

## **For December 4<sup>th</sup> Meeting**

### **1. The Village of Summerville**

### **2. What do we want to do?**

- a. Form a new city
- b. Reincorporate – reconstitute/revive/restore/rebuild

### **3. Why do we want to do it?**

- a. Increased property values
- b. Increase Public Safety
- c. Lower taxes
- d. Better/Smaller government

### **4. How is it done?**

- a. Form the Exploratory Committee
- b. Set Boundaries
- c. File the Bill
- d. Order a Feasibility Study
- e. Conduct a Public Opinion Poll
- f. Get Bill Passed by both House and Senate, and signed by the Governor
- g. Vote for deannexation and vote for incorporation at the same time

### **5. Timeline**

- a. Bill must be filed Jan 2023 (a two-year process)
- b. Vote expected summer 2025

### **6. Cost: \$250,000-\$300,000**

- a. Feasibility study                      \$50,000

- b. Consultants/lobbyists      \$125,000
- c. Campaign/Polls              \$50,000
- d. Technology                    \$25,000

## **7. Advantages**

## **8. Obstacles**

- a. Racial accusations
- b. Damages Augusta/County by removing tax base
- c. Increases taxes

## **9. Next Steps**

- a. Form an exploratory Committee
- b. File Bill
- c. Raise money
- d. Conduct a poll
- e. Feasibility study

## **10. Questions**

# Cityhood in Georgia

Incorporating a municipality in Georgia requires the approval of the Legislature.

**538** CURRENT CITIES IN GEORGIA

**1733** Savannah, Georgia's oldest city, founded  
**2017** South Fulton, Georgia's newest city, founded

GEORGIA IS 1 OF 7 STATES THAT REQUIRE LEGISLATIVE APPROVAL FOR MUNICIPAL INCORPORATION

The current cityhood process looks like this:

A group decides to incorporate. Reasons vary, but include: desire for **local control** and increased representation.

The group must obtain **sponsorship from a legislative member**. The member will carry the enacting legislation and provide a letter for the group to commission a **feasibility study**.

The legislative sponsor files the bill, beginning a **2-session review process**. The committee will study the proposed city over the interim and vote on the legislation during the second session after its introduction.

If the bill passes, the proposed city will be put to a **referendum vote\*** of the city's proposed population.

\*Not legally required, but is common practice.

If the referendum **passes**, the city attains incorporation.

Generally, in order to obtain an approved feasibility study, the sponsoring group must meet the following qualifications\*:

The group must have nonprofit status

The group must sign a contractual agreement with the entity conducting the study

The group must provide a letter from the legislative member who is sponsoring the bill

The group must obtain a map of the proposed city from the General Assembly's Reapportionment Office

\*Each entity that provides feasibility studies is different; specific requirements may vary.

The following entities are currently authorized\* to conduct feasibility studies for cities and impact studies for counties:

CARL VINSON INSTITUTE OF GOVERNMENT UNIVERSITY OF GEORGIA

ANDREW YOUNG SCHOOL OF POLICY STUDIES GEORGIA STATE UNIVERSITY

A PUBLIC INSTITUTION AFFILIATED WITH THE UNIVERSITY SYSTEM OF GEORGIA AT THE DISCRETION OF THE CHAIR OF THE HOUSE GOVERNMENTAL AFFAIRS COMMITTEE

\*In the event of an unresolvable conflict of interest, a private entity is authorized to provide a feasibility study, at the discretion of the Chair of the House Governmental Affairs Committee.

A PROPOSED CITY MUST PROVIDE AT LEAST 3 OF THE FOLLOWING SERVICES:



A FEASIBILITY STUDY CAN TAKE **6 MONTHS OR MORE** TO COMPLETE AND COSTS APPROXIMATELY **\$30,000**

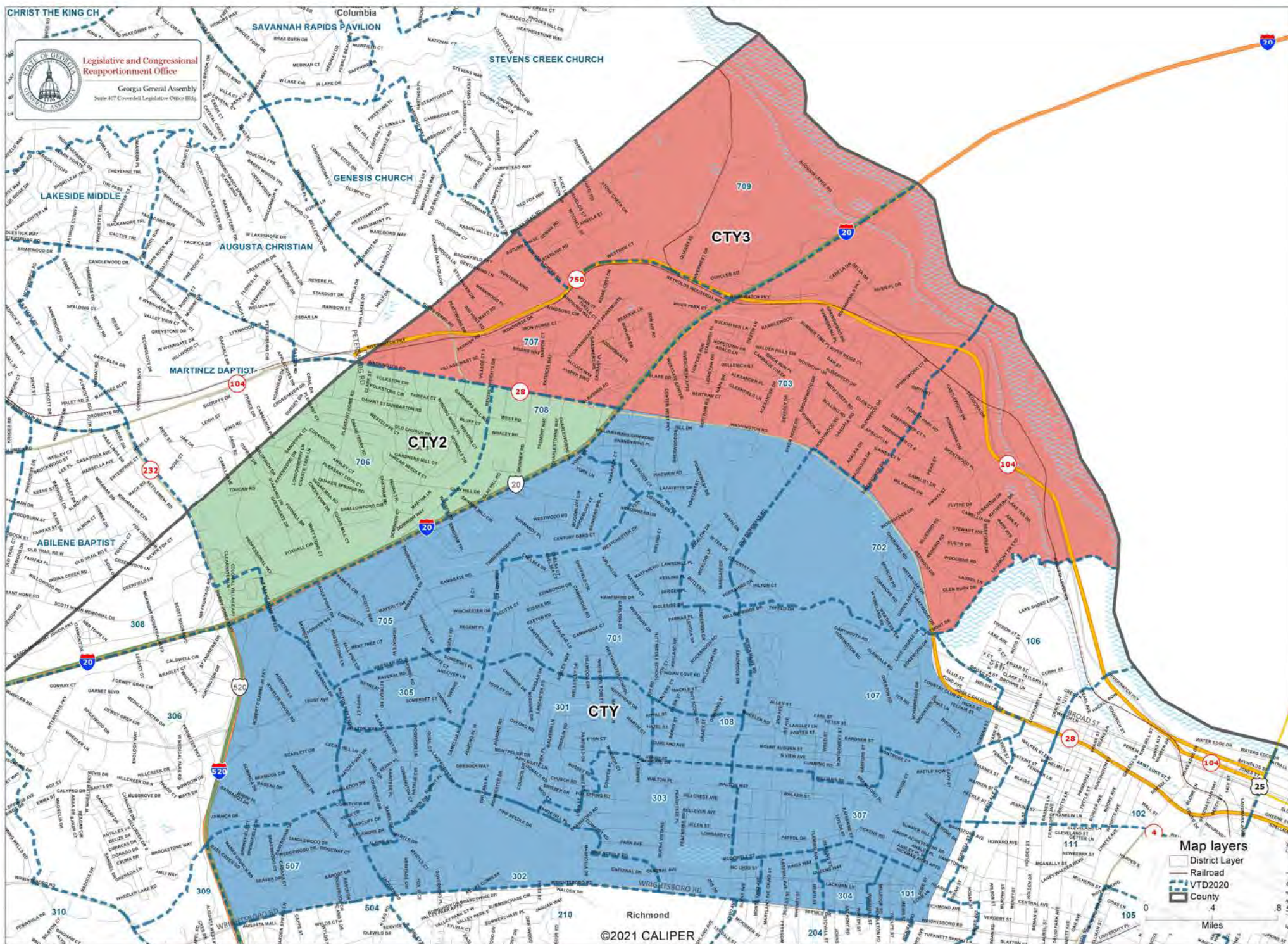
REQUIREMENTS:

MINIMUM POPULATION OF PROPOSED CITY: **200**  
 AVERAGE RESIDENT POPULATION PER SQUARE MILE: **200**

**60%** OF THE TOTAL NUMBER OF LOTS IN THE PROPOSED CITY MUST BE USED FOR RESIDENTIAL, COMMERCIAL, INDUSTRIAL, INSTITUTIONAL, RECREATIONAL, OR GOVERNMENTAL PURPOSES



Client:  
Plan: Prop draft  
Type: Local



# Population Summary

Tuesday, February 22, 2022

10:06 AM

## Summary Statistics:

Population Range:	42,261 to 42,261
Ratio Range:	0.00
Absolute Range:	-10,669,650 to -10,669,650
Absolute Overall Range:	
Relative Range:	-99.61% to -99.61%
Relative Overall Range:	0.00%
Absolute Mean Deviation:	10,669,650.00
Relative Mean Deviation:	99.61%
Standard Deviation:	0.00

District	Population	Deviation	% Devn.	[18+_Pop]	[% 18+_Pop]	[% NH_Wht]	[% NH_Blkl]	[% Hispanic Origin]	[% NH_Asn]	[% NH_Ind]	[% NH_Hwn]	[% NH_Oth]	[% NH_2+ Races]
CTY	42,261	-10,669,650	-99.61%	34,737	82.2%	55.62%	31.43%	4.81%	2.99%	0.19%	0.26%	0.5%	4.2%

**Total:** 42,261  
**Ideal District:** 10,711,908



# Population Summary

Tuesday, February 22, 2022

10:05 AM

Summary Statistics:

Population Range:	5,438 to 24,156
Ratio Range:	3.44
Absolute Range:	-10,706,470 to -10,687,750
Absolute Overall Range:	18,718
Relative Range:	-99.95% to -99.77%
Relative Overall Range:	0.17%
Absolute Mean Deviation:	10,697,820.00
Relative Mean Deviation:	99.87%
Standard Deviation:	7,707.28

District	Population	Deviation	% Devn.	[18+_Pop]	[% 18+_Pop]	[% NH18+_Wht]	[% NH18+_Blk]	[% H18+_Pop]	[% NH18+_Asn]	[% NH18+_Ind]	[% NH18+_Hwn]	[% NH18+_Oth]	[% NH18+_2+ Races]
CTY	24,156	-10,687,750	-99.77%	19,567	81%	59.4%	30.12%	3.98%	2.32%	0.19%	0.25%	0.42%	3.32%
CTY2	5,438	-10,706,470	-99.95%	4,627	85.09%	65.36%	21.22%	5.21%	3.63%	0.17%	0.11%	0.48%	3.83%
CTY3	12,667	-10,699,240	-99.88%	10,543	83.23%	51.82%	33.96%	5.07%	4.62%	0.15%	0.2%	0.53%	3.65%

**Total:** 42,261  
**Ideal District:** 10,711,908

# Population Summary

Tuesday, February 22, 2022

10:04 AM

## Summary Statistics:

Population Range:	5,438 to 24,156
Ratio Range:	3.44
Absolute Range:	-10,706,470 to -10,687,750
Absolute Overall Range:	18,718
Relative Range:	-99.95% to -99.77%
Relative Overall Range:	0.17%
Absolute Mean Deviation:	10,697,820.00
Relative Mean Deviation:	99.87%
Standard Deviation:	7,707.28

District	Population	Deviation	% Devn.	[18+_Pop]	[% 18+_Pop]	[% NH_Wht]	[% NH_Blkl]	[% Hispanic Origin]	[% NH_Asn]	[% NH_Ind]	[% NH_Hwn]	[% NH_Oth]	[% NH_2+ Races]
CTY	24,156	-10,687,750	-99.77%	19,567	81%	57.47%	31.11%	4.19%	2.19%	0.22%	0.28%	0.49%	4.06%
CTY2	5,438	-10,706,470	-99.95%	4,627	85.09%	63%	22.38%	5.46%	3.44%	0.15%	0.22%	0.5%	4.85%
CTY3	12,667	-10,699,240	-99.88%	10,543	83.23%	48.93%	35.93%	5.72%	4.3%	0.17%	0.24%	0.54%	4.18%

**Total:** 42,261  
**Ideal District:** 10,711,908



## GEORGIA GENERAL ASSEMBLY

### Office of Legislative & Congressional Reapportionment

407 Coverdell Legislative Office Building  
18 Capitol Square  
Atlanta, GA 30334 | Phone: 404-656-5063

Gina H. Wright  
Executive Director

### Explanation of Standard Statistic Report Fields

Heading	Explanation
District	District number
Population	Total number of people in district
Deviation	Number of total people above or below ideal district size
% Devn	Deviation as a percentage
% NH_Wht	White alone and not Hispanic
% NH_BlK	Black alone and not Hispanic
% Hispanic Origin	All persons Hispanic (designated as an ethnicity and includes persons from all races)
% NH_Asn	Asian alone and not Hispanic
% NH_Ind	American Indian or Alaska Native alone and not Hispanic
% NH_Hwn	Native Hawaiian or Other Pacific Islander and not Hispanic
% NH_Oth	Persons of some other race alone and not Hispanic
% NH_2+ Races	Persons of 2 or more race categories and not Hispanic
%18+_Pop	Percentage of persons age 18 and older
% NH18+_Wht	White alone and not Hispanic persons age 18 and older
% NH18+_Blk	Black alone and not Hispanic persons age 18 and older
% H18+_Pop	Hispanic persons age 18 and older (designated as an ethnicity and includes persons from all races)
% NH18+_Asn	Asian alone and not Hispanic persons age 18 and older
% NH18+_Ind	American Indian or Alaska Native alone and not Hispanic persons age 18 and older
% NH18+_Hwn	Native Hawaiian or Other Pacific Islander and not Hispanic persons age 18 and older
% NH18+_Oth	Persons age 18 and older of any other race alone
% NH18+_2+ Races	Persons age 18 and older of 2 or more race categories and not Hispanic

Race and ethnicity categories are defined by the U.S Census Bureau. You can find more information here:

<https://www.census.gov/topics/population/race/about.html>

<https://www.census.gov/topics/population/hispanic-origin/about.html>



## **2010 Georgia Code**

### **TITLE 36 - LOCAL GOVERNMENT**

### **PROVISIONS - PROVISIONS**

### **APPLICABLE TO MUNICIPAL**

### **CORPORATIONS ONLY**

### **CHAPTER 30 - GENERAL**

### **PROVISIONS**

#### **§ 36-30-7.1 - Inactive municipalities**

O.C.G.A. 36-30-7.1 (2010)

36-30-7.1. Inactive municipalities

(a) On and after July 1, 1995, any municipal corporation in this state shall be deemed an inactive municipality and its charter shall be repealed by operation of law if the municipal corporation fails to meet any of the minimum standards provided in subsection (b) of this Code section for determining an active municipality.

(b) An active municipality is any incorporated municipality in this state the governing body of which meets each of the following minimum standards:

(1) Provides at least three of the following services, either directly or by contract:

(A) Law enforcement;

(B) Fire protection (which may be furnished by a volunteer fire force) and fire safety;

(C) Road and street construction or maintenance;

(D) Solid waste management;

(E) Water supply or distribution or both;

(F) Waste-water treatment;

(G) Storm-water collection and disposal;

(H) Electric or gas utility services;

(I) Enforcement of building, housing, plumbing, and electrical codes and other similar codes;

(J) Planning and zoning; and

(K) Recreational facilities;

(2) Holds at least six regular, monthly or bimonthly, officially recorded public meetings within the 12 months next preceding the execution of the certificate required by subsection (c) of this Code section; and

(3) Qualifies for and holds a regular municipal election as provided by law, other than a municipality which has a governing authority comprised of commissioners or other members who are appointed by a judge of the superior court.

(c) Not later than July 1, 1994, each municipal corporation in this state shall file with the Department of Community Affairs either:

(1) A certification from the governing authority that the municipal corporation meets the minimum standards for determining an active municipality enumerated in subsection (b) of this Code section; or

(2) A certification from the governing authority that the municipal corporation does not meet the minimum standards for determining an active municipality enumerated in

subsection (b) of this Code section, including a statement that the governing authority recognizes that its legal existence will under the provisions of this Code section be terminated as of July 1, 1995.

(d) After October 15, 1994, the Department of Community Affairs shall transmit to the governing authority of each municipal corporation in the state either:

(1) A statement confirming that the Department of Community Affairs has received from the municipal corporation the filing required by subsection (c) of this Code section, including a statement of which type of filing was received from that municipal corporation; or

(2) A statement that the Department of Community Affairs has not received from the municipal corporation the filing required by subsection (c) of this Code section, including a statement that the municipal corporation's legal existence will be terminated as of July 1, 1995, unless such filing is received by December 31, 1994.

(e) A municipal corporation which does not timely make the filing required by subsection (c) of this Code section shall have a grace period until December 31, 1994, to make such filing. However, if such filing is not made by December 31, 1994, the legal status of the municipal corporation shall be the same as that of a municipal corporation which does not meet the minimum standards for determining an active municipality enumerated in subsection (b) of this Code section; and such municipal corporation shall cease to have legal existence as of July 1, 1995.

(f) As quickly as practicable after December 31, 1994, the Department of Community Affairs shall compile a listing of all municipal corporations in this state indicating those whose legal existence will be terminated as of July 1, 1995, and those whose legal existence will not be so terminated. A certified copy of such listing shall be provided to the Secretary of State and shall be conclusive evidence, acceptable in any court and recordable in any public records, of the termination or continuation of existence of a municipal corporation. The Secretary of State shall transmit such a certified copy of the listing to the legislative counsel for publication in the Georgia Laws for the year 1995, and all courts of this state may take judicial notice of the listing so published.

(g) Upon the termination of existence of a municipal corporation as provided for in this Code section, the existence of any local authority created by or for such municipal

corporation shall likewise terminate on the same date. Upon the termination of any municipal corporation or local authority under this Code section, all assets, property, and legal rights and obligations of the municipal corporation or local authority shall devolve by operation of law upon the governing authority of the county in which the legal situs of the municipal corporation or local authority was located; provided, however, that this devolution of rights and obligations shall in no manner obligate the county to provide continued employment for any employee of the abolished municipal corporation or local authority. In the case of legal indebtedness of a municipal corporation or local authority devolving upon a county under this Code section, the county shall be authorized but not required to levy a special district tax, fee, or assessment within the formerly incorporated territory (or a portion thereof corresponding to any special district for which the indebtedness was incurred) for the purpose of retiring all or a portion of such indebtedness. Assets devolved to the county governing authority pursuant to this Code section which are deemed to be excess by the county shall be used to retire any indebtedness of the terminated municipal corporation or local authority. Property devolved to the county governing authority pursuant to this Code section which is deemed to be unnecessary by the county shall be sold and the proceeds from such sale used to retire any indebtedness of the terminated municipal corporation or local authority.

(h) (1) Upon the termination of existence of a municipal corporation as provided in this Code section, the geographic area that was contained in the boundaries of the former municipal corporation may continue to be identified under the same name and style as the former municipal corporation, and for such purpose signs and other appropriate insignia may be erected for such identification.

(2) The Department of Community Affairs shall establish a designation of "historic township" for communities created on or before 1900, provide for the establishment of unincorporated town councils, provide a procedure for converting such municipalities to townships, and for registration of such.

(i) At the session of the General Assembly held in the year 1996 only, a new charter may be granted to a municipal corporation which ceased to exist under the provisions of this Code section solely because of a failure to make the required filing with the Department of Community Affairs (not including any case where the municipal corporation failed to meet the minimum standards of an active municipality enumerated in subsection (b) of this Code section), without regard to the minimum standards for incorporation set out in Chapter 31 of this title. In such a case the local law granting the new charter shall have

attached thereto, in lieu of the certificate otherwise required by Code Section 36-31-5, a certificate by the author of the bill stating that the requirements of this subsection are met by the municipal corporation being reincorporated. In any such case assets and property and rights and obligations which devolved upon the county shall be retransferred from the county back to the municipal corporation.

(j) In any case in which the legal dissolution of a municipal corporation has not been certified under the provisions of subsection (f) of this Code section but the municipal corporation does not in fact meet the minimum standards for determining an active municipality enumerated in subsection (b) of this Code section, any citizen of the municipal corporation or the county in which the legal situs of the municipal corporation is located may bring at any time on or after July 1, 1995, a declaratory judgment action for a declaration of the dissolution of the municipal corporation. Any such action shall be brought in the superior court of the county wherein the legal situs of the municipal corporation is located. If a judgment is entered declaring the dissolution of the municipal corporation, the court shall file a certified copy of the judgment with the Secretary of State and the legislative counsel. A copy of such judgment shall be published in the next publication of the annual session laws with the same status and effect provided for in subsection (f) of this Code section; and a certified copy of the judgment from the court or the Secretary of State shall have the same status and effect as described in subsection (f) of this Code section.

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