

STATE OF GEORGIA

CITY OF STOCKBRIDGE

ORDINANCE NO. OR 17-436

AN ORDINANCE TO PROVIDE FOR A LIMITATION ON THE CITY MANAGER'S CONTRACTING AUTHORITY; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**WHEREAS**, the governing authority of the City of Stockbridge is the Mayor and Council thereof;

**WHEREAS**, the governing authority of the City of Stockbridge, Georgia desires to provide a responsible limitation on the City Manager's contracting authority; and,

**WHEREAS**, the health, safety, and welfare of the citizens of Stockbridge, Georgia, will be positively impacted by the adoption of this Ordinance.

NOW THEREFORE, THE COUNCIL OF THE CITY OF STOCKBRIDGE HEREBY ORDAINS:

**Section 1.** That Sections 3.30.222 and 3.30.223 of the Stockbridge Municipal Code are hereby amended by deleting said sections in their entirety and replacing them with the following sections in lieu thereof:

***“3.30.222 - Approval of contracts.***

*A. General Provisions. All contracts shall be reviewed and approved as to form by the city attorney prior to execution on behalf of the city. A contract shall conform to state and federal law and to city ordinances and shall otherwise contain such provisions as are reasonably necessary to protect the interest of the city.*

*B. City Manager Authority. The city manager shall have the authority to sign contracts up to ten thousand dollars (\$10,000.00) without city council approval.*

***3.30.223 - Change orders and contract modifications.***

*A. General Provisions. Except as hereinafter provided, any change order or other modification of a contract term shall be approved by the city council.*

*B. City Manager Authority. The city manager shall have authority to approve all change orders to purchase orders and contracts up to an absolute value of twenty (20) percent of the original contract, provided the total change order amount is ten thousand dollars (\$10,000.00) or less."*

**Section 2.** The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

**Section 3.** (a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

(b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

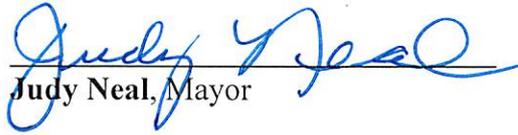
**Section 4.** All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

**Section 5.** Penalties in effect for violations of the City of Stockbridge at the time of the effective date of this Ordinance shall be and are hereby made applicable to this Ordinance and shall remain in full force and effect.

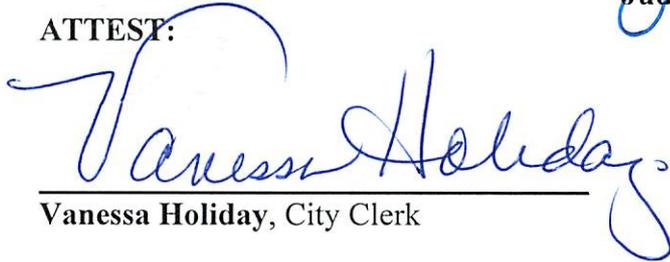
**Section 6.** The effective date of this Ordinance shall be May 30, 2017.

ORDAINED this 30<sup>th</sup> day of May, 2017.

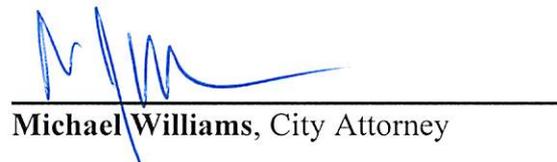
CITY OF STOCKBRIDGE, GEORGIA

  
Judy Neal, Mayor

ATTEST:

  
Vanessa Holiday, City Clerk

APPROVED AS TO FORM:

  
Michael Williams, City Attorney

Date Presented to Mayor: \_\_\_\_\_

Date Received from Mayor: \_\_\_\_\_