

1 **AN ORDINANCE TO AMEND CHAPTER 2, ARTICLE II, DIVISION 2 OF THE CODE**
2 **OF LAWS OF FULTON COUNTY TO CLARIFY THE DEFINITION OF “OFFICER OR**
3 **EMPLOYEE” IN THE CODE OF ETHICS.**

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

9 **WHEREAS**, the BOC has, by ordinance, established a Code of Ethics (Fulton
10 County Code of Ordinances (“FCC”) § 2-66, *et seq.*) governing minimum standards of
11 conduct for “officers or employees”; and

12 **WHEREAS**, pursuant to FCC § 2-80, the Board of Ethics is empowered to render
13 advisory opinions regarding the applicability of the Code of Ethics and to hear and decide
14 complaints regarding alleged violations of the Code of Ethics; and

15 **WHEREAS**, the BOC values and supports transparency and accountability in all
16 aspects of Fulton County Government and in operations that are funded by Fulton
17 County; and

18 **WHEREAS**, the BOC finds that the Code of Ethics should be extended to any
19 appointed or elected official whose agency is appropriated funds from Fulton County.

20 **NOW, THEREFORE, BE IT ORDAINED**, that the Fulton County Code of Ethics §
21 2-67(l) is hereby amended to read as follows:

22 (l) *Officer or employee* means any elected officer of the county, any person appointed
23 to a county board, commission, or agency by the board of commissioners, any
24 person employed by the county, including contractual employees, and any person
25 retained by the county or any agency of the county in a consulting capacity, who
26 is exclusively obligated to the county for a period of ninety (90) or more days. This
27 definition does not include members of advisory boards having no decision-making
28 authority; provided, however, that county employees serving on the Advisory
29 Committee of the Atlanta-Fulton County Water Resources Commission continue
30 to be included within this definition while serving on that Advisory Committee. This
31 definition includes retired former employees and other former employees of the

1 county during any period in which they are later employed or retained by the county
2 or any county agency. This definition shall include any elected or appointed official
3 whose department or agency is appropriated funds from the county.

4 **BE IT FINALLY ORDAINED**, that this Ordinance shall become effective upon its
5 adoption, and that all ordinances, resolutions, and parts of ordinances and resolutions in
6 conflict with this Ordinance are hereby repealed to the extent of the conflict.

7 **PASSED AND ADOPTED** by the Board of Commissioners of Fulton County,
8 Georgia, this ____ day of _____, 2024.

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10 **FULTON COUNTY BOARD OF COMMISSIONERS**

11 Sponsored by:

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15 _____
16 Bob Ellis, District 2
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22 ATTEST:

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26 _____
27 Tonya R. Grier, Clerk to the Commission
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31 APPROVED AS TO FORM:

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35 _____
36 Y. Soo Jo, County Attorney