

First Reading: _____

Second Reading: _____

ORDINANCE NO. 03-2025

AN ORDINANCE TO AMEND THE ETHICS CODE OF THE CITY OF DAWSONVILLE SO AS TO PROVIDE FOR THE QUALIFICATION OF MEMBERS TO THE ETHICS BOARD; TO PROVIDE FOR SEVERABILITY; AND FOR OTHER PURPOSES.

WHEREAS, an Ethics Board is a proper part of the ethics ordinance process, in that an Ethics Board provides for due process to make certain that ethics complaints against officials are well founded, and offers protection during the consideration of ethics complaints; and

WHEREAS, a diverse Ethics Board, in terms of geographical location within the City of Dawsonville, may promote a broader representation of views on matters which come before the Ethics Board; and

WHEREAS, a diverse Ethics Board, in terms of geographical location within the City, may reduce the circumstances in which members of the Ethics Board would have to recuse themselves in such numbers as to render the Board unable to fulfill its functions if called upon;

WHEREAS, the City Council desires to update its Code of Ethics in a manner consistent with the City charter, state law, and other ordinances of the City of Dawsonville.

NOW THEREFORE, THE COUNCIL OF THE CITY OF DAWSONVILLE HEREBY ORDAINS AS FOLLOWS:

SECTION 1.

Section 2-81 of the Code of the City of Dawsonville is hereby deleted in its entirety, and in its place is adopted the following, which shall be a new Section 2-81 of the Code of the City of Dawsonville upon its passage:

- (a) The ethics board shall consist of five persons. All members shall be residents of the City. One member shall be appointed by the Mayor, and each city council member shall appoint someone from his or her district post to fill out the remaining four spots. All appointed members shall be subject to approval by the City Council, which approval shall be unanimous. In the event unanimity is not obtained for a particular appointee, the person who appointed the person not unanimously approved shall bring forth another name for the Council to consider.
- (b) Once per year the ethics board shall convene to select among its members a chairperson who shall preside at any meetings and who shall only vote in case of a tie among the remaining members on any particular issue. The members shall also select a vice-

chairperson to preside in the absence or conflict of the chairperson. When the vice-chairperson is presiding he or she is limited to voting only in case of a tie.

- (c) Vacancies shall be filled by following the same process which led to the selection of the person vacating a position on the ethics board with a portion of an unexpired term remaining.
- (d) All members shall serve two-year terms. The foregoing notwithstanding, the appointed members of the Mayor, City Council Post 1, and City Council Post 3, shall serve three-year terms starting in 2025 so as to stagger the terms of the members of the ethics board. Thereafter, with the succeeding appointments in calendar year 2028, all members shall serve two year terms.
- (e) Members of the ethics board with any permit or rezoning application pending before the City, or with any pending or potential litigation against the City or the city official charged in a complaint, shall recuse from serving on the ethics board for that complaint.
- (f) Members of the ethics board may be removed by majority vote of the City Council.
- (g) For the purpose of reviewing a complaint, conducting a hearing, and taking action under Section 2-84, the ethics board shall have the right to engage an attorney who is an active member of the Bar of the State of Georgia in good standing to assist the ethics board. However, no such attorney shall be a member of the ethics board at the time he or she is engaged, and they shall not be considered to be a member of the ethics board for the purpose of making any decisions. The role of the attorney for the ethics board shall be to conduct investigatory activities requested by the ethics board, make reports and recommendations to the ethics board, and to represent the ethics board in any actions commenced by the ethics board. The City shall be responsible for the fee charged by Ethics Board counsel.

SECTION 2.

All Ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 3.

This ordinance shall become effective upon adoption, the public good demanding the same.

SO ADOPTED AND ORDAINED by the City Council of Dawsonville, Georgia, this ____ day of _____, 2025.

**MAYOR AND DAWSONVILLE CITY
COUNCIL**

By: _____
John Walden, Mayor

Caleb Phillips, Council Member Post 1

William Illg, Council Member Post 2

Sandy Sawyer, Council Member Post 3

Mark French, Council Member Post 4

ATTESTED TO BY:

Beverly Banister, City Clerk