

1 **AN ORDINANCE TO AMEND CHAPTER 2, ARTICLE II, DIVISION 2, SECTION**
2 **2-80 OF THE CODE OF LAWS OF FULTON COUNTY RELATING TO THE**
3 **CODE OF ETHICS REGARDING NOMINATIONS TO THE FULTON COUNTY**
4 **BOARD OF ETHICS TO REPLACE THE DISBANDED FULTON COUNTY**
5 **PERSONNEL BOARD WITH THE SOUTH FULTON CHAMBER OF**
6 **COMMERCE, INC.; AND FOR OTHER PURPOSES.**
7

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

13 **WHEREAS**, the Board of Commissioners has, by ordinance, established a Code
14 of Ethics (Fulton County Code of Ordinances § 2-66, *et seq.*) governing minimum
15 standards of conduct for Fulton County “officers or employees,” which includes elected
16 officials; and

17 **WHEREAS**, among other provisions, the Code of Ethics creates a Board of Ethics
18 and empowers this board to render advisory opinions regarding the applicability of the
19 Code of Ethics and to hear and decide complaints regarding alleged violations of the
20 Code of Ethics; and

21 **WHEREAS**, pursuant to Fulton County Code of Ordinances § 2-80(b), the
22 membership of the Board of Ethics currently consists of (i) one (1) member to be
23 nominated by the president of the Atlanta Bar Association from among the Association's
24 membership; (ii) one (1) member to be nominated by the president of the Gate City Bar
25 Association from among the Association's membership; (iii) one (1) member to be
26 nominated by the president of the North Fulton Chamber of Commerce from among the
27 Chamber's membership; (iv) one (1) member to be nominated by the president of the

1 Atlanta Business League from among the membership of the Atlanta Business League;
2 (v) one (1) member to be nominated by the president of the Atlanta Airport Chamber of
3 Commerce from among the Chamber's membership; (vi) one member to be nominated
4 by the personnel board of the county from its membership; and, (vii) one (1) member to
5 be nominated and appointed by the Board of Commissioners; and

6 **WHEREAS**, also pursuant to Fulton County Code of Ordinances § 2-80(b),
7 although the members for positions (1) through (6) of the Board of Ethics are nominated
8 from various local organizations, all of these positions are subject to final appointment by
9 the Board of Commissioners; and

10 **WHEREAS**, the Code of Ethics currently identifies the Fulton County Personnel
11 Board as one such local organization that will nominate one member to the Board of
12 Commissioners for appointment to the Board of Ethics; and

13 **WHEREAS**, however, on April 10, 2019, pursuant to its authority under the Home
14 Rule provisions of the Constitution of the State of Georgia (Art. 9, § 2, ¶ 1(b)), the Board
15 of Commissioners abolished the Fulton County Personnel Board and replaced it with an
16 administrative hearing officer system (Resolution No. 19-0221); and

17 **WHEREAS**, the South Fulton Chamber of Commerce, Inc., is a non-profit Georgia
18 corporation celebrating its 73rd anniversary, and whose mission is “to create synergy for
19 business development and expansion by attracting, retaining and advancing the business
20 interests of South Fulton, and the eight cities that make-up South Fulton County including;
21 the City of South Fulton, Hapeville, East Point, College Park, Fairburn, Union City,
22 Palmetto, Chattahoochee Hills, Southwest Atlanta and the unincorporated area of Fulton
23 Industrial Boulevard; and

1 **WHEREAS**, the Board of Commissioners finds it necessary and appropriate to
2 amend the Code of Ethics regarding the former Fulton County Personnel Board's
3 authority to nominate members to the Board of Commissioners for appointment to the
4 Board of Ethics, and to replace it with the South Fulton Chamber of Commerce, Inc.

5 **NOW, THEREFORE, BE IT ORDAINED**, that Fulton County Code of Ordinances
6 § 2-80(b) is hereby amended to read as follows:

7 (b) *Membership.* The Board of Ethics shall consist of the following seven
8 (7) members, who shall be residents of Fulton County for not less than
9 three years preceding their selection. The members for positions (1)
10 through (6) shall be subject to final appointment by the Board of
11 Commissioners.

12
13 (1) One member to be nominated by the president of the Atlanta Bar
14 Association from among the Association's membership;

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16 (2) One member to be nominated by the president of the Gate City Bar
17 Association from among the Association's membership;

18
19 (3) One member to be nominated by the president of the North Fulton
20 Chamber of Commerce from among the Chamber's membership;

21
22 (4) One member to be nominated by the president of the Atlanta
23 Business League from among the membership of the Atlanta
24 Business League;

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26 (5) One member to be nominated by the president of the Atlanta
27 Airport Chamber of Commerce from among the Chamber's
28 membership;

29
30 (6) One member to be nominated by the ~~Personnel Board of the~~
31 ~~county from its membership~~ president of the South Fulton Chamber
32 of Commerce, Inc. from among the Chamber's membership; and

33
34 (7) One member to be nominated and appointed by the Board of
35 Commissioners.

36
37 **BE IT FINALLY ORDAINED**, that this Ordinance will take effect upon its adoption,
38 and that all ordinances, resolutions, and parts of ordinances and resolutions in conflict

1 with this Ordinance are hereby repealed to the extent of such conflict.

2 **SO ORDAINED**, this 7th day of June 2023.

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5 **FULTON COUNTY BOARD**
6 **OF COMMISSIONERS**

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SPONSORED BY:

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Robert L. Pitts, Chairman
(At-Large)

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ATTEST:

Tonya R. Grier
Clerk to the Commission

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APPROVED AS TO FORM:

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Y. Soo Jo
County Attorney

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