special events division, headed by the recreation and special events director, shall be responsible for recreation and recreation programming, sports association management, special

events, amphitheater, grounds maintenance landscaping, and maintenance functions for city recreation facilities.

- (9) The library services department, headed by the director of library services, shall be responsible for library programming and all other library services.
- (b) Each director or chief oversees the operations of the respective division and supervises the department heads within the division. The directors/chiefs report directly to the city manager or assistant city manager, serving in the capacity of chief administrative officer and assistant chief administrative officer, and, along with the city manager, assistant city manager, and their department head designees, comprise the city's executive leadership team.

Secs. 2-127—2-145. Reserved.

DIVISION 2. BUILDING DEPARTMENT

Sec. 2-146. Created.

There is created a building department for the city.

Sec. 2-147. Duties.

Supervision and enforcement of all building construction and related ordinances and rules of the city, the enforcement of the sign ordinance and issuance of building permits, and collection of permit fees shall be vested in the building department.

Sec. 2-148. Composition.

The building department shall consist of a building official who shall act as head of the department and such other employees and consultants as the building official may recommend and the city council may approve as it may deem necessary to properly execute the purposes of this division.

Sec. 2-149. Accountability.

The building official and building department shall be responsible to the planning and development director.

Sec. 2-150. Building official; appointment.

The building official shall be appointed by the city manager. The building official may be a third party who is designated by contract with the city instead of being a city employee.

Secs. 2-151—2-170. Reserved.

DIVISION 3. FIRE DEPARTMENT

Sec. 2-171. Created; purpose.

A department to be known as the Peachtree City Fire Department, the object of which shall be the prevention and extinguishment of fire and the protection of life and property within the limits of the city and such

other areas as may be designated by the chief of the fire department, subject to approval of the chief administrative officer and the council, is created.

Sec. 2-172. Definition.

The term "fire department" shall be all-inclusive and shall include the emergency medical services unit operated by the fire department.

Sec. 2-173. Composition; salaries.

The fire department shall consist of a chief and such other authorized positions as shall be deemed necessary by the council for the effective operation of the department; the only employees receiving a salary for service rendered shall be the chief and such other authorized positions as may be appointed by the council, which likewise shall fix the compensation of such employees.

Sec. 2-174. Qualifications, removal of chief.

The chief of the fire department shall be technically qualified by training and experience and shall have the ability to command men and hold their respect and confidence. He shall be removed from office as prescribed by the Charter.

Sec. 2-175. Appointing chief of fire department; accountability of fire department personnel.

- (a) The chief of the fire department shall be appointed by the city manager. The chief of the fire department shall serve without reappointment until terminated according to city policies or otherwise resigns.
- (b) All other fire department personnel shall be accountable to the chief of the fire department and to the city manager's office as assigned.

Sec. 2-176. Duties of the chief.

- (a) *Formulation of rules and regulations.* The chief of the fire department shall formulate a set of rules and regulations to govern the department and shall be responsible to the chief administrative officer and council for the personnel, morale and the general efficiency of the department.
- (b) *Determining department organization and responsibility.* The chief shall determine the number and kind of companies of which the department is to be composed and shall determine the responsibility of such companies to alarms.
- (c) *Conduct of drills and instructions.* The chief shall, at least once a month, conduct suitable drills or instructions in the operation and handling of equipment, first aid and rescue work, salvage, a study of the buildings in the city, fire prevention, water supply, and all other matters generally considered essential to good firemanship and safety of life and property.
- (d) *Investigation of fires.* The chief is required to assist the proper authorities in suppressing the crime of arson by investigating or causing to be investigated the cause, origin and circumstances of all fires.
- (e) *Right of entry; issuing abatement notices.* The chief is empowered to enter any buildings or premises at reasonable times for the purpose of making inspections and to serve written notice upon the owner or occupant to abate within a fixed time any fire hazards that may be found.
- (f) *Keeping of records.* The chief shall see that complete records are kept of all fires, EMS runs, apparatus and equipment, personnel, and other information about the work of the department.
- (g) *Making monthly reports.* The chief shall report on the operations of the department in a format approved by the chief administrative officer.

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- (h) *Making annual reports and recommendations.* The chief shall make a complete annual report to the chief administrative officer within one month after the close of each calendar year, such report to include information specified in subsection (f) of this section, together with comparative data for previous years and recommendations for improving the effectiveness of the department.
- (i) *Submission of budget.* The chief shall, at the direction of the chief administrative officer, submit for approval to the chief administrative officer and city council a budget for the operation of the fire department and the purchase of capital equipment required for the efficient operation of the department. Further, he shall provide with the council's approval, sufficient funds for educational training, (books, seminars, schooling, etc.) that will improve the efficiency of all personnel as it relates to current fire and rescue practices.

Sec. 2-177. Emergency medical services.

The fire department, under the direction of the chief and such persons as may be appointed by the chief, shall operate the emergency medical services. All such personnel shall possess the required training and experience.

Sec. 2-178. Volunteers—Membership; employee status.

The membership of the fire department, other than the chief and permanent personnel employed by the council, shall consist of unpaid volunteers who shall be considered employees of the city only while actively engaged as members of the fire department of the city.

Sec. 2-179. Same—Appointment and removal of members.

The volunteer members of the fire department shall be appointed in a manner prescribed by the chief and chief administrative officer, and such appointment shall be terminated by the chief and the chief administrative officer.

Sec. 2-180. Same—Autonomy; qualifications.

The volunteer body shall be recognized by the city as self-regulating and financially autonomous. The persons approved as volunteer members of the fire department by the chief shall be citizens residing within the city or within the area designated by the chief, preferably property owners whose business activities are normally within the confines of the city and who have telephones in their homes. Determination of whether a candidate for appointment is acceptable shall be made by the chief.

Sec. 2-181. Same—Cause for suspension or discharge.

Any member of the volunteers may be suspended or discharged from the fire department by the chief, at any time he shall deem such action necessary for the good of the department, or in accord with rules and regulations established by the volunteers.

Sec. 2-182. Insurance.

The council shall authorize the chief administrative officer to secure personal, property and public liability and workers compensation insurance for each paid or volunteer member of the fire department, which shall be paid from the general fund of the city. The amount and type of insurance secured for members of the department shall have the approval of the council.

Sec. 2-183. Badge.

Each member of the fire department shall be issued a badge designating his rank.

Sec. 2-184. Police powers.

All regularly appointed members of the fire department are given the necessary special police powers for the purpose of enforcing the provisions of this Code relating to conduct of others at fires or other emergencies, and to the protection of equipment and apparatus.

Sec. 2-185. Responding of peace officers to fire alarms.

It is the special duty of the chief of police and/or other peace officers who may be on duty and available for fire duty, to respond to all fire alarms and assist the fire department in the protection of life and property, in regulating traffic, maintaining order, and in enforcing observance of all pertinent sections of this Code.

Sec. 2-186. Equipment—To be provided.

The fire department shall be equipped with such apparatus and other equipment as may be required to maintain its efficiency and properly perform its prescribed functions.

Sec. 2-187. Same—Requisitioning.

Requisition of apparatus and equipment needed shall be made by the chief of the fire department in accord with the policies, procedures, and operation of the department as approved by the council by ordinance, resolution or other method as may be established.

Sec. 2-188. Same—Safely housed.

All equipment of the fire department shall be safely and conveniently housed in such places as may be designated by the chief administrative officer.

Sec. 2-189. Same—Unauthorized entry of place where housed.

No person shall enter any place where fire apparatus or equipment belonging to the fire department is housed unless accompanied by an officer or authorized member of the fire department.

Sec. 2-190. Same—Use at chief's discretion; unlawfully taking.

The use of all fire apparatus and rescue equipment shall be at the discretion of the chief only. No person shall willfully or without proper authority take away or conceal any article belonging to or used in any way by the department.

Sec. 2-191. Arrangement for turning in alarm.

Suitable arrangements or equipment shall be provided for citizens to turn in a fire alarm and for notifying all members of the fire department so that any member may promptly respond, the cost of which shall be paid by the city.

Secs. 2-192—2-210. Reserved.

DIVISION 4. POLICE DEPARTMENT

Sec. 2-211. Creation.

There is created a police department for the city.

Sec. 2-212. Appointing chief of police department; accountability of police department personnel.

- (a) The chief of the police department shall be appointed by the city manager. The chief of the police department shall serve without reappointment until terminated according to city policies or otherwise resigns.
- (b) All other police department personnel shall be accountable to the chief of the police department and to the city manager's office as assigned

Sec. 2-213. General powers and duties of the chief of police.

The chief of police shall have jurisdiction over the entire operation of the police department. He shall, in addition, be the keeper and custodian of all persons incarcerated for the violation of the ordinances of the city and of all federal and state laws violated within the city. He shall keep such records and make such reports of the activities of the police department as may be required by the chief administrative officer or the city council. The chief of police shall be responsible for the operation of the police department and all of its functions. All persons employed by the police department shall serve subject to the orders and direction of the chief of police.

Sec. 2-214. Qualifications of police officers.

Each person employed as a police officer shall possess the following qualifications:

- (1) Be a person of good moral character and meet the requirements as set forth in O.C.G.A. § 35-8-8.

Sec. 2-215. Approval of employment; salaries.

The chief administrative officer shall approve the employment of all members of the police department and shall prescribe a salary schedule for the employees of the department, which salary schedule the city council may adjust from time to time. A recommendation of a salary schedule and employment of personnel to the police department shall be made by the chief of police and the chief administrative officer to the city council.

Sec. 2-216. Oath of office.

All police officers shall, before entering upon the performance of their duties, subscribe to an oath to be administered by the mayor or by the mayor pro tem. A copy of the oath shall be entered upon the permanent records of the city.

Sec. 2-217. Official bond.

All members of the police department may be bonded in amounts as prescribed by city council for the faithful performance of their duties as police officers. The bonding fee shall be paid from the general funds of the city.

Sec. 2-218. Promulgation of rules and regulations.

The chief of police may formulate and prescribe such rules and regulations as he may deem necessary for the operation of the police department.

Sec. 2-219. Custodian of lost, abandoned or stolen property; service of process.

The chief of police shall be the custodian of all lost, abandoned or recovered stolen property in the city, and shall dispose of such property as provided by state law or city ordinance. The chief of police shall have authority to serve all writs, warrants, summons and other processes duly issued as provided by law or the ordinances of the city. The officers and patrolmen employed by the police department shall likewise have the authority to serve writs, warrants, summons and other processes by direct order of the chief of police.

Sec. 2-220. Conduct of members.

It shall be the duty and responsibility of every member of the police department to conduct himself in a proper and law-abiding manner. All policemen in the performance of their duties shall avoid the use of unnecessary force.

Sec. 2-221. Police as witnesses.

Every member of the police department shall appear as a witness in the courts of the city and the state and the federal courts when their appearance is necessary in the administration of justice.

Sec. 2-222. Disciplinary action.

All members of the police department shall be subject to disciplinary action by the chief of police in accordance with the city's personnel policy.

Secs. 2-223—2-245. Reserved.

DIVISION 5. PUBLIC LIBRARY DEPARTMENT

Sec. 2-246. Created.

There is created a public library department for the city. This department shall fall under the operational and administrative control of the director of library services.

Sec. 2-247. Responsibility.

The supervision and operation of a public library system within the city shall be vested in the library department under the general guidance and oversight of the director of library services. The responsibilities of the public library department include:

Sec. 2-248. Composition.

The public library department of the city shall consist of a director of library services, librarians, and such other employees or consultants as the director of library services may recommend and the city council may approve.

Sec. 2-249. Accountability.

The director of library services shall be responsible to the city manager's office as assigned.

Sec. 2-250. Qualifications of director.

The director of library services shall hold a grade 5(b) or higher professional graduate certificate from the Georgia State Board for the Certification of Librarians.

Sec. 2-251. General duties of the director of library services.

The director of library services shall be responsible for providing professional library services to citizens including the planning, organization, supervision, development, and administration of all services, personnel, operations, and programs within the library department. The director of library services shall also serve as the local liaison to Flint River Regional Library System and shall ensure local compliance to state library law.

Sec. 2-252. Qualifications of librarians.

All librarian positions (youth services librarian, reference librarian, and adult services librarian) shall require a grade 5(b) or higher professional graduate certificate from the Georgia State Board for the Certification of Librarians within six months of employment.

Secs. 2-253—2-270. Reserved.

DIVISION 6. PUBLIC WORKS DIVISION

Sec. 2-271. Creation; composition.

There is created a public works division for the city, to consist of a director of public works and such other employees and consultants as the director may recommend and the council may approve, as it may deem necessary to properly execute the purposes of this division.

Sec. 2-272. Accountability.

The public works division shall be responsible administratively and executively to the city manager's office as assigned for the following:

- (1) The capital improvements and maintenance of public improvements of city-owned and city-contracted property, both personal and real in coordination with the engineering services division.
- (2) The installment of traffic control devices that are required to protect the well-being of the present and future citizens of the city in coordination with the engineering services division.
- (3) To retain copies of all as-builts of utilities, streets, stormwater sewers, and other public installations that are within the public rights-of-way in coordination with the engineering services division.

Sec. 2-273. Director—Appointment.

The city manager's office shall appoint a director of public works in accordance with the city Charter and this article.

Sec. 2-274. Same—Power and authority.

The director of public works shall have the full authority to implement the policies, procedures and operation of the department as approved by council by ordinance, resolution or other method, as may be established.

Sec. 2-275. Same—Duties.

The following duties are hereby imposed on the director of public works:

- (1) Maintain records of capital equipment, supplies and materials that are required for the operation and maintenance of the department and the meeting of its responsibility.
- (2) See that all equipment is properly maintained and operative at all times.
- (3) Report to the city manager's office all items of administrative consideration, i.e., reports, contract needs, and personnel requirements, in order for those items to reach the city council for consideration in an orderly fashion.
- (4) Advise the city manager's office on matters that would require budgeting consideration on a long-range schedule, i.e., major expenditures required within the scope of this article and the Charter.

Sec. 2-276. Same—Responsibility for enforcement of ordinances relating to destruction, defacement of public property.

It shall be the responsibility of the director of public works to see that the prohibitions in this Code relating to destruction or defacement of public property and all ordinances pertaining to his responsibilities be strictly enforced.

Secs. 2-277—2-300. Reserved.

DIVISION 7. RECREATION AND SPECIAL EVENTS DIVISION

Sec. 2-301. Created.

There is created a recreation and special events division for the city. This division will fall under the overall operational and administrative responsibility and control of the recreation services and special events director.

Sec. 2-302. Vesting of control of parks.

General control of the lands and property in the city now used as public parks and places or hereafter acquired for such use is hereby vested in the recreation and special events division.

Sec. 2-303. Powers and authority as to parks generally.

The recreation and special events division shall lay out, landscape and improve the parks of the city, and shall have authority generally to maintain and carry forward improvements as money may be appropriated by the mayor and city council.

Sec. 2-304. Responsibilities.

The responsibilities of the recreation and special events division are to:

- (1) Provide for, conduct and supervise public playgrounds, indoor recreation centers and other recreational facilities owned or controlled by the city.
- (2) Conduct such activities on properties under its own control, on public properties with the consent of the authorities of such properties, and on private property with the consent of the owner.

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- (3) Employ a full-time recreation and special events director who is trained and properly qualified as such, and employ such other personnel as the mayor and council deem proper.
 - (4) Recommend the setting aside, leasing or acquisition of lands or buildings within or without the city limits for use as parks, playgrounds, recreation centers, or for other recreational purposes, and provide for the maintenance and improvements of such areas.
 - (5) Submit a budget request annually to the city council for approval.
 - (6) Receive fees and revenue from the operation of recreation facilities and programs. The mayor and council may also solicit or receive any gifts or bequests of money or other personal property and donations to be applied, principal or income, for either temporary or permanent use for playgrounds or other recreational purposes.
 - (7) Exercise such other powers and duties as may be delegated to it by the mayor and city council.

Secs. 2-305—2-335. Reserved.

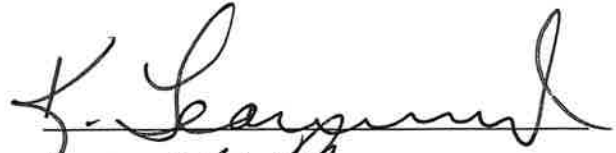
Section 2. All ordinances or parts thereof which conflict with the provisions of this ordinance are, to the extent of such conflict and except as hereinafter provided, hereby repealed.

Section 3. Should any provision of this ordinance be declared invalid by a Court of competent jurisdiction, such decision shall not affect the validity of this ordinance as a whole or any provision thereof other than the provisions specifically declared to be invalid. The City Council declares that it would have passed this ordinance and each subsection, sentence, clause, and phrase thereof, irrespective of the fact that any one or more subsections, sentences, clauses, or phrases may be declared invalid.

Section 4. This ordinance shall be in full force and effect upon its official adoption by the City Council.

(Signatures on next page)

Done, Ratified, and Passed this 20 day of April 2023.



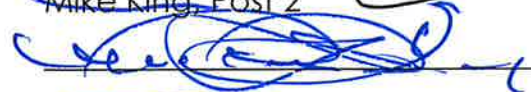
Kim Leonard, Mayor



Phillip E. Prebor, Mayor Pro Tem



Mike King, Post 2

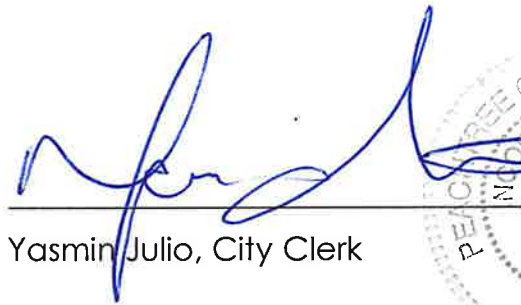


Clinton Holland, Post 3



Frank Destadio, Post 4

Attest:



Yasmin Julio, City Clerk

