

**A HOME RULE ORDINANCE**

**A HOME RULE ORDINANCE BY THE GOVERNING AUTHORITY OF DEKALB COUNTY UNDER THE HOME RULE PROVISIONS FOR COUNTIES OF THE CONSTITUTION OF THE STATE OF GEORGIA, TO AMEND AN ACT OF THE GENERAL ASSEMBLY OF 1962, FOUND IN GEORGIA LAWS 1962, PAGE 3088, *ET SEQ.*, AS AMENDED, CREATING THE DEKALB COUNTY PENSION BOARD, SO AS TO FURTHER AMEND SAID ACT TO CHANGE THE PLAN YEAR FROM APRIL 1 THROUGH MARCH 31 TO JANUARY 1 THROUGH DECEMBER 31.**

**NOW, THEREFORE, BE IT ORDAINED** by the Governing Authority of DeKalb County, Georgia, and it is hereby ordained by the authority of same, pursuant to the home rule provisions for counties of the Constitution of the State of Georgia, that the state law creating the DeKalb County Pension Board, known as 1962 Ga. Laws p. 3088, *et seq.*, as amended, (hereinafter referred to as "the Act") be and the same is hereby further amended as follows:

**PART I. ENACTMENT**

*By amending Section 8 of the Act (codified in the Code of DeKalb County, Georgia, Appendix B, as Section 908) to delete subsection 908(a)(8) (definition of "plan year") in its entirety and replace it with the following:*

(8) *Plan year* shall mean the twelve-month period beginning each January 1 and ending the following December 31, effective January 1, 2018. There shall be a short plan year from April 1, 2017 to December 31, 2017.

**PART II. REPEALER**

All laws or parts of laws in conflict with this ordinance are hereby repealed.

**PART III. SEVERABILITY**

Should any part, portion, or paragraph of this ordinance be declared unconstitutional or void by a court of competent jurisdiction, such declaration shall not affect the remaining portions of this ordinance not so declared to be invalid, but the same shall remain in full force and effect as if separately adopted.

**PART IV. ADOPTION PROCESS**

This ordinance shall be presented to the Board of Commissioners of DeKalb County, Georgia for

adoption at two regular, consecutive meetings of the County Commissioners, held not less than seven (7) nor more than sixty (60) days apart after notice containing a synopsis of the proposed amendment shall have been published in the official organ of DeKalb County once a week for three (3) weeks within a period of sixty (60) days immediately preceding its final adoption, such notice stating that a copy of the proposed amendment is on file in the office of the Clerk of Superior Court of DeKalb County for the purpose of examination and inspection by the public.

**PART V. DATES OF ADOPTION.**

This Ordinance shall be first presented to the Board of Commissioners of DeKalb County, Georgia on the \_\_\_\_ day of \_\_\_\_\_, 2017, and again on the \_\_\_\_ day of \_\_\_\_\_, 2017, at the regular time and place of the meeting of the Board of Commissioners of DeKalb County, Georgia.

**PART VI. FILING**

A copy of this Ordinance shall be filed with the Clerk of the DeKalb County Superior Court for the purpose of examination and inspection by the public, along with sufficient copies of same for distribution to those members of the public.

**PART VII. EFFECTIVE DATE**

The provisions of this Ordinance shall become effective when a copy of this Ordinance, a copy of the required notice of publication, and an affidavit of a duly authorized representative of the newspaper in which such notice was published are filed with the Secretary of State.

**ADOPTED** by the DeKalb County Board of Commissioners this \_\_\_\_ day of \_\_\_\_\_, 2017.

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**KATHIE GANNON**  
Presiding Officer  
Board of Commissioners  
DeKalb County, Georgia

**APPROVED** by the Chief Executive Officer of DeKalb County, Georgia this \_\_\_\_ day  
of \_\_\_\_\_, 2017.

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**MICHAEL L. THURMOND**  
Chief Executive Officer  
DeKalb County, Georgia

**ATTEST:**

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**BARBARA H. SANDERS CCC**  
Clerk to the Board of Commissioners and  
Chief Executive Officer  
DeKalb County, Georgia

**APPROVED AS TO SUBSTANCE:**

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Director of Finance  
DeKalb County, Georgia

**APPROVED AS TO FORM:**

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O.V. Brantley  
County Attorney  
DeKalb County, Georgia