

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; AND FOR OTHER PURPOSES.**

6
7 **WHEREAS**, the duly elected governing authority of Fulton County, Georgia (the
8 “County”) is the Fulton County Board of Commissioners (the “Board”); and

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

14 **WHEREAS**, in conformity with the provisions of the Open Meetings Act, O.C.G.A.
15 § 50-14-1 *et seq.*, the Board enacted certain provisions of its Rules of Order and
16 Procedure (the “Rules”) at its Regular Meeting on January 5, 1994, with said Rules being
17 codified in Chapter 101 (General Provisions and County Governing Authority), Article II
18 (County Governing Authority), Division 2 (Rules of Order and Procedure) of the Fulton
19 County Code of Ordinances (“F.C.C.”) as Section 101-61 *et seq.*; and

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

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

26 of the County, its officials and employees to its citizens and the public at large during its
27 Board meetings; and

28 **WHEREAS**, the Board finds that certain disruptive conduct by commissioners and
29 staff, including but not limited to having cellular phone conversations, dressing
30 inappropriately and speaking disrespectfully, impedes the Board's ability to conduct its
31 meetings professionally, with civility and efficiently; and

32 **WHEREAS**, the Board continues to recognize the need for clear and enforceable
33 guidelines dictating what is appropriate conduct by commissioners and staff during official
34 meetings, as well as the need to enforce the penalties imposed for engaging in prohibited
35 conduct; and

36 **WHEREAS**, the Board seeks to encourage continued compliance with F.C.C. Sec.
37 101-68, and to ensure enforcement of all its provisions, including timely payment of
38 administrative sanctions imposed; and

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

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

48 **NOW, THEREFORE, BE IT ORDAINED**, that the Fulton County Board of
49 Commissioners hereby repeals Section 101-68 of the Fulton County Code of Ordinances
50 (Decorum) in its entirety, and replaces it with the revised Section 101-68, as reflected in
51 the attached **Exhibit A**.

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

55 **PASSED AND ADOPTED** by the Board of Commissioners of Fulton County,
56 Georgia this ___ day of _____, 202_.

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**FULTON COUNTY BOARD OF
COMMISSIONERS**

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SPONSORED BY:

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Robert L. Pitts, Chairman (At-Large)

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69 ATTEST:

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Tonya R. Grier, Clerk to the Commission

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79 APPROVED AS TO FORM:

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Y. Soo Jo, County Attorney

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