

STATE OF GERORGIA
CITY OF TUCKER

ORDINANCE 2017-06-72

AN ORDINANCE GOVERNING MUNICIPAL ELECTIONS IN THE CITY OF TUCKER, AND FOR OTHER PURPOSES.

WHEREAS, the City Charter in section 2.02 sets the terms and qualifications for the election of the elected municipal officers for the City of Tucker;

WHEREAS, the Georgia Election Code, codified at O.C.G.A. title 21, chapter 2, governs all elections within the State of Georgia;

WHEREAS the Mayor and City Council desire to ensure the orderly performance of elections within the City of Tucker;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF TUCKER HEREBY ENACTS AND ORDAINS that Chapter 10 ELECTIONS as attached hereto, is hereby adopted and approved as part of the Code of Ordinances for the City of Tucker, Georgia effective on 28th day of June, 2017.

SO ORDAINED this 28th day of June, 2017.

Approved:

Michelle Penkava for
Frank Auman, MAYOR

Michelle Penkava, pro tem

Attest:

Jennifer Davis

Jennifer Davis, City Clerk (Seal)



Chapter 10 - ELECTIONS

ARTICLE I. - IN GENERAL

Sec. 10-1. - Compliance with state law.

All elections and challenges thereto shall be in compliance with the Georgia Election Code codified at O.C.G.A. title 21, ch. 2.

Sec. 10-2. - General elections.

In accordance with section 2.02 of the Charter, general municipal elections shall be held on the Tuesday next following the first Monday in November of each odd-numbered year.

Sec. 10-3. - Special elections.

Special elections to fill a vacancy shall be held as needed according to the city Charter section 2.03 and all special elections shall be conducted in accordance with O.C.G.A. title 21, ch. 2.

Sec. 10-4. - Superintendents.

In the absence of an appointed municipal election superintendent, the city clerk shall serve as the municipal superintendent in accordance with O.C.G.A. § 21-2-70.1. The council shall provide for the superintendent in accordance with O.C.G.A. § 21-2-71.

Sec. 10-5. - Conducting elections.

The city shall coordinate all elections with the county board of elections and registration. The city may contract or otherwise decide by agreement with the county board of elections and registration for that board to coordinate and conduct all elections in the city.

Secs. 10-6—10-28. - Reserved.

ARTICLE II. - CANDIDATE QUALIFICATIONS

Sec. 10-29. - Candidate requirements.

Residency. In accordance with section 2.02 of the Charter, candidates for mayor and city council must have been a resident of the city for a continuous period of at least 12 months immediately prior to the date of election; and each such person shall continue to reside within the city during said period of service and shall be registered and qualified to vote in municipal elections of this city. In addition to the above requirements, no person shall be eligible to serve as a councilmember representing a council district unless that person continues to reside in such district during that person's period of service.

Sec. 10-30. - Notice of candidacy.

Filing of notice of candidacy for municipal office shall be conducted in accordance with O.C.G.A. § 21-2-132, as amended. The qualifying period shall commence no earlier than 8:30 a.m. on the last Monday in August immediately preceding the general election and shall end no later than 4:30 p.m. on the following Friday. In special elections, the qualifying period shall commence no earlier than the date of the call and shall end no later than 25 days prior to the election.

Sec. 10-31. - Fees.

(a) Except as provided in subsection (b) of this section, each candidate shall pay a fee in the amount established by action of the city council. Such fee shall be deposited into the city treasury in accordance with O.C.G.A. § 21-2-131.

(b) A pauper's affidavit may be filed in lieu of the qualifying fee in accordance with O.C.G.A. § 21-2-132.

Sec. 10-32. - Withdrawal.

Any candidate may withdraw his name as a candidate prior to date established by State law of the election year. No refund will be made to any candidate for the fee remitted to qualify for office.

Secs. 10-33—10-52. - Reserved.

ARTICLE III. - VOTING

Sec. 10-53. - Electors to be registered by county.

The city council shall provide for the use of the county voter registration list. Any person who is a resident of the city and who is registered as an elector with the county shall be eligible to vote in any municipal primary or election.

Sec. 10-54. - Absentee ballots.

Voting by absentee ballots in a method consistent with state law shall be permitted in municipal elections.

Sec. 10-55. - Voting records.

To the extent required by O.C.G.A. § 21-2-72, voting records and documents shall be made available in accordance with that statute. The maintenance of said records shall be kept in compliance with O.C.G.A. § 21-2-73.