

STATE OF GEORGIA

CITY OF HAMPTON

ADOPTED BY THE GOVERNING BODY THIS 14<sup>th</sup> DAY OF September 2021.

ORDINANCE NO.      **2021-559**

**AN ORDINANCE OF THE CITY OF HAMPTON'S MAYOR AND COUNCIL AMENDING CHAPTER 2 ADMINISTRATION, ARTICLE III OFFICERS AND EMPLOYEES, SECTION 2-120 CITY MANAGER; TO ALLOW FOR AN AMENDMENT TO SUBSECTION (D)(15) POWERS AND DUTIES OF THE CITY MANAGER; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE.**

WHEREAS, the City of Hampton (hereinafter "City") is governed by the Mayor and Council; and

WHEREAS, the City of Hampton provides for the powers and duties of the City Manager; and

WHEREAS, it is the desire of this Council to make the changes to those duties and powers;

AND WHEREAS, it is in the City's best interest to revise the current Code of Ordinances to repeal (d)(15) of Section 2-120 and replace it with the following language.

**Section 1.** NOW THEREFORE IT IS HEREBY RESOLVED that Section 2-120(d)(15) of the City Code be repealed and recreated so that as recreated, Section 2-120(d)(15) shall read:

***Sec. 2-120. - City manager.***

***(d) (15) Recommend to the mayor and council for appointment or removal all city department heads, the city attorney, the city auditor, and all other appointed officials or consultants of the city, provided that if the recommendation for appointment is not made within sixty (60) days of the position announcement closing, then the City Manager shall appoint an interim department head until position is permanently filled.***

**Section 2.** The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

**Section 3.** This Ordinance shall be codified in a manner consistent with the laws of the State of Georgia and the City of Hampton.

**Section 4.** This Ordinance shall take effect immediately upon its adoption. All Ordinances in conflict herewith are expressly repealed. It is the intention of the governing body, and it is hereby

Ord. 2021-559 amended

ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances, City of Hampton, Georgia, and the sections of this Ordinance may be renumbered, if necessary, to accomplish such intention.

**Section 5.**

- a. It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.
- b. It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause and phrase of this Ordinance is severable from every other, section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.
- c. In the event that any phrase, clause, sentence, paragraph or Section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or Sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and Sections of the Article shall remain valid, constitutional, enforceable, and of full force and effect.

**Section 6.** All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

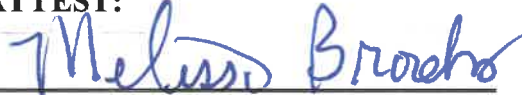
**Section 7.** The effective date of this Ordinance shall be the date of adoption unless otherwise specified herein.

SO ORDAINED, this day of 14 Sept., 2021.

CITY OF HAMPTON, GEORGIA

  
STEVE HUTCHISON, Mayor

ATTEST:

  
MELISSA BROOKS, City Clerk

**APPROVED AS TO FORM:**

  
**L'ERIN BARNES WIGGINS, City Attorney**

First Reading: August 17, 2021 (failed 2-4)  
Second Reading/  
Adoption: September 14, 2021