

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

12 **WHEREAS**, the Board has the authority, pursuant to the Constitution of the State
13 of 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
16 applicable thereto; and

17

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

24

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

28

29 **WHEREAS**, the orderly conduct of meetings requires that there needs to be a
30 clear and consistent process for identifying a presiding officer to ensure continued
31 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

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, the vice-chair shall
56 preside.

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

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

- 64 a. The commissioner who most recently served as vice-chair shall
65 preside.
- 66 b. If that commissioner is also absent, the presiding officer shall be the
67 next most recent former vice-chair present, continuing in order of most
68 recent service as vice-chair.
- 69 c. If no former vice-chair is present, the presiding officer shall be selected
70 by a majority vote of the members present.

71 (4) Where a quorum is present and neither the chair or vice-chair is present at
72 the start of the meeting, the order of succession for acting presiding officer
73 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 19th day of November, 2025.

80

FULTON COUNTY BOARD OF COMMISSIONERS

SPONSORED BY:

Khadijah Abdur-Rahman, Commissioner
(District 6)

ATTEST:

Tonya R. Grier, Clerk to the Commission



105
106 APPROVED AS TO FORM

106 APPROVED AS TO FORM
107
108 Y. Soo Jo
109 Y. Soo Jo, County Attorney

ITEM # 25-0894 SRM 11/19/2025
SECOND REGULAR MEETING