

State of Georgia

City of Harlem

Ordinance No. 2401

**An Ordinance to Amend the Code of the City of Harlem, Georgia; Part III Land Development Code; Chapter 106 Historic Preservation; Sec. 106-25 Historic Preservation Commission Established; Duties; Sec. (c) Commission Members and Sec. 106-29 Members, Officers and Duties; Sec. (e) Terms of Appointment**

**WHEREAS**, the Historic Preservation Commission has requested a review and consideration of amending the number of term limits they are allowed to serve per Ordinance; and,

**WHEREAS**, the Historic Preservation Ordinance is derived from the model Ordinance from the Georgia Historic Preservation Act as amended (O.C.G.A., 44-10-20); and

**WHEREAS**, the Members currently serve three-year terms and may not serve more than two (2) consecutive terms; and

**WHEREAS**, state law O.C.G.A. 44-10-24 does not reference a number of three-year terms that a member may serve; and

**WHEREAS**, state law O.C.G.A. 44-10-24 authorizes the local governing body of a municipality to determine the length of term for Members of its Historic Preservation Commission, which shall be no greater than three (3) years.

**NOW, THEREFORE**, the Mayor and City Council of the City of Harlem, Georgia, hereby ordain:

**SECTION 1:** That Chapter 106 of the Code of Ordinances, City of Harlem, Georgia, is hereby amended as follows:

**Sec. 106-25 Historic Preservation Commission Established; Duties**

(3) Members shall serve three one-year terms. ~~Members may not serve more than two consecutive terms. There is no limit on the number of consecutive terms a Member may serve. In order to achieve staggered terms, initial appointments shall be: one member for one year; two members for two years; and two members for three years. Terms shall begin on the first day of January and end upon the swearing in of the individual assuming that Member's seat the subsequent year.~~ Members shall not receive a salary, although they may be reimbursed for expenses.

**Sec. 106-29 Members, Officers and Duties**

(e) Terms of appointment. Members shall be appointed to serve terms of ~~three~~ one year in accordance with this article.

**SECTION 2:** That current Members of the Historic Preservation Commission at the time of enactment of this ordinance shall serve out the full remainder of their terms, even where such a remaining term exceeds one (1) year in length. In order to reorient the start and end dates of terms to match the calendar year, upon the expiration of terms of current Members, whose terms end in June, the Mayor and City Council shall be authorized to reappoint the Member to a six (6) month term to serve out the remainder of the year, until an appointment is made in January for a Member to occupy that seat and serve a full one (1) year term.

**SECTION 3:** That all portions of this Code in conflict herewith are hereby repealed.

**NOW, THEREFORE,** this Ordinance is approved by the City Council of the City of Harlem, Georgia on this \_\_\_\_\_ day of \_\_\_\_\_, 2024 and shall become effective upon adoption.

\_\_\_\_\_  
Roxanne Whitaker, Mayor

ATTEST:

\_\_\_\_\_  
Leona H. Holley, City Clerk

\_\_\_\_\_  
1<sup>st</sup> Reading

\_\_\_\_\_  
2<sup>nd</sup> Reading