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LOCAL AND SPECIAL ACTS AND RESOLUTIONS OF THE GENERAL ASSEMBLY OF THE STATE OF GEORGIA 1992

LOCAL AND SPECIAL ACTS AND RESOLUTIONS OF THE GENERAL ASSEMBLY OF THE STATE OF GEORGIA 1992

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Sequential Number: 061

Short Title: CHEROKEE COUNTY -- BOARD OF COMMISSIONERS; DISTRICTS; ELECTIONS.

Law Number: No. 669

Origin: (House Bill No. 1984).

Type: AN ACT

To amend an Act creating a board of commissioners for Cherokee County, approved March 30, 1989 (Ga. L. 1989, p. 4295), as amended, so as to change the composition of the commissioner districts; to provide for certain definitions and inclusions; to provide for election of the chairman and members; to require submission of this Act to the United States Attorney General for certain approval; to provide for automatic repeal of this Act under certain circumstances; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

Section 1. An Act creating a board of commissioners for Cherokee County, approved March 30, 1989 (Ga. L. 1989, p. 4295), as amended, is amended by striking subsections (b) through (e) of Section 2 and inserting in their place new subsections (b) through (e) to read as follows:

- "(b)
 - (1) The Eastern District shall encompass the following territory:

Eastern District

- CHEROKEE COUNTY
 - VTD: 0001 BALLGROUND
 - VTD: 0003 CANTON

- VTD: 0004 CLAYTON
- VTD: 0005 CROSSROADS
- VTD: 0006 CONNS CREEK
- VTD: 0009 HICKORY FLAT
- VTD: 0010 LICK SKILLET
- VTD: 0011 LITTLE RIVER
- VTD: 0012 MULLINS
- VTD: 0016 WOODSTOCK (Part)

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- Tract: 0909.03
 - Block(s): 501B, 502, 503, 504B, 505A, 505B, 506, 507, 601A, 601B, 602A, 602B, 602C, 603, 604, 605, 606, 607, 608
- (2) Within the Eastern District, Commissioner Districts 1 and 2 shall encompass the following territory:

Commissioner District: 1

- CHEROKEE COUNTY
 - VTD: 0001 BALLGROUND
 - VTD: 0003 CANTON
 - VTD: 0004 CLAYTON
 - VTD: 0005 CROSSROADS
 - VTD: 0006 CONNS CREEK
 - VTD: 0012 MULLINS

Commissioner District: 2

- CHEROKEE COUNTY

- VTD: 0009 HICKORY FLAT
- VTD: 0010 LICK SKILLET
- VTD: 0011 LITTLE RIVER
- VTD: 0016 WOODSTOCK (Part)
 - Tract: 0909.03
 - Block(s): 501B, 502, 503, 504B, 505A, 505B, 506, 507, 601A, 601B, 602A, 602B, 602C, 603, 604, 605, 606, 607, 608

- (c)

- (1) The Western District shall encompass the following territory:

Western District

- CHEROKEE COUNTY
 - VTD: 0002 BELLS
 - VTD: 0007 FAIR PLAY
 - VTD: 0008 HARBINS
 - VTD: 0013 SALICOA
 - VTD: 0015 WILDCAT
 - VTD: 0016 WOODSTOCK (Part)

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- Tract: 0907.
 - Block(s): 511
- Tract: 0909.03
 - Block(s): 101A, 101B, 101C, 101D, 101E, 101F, 102, 103, 104, 201, 202, 203A, 203B, 203C, 204A, 204B, 205, 206, 207, 208A, 208B, 208C, 209, 210, 301, 302, 303, 304, 305, 306A, 306B, 306C, 306D, 307, 308, 309A, 309B, 309C, 309D, 309E, 310, 311, 401A, 401B, 401C, 402, 403,

404, 405, 406, 407, 408, 409, 410A, 410B, 411A,
411B, 501A, 504A

▪ Tract: 0910.01

- Block(s): 101A, 101B, 101C, 102A, 102B, 103,
104A, 104B, 104C, 104D, 105, 106A, 106B,
106C, 107A, 107B, 108, 109A, 109B, 110A,
110B, 110C, 111A, 111B, 112, 113, 114, 201,
202, 203, 204, 205A, 205B, 205C, 206, 207A,
207B, 207C, 208A, 208B, 209, 301, 302A, 302B,
302C, 302D, 303A, 303B, 304, 305, 306

▪ Tract: 0910.02

- Block(s): 101A, 101B, 102, 103, 104, 105, 106A,
106B, 107A, 107B, 108, 109A, 109B, 110, 111,
112, 201, 202, 203, 204, 301, 302, 303, 304, 305,
306, 307, 308, 309, 310, 311, 312, 313, 314, 315,
316A, 316B, 317A, 317B

▪ Tract: 0910.03

- Block(s): 101A, 101B, 101C, 102, 103, 104, 105,
106, 107, 108, 109, 110, 111, 112, 201, 202, 203,
204, 205, 206A, 206B, 206C, 207, 208, 209, 210,
211, 212, 213, 214

▪ Tract: 0911.01

- Block(s): 101, 102, 103, 104, 105, 106, 107, 108,
109, 110, 111, 112, 113, 114, 115, 116, 117, 118,
119, 120, 121, 122, 123, 124, 201, 203, 204, 205,
206, 207, 208, 209, 210, 211

- (2) Within the Western District, Commissioner Districts 3 and 4 shall encompass the following territory:

Commissioner District: 3

▪ CHEROKEE COUNTY

- VTD: 0002 BELLS (Part)

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▪ Tract: 0911.01

- Block(s): 202
- Tract: 0911.03
 - Block(s): 101, 102, 103, 104, 105, 106, 107, 108, 109, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224
- VTD: 0007 FAIR PLAY
- VTD: 0008 HARBINS
- VTD: 0013 SALICOA
- VTD: 0015 WILDCAT
- VTD: 0016 WOODSTOCK (Part)
 - Tract: 0910.02
 - Block(s): 307, 308, 309, 310
 - Tract: 0911.01
 - Block(s): 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 201, 203, 204, 205, 206, 207, 208, 209, 210, 211

Commissioner District: 4

- CHEROKEE COUNTY
 - VTD: 0002 BELLS (Part)
 - Tract: 0910.03
 - Block(s): 301, 302, 303, 304, 305
 - Tract: 0911.03
 - Block(s): 110, 111, 112, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317
 - Tract: 0911.98

- Block(s): 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 201, 202, 203, 204, 205, 206, 207, 301, 302, 303, 304, 305, 306, 307B, 308, 309, 310
- Tract: 0912.98
 - Block(s): 102B, 103B, 104, 112
- VTD: 0016 WOODSTOCK (Part)
 - Tract: 0907.
 - Block(s): 511
 - Tract: 0909.03
 - Block(s): 101A, 101B, 101C, 101D, 101E, 101F, 102,

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- 103, 104, 201, 202, 203A, 203B, 203C, 204A, 204B, 205, 206, 207, 208A, 208B, 208C, 209, 210, 301, 302, 303, 304, 305, 306A, 306B, 306C, 306D, 307, 308, 309A, 309B, 309C, 309D, 309E, 310, 311, 401A, 401B, 401C, 402, 403, 404, 405, 406, 407, 408, 409, 410A, 410B, 411A, 411B, 501A, 504A
- Tract: 0910.01
 - Block(s): 101A, 101B, 101C, 102A, 102B, 103, 104A, 104B, 104C, 104D, 105, 106A, 106B, 106C, 107A, 107B, 108, 109A, 109B, 110A, 110B, 110C, 111A, 111B, 112, 113, 114, 201, 202, 203, 204, 205A, 205B, 205C, 206, 207A, 207B, 207C, 208A, 208B, 209, 301, 302A, 302B, 302C, 302D, 303A, 303B, 304, 305, 306
 - Tract: 0910.02
 - Block(s): 101A, 101B, 102, 103, 104, 105, 106A, 106B, 107A, 107B, 108, 109A, 109B, 110, 111, 112, 201, 202, 203, 204, 301, 302, 303, 304, 305, 306, 311, 312, 313, 314, 315, 316A, 316B, 317A, 317B
 - Tract: 0910.03

- Block(s): 101A, 101B, 101C, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 201, 202, 203, 204, 205, 206A, 206B, 206C, 207, 208, 209, 210, 211, 212, 213, 214
- (d) For purposes of this section:
 - (1) The terms 'Tract,' 'Block,' and 'VTD' shall mean and describe the same geographical boundaries as provided in the report of the Bureau of the Census for the United States decennial census of 1990 for the State of Georgia;
 - (2) The term 'Precinct' is synonymous with the term 'voting precinct' and means a geographical area designated by Article 7 of Chapter 2 or 3 of Title 21 of the O.C.G.A., within which all electors vote at one polling place;
 - (3) Precinct names and designations following VTD designations are included for convenience only; and in

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the event the description of any commissioner district contains a conflict between the geographical boundaries of any VTD and the boundaries of the following named precinct, the geographical boundary of the VTD as shown on the census maps for the United States decennial census of 1990 for the State of Georgia shall control;

- (4) Any part of Cherokee County which is not included in any commissioner district described in this section shall be included within that commissioner district contiguous to such part which contains the least population according to the United States decennial census of 1990 for the State of Georgia; and
 - (5) Any part of Cherokee County which is described in this section as being included in a particular commissioner district shall nevertheless not be included within such commissioner district if such part is not contiguous to such commissioner district. Such noncontiguous part shall instead be included within that commissioner district contiguous to such part which contains the least population according to the United States decennial census of 1990 for the State of Georgia.
- (e) Commissioner Districts 1, 2, 3, and 4 as they existed on January 1, 1992, shall continue to be designated as Commissioner Districts 1, 2, 3, and 4, respectively, but as newly described under this section on and after the date this subsection becomes effective in 1992, and members of the board serving from those former commissioner districts shall be deemed to be serving from and representing their respective districts as newly described under this section."

Section 2. Said Act is further amended by striking Section 3 and inserting in its place a new Section 3 to read as follows:

- "Section 3. (a) The members of the board of commissioners in office on January 1, 1992, representing former Commissioner Districts 1 and 4 shall serve out the remainder of the terms to which they were elected, such terms expiring on December 31, 1994. At the general election in 1994 and

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every four years thereafter, members of the board shall be elected from Commissioner Districts 1 and 4 pursuant to this Act and shall serve for terms of four years and until their successors are elected and qualified and shall take office on January 1 immediately following their election.

- (b) The members of the board of commissioners in office on January 1, 1992, representing former Commissioner Districts 2 and 3 shall serve out the remainder of the terms to which they were elected, such terms expiring on December 31, 1992. At the general election in 1992 and every four years thereafter, members of the board shall be elected from Commissioner Districts 2 and 3 pursuant to this Act and shall serve for terms of four years and until their successors are elected and qualified and shall take office on January 1 immediately following their election."

Section 3. Said Act is further amended by striking subsection (a) of Section 4 and inserting in its place a new subsection (a) to read as follows:

"(a) The chairman of the commission in office on January 1, 1992, shall serve out the remainder of the term to which he was elected, such term expiring on December 31, 1994. At the general election in 1994 and every four years thereafter, the chairman shall be elected pursuant to this Act and shall serve for a term of four years and until his successor is elected and qualified and shall take office on January 1 immediately following his election."

Section 4. Pursuant to Section 5 of the federal Voting Rights Act of 1965, as amended, it shall be the duty of the attorney of the board of commissioners of Cherokee County to submit this Act to the United States Attorney General for approval. If, as of the first date upon which candidates may begin qualifying for the general primary in 1992, implementation of this Act is not permissible under the federal Voting Rights Act of 1965, as amended, then as of such date this Act shall be void and stand repealed in its entirety.

Section 5. All laws and parts of laws in conflict with this Act are repealed.

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NOTICE OF INTENTION TO INTRODUCE LOCAL LEGISLATION

Notice is given that there will be introduced at the regular 1992 session of the General Assembly of Georgia a bill to amend an Act which creates the board of commissioners of Cherokee County, approved March 30, 1989 (Ga. L. 1989, p. 4295), as amended; and for other purposes.

This 26th day of February, 1992.

Honorable Garland Pinholster Representative, 8th District Steve Stancil William G. Hasty, Sr.

GEORGIA, FULTON COUNTY

Personally appeared before me, the undersigned authority, duly authorized to administer oaths, Steve Stancil, who, on oath, deposes and says that he is Representative from the 8th District, and that the attached copy of Notice of Intention to Introduce Local Legislation was published in the Cherokee Tribune, which is the official organ of Cherokee County, on the following date: February 26, 1992.

/s/ Steve Stancil Representative, 8th District

Sworn to and subscribed before me,

this 3rd day of March, 1992.

/s/ Connie S. Guzzetti

Notary Public, Clayton County, Georgia

My Commission Expires Oct. 26, 1993

(SEAL)

Approval Date: Approved March 24, 1992.