

CITY OF LOOKOUT MOUNTAIN, GEORGIA

ORDINANCE NO. 269

AN ORDINANCE to create a Sewer Advisory Board of the City of Lookout Mountain, Georgia, to delineate the composition and responsibilities of the Sewer Advisory Board, and for other purposes.

BE IT ORDAINED by the City Council of the City of Lookout Mountain, Georgia, and IT IS HEREBY ORDAINED:

Section 1. Creation and Composition of Sewer Advisory Board. The City of Lookout Mountain, Georgia, hereby creates a board which shall be known as the Sewer Advisory Board of Lookout Mountain, Georgia (the "Board"). The Board will be composed of five (5) members. The City's Sewer Superintendent will be a standing member of the Board, and the remaining four (4) members of the Board will be appointed by the City Council. Three (3) of the remaining four members of the Board will be residents of the City, and one (1) of the remaining four members will be a nonresident affiliated with Covenant College, the Brow Wood community, or the Flintstone subdivision (Krupski Loop area).

Section 2. Appointments and Vacancies. Original appointments to the Board will be for the following terms: one City resident and the nonresident member of the Board will be appointed for a term of three years; one City resident will be appointed for a term of two years; and one City resident will be appointed for a term of one year. Subsequent appointments will be for terms of three years each. All resident and nonresident members of the Board may, in the sole discretion of the City Council, be reappointed to successive terms, or the City Council may, in its sole discretion, choose to appoint different members. A vacancy on the Board will occur if a Board member resigns, dies, is physically or mentally unable to serve, is convicted of a felony

or malfeasance in office, or accepts any federal, state, county, or other municipal office. A vacancy will also occur if one of the three resident members of the Board ceases to be a resident of the City. Any vacancy in the membership of the Board will be filled for the unexpired term by appointment by the City Council. Members of the Board will serve without compensation.

Section 3. Chair, Vice Chair and Secretary. The Board will elect one of the three appointed City residents as its Chair, and he or she will serve as Chair for one year or until reelected or until a successor is elected. The Board will elect a second City resident as its Vice Chair, and he or she will serve as Vice Chair for one year or until reelected or until a successor is elected. The Board will appoint a secretary who may be a member of the Board or who may be an official or employee of the City of Lookout Mountain.

Section 4. Purpose and Authority. The purpose of the Board will be to act as an advisory board to the Mayor and City Council of Lookout Mountain on matters relating to the City's sewer system, including budgeting, rates, maintenance, and short and long-term planning. The Board will act solely in an advisory capacity and will have no authority to make policy, to adopt or establish budgets, or to set rates or fees. Rather, the Board will make recommendations to the City Council, and the City Council will retain sole and final authority regarding all matters relating to the City of Lookout Mountain's sewer system. The Board may, in its discretion, prepare and submit to the City Council for approval a more detailed mission statement setting forth more specific tasks and objectives consistent with the foregoing.

Section 5. Meetings and Minutes. The Board will meet at least twice a year and will prescribe the time, place, and dates of its regular meetings. The Board may, at the call of the Board Chair, schedule special meetings in addition to its regular meetings. Notice of regular and special meetings will be provided and minutes will be kept in accordance with Georgia law.

Unless otherwise provided or permitted by Georgia law, all proceedings and minutes of the Board will be open to the public.

Section 6. Quorum and Voting. Three members of the Board will constitute a quorum. All members of the Board (including the Sewer Superintendent and the Chair and other appointed members) will be counted in determining whether a quorum exists. In making its recommendations to the City Council and in taking any other authorized action, affirmative votes of a majority of the Board members present will be required.

Section 7. Severability. If any of the sections, subsections, sentences, clauses or phrases of this Ordinance are for any reason held to be unconstitutional or invalid, the validity of the remaining portions of this Ordinance shall not be affected, since it is the express intent of the Council of the City to pass each section, phrase, paragraph and word separately.

Section 8. Part of Code of Ordinances. It is the intention of the Council and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Lookout Mountain, Georgia, and the sections of this Ordinance may be renumbered to accomplish such intention.

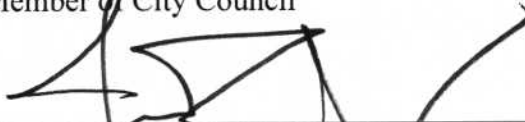
Section 9. Repealer. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 10. Effective Date. This Ordinance shall be effective ten (10) days after its adoption by at least three (3) members of the Council of the City after two (2) readings at least one (1) week apart.

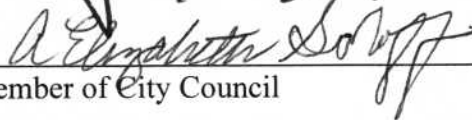
APPROVED on first reading on April 18, 2013.



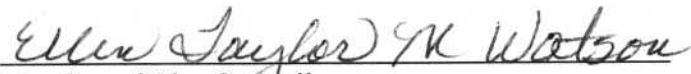
Member of City Council



Member of City Council



Member of City Council



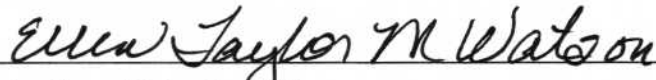
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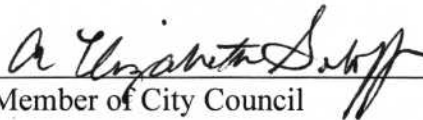


Mayor of Lookout Mountain, Georgia

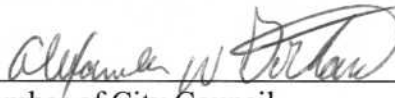
APPROVED AND ADOPTED on second reading on May 16, 2013.



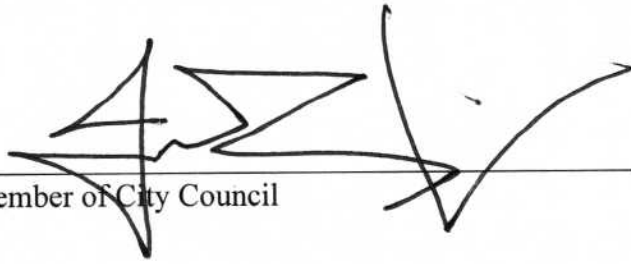
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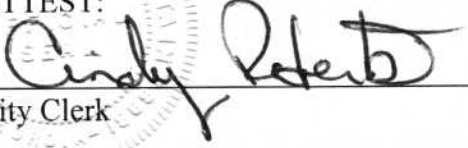

Member of City Council

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Mayor of Lookout Mountain, Georgia



ATTEST:


City Clerk