

1 **AN ORDINANCE TO REPEAL AND REPLACE PART I, SUBPART B, CHAPTER 101**
2 **(GENERAL PROVISIONS AND COUNTY GOVERNING AUTHORITY), ARTICLE II**
3 **(COUNTY GOVERNING AUTHORITY), DIVISION 2 (RULES OF ORDER AND**
4 **PROCEDURE), SECTION 101-68 (DECORUM) OF THE FULTON COUNTY CODE OF**
5 **ORDINANCES, TO ADD ADDITIONAL RULES OF DECORUM; TO INCREASE**
6 **PENALTIES FOR VIOLATION OF THE RULES OF DECORUM; TO PROVIDE A**
7 **MECHANISM FOR PAYMENT OF ADMINISTRATIVE SANCTIONS; AND FOR OTHER**
8 **PURPOSES.**

9
10 **WHEREAS**, the duly elected governing authority of Fulton County, Georgia (the
11 “County”) is the Fulton County Board of Commissioners (the “Board”); and

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

17 **WHEREAS**, in conformity with the provisions of the Open Meetings Act, O.C.G.A.
18 § 50-14-1 *et seq.*, the Board enacted certain provisions of its Rules of Order and
19 Procedure (the “Rules”) at its Regular Meeting on January 5, 1994, with said regulations
20 being codified in Chapter 101 (General Provisions and County Governing Authority),
21 Article II (County Governing Authority), Division 2 (Rules of Order and Procedure) of the
22 Fulton County Code of Ordinances (“F.C.C.”) as Section 101-61 *et seq.*; and

23 **WHEREAS**, on May 4, 2022, via Agenda Item 22-0329, the Board last modified its
24 Rules, specifically the text of F.C.C. Sec. 101-68 (Decorum), to add an express prohibition
25 against defamatory statements and to authorize the imposition of a penalty for violation
26 of said provision; and

27 **WHEREAS**, the Board seeks to encourage an environment of respect,
28 professionalism and civility through its conduct and to provide a positive representation

29 of the County, its officials and employees to its citizens and the public at large both during
30 its Board meetings and outside of official Board meetings; and

31 **WHEREAS**, the Board finds that certain conduct, including having cellular phone
32 conversations in the auditorium where its meetings are conducted during open session,
33 impedes the Board's ability to conduct its meetings professionally, respectfully and
34 efficiently; and

35 **WHEREAS**, the Board continues to recognize the need for clear and enforceable
36 guidelines dictating what is appropriate conduct by each member of the Board of
37 Commissioners during official meetings, as well as the need to enforce the penalties
38 imposed for engaging in prohibited conduct; and

39 **WHEREAS**, the Board desires to repeal and replace F.C.C. Sec. 101-68
40 (Decorum) to specify additional conduct that it deems disruptive and inappropriate for its
41 members and to discourage such conduct by increasing the penalties currently imposed
42 for violation of the Board's decorum guidelines; and

43 **WHEREAS**, F.C.C. Sec. 101-68 (Decorum), as currently amended, does not
44 specify the mechanism for payment of administrative sanctions; and

45 **WHEREAS**, the Board seeks to encourage continued compliance with F.C.C. Sec.
46 101-68, and to ensure enforcement of all its provisions, including timely payment of
47 administrative sanctions imposed; and

48 **WHEREAS**, the Board finds that it is in the best interest of its citizens to repeal
49 and replace F.C.C. Sec. 101-68 to provide that its Finance Department shall deduct
50 payment of administrative sanctions from the paycheck of the violator for operational
51 efficiency.

52 **NOW, THEREFORE, BE IT ORDAINED**, that the Fulton County Board of
53 Commissioners hereby repeals Section 101-68 of the Fulton County Code of Ordinances
54 (Decorum) in its entirety, and replaces it with a new Section 101-68, attached as **Exhibit**
55 **A.**

56 **BE IT FINALLY ORDAINED**, that this Ordinance shall become effective when
57 passed and adopted, and that all ordinances and resolutions and parts of ordinances and
58 resolutions in conflict with this Ordinance are hereby repealed to the extent of the conflict.

59 **PASSED AND ADOPTED** by the Board of Commissioners of Fulton County,
60 Georgia this 18th day of September, 2024.

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**FULTON COUNTY BOARD OF
COMMISSIONERS**

SPONSORED BY:

Robert L. Pitts, Chairman (At-Large)

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ATTEST:

Tonya R. Grier, Clerk to the Commission

APPROVED AS TO FORM:

Y. Soo Jo, County Attorney