

AN ORDINANCE BY COUNCILMEMBER KEISHA LANCE BOTTOMS TO AMEND THE CHARTER OF THE CITY OF ATLANTA, GEORGIA ADOPTED UNDER AND BY VIRTUE OF THE AUTHORITY OF THE MUNICIPAL HOME RULE ACT OF 1965, O.C.G.A. SECTION 36-35-1. ET SEQ., AS AMENDED, SO AS TO AMEND THE CHARTER OF THE CITY OF ATLANTA, GEORGIA, 1996 GA LAWS P. 4469, ET SEQ., BY AMENDING SUBPART A, ARTICLE 4, COURTS, SECTIONS 4-104 (G) AND 4-105(B) OF THE CITY OF ATLANTA CODE OF ORDINANCES FOR THE PURPOSE OF MODIFYING JUDGE COMPENSATION AND CHIEF JUDGE DUTIES; AND FOR OTHER PURPOSES.(2ND READING, 1ST ADOPTION) (HELD 6/24/14 FOR A WORK SESSION) (WORK SESSION TO BE HELD THURSDAY, NOVEMBER 13, 2014 AT 10:00 A.M. IN COMMITTEE ROOM #2)

WHEREAS, due to the City of Atlanta's ("City") financial constraints in Fiscal Year 2009 the City's Municipal Court went to a four-day work week; and

WHEREAS, the City's improved financial condition and the demands of the general public now require the Municipal Court operate at least five days per week; and

WHEREAS, pursuant to the City of Atlanta Charter, 1996 Ga. Laws P. 4469, et seq. (the Charter) Subpart A, Article 4, Courts, Section 4-105(b) ("Section 4-105") the Municipal Court hours of operation are set by the Chief Judge and the City desires to amend Section 4-105 to remove that responsibility; and

WHEREAS, the City, by separate legislation, has added Section 62-48 to Part II, Chapter 62 Courts, Article II Municipal Court, Division 1 of the City of Atlanta Code of Ordinances setting forth hours of operation for the Municipal Court; and

WHEREAS, the Charter Subpart A, Article 4, Courts, Section 4-104 (g) ("Section 4-104") establishes Judge compensation; and

WHEREAS, the City desires to amend Section 4-104 to better align Judge compensation with the newly established Municipal Court hours of operation.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1: That the City of Atlanta Charter Subpart A, Article 4, Courts, Section 4-

105(b) is hereby amended by removing the stricken language as shown below:

(b) *Duties.* The chief judge shall be responsible for the general supervision of the municipal court and shall promulgate all rules necessary for the supervision, conduct, and administration of the court, including but not limited to the number of divisions into which the court is divided and the assignment of judges to duty therein; the hours ~~of operation of the court~~; the preparation of calendars deemed necessary and proper; and a system for keeping court records and shall require such reports from the judges, solicitor, public defender, clerk/administrator, and other court personnel as deemed necessary and proper. Such rules so promulgated shall be reduced to writing. The chief judge shall be responsible also for the preparation and submittal of budgets of said court to the mayor and city council and appropriate departments, committees, and agencies. He or she shall further perform other duties as the council may provide by ordinance or as required by law.

SECTION 2: That City of Atlanta Charter Subpart A, Article 4, Courts, Section 4-104

(g) which currently reads:

Compensation. The municipal court judges shall be paid an annual salary no less than 90 percent of the total annual compensation of the judges of the Superior Court within the territorial jurisdiction of said court.

Is hereby amended to read:

(g) *Compensation.*

(1) The municipal court judges presiding over a court calendar at least five days per week shall be paid an annual salary no less than 90 percent of the total annual compensation of the judges of the State Court within the territorial jurisdiction of said court.

(2) The municipal court judges presiding over a court calendar four days or less per week shall be paid an annual salary no less than 80 percent of the total annual compensation of the judges of the State Court within the territorial jurisdiction of said court.

SECTION 3: That a copy of this proposed amendment to the Charter of the City of

Atlanta, Georgia 1996 Ga. L., et seq. as amended, shall be filed in the Office of the Municipal Clerk of the City of Atlanta and in the Offices of the Clerks of the Superior Courts of Fulton and DeKalb Counties and that a "Notice of Proposed Amendment to the Charter of the City of Atlanta, Georgia," attached hereto and marked Exhibit "A" and made a part of this ordinance, be published in the official organ of the county of the legal situs of the City of Atlanta or in a newspaper of general circulation in the City of Atlanta once a week for three weeks within a period of 60 days immediately preceding its final adoption, and that a copy of said advertisement be attached to this ordinance prior to its final adoption by the Council of the City of Atlanta.

SECTION 4: All ordinances in conflict herewith are hereby waived for purposes of this Ordinance only, and only to the extent of said conflict.

**CITY COUNCIL
ATLANTA, GEORGIA**

14-O-1337

SPONSOR SIGNATURES


Keisha Lance Bottoms, Councilmember, District 11

CITY COUNCIL
ATLANTA, GEORGIA

14-O-1337

AN ORDINANCE BY COUNCILMEMBER KEISHA LANCE BOTTOMS TO AMEND THE CHARTER OF THE CITY OF ATLANTA, GEORGIA ADOPTED UNDER AND BY VIRTUE OF THE AUTHORITY OF THE MUNICIPAL HOME RULE ACT OF 1965, O.C.G.A. SECTION 36-35-1. ET SEQ., AS AMENDED, SO AS TO AMEND THE CHARTER OF THE CITY OF ATLANTA, GEORGIA, 1996 GA LAWS P. 4469, ET SEQ., BY AMENDING SUBPART A, ARTICLE 4, COURTS, SECTIONS 4-104 (G) AND 4-105(B) OF THE CITY OF ATLANTA CODE OF ORDINANCES FOR THE PURPOSE OF MODIFYING JUDGE COMPENSATION AND CHIEF JUDGE DUTIES; AND FOR OTHER PURPOSES.(2ND READING, 1ST ADOPTION) (HELD 6/24/14 FOR A WORK SESSION) (WORK SESSION TO BE HELD THURSDAY, NOVEMBER 13, 2014 AT 10:00 A.M. IN COMMITTEE ROOM #2)

Workflow List:

Atlanta City Council	Completed	06/16/2014 1:00 PM
Public Safety & Legal Administration Committee	Completed	06/24/2014 3:00 PM
Atlanta City Council	Completed	07/07/2014 1:00 PM
Public Safety & Legal Administration Committee	Completed	07/15/2014 3:00 PM
Atlanta City Council	Completed	07/21/2014 1:00 PM
Public Safety & Legal Administration Committee	Completed	07/29/2014 3:00 PM
Atlanta City Council	Completed	08/18/2014 1:00 PM
Public Safety & Legal Administration Committee	Completed	08/26/2014 3:00 PM
Atlanta City Council	Completed	09/02/2014 1:00 PM
Public Safety & Legal Administration Committee	Completed	09/09/2014 3:00 PM
Atlanta City Council	Completed	09/15/2014 1:00 PM
Public Safety & Legal Administration Committee	Completed	09/23/2014 3:00 PM
Atlanta City Council	Completed	10/06/2014 1:00 PM
Public Safety & Legal Administration Committee	Completed	10/14/2014 3:00 PM
Atlanta City Council	Completed	10/20/2014 1:00 PM
Public Safety & Legal Administration Committee	Completed	10/28/2014 3:00 PM
Atlanta City Council	Completed	11/03/2014 1:00 PM
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Atlanta City Council	Completed	11/17/2014 1:00 PM
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Atlanta City Council	Completed	12/01/2014 1:00 PM
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Atlanta City Council	Completed	01/05/2015 1:00 PM
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Public Safety & Legal Administration Committee	Completed	04/28/2015 3:00 PM
Atlanta City Council	Completed	05/04/2015 1:00 PM

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Atlanta City Council	Pending	06/06/2016 1:00 PM

HISTORY:

06/16/14

Atlanta City Council

REFERRED WITHOUT OBJECTION

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RESULT:	RETURNED AS HELD	Next: 5/24/2016 3:00 PM

Certified by Presiding Officer	Certified by Clerk
<p>Mayor's Action</p> <p><i>See Authentication Page Attachment</i></p>	