

1 AN ORDINANCE TO AMEND CHAPTER 101 (GENERAL PROVISIONS AND  
2 COUNTY GOVERNING AUTHORITY), ARTICLE 2 (COUNTY GOVERNING  
3 AUTHORITY), DIVISION 2 (RULES OF ORDER AND PROCEDURE), SECTION 101-  
4 63 (PRESIDING OFFICER AND RULES FOR DEBATE) OF THE FULTON COUNTY  
5 CODE OF ORDINANCES; TO CLARIFY PROCEDURES FOR DESIGNATION OF A  
6 PRESIDING OFFICER IN THE ABSENCE OF THE CHAIRMAN AND VICE-  
7 CHAIRMAN; AND FOR OTHER PURPOSES.

8  
9 WHEREAS, the duly elected governing authority of Fulton County, Georgia (the  
10 "County") is the Fulton County Board of Commissioners (the "Board"); and

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

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

22 WHEREAS, Section 101-63(a) of the Code currently provides that, when there is  
23 an absence of both the chair and the vice-chair, the Board may designate an acting  
24 presiding officer; and

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

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

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

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

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

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

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

are silent, and in the absence of a specific statute, ordinance, or resolution, the question shall be resolved in accordance with the provisions of Robert's Rules of Order, Newly Revised, so long as the provision used to answer the question is not in violation of local, state or federal laws.

(1) Where a quorum is present and the chair is absent, the vice-chair shall preside.

(2) Where a quorum is present, the chair must leave before the end of the meeting, and the vice-chair is not present, the chair may designate a chairman pro tempore in accordance with the provisions of Robert's Rules of Order, Newly Revised.

(3) Where a quorum is present, the vice-chair is not present, and the chair leaves the meeting without designating a chairman pro tempore, the order of succession for acting presiding officer shall be as follows:

a. The commissioner who most recently served as vice-chair shall preside.

b. If that commissioner is also absent, the presiding officer shall be the next most recent former vice-chair present, continuing in order of most recent service as vice-chair.

c. If no former vice-chair is present, the presiding officer shall be selected by a majority vote of the members present.

(4) Where a quorum is present and neither the chair or vice-chair is present at the start of the meeting, the order of succession for acting presiding officer shall be in accordance with subsection (3) above.

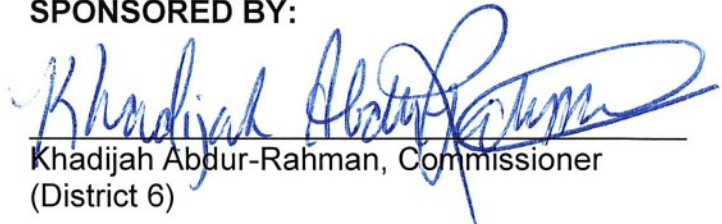


74 **BE IT FINALLY ORDAINED**, that this Ordinance shall become effective when  
75 passed and adopted, and that all ordinances and resolutions and parts of ordinances  
76 and resolutions in conflict with this Ordinance are hereby repealed to the extent of the  
77 conflict.

78 **PASSED AND ADOPTED** by the Board of Commissioners of Fulton County,  
79 Georgia this 19<sup>th</sup> day of November, 2025.

81 **FULTON COUNTY BOARD OF**  
82 **COMMISSIONERS**

83 **SPONSORED BY:**

84  
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87   
88 Khadijah Abdur-Rahman, Commissioner  
89 (District 6)

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95 **ATTEST:**

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98 Tonya R. Grier, Clerk to the Commission



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106 **APPROVED AS TO FORM:**

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108  
109 Y. Soo Jo, County Attorney