

1 **AN ORDINANCE TO AMEND CHAPTER 2, ARTICLE II, DIVISION 2, SECTIONS**
2 **2-67 AND 2-79 OF THE CODE OF LAWS OF FULTON COUNTY RELATING TO**
3 **THE CODE OF ETHICS TO REQUIRE THE FILING OF AN ANNUAL INCOME**
4 **FINANCIAL DISCLOSURE STATEMENT FROM MEMBERS OF THE**
5 **DEVELOPMENT AUTHORITY OF FULTON COUNTY; AND FOR OTHER**
6 **PURPOSES.**

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

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12 **WHEREAS**, among other provisions, the Code of Ethics requires that many Fulton
13 County elected officials, employees, and members of boards file annual Income and
14 Financial Disclosure Reports with the Clerk to the Commission (Code of Ordinances § 2-
15 79); and

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17 **WHEREAS**, FCC § 2-67, defines the “officers or employees” of Fulton County
18 whom must comply with the requirements of the Ethics Code to mean, “any elected officer
19 of the county, any person appointed to a county board, commission, or agency by the
20 board of commissioners, any person employed by the county, including contractual
21 employees, and any person retained by the county or any agency of the county in a
22 consulting capacity, who is exclusively obligated to the county for a period of 90 or more
23 days”; and

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25 **WHEREAS**, FCC § 2-67 further provides that the aforementioned definition
26 “includes retired former employees and other former employees of the county during any
27 period in which they are later employed or retained by the county or any county agency”;
28 and.

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30 **WHEREAS**, FCC § 2-67, however, also states that the aforementioned definition
31 “does not include members of advisory boards having no decision-making authority;
32 provided, however, that county employees serving on the Advisory Committee of the
33 Atlanta/Fulton County Water Resources Commission continue to be included within this
34 definition while serving on that advisory committee”; and

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36 **WHEREAS**, the Board of Commissioners finds that to achieve the goal of creating
37 transparency, open government and accountability, that the public interest is best served,
38 in having the members of the Development Authority of Fulton County must file annually
39 a financial disclosure report detailing all monies received from any source in carrying out
40 the functions or duties required by their appointments; and

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42 **WHEREAS**, pursuant to Fulton County Code § 1-117, the Board of Commissioners
43 has exclusive jurisdiction and authority to exercise such other powers as are granted by
44 law, or are indispensable to their jurisdiction over County matters and County finances;
45 and

1 **WHEREAS**, the Board of Commissioners deems it appropriate to preserve
2 transparency, accountability and open government by amending the Code of Ethics to
3 require the members of the Development Authority of Fulton County shall file an annual
4 Income and Financial Disclosure Reports with Clerk to the Commission of Fulton County.
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6 **NOW, THEREFORE, BE IT ORDAINED**, that Fulton County Code of Ordinances
7 § 2-79, dealing with Disclosure of Income and Financial Interests, is hereby amended by
8 revising subparagraph (a) to read as follows:
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10 **Sec. 2-79. Disclosure of income and financial interests.**

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12 a) On or before April 15 of each calendar year, each of the following individuals
13 shall file an income and financial disclosure report with the clerk to the
14 commission, which report shall cover the preceding calendar year:
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- 16 (1) all elected officials of Fulton County, as well as judges of the juvenile
17 and magistrate courts;
- 18 (2) county manager;
- 19 (3) deputy county managers;
- 20 (4) all department heads, including the county attorney and the clerk to
21 the commission, as well as all division heads reporting to the county
22 manager, and the deputy director of zoning;
- 23 (5) members of the board of tax assessors and all property appraisers;
- 24 (6) members of the community zoning board;
- 25 (7) members of the board of zoning appeals;
- 26 (8) members of the board of ethics; and
- 27 (9) members of the Development Authority of Fulton County.

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37 The obligation to file an income and financial disclosure report annually with the clerk to
38 the commission is mandated for that calendar term, regardless of whether the person is
39 removed from the appointment or their term ends prior to April 15.
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42 **BE IT FINALLY ORDAINED**, that this Ordinance will take effect upon its adoption,
43 and that all ordinances, resolutions, and parts of ordinances and resolutions in conflict
44 with this Ordinance are hereby repealed to the extent of such conflict.
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46 **SO ORDAINED**, this _____ day of July 2021.

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**FULTON COUNTY BOARD
OF COMMISSIONERS**

SPONSORED BY:

Lee Morris, Commissioner
District 3

ATTEST:

Tonya R. Grier
Clerk to the Commission

APPROVED AS TO FORM:

Kaye Woodard Burwell
Interim County Attorney