

**LOCAL AND SPECIAL ACTS AND RESOLUTIONS OF THE GENERAL ASSEMBLY
OF THE STATE OF GEORGIA 1959**

[missing title]

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Sequential Number: 037

Short Title: CITY OF MARIETTA -- CHARTER AMENDED.

Law Number: No. 89

Origin: (House Bill No. 462).

Full Title: An Act to amend an Act incorporating the City of Marietta, approved August 15, 1904 (Ga. L. 1904, p. 519), as amended, particularly by an Act approved August 17, 1906 (Ga. L. 1906, p. 849), an Act approved February 13, 1941 (Ga. L. 1941, p. 1590), an Act approved March 3, 1943 (Ga. L. 1943, p. 1449), an Act approved February 4, 1949 (Ga. L. 1949, p. 238), an Act approved

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February 7, 1952 (Ga. L. 1952, p. 2246), an Act approved March 3, 1953 (Ga. L. 1953, Jan.-Feb. Sess., p. 3026), an Act approved December 11, 1953 (Ga. L. 1953, Nov.-Dec. Sess., p. 2267), an Act approved March 7, 1955 (Ga. L. 1955, p. 2973), and an Act approved March 17, 1958 (Ga. L. 1958, p. 2594), so as to change, extend, redefine and describe the city limits; to provide for seven (7) wards; to provide for the election of one councilman from each ward; to provide for polls in each ward; to provide for general and special elections; to provide certain powers for the mayor and council; to change the salary of the mayor and councilmen and provide an effective date therefor; to provide for compensation for the members of the Board of Lights and Waterworks; to provide for the employment, duties and compensation of a city manager; to change certain provisions relating to the Civil Service System; to repeal all conflicting laws; and for other purposes.

Be it enacted by the General Assembly of Georgia:

Section 1. An Act incorporating the City of Marietta, approved August 15, 1904 (Ga. L. 1904, p. 519), as amended, particularly by an Act approved August 17, 1906 (Ga. L. 1906, p. 849), an Act approved February 13, 1941 (Ga. L. 1941, p. 1590), an Act approved March 3, 1943 (Ga. L. 1943, p. 1449), an Act approved February 4, 1949 (Ga. L. 1949, p. 238), an Act approved February 7, 1952 (Ga. L. 1952, p. 2246), an Act approved March 3, 1953 (Ga. L. 1953, Jan.-Feb. Sess., p. 3026), an Act approved December 11, 1953 (Ga. L. 1953, Nov.-Dec. Sess., p. 2267), an Act approved March 7, 1955 (Ga. L. 1955, p. 2973), and an Act approved March 17, 1958 (Ga. L. 1958, p. 2594), is hereby amended by striking section 2 thereof, as amended by the amendatory Act of 1958, in its entirety, and inserting in lieu thereof a new section 2 to read as follows:

"Section 2. **Corporate limits.** -- Any other provisions of the charter of the City of Marietta to the contrary notwithstanding, the corporate limits of the City of Marietta

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shall extend and include all that area lying and being in the 16th, 17th, 19th, and 20th districts, 2nd section of Cobb County, State of Georgia, embraced and lying within the following boundary lines:

"All that territory in the County of Cobb and the State of Georgia, situated, lying and being within and between corporate limits of the City of Marietta, as the same now exists and a line described as follows: Beginning at a point in land lot No. 1071 in the sixteenth district and section section of Cobb County, Georgia, four hundred feet north of the center line of the Allgood Road and five hundred feet east of the center line of the four lane highway, which said point is marked with a concrete marker; running thence southeasterly five hundred feet east of and parallel to the center line of the four lane highway for a distance of 400 feet to the center line of Allgood Road; thence north 19 degrees 03 minutes east along the center line of Allgood Road for a distance of 400 feet to the northern boundary of land lot 1071; thence north 88 degrees 37 minutes east along the northern boundary of land lot 1071 a distance of 26.7 feet to a point on the right of way line of Allgood Road; thence northeasterly along the south right of way line of Allgood Road for a distance of 2823.7 feet to a point located in land lot 997; thence south 28 degrees 30 minutes east a distance of 263 feet to a point; thence south 42 degrees 15 minutes east a distance of 299 feet to a point located in land lot 1020; thence south 61 degrees 45 minutes west for a distance of 202.5 feet to a point; thence south 40 degrees 35 minutes east for a distance of 79 feet to a point; thence south 49 degrees 25 minutes west for a distance of 258 feet to a point; thence south 59 degrees 33 minutes west for a distance of 1045.3 feet to a point on the eastern boundary of land lot 1019; thence south 88 degrees 37 minutes west for a distance of 833.4 feet to a point, said line being 40 feet north of and parallel to the southern boundary of land lot 1019; thence north 33 degrees 08 minutes west a distance of 200.5 feet to a point; thence south 56 degrees 22 minutes west a distance of 400 feet to a point on the southern boundary of land lot 1019; thence north 88 degrees 37 minutes east

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along the northern boundary of land lot 1070 for a distance of 1279.1 feet to the northeast corner of land lot 1070; thence south 1 degree 13 minutes 30 seconds east along the eastern boundary of land lot 1070 a distance of 1521.2 feet to the southeast corner of land lot 1070; thence south 88 degrees 59 minutes 40 seconds west along the southern boundary of land lot 1070 for a distance of 500 feet to a point located 500 feet east of the center line of the four lane highway running thence southeasterly five hundred feet east of and parallel to the center line of the four lane highway for a distance of 620 feet to the center line of Sopes Creek; thence northeasterly along the center line of Sopes Creek a distance of approximately 1068 feet to the southwest corner of lot no. 18 of the Delta Builders, Inc. subdivision; thence southeasterly along the southern boundary of lot no. 18 of said subdivision a distance of 365 feet to the center line of Wilshire

Avenue; thence southeasterly along the southern boundary of lot no. 22 of said subdivision for a distance of 180 feet to a point on the eastern boundary of the Delta Builders, Inc. subdivision; thence southwesterly for a distance of 250 feet to a point; thence south 45 degrees 00 minutes west for a distance of 200 feet to a point; thence south for a distance of 30 feet to a point on the northern boundary of land lot 1092; thence north **89** degrees 10 minutes east along the northern boundary of land lot 1092 a distance of 771.5 feet to the northeast corner of land lot 1092; thence south along the eastern boundary of land lot 1092 for a distance of 930 feet to a point; thence south 54 degrees 00 minutes west for a distance of 355 feet to the center line of Barnes Mill Drive; thence southeasterly along the center line of Barnes Mill Drive for a distance of 335 feet to a point on the center line of Barnes Mill Road; thence northeasterly along the center line of Barnes Mill Road for a distance of 2833 feet to a point in land lot 1094; thence northwesterly for a distance of 21 feet to a point on the north right of way line of Barnes Mill Road and the southwest corner of lot no. 16 of Bonnie Dell subdivision; thence north 23 degrees 29 minutes west along the western boundary of lot no. 16, block A, Bonnie Dell subdivision for a distance of 179.5 feet to a point on the

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southern boundary of lot no. 8, Bonnie Dell subdivision; thence north 66 degrees 45 minutes west along the southern boundary of lots no. 8, no. 6, no. 7 and part of lot no. 5, block A, Bonnie Dell subdivision for a distance of 260.9 feet to a point; thence south 67 degrees 18 minutes west for a distance of 214.5 feet to the southeast corner of lot no. 1, block A, Bonnie Dell subdivision; thence south **89** degrees 52 minutes west along the southern boundary of lot no. 1, Bonnie Dell subdivision for a distance of 76.3 feet to a point on the east right of way line of Baker Lane; thence south **89** degrees 52 minutes west a distance of 50.7 feet to the west right of way line of Baker Lane; thence south 68 degrees 10 minutes west along the south right of way line of a connecting street between Bonnie Dell Drive and Baker Lane a distance of 266 feet to a point on the east right of way line of Bonnie Dell Drive; thence south 67 degrees 50 minutes west crossing Bonnie Dell Drive for a distance of 51.3 feet to a point on the west side of Bonnie Dell Drive; thence north 2 degrees 27 minutes west along the west right of way line of Bonnie Dell Drive for a distance of 100 feet to the southeast corner of lot no. 1, block C, Bonnie Dell subdivision; thence south 67 degrees 46 minutes west along the southern boundary of lot no. 1 of block C, Bonnie Dell subdivision for a distance of 223.7 feet to a point on the western boundary of land lot 1094; thence north 1 degree 40 minutes west along the western boundaries of land lots 1094 and 1067 for a distance of 1486.1 feet to the northwest corner of lot no. 7, block E, Bonnie Dell subdivision; thence north 20 degrees 41 minutes east along the northwest boundary of lot no. 7, block E, Bonnie Dell subdivision for a distance of 51.8 feet to a point; thence north 56 degrees 10 minutes east along the northern boundary of lot no. 7 and part of lot no. 8 block E, Bonnie Dell subdivision for a distance of 195.4 feet to a point; thence north 77 degrees 49 minutes east along the northern boundary of lots no. 8 and no. 9, block E, Bonnie Dell subdivision for a distance of 199.3 feet to the northeast corner of lot no. 9; thence south 7 degrees 39 minutes east along the eastern boundary of lot no. 9, block E, Bonnie Dell subdivision for a distance of 263.3 feet to the north right of way line of

Bonnie Dell Drive; thence easterly along the north right of way line of Bonnie Dell Drive for a distance of 203.4 feet to the southwest corner of lot no. 10, block E, Bonnie Dell subdivision; thence north 29 degrees 45 minutes east along the northwest boundary of lot no. 10, block E, Bonnie Dell subdivision for a distance of 193.2 feet to the northwest corner of lot no. 11, block E, Bonnie Dell subdivision; thence north 58 degrees 41 minutes east along part of the northern boundary of lot no. 11, block E of said subdivision for a distance of 109 feet to a point; thence north 56 degrees 35 minutes east along the northern boundaries of lots no. 11 and no. 12 and part of lot no. 13 of block E for a distance of 217.3 feet to a point; thence north 78 degrees 22 minutes east along the northern boundaries of lots no. 13 and no. 14, block E, Bonnie Dell subdivision for a distance of 152 feet to the northeast corner of said lot no. 14; thence south 15 degrees 43 minutes east along the eastern boundary of lot no. 15, block E, Bonnie Dell subdivision for a distance of 63 feet to a point; thence south 74 degrees 05 minutes east for a distance of 35.2 feet to the northwest corner of lot no. 16, block E, Bonnie Dell subdivision; thence south 51 degrees 02 minutes east along the northern boundary of lot no. 16, block E, Bonnie Dell subdivision for a distance of 224.5 feet to the northwest corner of lot no. 19 block E, Bonnie Dell subdivision; thence north 30 degrees 17 minutes east along the western boundary of lot no. 18, block E, Bonnie Dell subdivision for a distance of 106.5 feet to the northwest corner of said lot no. 18; thence south 64 degrees 30 minutes east along the northern boundary of lot no. 18, block E, Bonnie Dell subdivision for a distance of 120.6 feet to the western right of way line of Rosalyn Drive; thence south 58 degrees 32 minutes east along the edge of Sopes Creek and crossing Rosalyn Drive for a distance of 52.5 feet to the east right of way line of Rosalyn Drive; thence south 79 degrees 22 minutes east for a distance of 120.6 feet to a point on the northern boundary of lot no. 5, block H, Bonnie Dell subdivision; thence south 45 degrees 30 minutes east along the northern boundaries of lots no. 5, no. 3, no. 2 and no. 1, block H, Bonnie Dell subdivision for a distance of 355.9 feet

to the northeast corner of said lot no. 1; thence south 26 degrees 31 minutes west along the eastern boundary of lot no. 1, block H, Bonnie Dell subdivision for a distance of 120 feet to the north right of way line of Mountain View Drive; thence south 26 degrees 31 minutes west for a distance of 50 feet to the south right of way line of Mountain View Drive; thence south 81 degrees 00 minutes west along the southern boundary of lot no. 14, block G, Bonnie Dell subdivision for a distance of 165 feet to a point on the southern boundary of said lot, no. 14; thence south 65 degrees 40 minutes west along the eastern boundaries of lots no. 14 and no. 10, block G, Bonnie Dell subdivision for a distance of 198.7 feet to the southeast corner of said lot no. 10; thence south 42 degrees 10 minutes west along the eastern boundaries of lots no. 9 and no. 8, block G, Bonnie Dell subdivision for a distance of 165.1 feet to the southeast corner of lot no. 8; thence south 21 degrees 00 minutes west along the eastern boundaries of lot no. 7 and no. 6, block G, Bonnie Dell subdivision for a distance of 160.5 feet to the southeast corner of lot no. 6; thence south 4 degrees 40 minutes west along the eastern boundary of lot no. 4, block G, Bonnie Dell subdivision for a distance of 80.9 feet to the southeast corner of said lot no. 4; thence south 35 degrees 00 minutes east along the eastern boundary of lot no. 3, block G, Bonnie

Dell subdivision for a distance of 107.6 feet to the southeast corner of lot no. 3; thence south 49 degrees 56 minutes east along the eastern boundary of lot no. 2, block G, Bonnie Dell subdivision for a distance of 124 feet to the southeast corner of said lot no. 2; thence south 70 degrees 28 minutes east along the northern boundary of lot no. 9, block I, Bonnie Dell subdivision for a distance of 124 feet to the northeast corner of said lot no. 9; thence south 64 degrees 27 minutes east along the northern boundary of lot no. 8, block I, Bonnie Dell subdivision for a distance of 133.6 feet to the northeast corner of lot no. 8; thence south 51 degrees 58 minutes east along the eastern boundary of lot no. 7, block I, Bonnie Dell subdivision for a distance of 27.9 feet to a point; thence north 73 degrees 15 minutes east for a distance of 502 feet to a point; thence north 67 degrees 22 minutes

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east for a distance of 118 feet to a point; thence south 3 degrees 10 minutes east for a distance of 300 feet to the north right of way line of Barnes Mill Road; thence south 67 degrees 22 minutes west along the north right of way line of Barnes Mill Road for a distance of 398 feet to a point; thence south 74 degrees 03 minutes west continuing along the north right of way line of Barnes Mill Road for a distance of 35 feet to the southeast corner of lot no. 6, block I, Bonnie Dell subdivision; thence south 36 degrees 26 minutes east for a distance of 50.7 feet to the south right of way line of Barnes Mill Road; thence south 73 degrees 15 minutes west along the south right of way line of Barnes Mill Road for a distance of 100 feet to the center line of Wallace Road; thence southeasterly along the center line of Wallace Road for a distance of 1475 feet to a point on the northern boundary of land lot 1138; thence north **89** degrees 31 minutes west along the northern boundary of land lot 1138 for a distance of 25 feet to the west right of way line of Wallace Road; thence south 16 degrees 43 minutes west along the west right of way line of Wallace Road for a distance of 574.3 feet to the southeast corner of lot no. 15, Brentwood subdivision; thence north **89** degrees 31 minutes west along the southern boundaries of lots no. 15, no. 14, no. 13, no. 12 and no. 11, Brentwood subdivision for a distance of 341.9 feet to the southwest corner of lot no. 11; thence north 0 degrees 29 minutes east along the western boundary of lot no. 11, Brentwood subdivision for a distance of 60 feet to the southeast corner of lot no. 10, Brentwood subdivision; thence north **89** degrees 31 minutes west along the southern boundaries of lots no. 10 and no. 7, Brentwood subdivision for a distance of 361.9 feet to a point on the eastern boundary of land lot 1139; thence south 0 degrees 22 minutes west along the eastern boundary of land lot 1139 for a distance of 605 feet to a point; thence south 88 degrees 41 minutes west for a distance of 1207.1 feet to a point, said line being 188 feet north of and parallel to the southern boundary of land lot 1139; thence south 1 degree 24 minutes east for a distance of 208.7 feet to a point 20 feet south of the southern boundary of land lot 1139; thence south 88 degrees 41 minutes west along

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a line 20 feet south of and parallel to the southern boundary of land lot 1139 for a distance of 208.7 feet to a point on the eastern boundary of land lot 1165; thence south 1 degree 24 minutes east along the eastern boundary of land lot 1165 for a distance of 635 feet to a point; thence north

89 degrees 21 minutes west a distance of 38 feet to a point 500 feet east of the center line of the four lane highway; thence southeasterly along a line 500 feet east of and parallel to the center line of the four lane highway for a distance of approximately 2062 feet to a point on the northern boundary of lot no. 93, H. C. Lassiter subdivision; thence north 67 degrees 52 minutes east along the northern boundary of lot no. 93, H. C. Lassiter subdivision for a distance of 62 feet to a point on the west right of way line of Hagood Circle; thence south 67 degrees 40 minutes east, crossing Hagood Circle, for a distance of 80 feet to a point on the east right of way line of Hagood Circle; thence north 75 degrees 55 minutes east for a distance of 150 feet to a point; thence north 55 degrees 51 minutes east for a distance of 38.1 feet to a point; thence north **89** degrees 00 minutes east for a distance of 209 feet to a point on the west right of way line of Chert Road; thence north 1 degree 59 minutes west along the west right of way line of Chert Road for a distance of 496 feet to a point; thence easterly across Chert Road and along the north right of way line of South Street for a distance of 780 feet to the point of intersection of the north right of way line of South Street and the north right of way line of Varner Road; thence northeasterly along the north right of way line of Varner Road for a distance of 826.2 feet to a point; thence crossing Varner Road perpendicular to the north and south right of way lines for a distance of 50 feet to a point on the south right of way line of Varner Road; thence north 50 degrees 03 minutes east a distance of 220 feet to a point; thence north 1 degree 06 minutes east for a distance of 260 feet to a point on the northern boundary of land lot 1209; thence north 85 degrees 09 minutes east along the northern boundary of land lot 1209 for a distance of 260 feet to a point; thence south 1 degree 34 minutes east for a distance of 576.2 feet to a point; thence north **89** degrees

10 minutes east for a distance of 109 feet to a point; thence south 1 degree 09 minutes east for a distance of 100 feet to a point; thence south **89** degrees 10 minutes west for a distance of 109 feet to a point; thence running south 1 degree 09 minutes east for a distance of 733 feet to the north right of way line of Roswell Road; running thence easterly along the north right of way line of Roswell Road for a distance of approximately 1070 feet to a point; running thence southeasterly and crossing Roswell Road for a distance of 80 feet to a point located on the south right of way line of Roswell Road said point being the northeast corner of the East Marietta shopping center; thence southeasterly along the property line of the East Marietta shopping center for a distance of 37.5 feet to a point; thence southeasterly and continuing along said property line for a distance of 49 feet to a point; thence northeasterly and continuing along the property line of the East Marietta shopping center for a distance of 73 feet to a point on the eastern boundary of lot D, Cloverdale Heights subdivision; thence southeasterly along the eastern boundary of lot D, Cloverdale Heights subdivision for a distance of 95 feet to the southeast corner of lot D, Cloverdale Heights subdivision; thence southwesterly along the southern boundaries of lots D and E, Cloverdale Heights subdivision for a distance of 120 feet to the northeast corner of lot no. 16, Cloverdale Heights subdivision; running thence southeasterly along the eastern boundary of lot no. 16, Cloverdale Heights subdivision for a distance of 34 feet to a point; running thence southwesterly for a distance of 100 feet to a point located on the eastern boundary of lot no. 17, Cloverdale Heights subdivision; thence southeasterly along the eastern boundary of lot no. 17, Cloverdale Heights subdivision, for a distance of 140 feet to a point located on the west right of

way line of Rosewood Circle; running thence southwesterly along the west right of way line of Rosewood Circle for a distance of 70 feet to the northeast corner of lot no. 18, Cloverdale Heights subdivision; running thence northwesterly along the northern boundary of lot no. 18, Cloverdale Heights subdivision for a distance of 190 feet to the northwest corner of said lot no. 18; thence southeasterly along the western

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boundary of lot no. 18, Cloverdale Heights subdivision for a distance of 110 feet to the northwest corner of lot no. 19; thence southwesterly along the western boundary of lot no. 19 of said subdivision for a distance of 120 feet to a point located on the north right of way line of Cloverdale Drive; thence westerly and southwesterly following the curvature of Cloverdale Drive for a distance of 315 feet to the northeast corner of lot no. 25, Cloverdale Heights subdivision; thence northwesterly along the northern boundary of lot no. 25 of said subdivision to a point located 5 feet east of the western boundary of the East Marietta shopping center; thence northeasterly along a line 5 feet east of and parallel to the western boundary of the East Marietta shopping center for a distance of approximately 323 feet to a point on the south right of way line of Roswell Road; thence westerly along the south right of way line of Roswell Road for a distance of 483.2 feet to the northeast corner of lot no. 26 of the Hattie D. and O. L. Dickerson subdivision; thence southwesterly along the eastern boundaries of lots no. 26 and no. 7 of the Hattie D. and O. L. Dickerson subdivision for a distance of 309.6 feet to a point on the north right of way line of Powers Ferry Road; thence northwesterly along the north right of way of Powers Ferry Road for a distance of 202.0 feet to the southwest corner of lot no. 4 of the Hattie D. and O. L. Dickerson subdivision; thence running southwesterly and crossing Powers Ferry Road to a point on the south right of way line of Powers Ferry Road and the northwest corner of lot no. 19 of the L. C. Wylie subdivision; running thence northwesterly along the south right of way line of Powers Ferry Road to a point on the south right of way line of Roswell Road; thence westerly along the south right of way line of Roswell Road for a distance of 225 feet to the northwest corner of lot no. 3 of the L. C. Wylie subdivision; thence south 0 degrees 22 minutes east along the western boundary of lot no. 3 of the L. C. Wylie subdivision for a distance of 294 feet to a point; thence south 0 degrees 20 minutes east along the eastern boundary of lot no. 2 of the L. C. Wylie subdivision; for a distance of 125.2 feet to a point; thence westerly along the southern boundary of lots no. 1 and 2 of the

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L. C. Wylie subdivision for a distance of 96.7 feet to a point; thence south **89** degrees 30 minutes west along the southern boundary of lots no. 13, no. 12 and no. 11 of the G. N. Nash subdivision for a distance of 150 feet to a point; thence north along the eastern boundary of lot no. 10 of the G. N. Nash subdivision for a distance of 416.7 feet to a point on the south right of way line of Roswell Road; thence westerly along the south right of way line of Roswell Road a distance of approximately 660 feet to a point on the west right of way line of an un-named county road; thence southerly along the west right of way line of the said un-named county road for a distance of approximately 235 feet to a point on the north right of way line of Frey's Gin Road; thence

north-westerly along the north right of way line of Frey's Gin Road for a distance of approximately 350 feet to a point on the south right of way line of Roswell Road; thence westerly along the south right of way line of Roswell Road to a point 500 feet east of the center line of the four lane highway; thence southeasterly along a line 500 feet east of and parallel to the center line of the four lane highway for a distance of approximately 1875 feet to a point on the center line of Frey's Gin Road; thence northerly along the center line of Frey's Gin Road for a distance of 358 feet to a point; thence east for a distance of 1000 feet to a point on the western boundary of land lot 1281; thence north for a distance of 750 feet to a point on the center line of Wylie Drive; thence northeasterly along the center line of Wylie Drive for a distance of 523 feet to the south right of way line of Powers Ferry Road; thence southeasterly along the south right of way line of Powers Ferry Road for a distance of 260.5 feet to a point; thence northeasterly and crossing Powers Ferry Road to the southwest corner of lot no. 11 of the Hattie D. and O. L. Dickerson subdivision; thence north 10 degrees 20 minutes east along the western boundary of lot no. 11, Hattie D. and O. L. Dickerson subdivision for a distance of 177 feet to the northwest corner of said lot no. 11; thence south 80 degrees 00 minutes east along the northern boundary of lot no. 11, Hattie D. and O. L. Dickerson subdivision for a distance of 50 feet to the northeast corner of said lot no. 11;

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thence south 10 degrees 20 minutes west along the eastern boundary of lot no. 11, Hattie D. and O. L. Dickerson subdivision for a distance of 184.3 feet to a point on the north right of way line of Powers Ferry Road; thence southeasterly along the north right of way line of Powers Ferry Road for a distance of 151.7 feet to the southwest corner of lot no. 15, Hattie D. and O. L. Dickerson subdivision; thence north 10 degrees 20 minutes east along the western boundary of lot no. 15, Hattie D. and O. L. Dickerson subdivision for a distance of 206.4 feet to the northwest corner of said lot no. 15; thence south 80 degrees 00 minutes east along the northern boundaries of lots no. 15 and no. 16, Hattie D. and O. L. Dickerson subdivision for a distance of 100 feet to a point on the west right of way line of Charles Avenue; thence south 10 degrees 00 minutes west along the west right of way line of Charles Avenue for a distance of 246 feet to a point on the center line of Powers Ferry Road; thence southeasterly along the center line of Powers Ferry Road for a distance of 712 feet to the center line of a branch; thence south and southeasterly along the center line of said branch and the eastern boundary of the Hugh Oliver subdivision for a distance of 642 feet to the northwest corner of lot no. 113, Hugh Oliver subdivision, said corner lying on the northern boundary of land lot 1280; thence easterly along the northern boundary of land lot 1280 for a distance of 738 feet to the northeast corner of land lot 1280; thence southerly along the eastern boundary of land lot 1280 for a distance of 785 feet to the southeast corner of land lot 1280, said corner lying on the district line separating the 16th and 17th districts; running thence westerly along the district line separating the 16th and 17th districts for a distance of approximately 2200 feet to a point on the center line of Lorena Road; thence south and southeasterly along the center line of Lorena Road for a distance of 379.6 feet to a point; thence south for a distance of 681 feet to a point on the northern boundary of lot no. 53, G. R. Bentley subdivision; thence north 65 degrees 30 minutes west along the northern boundaries of lots no. 46 thru no. 53, G. R. Bentley subdivision for a distance of 748.5 feet to the northwest corner of lot no. 46; thence northeasterly

along the eastern boundary of lot no. 45, G. R. Bentley subdivision for a distance of 229 feet to the northeast corner of said lot no. 45; thence north for a distance of 350 feet to a point on the district line separating the 16th and 17th districts, said point being 287 feet west of the center line of Lorena Road; thence westerly along the district line separating the 16th and 17th districts for a distance of approximately 935 feet to a point 500 feet east of the center line of the four lane highway; running thence southeasterly 500 feet east of and parallel to the center line of the four lane highway for a distance of approximately 2965 feet to a point on the southern boundary of land lot no. 575 in the 17th district and the 2nd section of Cobb County, Georgia; thence running along the southern boundaries of land lots no. 575 and no. 506, in said 17th district and 2nd section of Cobb County, Georgia to a point located 857.3 feet east of the southwest corner of land lot no. 506; thence south 24 degrees 53 minutes east for a distance of 233.7 feet to a point; thence south 65 degrees 7 minutes west for a distance of 23 feet to a point; thence south 24 degrees 53 minutes east for a distance of 742.5 feet to a point; thence south 9 degrees 24 minutes west for a distance of 368.3 feet to a point; thence south 65 degrees 07 minutes west for a distance of 77.8 feet to a point on the southern boundary of land lot no. 507; thence westerly along the southern boundaries of land lots no. 507 and no. 502 for a distance of 2425.4 feet to the southwest corner of land lot no. 502; thence north 0 degrees 01 minutes east along the western boundary of land lot 502 for a distance of 1310.8 feet to the northwest corner of said land lot 502; thence running westerly along the southern boundaries of land lots no. 434, 431, 362, 359, 290, 287, and 218 in said 17th district and 2nd section of Cobb County, Georgia, to the intersection of the north right of way line of Garrison Road, said boundaries being in part the northern boundary of the Marietta Aircraft Assembly Plant property; thence running west along the northern right of way line of said Garrison Road to a point 300 feet west of Powder Springs Road, said point lying on the original one mile radius city limit line of said city of Marietta, thence running in a northwesterly direction

along the one mile radius city limit line to the intersection of the southern boundary of land lot no. 145 in said 17th district and 2nd section of Cobb County, Georgia; thence running west along the southern boundary of land lot no. 145 to the southeast corner of land lot no. 144; thence south along the eastern boundary of land lot no. 143 for a distance of 1325 feet to the southeast corner of said land lot; thence west along the southern boundary of land lot no. 143 for a distance of 1297.3 feet to the southwest corner of land lot no. 143; thence running south 1 degree 00 minutes east along the eastern boundary of land lot no. 75 for a distance of 1508 feet to a point on the south right of way line of Chestnut Hill Road; running thence southwesterly along the south right of way line of Chestnut Hill Road to the northeast corner of lot no. 41, Kings Mountain subdivision; thence south 7 degrees 46 minutes east along the eastern boundaries of lots no. 41 and no. 40, Kings Mountain subdivision, for a distance of 298.4 feet to a point on the north right of way line of Powder Springs Drive; thence southeasterly, crossing Powder Springs Drive, for a distance of 50 feet to a point on the south right of way line of Powder Springs Drive; thence southwesterly along the south right of way line of Powder Springs Drive for a distance of 80 feet

to the northeast corner of lot no. 20, Kings Mountain subdivision; thence south 16 degrees 32 minutes east along the eastern boundary of lot no. 20, Kings Mountain subdivision for a distance of 205 feet to the southeast corner of said lot no. 20; thence north 76 degrees 50 minutes east for a distance of 158 feet to a point; thence north 82 degrees 00 minutes east for a distance of 475 feet to a point; thence south 49 degrees 00 minutes east for a distance of 444 feet to the north right of way line of the Marietta-Powder Springs highway; thence southwesterly along the north right of way line of the Marietta-Powder Springs highway for a distance of approximately 333 feet to a point; thence running southeasterly and crossing the Marietta-Powder Springs highway for a distance of 100 feet to a point on the south right of way line of said highway; thence south 42 degrees 00 minutes east along the west right of way line of Booth Road for a distance of 482 feet to a point;

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thence south 16 degrees 30 minutes east continuing along the west right of way line of Booth Road for a distance of 120 feet to a point; thence south 32 degrees 00 minutes east along said right of way line for a distance of 100 feet to a point; thence south 60 degrees 30 minutes west for a distance of 634 feet to a point; thence north 76 degrees 00 minutes west for a distance of 157 feet to a point; thence north 61 degrees 00 minutes west for a distance of 15 feet to a point; thence north 67 degrees 00 minutes west for a distance of 115 feet to a point; thence north 32 degrees 30 minutes west for a distance of 120 feet to a point; thence running southwesterly 200 feet south of and parallel to the right of way line of the Marietta-Powder Springs highway for a distance of 873 feet to a point; thence southeasterly for a distance of 100 feet to a point; thence running southwesterly 300 feet south of and parallel to the Marietta-Powder Springs highway for a distance of **891** feet to a point; thence northwesterly for a distance of 305 feet to a point on the south right of way line of the Marietta-Powder Springs highway; thence running northeasterly along the south right of way line of said highway for a distance of approximately 2087 feet to a point; thence northwesterly and crossing the Marietta-Powder Springs highway for a distance of 100 feet to a point on the north right of way line of said highway; thence north 27 degrees 10 minutes west for a distance of 286 feet to a point; thence south 67 degrees 50 minutes west for a distance of 81 feet to a point on the east right of way line of Powder Springs Drive; thence south 17 degrees 27 minutes east along the east right of way line of Powder Springs Drive for a distance of approximately 320 feet to the north right of way line of the Marietta-Powder Springs highway; thence southwesterly and crossing Powder Springs Drive to the northwest intersection of Powder Springs Drive and Powder Springs Road; thence south 50 degrees 48 minutes west and following the north right of way line of the Marietta-Powder Springs highway for a distance of 1533.1 feet to a point; thence running north 27 degrees 30 minutes west for a distance of 474.4 feet to a point on the eastern boundary of land lot no. 68; thence north 2 degrees 25 minutes west along the eastern

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boundary of land lot no. 68 for a distance of 768.8 feet to the northeast corner of land lot no. 68; thence south 88 degrees 50 minutes west along the northern boundary of land lot no. 68 for a

distance of 333 feet to the southwest corner of lot no. 28, Kings Mountain subdivision; thence north 15 degrees 07 minutes west for a distance of approximately 463 feet to a point on the north right of way line of Chestnut Hill Road; thence northeasterly along the north right of way line of Chestnut Hill Road for a distance of approximately 870 feet to a point in land lot no. 76; thence running north **89** degrees 29 minutes west along a line 230 feet south of and parallel to the northern boundaries of land lots no. 69 and no. 76 for a distance of 1200 feet to a point located 380 feet east of the western boundary of land lot no. 69; thence north 0 degrees 00 minutes east along a line 380 feet east of and parallel to the western boundaries of land lots no. 69 and no. 70 for a distance of 280 feet to a point 50 feet north of the northern boundary of land lot no. 69; thence north **89** degrees 29 minutes west along a line 50 feet north of and parallel to the southern boundary of land lot no. 70 for a distance of 330 feet to a point located 50 feet east of the western boundary of land lot no. 70; thence north 0 degrees 00 minutes east along a line 50 feet east of and parallel to the western boundary of land lot no. 70 for a distance of 680.1 feet to a point; thence north **89** degrees 29 minutes west for a distance of 50 feet to a point on the western boundary of land lot no. 70; thence north 0 degrees 00 minutes east along the western boundaries of land lots no. 70, no. 71 and no. 72 for a distance of 2034.1 feet to a point; thence north 40 degrees 06 minutes east for a distance of 283 feet to the northeast corner of lot no. 14, extension no. 6, Whitlock Heights subdivision; thence north 66 degrees 36 minutes east along the northern boundaries of lots no. 15 and no. 16, extension no. 6, Whitlock Heights subdivision for a distance of 215 feet to a point; thence north 41 degrees 36 minutes east along the northern boundaries of lots no. 16 and no. 17, extension no. 6, Whitlock Heights subdivision for a distance of 215 feet to the northeast corner of said lot, no. 17; thence north 58 degrees 21 minutes east along

the northern boundary of lot no. 1, extension no. 4, Whitlock Heights subdivision, for a distance of 230 feet to a point; thence south **89** degrees 39 minutes east for a distance of 768.5 feet to a point on the center line of Kirkpatrick Drive; thence northerly along the center line of Kirkpatrick Drive to a point on the district line separating the 16th and 17th districts of Cobb County, Georgia; thence westerly along the district line to the southwest corner of land lot no. 1294 of the 16th district and 2nd section, Cobb County, Georgia; running thence north along the western boundaries of land lots no. 1294 and no. 1227 to a point 200 feet south of the Dallas highway, thence running west 200 feet south of and parallel to said Dallas highway to a point on the west right of way line of South Lindley Avenue; running thence north along the west right of way line of South Lindley Avenue for a distance of 200 feet to a point on the south right of way line of the Dallas highway; running thence westerly along the south right of way line of the Dallas highway for a distance of approximately 1927 feet to a point; running thence south 1 degree 00 minutes east for a distance of 1518 feet to a point; running thence northwesterly for a distance of approximately 450 feet to a point; running thence north 85 degrees 30 minutes west for a distance of approximately 456 feet to a point located in land lot no. 324 of the 20th district, 2nd section, Cobb County, Georgia; running thence north 1 degree 00 minutes west for a distance of 839 feet to a point; running thence south 83 degrees 57 minutes west for a distance of 303 feet to a point; running thence north 10 degrees 10 minutes east for a distance of 233.4 feet to a point; running thence north 20 degrees 41 minutes east for a distance of 63.3 feet to a point

on the south side of the old Dallas highway roadbed; running thence northeasterly along the south side of the old Dallas highway for a distance of 571.2 feet to a point on the south right of way line of the new Dallas highway; running thence westerly along the south right of way line of the Dallas highway for a distance of approximately 670 feet to a point; running thence southeasterly for a distance of approximately 257 feet to a point on the south side of the old Dallas highway roadbed;

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running thence westerly and following the curvature of the old Dallas highway roadbed for a distance of approximately 730 feet to a point on the south right of way line of the new Dallas highway; running thence southwesterly along the south right of way line of the new Dallas highway for a distance of approximately 830 feet to the northeast corner of lot no. 1, Windsor Farms subdivision; running thence south 62 degrees 48 minutes east for a distance of 53 feet to the southeast corner of lot no. 1, Windsor Farms subdivision; thence south 41 degrees 00 minutes west along the southern boundary of lot no. 1, Windsor Farms subdivision, for a distance of 160 feet to a point; thence south 57 degrees 15 minutes west and continuing along the southern boundary of lot no. 1, Windsor Farms subdivision, for a distance of 250 feet to a point; thence south 19 degrees 45 minutes west along the southern boundaries of lots no. 1, no. 2, no. 3, and part of no. 4, Windsor Farms subdivision for a distance of 383 feet to a point; running thence south 69 degrees 45 minutes west for a distance of **891** feet to the southwest corner of lot no. 12, Windsor Farms subdivision; running thence south 32 degrees 45 minutes east for a distance of 713 feet to a point located on the line separating the 19th and 20th districts of Cobb County, Georgia; running thence east along the district line for a distance of 184 feet to the northeast corner of land lot no. 35 of the 19th district, 2nd section of Cobb County, Georgia; running thence south 1 degree 30 minutes east along the eastern boundary of land lot no. 35 for a distance of 1295 feet to the southeast corner of land lot no. 35; running thence south **89** degrees 00 minutes west along the southern boundaries of land lots no. 35 and no. 34 for a distance of 2692 feet to the southwest corner of land lot no. 34; thence north 1 degree 30 minutes west along the western boundary of land lot no. 34 for a distance of 1194 feet to a point on the south right of way line of the Dallas highway; thence continuing north 1 degree 30 minutes west for a distance of 80 feet to a point on the north right of way line of Dallas highway, said point being located in land lot no. 326, 20th district, 2nd section, Cobb County, Georgia;

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thence running northeasterly along the north right of way line of the Dallas highway for a distance of 910 feet to the southwest corner of the Kennesaw Memorial Park Cemetery; thence north 2 degrees 21 minutes west along the western boundary of Kennesaw Memorial Park Cemetery for a distance of 2409 feet to a point on the northern boundary of land lot no. 326; thence north **89** degrees 00 minutes east along the northern boundary of land lot no. 326 for a distance of 642 feet to the northeast corner of land lot no. 326; thence north 1 degree 30 minutes west along the western boundary of land lot no. 322 for a distance of 1289 feet to a point; thence north 73 degrees 15 minutes east along the northern boundary of the Kennesaw Memorial Park

Cemetery for a distance of 1025 feet to the northeast corner of said cemetery; running thence south and southeasterly along the eastern boundary of the Kennesaw Memorial Park Cemetery for a distance of 1939 feet to a point; thence north 86 degrees 37 minutes east for a distance of 23 feet to a point; thence south 73 degrees 10 minutes east for a distance of 99.5 feet to a point; thence north 86 degrees 38 minutes east for a distance of 351.0 feet to a point; thence south 37 degrees 33 minutes east for a distance of 100.0 feet to a point; thence south 5 degrees 06 minutes east for a distance of 229.7 feet to a point; thence south 0 degrees 10 minutes east for a distance of 245.0 feet to a point; thence south 52 degrees 50 minutes east for a distance of 83.5 feet to a point on the north right of way line of the Dallas highway; thence running easterly along the north right of way line of the Dallas highway to a point on the eastern boundary of land lot no. 1223 of the 16th district, 2nd section, Cobb County, Georgia; running thence north along the eastern boundary of land lot no. 1223 to a point 300 feet north of the Dallas Road or Whitlock Avenue; thence running east 300 feet north of and parallel to said Whitlock Avenue to a point 660 feet east of the western boundary of land lot no. 1222; thence north 3 degrees 12 minutes west for a distance of 375 feet to the southeast corner of lot no. 7, block B, Glad Acres subdivision; thence south 87 degrees 45 minutes west along the southern boundaries of lots no. 7 and no. 8, block B, Glad

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Acres subdivision for a distance of 175 feet to the southwest corner of said lot no. 8; thence north 3 degrees 12 minutes west for a distance of 175 feet to the center line of Faith street; thence south 87 degrees 45 minutes west along the center line of Faith Street for a distance of 235 feet to a point; thence north 4 degrees 30 minutes west for a distance of 525 feet to the north right of way line of Polk Street; thence south 87 degrees 45 minutes west along the north right of way line of Polk Street to the southwest corner of land lot no. 1155; thence north along the western boundary of land lot no. 1155 for a distance of 1330 feet to the south right of way line of Stewart Avenue; running thence east along the south right of way line of Stewart Avenue for a distance of 1326 feet to the southwest corner of the intersection of Stewart Avenue and Ridge Avenue; thence north 0 degrees 39 minutes east along the western boundary of land lot no. 1149 for a distance of 580 feet to the northwest corner of lot no. 3, block F, unit 2, Camp Acres subdivision; thence north 79 degrees 58 minutes east along the northern boundaries of lots no. 3, no. 4, and no. 5, block F, unit 2, Camp Acres subdivision for a distance of 396.6 feet to the northeast corner of said lot no. 5; thence north 70 degrees 34 minutes east along the northern boundaries of lots no. 6 and no. 7, block F, unit 2, Camp Acres subdivision for a distance of 215 feet to the northwest corner of said lot no. 7; thence south 60 degrees 34 minutes east along the eastern boundary of lot no. 7, block F, unit 2, Camp Acres subdivision for a distance of 35 feet to a point intersecting the original one mile radius of the city limit line; thence running northeasterly along the original one mile radius city limit line to a point intersecting the east right of way line of the Louisville and Nashville Railroad; thence running north along the east right of way line of the Louisville and Nashville Railroad to a point 300 feet north of the southern boundary of land lot no. 1076 in the 16th district, 2nd section, Cobb County, Georgia; thence running east 300 feet north of and parallel to the southern boundaries of land lot no. 1076 and no. 1075 in said 16th district and 2nd section to a point 300 feet west of Campbell Hill Street in the City of Marietta, the

above line being in part 300 feet north of Lacy Street in said city; thence running north 300 feet west of and parallel to Campbell Hill Street to a point located on the south property line of lot no. 22, Kenview subdivision; thence running west for a distance of 85 feet more or less to the northeast corner of lot no. 27, Kenview subdivision; thence south for a distance of 205 feet to the southeast corner of lot no. 29, Kenview subdivision; thence running westerly for a distance of 170 feet to a point on the east right of way line of Martin Street; thence running west and crossing Martin Street for a distance of 40 feet to a point on the west right of way line of Martin Street; thence running north along the west right of way line of Martin Street for a distance of 210 feet more or less to the point of intersection of Martin Street and Spring Street; thence west along the south right of way line of Spring Street for a distance of 210 feet to a point; thence running north 210 feet west of and parallel to Martin Street for a distance of 560 feet to a point on the south right of way line of Tower Drive; thence continuing north and crossing Tower Drive for a distance of 40 feet to a point on the north right of way line of Tower Drive; thence east along the north right of way line of Tower Drive for a distance of approximately 244.9 feet to a point; thence north for a distance of 423 feet to a point on the north right of way line of Conger Drive; thence east along the north right of way line of Conger Drive for a distance of 600 feet to the west right of way line of Campbell Hill Street; thence south along the west right of way line of Campbell Hill Street for a distance of 447 feet to the center line of Tower Road and the northern boundary of land lot no. 1075; thence running east along the center line of Tower Road and northern boundaries of land lots no. 1074 and no. 1075 to a point located on the east right of way line of Church Street; running thence northerly along the east right of way line of Church Street for a distance of 267.3 feet to a point; running thence north 74 degrees 43 minutes east for a distance of 293.4 feet to a point; thence south 5 degrees 15 minutes east for a distance of 285.1 feet to a point; thence south 25 degrees 31 minutes east for a distance of 75 feet to a point; thence south 73 degrees

46 minutes west to a point located 200 feet east of the Cherokee Street extension; thence running southeasterly 200 feet from and parallel to said Cherokee Street extension to the intersection of the east right of way line of the Canton Road; running thence north along the east right of way line of Canton Road to a point located 95 feet north of the southern boundary of land lot no. 1016; thence east 95 feet north of and parallel to the southern boundary of land lot 1016 for a distance of 305 feet to a point; thence south for a distance of 95 feet to a point on the southern boundary of land lot no. 1016; thence east along the southern boundary of land lot no. 1016 for a distance of 925 feet to a point on the east right of way line of the Georgia Power Company property; thence southeasterly along the Georgia Power Company right of way line for a distance of 1335.3 feet to the southeast corner of lot no. 25, Sequoia Hills subdivision; thence south along the eastern boundary of lot no. 26, Sequoia Hills subdivision for a distance of 46.5 feet to a point 400 feet north of Chicopee Drive; thence running east 400 feet north of and parallel to Chicopee Drive to a point on the eastern boundary of land lot no. 1072 in the 16th district, 2nd section of Cobb County, Georgia; thence running northeasterly to a point 500 feet east of the four lane

highway, hereinbefore mentioned and 400 feet north of the center line of the Allgood Road hereinbefore referred to the said point of beginning in land lot no. 1071 in the 16th district and 2nd section of Cobb County, Georgia, marked by a concrete marker."

Section 2. Said Act, as amended, is further amended by striking therefrom section 31 in its entirety, substituting in lieu thereof a new section 31 to read as follows:

"Section 31. For the purpose of electing the councilmen as hereinbefore provided, the City of Marietta is hereby divided into seven wards, the territorial limits of which shall be as hereinafter described. In the event any territory is hereafter annexed to the corporate limits of the City of Marietta, it shall be added to the ward to which it is contiguous; provided, however, if such territory is contiguous to two or more wards, such territory

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shall be apportioned equitably by the mayor and council to such contiguous wards. The descriptions of said wards are as follows:

[Sidenote: Words.]

"First Ward. -- Beginning at the intersection of the center line of Washington Avenue, and Atlanta Street, and South Park Square, running thence east along the center line of Washington Avenue, to the intersection of the center lines of Washington Avenue, and Roswell Street; thence east along the center line of Roswell Street to the center line of Fairground Street; thence south along the center line of Fairground Street to the south city limits; thence west along the city limit line to the center line of Atlanta Street; thence north along the center line of Atlanta Street to the point of beginning.

"Second Ward. -- Commencing at the intersection of the center lines of South Park Square and Atlanta Street, thence in a southerly direction along the center line of Atlanta Street until said line intersects the south city limits; thence in a general westerly direction along the city limit line until said city limit line intersects the eastern boundary of the Kennesaw Memorial Park; thence in a northerly direction along the eastern boundary of Kennesaw Memorial Park to the center line of the Dallas Highway; thence in an easterly direction along the center lines of the Dallas Highway and Whitlock Avenue to South Park Square and the point of beginning.

"Third Ward. -- Commencing at the intersection of the center lines of Whitlock Avenue and West Park Square; running thence in a westerly direction along the center lines of Whitlock Avenue and the Dallas Highway to the eastern boundary of the Kennesaw Memorial Park; thence in a northerly and easterly direction along the city limit line of Kennesaw Avenue; thence in a southeasterly direction along the center line of Kennesaw Avenue to the center lines of Church Street and West Park Square to the center line of Whitlock Avenue and the point of beginning.

"Fourth Ward. -- Commencing at the intersection of

the center lines of South Park Square and East Park Square; running thence in a westerly direction along the center line of South Park Square to the center line of West Park Square; thence in a northerly direction along the center lines of West Park Square and Church Street to the intersection of Kennesaw Avenue; thence northwesterly along the center line of Kennesaw Avenue to the city limits; thence in a general easterly direction along the center lines of Cherokee Street and East Park Square to the center line of South Park Square and point of beginning.

"Fifth Ward. -- Commencing at a point on the city limit line located 500 feet east of the center line of the four lane highway and 400 feet north of the center line of Allgood Road; thence in a general southerly direction along the city limit line to the center line of Barnes Mill Road; thence northeasterly along the center line of Barnes Mill Road to the western boundary of Bonnie Dell subdivision; thence along the city limit line and the boundary of the Bonnie Dell subdivision to the center lines of Barnes Mill Road; thence southwesterly along the center line of Barnes Mill Road to the eastern R/W line of the four lane highway; thence southeasterly along the eastern R/W line of the four lane highway to a point directly opposite the north R/W line of Austin Avenue; thence southwesterly along the north R/W line of Austin Avenue to the center line of Sky View Drive; thence northwesterly along the center line of Sky View Drive to the center line of Amy Drive; thence southerly along the center line of Amy Drive to the junction of Amy Drive and Austin Avenue; thence northeasterly to the intersection of the center lines of Fairground Street and Rigby Street; thence westerly and southwesterly along the center line of Rigby Street to the center line of Lemon Street; thence westerly along the center line of Lemon Street to the center line of Cherokee Street; thence northerly along the center line of Cherokee Street to the north city limit line; thence easterly along the city limit line to a point on the city limit line located 500 feet east of the four lane highway and 400 feet north of Allgood Road and point of beginning.

"Sixth Ward. -- Commencing at the intersection of the center lines of Lemon Street and Cherokee Street; thence easterly along the center line of Lemon Street to the center line of Rigby Street; thence northeasterly and easterly along the center line of Rigby Street to the center line of Fairground Street; thence southeasterly to the junction of Amy Drive and Austin Avenue; thence northerly along the center line of Amy Drive to the intersection of the center lines of Amy Drive and Sky View Drive; thence easterly along the center line of Sky View Drive to the north R/W line of Austin Avenue; thence northeasterly along the north R/W line of Austin Avenue to a point on the eastern R/W line of the four lane highway located directly opposite the north R/W line of Austin Avenue; thence northwesterly along the eastern R/W line of the four lane highway to the center line of Barnes Mill Road; thence northeasterly along the center line of Barnes Mill Road to the east city limit line; thence in a general southerly direction along the city limit line to the center line of Roswell Road; thence westerly along the center line of Roswell Road, Roswell Street and Washington Avenue to the center line of East Park Square; thence northerly along the

center lines of East Park Square and Cherokee Street to the center line of Lemon Street and the point of beginning.

"Seventh Ward. -- Commencing at the intersection of the center lines of Roswell Street and Fairground Street; thence in an easterly direction along the center lines of Roswell Street and Roswell Road to the east city limit line; thence in a general southwesterly direction along the city limit line to the south city limit line; thence in a westerly direction along the south city limit line to the center line of Fairground Street; thence in a northerly direction along the center line of Fairground Street to the center line of Roswell Street and the point of beginning."

Section 3. Said Act, as amended, is further amended by striking therefrom section 24 in its entirety, and substituting in lieu thereof a new section 24 to read as follows:

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"Section 24. The mayor and four (4) members of council shall constitute a quorum for the transaction of any business, and a majority of the votes shall determine all questions and elections coming before them. The mayor and council shall have power to organize such police force as the needs of the city may require, and to pass such ordinances, rules and regulations respecting the fire department, fire limits, buildings, fences, shade trees, cisterns, parks, sidewalks, awnings, lights, water, water and gas mains and hydrants, electric, telegraph and telephone wires and poles, pavements, cemeteries, hogs, dogs, cattle and other animals and fowl; respecting the streets of said city, to open, improve, change or close the same; respecting sewers, market houses, public buildings, workhouses, public schools, care of the poor, pesthouses, disorderly houses, houses of ill fame, vehicles, pumps, wells, drains, culverts, ponds, the removal of pests and abatement of nuisances; and respecting the illegal sale of intoxicating, spirituous, vinous or malt liquors; and respecting the having of such liquors for illegal sale or distribution, or delivering or furnishing the same, or receiving pay therefor; and respecting the valuation of property for taxation by assessors, or otherwise, and to provide for arbitration in case of a disagreement between the owner and city authorities as to the valuation of such property, and shall provide for written notice to said property owner and shall provide for a hearing before the assessors as to the valuation of property, said notice to give the time and place of said hearing and the right of arbitration; and every bylaw, regulation, or ordinance that shall appear to them necessary and proper for the security, welfare and interest of said city, or for preserving the peace, health, sobriety, morals, order and good government of the same.
[Sidenote: Mayor and council.]

"The regular monthly meeting of the mayor and council shall be on the first Monday night in each month, provided the council does not set some other time as the regular meeting time by ordinance duly adopted. Any meeting of the mayor and council, provided a majority attends, shall have the same power, rights, force, and effect as a regular meeting has, or provides.

Section 4. Said Act, as amended, is further amended by striking the following sections therefrom, to wit:

Sections 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23 24, 25, 26, 27, and 28 of the act entitled "Marietta Charter Amendments" approved February 7, 1952 (Ga. L. 1952, pp. 2246-2265).

Sections 1, 2, 3, and 4 of the act entitled "Marietta -- Civil Service System", approved March 3, 1953, (Ga. L. 1953, Jan.-Feb. Sess., pp. 3026-3029).

[Sidenote: Sections of prior Acts repealed.]

Sections 3, 4, and 5 of the act entitled "City of Marietta -- Charter Amended", approved March 17, 1958 (Ga. L. 1958, Vol. 2, pp. 2594-2616).

and substituting in lieu thereof the following new sections to read as hereinafter set forth:

"Section 5. That all officers and members of the fire and police departments of the City of Marietta, including the chiefs of said departments, must and shall be under and governed by the civil service regulations, under the direction and supervision of a board of civil service hereinafter created, and all persons who may hereafter be elected or appointed as officers or members of such departments shall thereafter remain and continue in their respective employment as such municipal officers and employees during good behavior, efficiency and obedience to such reasonable rules and regulations as may from time to time be prescribed by said civil service board, as hereinafter provided; provided, however, that nothing herein contained shall be construed to prevent or preclude the removal of any officer or member of said fire or police departments of the City of Marietta by said civil service board for cause, in the manner hereinafter prescribed.

[Sidenote: Civil service system.]

"Section 6. The following definitions, as used hereinafter, shall apply:

"Members of the Fire Department. -- The words "Members

of the fire department," as used herein, shall mean and include the chief of the fire department, assistant chief of the fire department, captains, lieutenants, engineers, assistant engineers and firemen, fire inspectors, and all others who are regularly carried on the payroll of such fire department, and in addition to those specifically named hereinbefore such others as such civil service board may find and designate to properly be such members, respectively, of said fire department.

"Members of the Police Department. -- The words "Members of the police department," as used herein, shall mean and include the city marshal which shall be construed to be, or mean chief of police, and all officers of said department, the patrolmen, plain clothesmen, and such other persons as such civil service board may find and designate to properly be such members, respectively, of said police department.

"Section 7. Within thirty days after the passage and approval of this Act, the mayor and council of the City of Marietta shall appoint a resident and freeholder of said city as a member of said civil service board for a term of two years; the members of the fire and police departments, by secret ballot, shall elect a resident and freeholder of said City of Meritta as a member of said civil service board for a term of three years, which election shall be certified by the chiefs of the fire and police departments to the mayor and council of the City of Marietta and entered upon the minutes of said council. The two men so selected shall select a third resident and freeholder of Marietta for a term of one year, whose selection shall be in writing and signed by them and entered upon the minutes of the mayor and council of the City of Marietta. Provided if the two men first selected as above provided, that is the person selected by the mayor and council of the City of Marietta and the person selected by the members of the fire and police departments of said city, shall fail within 30 days after their election to agree on and designate such third member of the civil service board, then in such event both of said members shall resign and successors shall

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immediately be selected in the manner in which such two members were selected. At the expiration of the term of each member, the election shall be thereafter by the same method and all persons shall be elected for a full period of three years; the board shall consist of three members at all times.

[Sidenote: Members of civil service board, terms, etc.]

"In the event of a vacancy upon said board caused by death, resignation or other cause, the vacancy shall be filled by election by either the mayor and council of the City of Marietta, the members of the fire and police departments or the two members of said board, who shall elect such successor for the unexpired term, such vacancy to be filled in the same manner and by the same authority as the deceased or retired member has been elected. If any member of the civil service board shall miss and fail to attend any two consecutive meetings of the board duly and properly called as herein provided, then in such event the mayor and council of the City of Marietta at any regular or special meeting may by resolution terminate the term of such member and declare that a vacancy exists on said board which shall be filled as above provided. No person shall be eligible to be a member of said board who holds any office of profit or trust under the city, county or state, or who is less than twenty-five years of age or over sixty-five years of age, and who is not a freeholder and a bona fide resident and qualified voter of said city.

"Section 8. Every person who shall be elected as a member of such civil service board according to the provisions of this Act shall, within fifteen days after such election, qualify by taking oath that he is eligible for said office and will execute the duties of the same according to the best of

his knowledge and ability, and such other oath as may be required by the charter of the City of Marietta and the laws of the State of Georgia of public officials. Such oath shall be administered by any person authorized by law to administer oaths, and a copy thereof filed with the clerk of the mayor and council of the City of Marietta.
[Sidenote: Same, oath.]

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"Section 9. The Civil Service Board shall make rules and regulations to carry out the purpose of this act, and for examinations, appointments and removals in accordance with its provisions, and the board may, from time to time, make such changes in such rules. The chiefs of the fire and police departments, respectively, shall, from the membership of their departments, recommend for promotion such persons as the occasion may call for to fill any vacancy or vacancies that may occur in said departments and all such vacancies shall be filled and promotions shall be made by the Civil Service Board. Said board shall make rules and regulations relating to the eligibility for promotion. The chiefs of the fire and police departments shall have authority to demote any member of their respective departments by and with the consent and approval of the Civil Service Board; provided, however, that upon written demand filed with the Civil Service Board within five days from the date of the order of demotion the person whom it is proposed to demote shall be given a public hearing by the Civil Service Board before any order of demotion shall be final. The chiefs of the fire and police departments shall have authority to suspend, without pay, any member of their respective departments upon cause, for periods not to exceed fifteen days, without a hearing by the Civil Service Board; suspensions for periods in excess of fifteen days shall be given pending hearing by the Civil Service Board. In the event there is a reduction in the number of firemen or policemen employed by the City of Marietta (such number is to be fixed by the mayor and council of the City of Marietta), the men last employed shall be the first to be dropped, and so on in succession.
[Sidenote: Same, rules, etc.]

"Section 10. All applicants for place or position on the fire and police departments shall file their applications in writing with the civil service board, said applications to be on the blank forms furnished by the board, and all applicants must be subject to examinations, which shall be public, competitive, and open to all citizens of the United States, within limits as to age, health, habits and moral character, to be fixed by said civil service board. Said examinations shall be both oral and written

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and shall be practical in their character and shall relate to those matters which will fairly test the capacity of the persons examined to intelligently discharge the duties of the position to which they aspire.
[Sidenote: Applications for employment, examinations, etc.]

"Section 11. The board shall control all examinations, and whenever an examination is to take place, shall conduct such examination. Provided that before any such examination is held that public notice of same shall be given at least 15 days prior to same. Such public notice shall be posted in at least three prominent places in the City of Marietta, which shall be as follows: the city hall, post office and the Cobb County courthouse, and shall be run once a week for two weeks in a newspaper of general circulation in the City of Marietta and Cobb County.

[Sidenote: Same.]

"Section 12. The chiefs of the fire and police departments shall notify the Civil Service Board of any vacancy in the membership of their respective departments and the board shall furnish the chief with the name and address of the three candidates standing highest on the eligible list for such positions and the chiefs of the respective departments shall select one of the three so certified to him to fill such vacancy. All appointments shall be on probation for a period of twelve months from the date of the appointment, and at any time before the expiration date of said probationary period the chiefs of the fire and police departments, respectively, may discharge any probationer in their departments, and such probationer shall not be entitled to a hearing upon such discharge. If a probationer be not discharged before the expiration of his probation, his appointment shall be deemed complete.

[Sidenote: Appointments.]

"Section 13. In the event any vacancy occurs in the office of the chief of the fire department or in the office of the chief of the police department the civil service board shall submit to the mayor and council of the City of Marietta the names of three persons deemed qualified to fill such positions. Such submission shall be made to the mayor and council in open session by a member or

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members of the civil service board, together with any comments that such board or any member thereof cares to make concerning same. At the next regular or special meeting of the mayor and council there shall be selected from the three persons so submitted the new chief of the police or fire department as the case may be.

[Sidenote: Selection of chief of fire department or chief of police department.]

"Section 14. No member of the fire or police department shall be removed or discharged, nor shall the chief of the fire department or the chief of the police department be removed, discharged or demoted except for cause upon written charges or complaint and after an opportunity for an open public hearing in his own defense before the civil service board. Such charge shall be served upon such person at least five days before the date fixed for such hearing. Such charges shall be investigated by and before the civil service board after service upon the person charged with a copy of the charges, as hereinbefore provided. The decision of the board thereon shall be given in writing to the accused, and a copy thereof filed with the clerk of the mayor and council of the City of Marietta. In all proceedings before the civil service board the city attorney shall appear and represent the interest of the city when ordered to do so by the civil service board if approved by the mayor and council. The person against whom charges are

preferred shall have the right to employ counsel to represent him on the hearing before said board. Said board shall have power to subpoena witnesses, both in behalf of the city and of the accused, and to require the production of any books, papers or records material to the issues in said case, by subpoena to be issued in the same manner as subpoenas are issued by the recorder's court of the City of Marietta, signed by the chairman of said board, and said board shall have power to punish for contempt by a fine not exceeding \$10.00 or imprisonment not exceeding five days any person willfully failing or refusing to obey such subpoena.

[Sidenote: Hearings.]

"Section 15. In the course of any investigation by said civil service board, any member thereof shall have the power to administer oaths to any witness.

[Sidenote: Same, oaths.]

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"Section 16. The civil service board shall at all times have access to all files, records and data of the fire and police departments of the City of Marietta, and on request to either the chief of the fire department, the chief of the police department or the clerk of the mayor and council of the City of Marietta must be furnished with any such record information as may be approved by the mayor and council and upon their request the chief of the fire department or the chief of the police department shall furnish to them the name of any officer or fireman or member of either department whom they may suggest for the purpose of making any investigation concerning the operation of said department or the conduct of any member of said department.

[Sidenote: Access to records.]

"Section 17. Said civil service board shall elect one of its members as chairman, who shall hold office as such chairman at the pleasure of the board. Said civil service board shall hold regular meetings on the third Mondays in January, April, July and October, for the transaction of any business that may come before it and may hold special, adjourned or call meetings at any time that the same may be called by the chairman of said board or by any two members thereof. In the case of any and all special or called meetings of the board, called in the manner hereinbefore provided, the clerk of the said board, which clerk shall be the city clerk of the City of Marietta or his designee, shall give all members of the board five day written notice of such call or special meeting; and such a meeting cannot be legally held unless each member received such five days written notice or waives same in writing. Provided, however, that if a member absences himself from the city for more than 30 continuous days; then in such event a meeting may be duly and regularly held upon giving the requisite notice to the other two members of the board. At any regular, special or call meeting any two members of the board shall constitute a quorum for the transaction of business and the votes of any two members of the board shall be sufficient to transact its business. All meetings of the board shall be held in the city hall of the City of Marietta,

or in such place as the city council holds its meetings.

[Sidenote: Chairman, meetings, etc.]

"Section 18. Said civil service board shall keep minutes of their meetings and records of all business transacted by them at each and every meeting. All such minutes and records shall be open to inspection at all times by the public and shall be on file in the office of the clerk of the mayor and council of the City of Marietta. The clerk of the board, or his designee, shall attend all meetings of said civil service board and shall keep the minutes and records of same.

[Sidenote: Minutes.]

"Section 19. The compensation of the members of said civil service board and the clerk of such board shall be \$10.00 for each member or clerk for each meeting attended. The mayor and council of the City of Marietta shall provide for the payment of the salaries of the members of said civil service board and the clerk of such board and the payment of all expenses of said board, if such expenses other than salaries are approved by the mayor and council, and shall provide in the annual budget for the estimation and appropriation of a sufficient amount to cover same.

[Sidenote: Compensation.]

"Section 20. No officer or employee or member of said fire or police department shall solicit orally or by letter or otherwise or receive or be in any manner concerned in soliciting a vote, or votes or receiving any assessment or subscription or contribution for any candidate for any municipal office of the City of Marietta.

[Sidenote: Political activity by members of fire and police departments.]

"Section 21. No member of said fire or police department shall in any wise undertake or threaten to degrade, discharge or demote, or in any manner change the official rank or pay of any officer or employee of said departments, or promise or threaten to do so, for giving or withholding or neglecting to make any contribution of money or any valuable thing for any person, party or for any political purpose whatsoever, or for the support of any candidate. No member of said fire or police departments shall receive any promotion as a reward for

his support of any candidate or political party, and no member of said fire or police departments shall be reduced in rank or pay or discharged for his failure to support any candidate for political office.

[Sidenote: Same.]

"Section 22. No recommendation made by any officer or official, whether said officer or official be a city, county, State or National officer or official, of any person being examined for membership in said department shall be considered by the civil service board except as the same

may apply to the general moral character of the applicant.
[Sidenote: Recommendations for applicants for employment.]

"Section 23. Any member of the fire or police departments, by appointment under the civil service rules who shall willfully, or through culpable negligence violate any provisions of this Act, or any criminal statute of this State, or such ordinance of this city, or the rules of said civil service board or of said fire or police departments shall be dismissed from the services of the city, as hereinbefore provided, and shall not be subject to reappointment for two years thereafter.
[Sidenote: Penalty for violating provisions of Act.]

"Section 24. Any officer or employee of the city other than those holding office under the civil service rules who shall willfully, or through culpable negligence violate any of the provisions of this Act shall be guilty of a misdemeanor, and on conviction thereof in the recorder's court be fined a sum of not more than \$100.00 or sentences to serve not more than fifty (50) days in the jail of said city.
[Sidenote: Same.]

"Section 25. Every member of the fire and police departments of the City of Marietta coming within the provisions of this Act shall have been such member for a period of four years in any capacity, though not consecutively, prior to the day upon which this Act shall go into effect shall retain his position without examination, and be subject to all the conditions and benefits of this civil service law. This provision shall apply to the chiefs of said departments, the assistant chiefs and all officers in their present positions.
[Sidenote: Present employees.]

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"Section 26. No person shall be eligible to take the civil service examination or to be appointed as a member of the fire or police departments of the City of Marietta, under the provisions of this Act, who is not a citizen of the United States or who has ever been convicted of a felony, or who does not possess a good moral character.
[Sidenote: Character, etc. of applicants.]

"Section 27. The civil service board shall, within ninety days from their appointment, adopt and have printed such rules and regulations for the government of the fire and police departments, in accordance with the provisions of this Act, as may seem necessary. Said board shall have the power and authority to fix the maximum and minimum age limits of applicants for examinations, and may specify the weight, heights and other physical requirements of all applicants. All such rules, regulations and qualifications shall be subject to approval by the mayor and council of the City of Marietta and shall only be effective on and after the date of such approval.
[Sidenote: Rules.]

"Section 28. Any member of the civil service board who shall violate any of the provisions of this Act shall be subject to removal by a majority vote of the mayor and council of the City of

Marietta after a full hearing before same and after having been served with written notice of the charges against him five days before the date set for such hearing. The finding of the said mayor and council of the City of Marietta upon such a hearing shall be final and conclusive and such person so removed shall not thereafter be eligible for re-election upon said board for a period of five years. If so removed his successor shall be elected in the same manner as he was elected. [Sidenote: Violation of provision of Act by civil service board.]

"Section 29. In case of suspension or discharge of any member of the Marietta Civil Service System of the City of Marietta by the Civil Service Board, said member shall have the right of certiorari to the Superior Court of Cobb County, Georgia, as provided by the laws of the State of Georgia."

[Sidenote: Certiorari.]

Section 5. Said Act, as amended, is hereby further

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amended by repealing section 27 of the amendatory Act of 1953, Nov.-Dec. Sess., in its entirety and by striking from section 20 thereof, as amended by section 1 of the amendatory Act of 1952, the following sentence: "The mayor shall be authorized to appoint a person to act in the capacity of a city manager at a salary to be determined and fixed by the council, and, in such event, the salary of the mayor shall be \$100.00 per month during the tenure of office of such city manager; but, in the event no such person is thus appointed to act in the capacity as city manager, then the mayor shall receive a salary of \$5500.00 per annum plus travel expenses and official business expenditures for and in behalf of the city, payable quarterly, between January 1 and December 31 of each of the years of 1952 and 1953," and substituting in lieu thereof the following: "Effective January 1, 1960, the mayor shall be paid a salary of \$3,000.00 per year payable in monthly installments of \$250.00, plus travel expenses and official business expenditures for and in behalf of the city. Until January 1, 1960, the said mayor shall continue to receive his present salary of \$5500.00 per annum," so that, as amended said section 20 shall read as follows:

"Section 20. Be it further enacted, that the mayor shall be the chief executive officer of said city, and he shall have general supervision over all its affairs. He shall sign all deeds and contracts, preside at all meetings of the council, and cast the deciding vote in case of a tie vote. It shall be his duty to see the laws of the State and ordinances of the city are faithfully executed within the corporate limits; to see that each officer of said city discharges his duty, and to cause any officer and employee to be prosecuted for neglect, or violation of duty, or immoral conduct. He shall keep the council advised from time to time of the general condition of the city, and shall recommend measures as he may deem necessary or expedient for the welfare thereof. He shall call the council together when so requested by a majority of the council, or when it seems to him to be important to the welfare of the city. Effective January 1, 1960, the mayor shall be paid a salary of \$3,000.00 per year

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payable in monthly installments of \$250.00, plus travel expenses and official business expenditures for and in behalf of the city. Until January 1, 1960, the said mayor shall continue to receive his present salary of \$5500.00 per annum. At the first regular meeting of the council after his qualifications, he shall appoint standing committees, to whom shall be referred such business as the council may deem proper. He shall preside over the mayor's court for the trial of offenders against the ordinances of the City of Marietta and violations of the laws of said State within the corporate limits of said city. He shall have full power and authority to impose such fines not exceeding one hundred dollars and costs for the violation of any ordinance of said city, as shall seem to him reasonable and just, or he may require such violator to work on the streets or public works of said city, or be confined to the calaboose of said city, for such time as will be just punishment for the offense, but not in any single instance to exceed fifty (50) days. The fines imposed under this section may be enforced in the same manner as is provided for the collection of taxes, or by labor on the streets or confinement in the calaboose, as herein provided. The mayor and each member of council shall have all the powers of a justice of the peace to issue warrants, try and commit to the superior court of said county for trial of violators of the laws of said State for offenses committed within the corporate limits of said city. The mayor shall perform and is hereby empowered to perform such other duties as the ordinances of said city shall provide and require or that the council may refer to him from time to time."

[Sidenote: Mayor.]

Section 6. Section 19 of said Act, as amended, particularly by section 3 of the amendatory Act of 1949, is hereby amended by striking therefrom the following: "a marshal, deputy marshals, policemen, street overseer, sexton," and inserting in lieu thereof "city attorney," and by adding at the end of section 19 the following:

"The mayor and council may, in their discretion, employ a city manager and define his duties, which shall

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not exceed the scope of the charter, and the mayor and council shall determine and fix, from time to time, the compensation to be paid to said city manager if employed.

"The members of the Board of Lights and Water Works of the City of Marietta, including the mayor and any member of the council who serve on this board, shall each receive six hundred (\$600.00) dollars annually, payable in monthly installments of fifty dollars (\$50.00)," so that as amended section 19 of said Act shall read:

"The mayor and council at their first meeting after said election or as soon thereafter as is practicable shall proceed to appoint or elect a treasurer (who shall not be a councilman), a clerk of council, a city attorney, and in their discretion the mayor and council may appoint or elect such other officers, employees, agents or persons as may be necessary to carry on the activities, duties and functions of the city government with power in the mayor and council in their discretion to determine and fix the salaries or compensation, term of appointment or employment, nature of services, powers, rights, limitations and conditions thereof and for the

discharge of any and all of them and the mayor and council are hereby authorized to confirm or ratify at any time the appointment of or the employment of any such persons or parties who shall likewise be subject to the provisions hereof.

"The mayor and council may, in their discretion, employ a city manager and define his duties, which shall not exceed the scope of the charter, and the mayor and council shall determine and fix, from time to time, the compensation to be paid to said city manager if employed.

[Sidenote: City manager.]

"The members of the Board of Lights and Water Works of the City of Marietta, including the mayor and any member of the council who serve on this board, shall each receive six hundred dollars (\$600.00) annually, payable in monthly installments of fifty dollars (\$50.00)."

Section 7. Said Act, as amended, is hereby further

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amended by striking from section 28 of an amendatory Act thereof of 1953, Nov.-Dec. Sess., the following; "January 1, 1954" and inserting in lieu thereof the following: "January 1, 1960" and by striking the following: "six hundred and fifty dollars (\$650.00)" and inserting in lieu thereof the following "twelve hundred dollars (\$1,200.00)" and by striking the following: "quarterly" and inserting in lieu thereof the following: "monthly," and by adding to said section 28 of said amendatory Act the following:

"Until January 1, 1960, the said councilmen shall continue to receive their present compensation not exceeding six hundred and fifty (\$650.00) dollars per year." so that, as amended, said section 28 of said amendatory Act of 1953 shall read as follows:

"Section 28. In addition to the salary, or compensation as now provided for in and by the charter of the City of Marietta for the councilmen for "council meetings," each councilman shall receive from and after January 1, 1960, for attending council-committee meetings and for his expenses in attending to city business affairs such sum, when added to the total salary as now authorized by the charter for "council meetings" shall equal but not exceed the combined sum of twelve hundred (\$1,200.00) dollars per year, and such combined, or total, sum may be paid in equal installments, monthly. Until January 1, 1960, the said councilmen shall continue to receive their present compensation not exceeding six hundred and fifty (\$650.00) per year."

[Sidenote: Compensation of councilmen.]

Section 8. Section 3 of said incorporating Act of 1904 as amended by said amendatory Acts, and particularly by the amendatory Act of 1958, is hereby repealed in its entirety and a new section 3 substituted in lieu thereof to read as follows:

"The present mayor and councilmen of the City of Marietta shall continue in office during the terms for which they were elected and on the second Tuesday in December 1959, quadrennially, on said day thereafter, an

election shall be held in the said city for a mayor and seven (7) councilmen; the mayor from the city at large. The voters of each ward shall elect the councilmen from that ward in each regular or special election. In the event an election becomes necessary in one or more wards to fill any vacancy, a special election shall be called in each such ward. The mayor and council shall, fifteen days prior to any general or special election, appoint two (2) election managers to hold each such election in each ward in which an election is required. The said election managers shall be freeholders and registered voters of the city of Marietta and shall not be an election manager and candidate at the same election. The mayor and council shall fix from time to time the compensation to be paid for said election managers, when employed. The mayor and council shall provide for a poll for each city ward in which an election is required to be held. The mayor and council shall provide locked ballot boxes in all elections. Such ballot boxes shall be of wood or steel construction. The said ballot boxes shall be publicly examined and locked before voting begins in the morning and remain locked until voting is concluded and a public count of the votes begins at the polling place where such votes were cast. On each election day of either a general or special election the required polls shall be opened at 7:00 a. m. and shall remain open until 7:00 p. m. The person receiving the highest number of votes in any special or general election for the office voted for shall be declared duly elected and the managers of the election shall certify to the clerk, for transmittal to the mayor and council, the returns of elections held in their respective wards. Said certification shall be recorded by the clerk of the city council on the book of minutes or other book kept for such purpose. The mayor and council shall meet within three (3) days after any general or special election and consolidate and declare the official results thereof and spread same on the official minutes and records of the mayor and council of the City of Marietta. The record aforesaid shall be evidence of the results of the said election, and the authority of those elected to act. No

person shall be allowed to vote in said elections except he be eligible under the provisions of the Constitution of the State of Georgia to vote for the members of the General Assembly, and unless he shall have bona fide and continuously resided in said city as a citizen thereof for six months next preceding said election at which he offers to vote, and shall have registered for said election as provided for in the charter of Marietta. Any person voting at any such election in violation of the provisions of this Act shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished as for a misdemeanor."

[Sidenote: Election of mayor and councilmen.]

Section 9. All laws and parts of laws in conflict with this Act are hereby repealed.

Georgia, Cobb County.

I, Brooks P. Smith, do hereby certify that I am publisher and general manager of "The Marietta Daily Journal", the newspaper in which sheriff's advertisements appear in Cobb County, and the attached copy of notice of intention to introduce local legislation was published in said newspaper on the following days, to-wit: January 2, January 9, and January 16, 1959.

Brooks P. Smith /s/ Brooks P. Smith Sworn to and subscribed before me,
this 22nd day of January, 1959.

Thelma D. Myers,

/s/ Thelma D. Myers,

Notary Public, Cobb County, Georgia.

My Commission Expires September 14, 1960.

(Seal).

Notice of Intention to Introduce Local Legislation.

Notice is hereby given that there will be introduced at the January-February 1959 session of the General

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Assembly of Georgia, a bill to amend the charter of the City of Marietta (Ga. L. 1904, p. 519 et seq.) as heretofore amended, and for other purposes.

This 2nd day of January, 1959.

Harold S. Willingham, Raymond M. Reed, Eugene W. Holcombe, Cobb County Representatives.
Approval Date: Approved March 2, 1959.