AN ORDINANCE TO AMEND CHAPTER 101 (GENERAL PROVISIONS AND COUNTY GOVERNING AUTHORITY), ARTICLE 2 (COUNTY GOVERNING AUTHORITY), DIVISION 2 (RULES OF ORDER AND PROCEDURE), SECTION 101-63 (PRESIDING OFFICER AND RULES FOR DEBATE) OF THE FULTON COUNTY CODE OF ORDINANCES; TO CLARIFY PROCEDURES FOR DESIGNATION OF A PRESIDING OFFICER IN THE ABSENCE OF THE CHAIRMAN AND VICE-CHAIRMAN; AND FOR OTHER PURPOSES.

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WHEREAS, the duly elected governing authority of Fulton County (the "County"), Georgia is the Fulton County Board of Commissioners (the "Board"); and

WHEREAS, the Board has the authority, pursuant to the Constitution of the State of Georgia, Article 9, Sec. 2 ¶ 1(a), to adopt reasonable ordinances, resolutions, or regulations relating to the County's affairs for which no provision has been made by general law and which is not inconsistent with the Constitution or any local law applicable thereto; and

WHEREAS, in conformity with the provisions of the Open Meetings Act, O.C.G.A. § 50-14-1 *et seq.*, the Board enacted certain provisions of its Rules of Order and Procedure (the "Rules") at its Regular Meeting on January 5, 1994, with said regulations being codified in Chapter 101 (General Provisions and County Governing Authority), Article II (County Governing Authority), Division 2 (Rules of Order and Procedure) of the Fulton County of Ordinances ("Code") as Section 101-61 *et seq.*; and WHEREAS, Section 101-63(a) of the Code currently provides that, when there is an absence of both the chair and the vice-chair, the Board may designate an acting presiding officer; and

WHEREAS, the orderly conduct of meetings requires that there needs to be a clear and consistent process for identifying a presiding officer to ensure continued operation of County business when both the chair and vice-chair are unavailable; and

WHEREAS, ambiguity in the current procedure could result in uncertainty or delay in convening and/or continuing meetings in the absence of the Chair and Vice-Chair, thereby impeding the Board's ability to carry out its legislative and administrative duties; and

WHEREAS, adopting clear rules for the designation of a presiding officer promotes transparency, predictability, and adherence to the established procedures; and

WHEREAS, the Fulton County Board of Commissioners finds that amending Section 101-63(a) of the Code is in the best interest of the County and necessary to ensure efficient and orderly conduct of its meetings.

NOW, THEREFORE, BE IT ORDAINED, that the Fulton County Board of Commissioners hereby amends Section 101-63 of the Fulton County Code of Ordinances by adding and striking language to the Code Section as follows:

"Sec. 101-63. – Presiding officer and rules for debate.

(a) Generally. In accordance with the Fulton County Code of Laws, the chair of the board of commissioners is responsible for the orderly conduct of the board during the meeting and serves as the presiding officer. In order to ensure a fair, orderly, and efficient meeting, the chair must enforce the rules of procedure adopted by the board. In the absence of the chair, the vice chair shall preside. Where a quorum is present and neither the chair or vice-chair is present, the board may designate an acting presiding officer. Meetings are conducted in accordance with these procedural rules, applicable state law, and Robert's Rules of Order, Newly Revised. Where a commissioner raises a procedural question and these rules

51	are silent, and in the absence of a specific statute, ordinance, or resolution, the	
52	question shall be resolved in accordance with the provisions of Robert's Rules of	
53	Order, Newly Revised, so long as the provision used to answer the question is	
54	not in violation of local, state or federal laws.	
55	(1) Where a quorum is present and the chair is absent:	
56	a. The vice chair shall preside.	
57	b. If the vice chair is not present, the commissioner with the most	
58	seniority shall preside.	
59	c. If such commissioner is also absent, the presiding officer shall be the	
60	next most senior commissioner present, in descending order of	
61	seniority.	
62	d. If two or more commissioners share equal seniority, the presiding	
63	officer shall be selected among them by majority vote of the members	
64	present.	
65	BE IT FINALLY ORDAINED, that this Ordinance shall become effective when	
66	passed and adopted, and that all ordinances and resolutions and parts of ordinances	
67	and resolutions in conflict with this Ordinance are hereby repealed to the extent of the	
68	conflict.	
69	PASSED AND ADOPTED by the Board of Commissioners of Fulton County,	
70	Georgia this day of, 2025.	
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	FULTON COUNTY BOARD OF COMMISSIONERS
	COMMISSIONERS
	SPONSORED BY:
	or oncones st.
	Marvin S. Arrington, Jr., Commissioner
	(District 5)
	,
	ATTEST:
	T. D.O.: Ol. I. I. II. O
	Tonya R. Grier, Clerk to the Commission
APPROVED AS TO FORM:	
Y. Soo Jo, County Attorney	