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Adopted: December 19, 1996 Signed: _____
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**CHAPTER 4
ADMINISTRATIVE AGENCIES**

ARTICLE I: SENIOR CITIZENS CORPORATION

Adopted: December 19, 1996 Signed: _____
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- 4-101 Name.** The name of the corporation is: "Bryan County Senior Citizens Corporation".
- 4-102 Purpose.** The corporation is organized not for profit under the provisions of the Georgia Non-Profit Corporation Code, as amended, and the objects and purposes to be transacted and carried on are to promote the general social welfare of the senior citizens and for that purpose: to acquire, promote, provide, and operate services and senior citizens facilities as determined by the Older American Act of 1965, as amended, 1973 and 1978, without regard to race, color, creed or national origin; to acquire, improve, and operate and to perform as a service organization to provide services for senior citizens such as senior citizen centers, transportation, congregate home delivered meals, recreation and educational activities, to operate and carry out programs and to promote well-being, improved lifestyle and enhance independent living and to do all things necessary and appropriate for carrying out and exercising the foregoing purposes and powers and any other ventures allowable under law related to non-profit corporations.
- 4-103 Rights and privileges.** The corporation shall have no capital stock. It shall be composed of members rather than shareholders. The conditions and regulations of membership and the rights or other privileges of the classes of members shall be determined and fixed by the bylaws.
- 4-104 Nonprofit organization.** The corporation is not organized for pecuniary profit and shall have no power to declare dividends. No part of its net earnings shall inure to the benefit of any member, director, or individual. The balance, if any, of all money received by the corporation from its operations, after payment in full of all operating expenses, debts, and obligations of the corporation of whatsoever kind and nature as they become due, shall be used to provide additional and expanded services for senior citizens in the community.
- 4-105 Dissolution.** In the event of dissolution of the corporation, or in the event it shall cease to carry out the objectives and purposes herein set forth, all business, property, and assets of the corporation shall go and be distributed to one or more such non-profit corporations or municipal corporations as may be selected by the board of directors of the corporation, to be used for, and devoted to the purpose of carrying out services for senior citizens in the County, or other purposes to promote the general social welfare of the elderly in the County. In no event shall any of the assets or property, in the event of dissolution thereof, go or be distributed to members, either for the reimbursement of any sum subscribed, donated, or contributed by such members or for any other purposes, provided that nothing herein shall prohibit the corporation from paying its just debts.
- 4-106 Duration.** The duration of the existence of this corporation shall be perpetual.

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ARTICLE II: PLANNING COMMISSION

4-201 Purpose. To assist in guiding and accomplishing a coordinated and harmonious development of the County which will, in accordance with existing and future needs, best promote public health, safety, morals, order, convenience, prosperity, and general welfare, as well as efficiency and economy in the process of development therefore.

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4-202 Membership. The Planning Commission shall consist of five (5) to ten (10) members who shall be residents of Bryan County, Georgia, appointed by the County Commissioners. The terms of the members shall be for four (4) years. Any vacancy in membership shall be filled for the unexpired term by the County Commissioners who shall also have the authority to remove any member for cause, on written charges and after a public hearing. All members shall serve without compensation but may be reimbursed for actual expenses incurred in connection with their official duties.

4-203 Organization, rules, staff, and finances.

1. The Planning Commission shall elect the chairman from its members. The term of the chairman shall be one year with eligibility for re-election. The Planning Commission shall appoint a secretary, who may be an officer or employee of the County. The Planning Commission shall make its own rules of procedure and determine its time of meeting. All meetings of the Planning Commission at which official action is taken shall be open to the public and all records of the Planning Commission shall be public records.

2. The Planning Commission may employ such services as it may deem necessary for its work and may contract with the State Planning Agency and planners and other consultants for such services as it may require. The employment of such services and the expenditures of the Planning Commission, exclusive of gifts, shall be within the amounts appropriated for the purpose by the County Commissioners.

4-204 Powers and duties. From and after the time when the Planning Commission shall have organized and selected its officers and shall have adopted its rules of procedure, then said Planning Commission shall have all the powers, duties and responsibilities set forth in the Constitution of the State of Georgia and under Local and General Law.

ARTICLE III: THE DEVELOPMENT AUTHORITY OF BRYAN COUNTY
Revised 08/02/05

4-301 Powers and Authority. The Development Authority of Bryan County, Georgia ("Authority"), shall be deemed to exercise public and essential government functions and shall have all of the powers necessary or convenient to carry out and effectuate its purposes, and all powers allowed or provided under the Development Authorities law as now enacted

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or later amended including, but not without limiting the generality of the foregoing, the following powers:

1. To bring and defend actions;
2. To adopt and amend a corporate seal;
3. To make and execute contracts and other instruments necessary to exercise the powers of the authority, any of which contracts may be made with the county in which the authority is located or with any one or more municipal corporations in such county; each such county and all municipal corporations therein are authorized to enter into contracts with the Authority;
4. To receive and administer gifts, grants, and devises of any property and to administer trusts;
5. To acquire, by purchase, gift, or construction, any real or personal property desired to be acquired as part of any project or for the purpose of improving, extending, adding to, reconstructing, renovating, or remodeling any project or part thereof already acquired or for the purpose of demolition to make room for such project or any part thereof;
6. To sell, lease, exchange, transfer, assign, pledge, mortgage, dispose of, or grant options for any real or personal property or interest therein for any such purposes;
7. Except as otherwise provided in the subsequent paragraph, to dispose of any real property for fair market value, regardless of prior development of such property as a project, whenever the board of directors of the Authority may deem such disposition to be in the best interests of the authority if the board of directors of the Authority prior to such disposition shall determine that such real property no longer can be used advantageously as a project for the development of trade, commerce, industry, and employment opportunities;
8. To dispose of any real property for fair market value or any amount below fair market value as determined by the board of directors of the Authority, regardless of prior development of such property as a project, whenever the board of directors of the authority may deem such disposition to be in the best interests of the Authority if the board of directors of the Authority prior to such disposition shall determine that such real property no longer can be used advantageously as a project for the development of trade, commerce, industry, and employment opportunities and if title to such real property is to be transferred to the state;

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9. To mortgage, convey, pledge, or assign any properties, revenues, income, tolls, charges, or fees owned or received by the Authority;
10. To appoint officers and retain agents, engineers, attorneys, fiscal agents, accountants, and employees and to provide for their compensation and duties;
11. To extend credit or make loans to any person, firm, corporation, or other industrial entity for the planning, design, construction, acquisition, or carrying out of any project, which credit or loans shall be secured by loan agreements, mortgages, security agreements, contracts, and all other instruments, fees, or charges, upon such terms and conditions as the Authority shall determine reasonable in connection with such loans, including provision for the establishment and maintenance of reserve and insurance funds; and, in the exercise of powers granted by the Development Authority Law in connection with a project for such person, firm, corporation, or other industrial entity, to require the inclusion in any contract, loan agreement, security agreement, or other instrument, of such provisions for guaranty, insurance, construction, use, operation, maintenance, and financing of a project as the Authority may deem necessary or desirable;
12. To acquire, accept, or retain equitable interests, security interests, or other interest in any property, real or personal, by mortgage, assignment, security agreement, pledge, conveyance, contract, lien, loan agreement, or other consensual transfer, in order to secure the repayment of any moneys loaned or credit extended by the Authority;
13. To construct, acquire, own, repair, remodel, maintain, extend, improve, and equip projects located on land owned or leased by the authority or land owned or leased by others and to pay all or part of the cost of any such project from the proceeds or revenue bonds of the Authority or from any contribution or loans by persons, firms, or corporations or any other contribution, all of which the Authority is authorized to receive, accept, and use;
14. To borrow money and issue its revenue bonds and bond anticipation notes from time to time and to use the proceeds thereof for the purpose of paying all or part of the cost of any project, including the cost of extending, adding to, or improving the project, or for the purpose of refunding any such bonds of the Authority theretofore issued and to otherwise carry out the purposes of this chapter and to pay all other costs of the Authority incident to or necessary and appropriate to such purposes, including the providing of funds to be paid into any fund or funds to secure such bonds and notes, provided that all such bonds and notes shall be issued in accordance with the procedures and subject to the limitations set forth in the Development Authorities Law;

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15. As security for repayment of authority obligations, to pledge, mortgage, convey, assign, hypothecate, or otherwise encumber any property, real or personal, of such Authority and to execute any trust agreement, indenture, or security agreement containing any provisions not in conflict with law, which trust agreement, indenture, or security agreement may provide for foreclosure or forced sale of any property of the Authority upon default, on such obligations, either in payment of principal or interest or in the performance of any term or condition, as are contained in such agreement or indenture. This state, on behalf of itself and each county, municipal corporation, political subdivision, or taxing district therein, waives any right which it or such county, municipal corporation, political subdivision, or taxing district may have to prevent the forced sale or foreclosure of any property of the Authority so mortgaged or encumbered, and any such mortgage or encumbrance may be foreclosed in accordance with law and the terms thereof;
16. If the Authority authorizing an air transportation facility, to contract with any county or municipal corporation in the state; and any county or municipal corporation in the state is empowered to contract with any such Authority to furnish air transportation services where such service is not otherwise in existence;
17. To expend for the promotion of industry, agriculture, and trade within its area of operations any funds of the Authority determined by the Authority to be in excess of those needed for the other corporate purposes of the Authority; and
18. To do all things necessary or convenient to carry out the Development Authorities Law now or as amended.

4-302 Geographical Area. The Geographical Area of the Authority shall be the entirety of Bryan County, Georgia.

4-303 Board of Directors.

1. The Authority shall consist of a Board of 9 Directors.
2. The terms of the first five (5) directors shall be two years. The terms of the remaining four (4) directors and all succeeding directors will be four (4) years.
3. The Directors shall elect one (1) of their members as Chair and another as Vice-Chair and shall also select a Secretary and Treasurer, or one person to fulfill both of these offices; such person or persons may, but need not be, a Director.

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- 4-304 Compensation of Directors.** The directors shall receive no compensation for their services but they shall be entitled to be reimbursed for any actual expenses incurred in the performance of their duties.
- 4-305 Length of Existence.** The Authority shall have perpetual existence.
- 4-306 Liability.** No Director or other person executing certificates or other obligations on behalf of the Authority shall be personally liable thereon.
- 4-307 Quorum.** A majority of members of the Authority shall constitute a quorum for the transaction of the ordinary business of the Authority, but any action with respect to any project of the Authority shall be approved by not less than a majority vote of the total membership of the Authority.
- 4-308 Tax exemptions.** All land and improvements and personal property the title to which is vested in the Authority, and all debentures, notes, bonds and revenue anticipation certificates issued by the Authority, and all income earned therefrom by the holders of said evidences of indebtedness, shall be exempt from state and local taxation. The exemption from taxation herein provided shall not include the exemption from sales and use taxes on property purchased by the Authority or for use by the Authority.
- 4-309 Audits.** The books and records of the Authority shall be audited at least annually, at the expense of the Authority, by a competent auditor. The Authority shall furnish copies of said audit to the County Commission.
- 4-310 Property.** Should the Authority for any reason be dissolved, title to all its property of every kind and nature, real and personal, held by the Authority at the time of such dissolution shall revert to Bryan County subject to any mortgages, liens, easements or other encumbrances outstanding against or in respect to said property at that time.

ARTICLE IV: EMERGENCY MEDICAL SERVICES

- 4-401 Purpose.** To provide citizens of Bryan County, Georgia with emergency medical services.
- 4-402 Board of Commissioner's duties.**

1. To undertake to develop and finance the program to provide the citizens of Bryan County, Georgia with the emergency medical services in cooperation and conjunction with the State Office of Coordinator of Highway Safety through the State of Georgia Highway Safety Program and with support from the Georgia Regional Medical Program.

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2. To act as fiscal agent and properly account for all funds or grants received from the Georgia Highway Safety Program, the Georgia Regional Medical Program and any other source in connection with the program to provide emergency medical services.

3. To do and perform such other acts and things as are necessary or appropriate to insure the success of the program to provide the citizens of Bryan County with emergency medical services.

4-403 Funding. The funds necessary to provide citizens of Bryan County, Georgia with these emergency medical services is obtainable from the Bryan County general fund, and any other source as they become available.

4-404 Fees. Fees charged within the County will be as set from time to time by the Bryan County Commission.

ARTICLE V: CHILD SUPPORT RECOVERY AND THE RECEIVER OF CHILD SUPPORT

4-501 Statutory authorization. Under authority of Official Code of Georgia Annotated 15-15-2, Bryan County creates and establishes, jointly with Evans, Liberty, Long, McIntosh, and Tattnall counties, a circuit wide Office of Receiver of Child Support and appoints the Director of Enforcement, Child Support Recovery Unit, Office of the District Attorney of the Atlantic Judicial Circuit as Director of the Officer of the Receiver of Child Support.

4-502 Director. Said director shall receive no salary for serving in this capacity.

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4-503 Budget and fees. Liberty County is designated to administer the budget of this office and to receive the fees provided for in Official Code of Georgia Annotated 15-15-5.

4-504 Salaries and expenses. Salaries and expenses of this office shall be paid from and not exceed the fees collected under Official Code of Georgia Annotated 15-15-5.

ARTICLE VI: BOARD OF HEALTH

4-601 Enactment.

1. AN ORDINANCE ADOPTING AND ENACTING A CODE OF ENFORCEMENT OF RULES AND REGULATIONS OF THE BRYAN COUNTY BOARD OF HEALTH; PROVIDING FOR EXPRESS ADOPTION OF APPLICABLE RULES AND REGULATIONS; PROVIDING FOR DELEGATION OF DUTIES OF IMPLEMENTATION AND ENFORCEMENT TO THE BRYAN COUNTY BOARD OF HEALTH; MAKING PROVISIONS FOR CRIMINAL PENALTIES FOR THE VIOLATION THEREOF; PROVIDING FOR PROCEDURAL RIGHTS; AND PROVIDING FOR THE ESTABLISHMENT OF JURISDICTION OF THE

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MAGISTRATE'S COURT OF BRYAN COUNTY OVER VIOLATIONS OF THIS ORDINANCE.

2. ALL FOR THE PROTECTION AND PRESERVATION OF THE PUBLIC HEALTH, SAFETY, AND WELFARE OF THE PEOPLE OF BRYAN COUNTY, GEORGIA.

4-602 Rules. There are currently in existence certain rules and regulations adopted by the Bryan County board of Health with the purpose of preserving the public health, safety, and welfare of the citizens of Bryan County, Georgia. This ordinance specifically incorporates by reference the provisions of the following rules and regulations which are in force at the time of the adoption of this ordinance:

1. Rules and regulations for on-site sewage management systems adopted by the Bryan County Board of Health, August 26, 1986, as amended.
2. Rules and regulations pertaining to food service (adopted by the Department of Human Resources and Bryan County Board of Health and being Chapter 290-5-14), as amended.
3. Rules and regulations for individual and semi-public water supply systems (adopted by the Bryan County Board of Health on August 26, 1986), as amended.

4-603 Implementation and Enforcement. The duty of implementation and enforcement of these regulations rests with the Bryan County Board of Commissioners, and by virtue of this Ordinance the same is hereby expressly delegated to the Bryan County Board of Health, which is hereby charged with the promulgation of sufficient procedures for insuring compliance with these rules and regulations by the citizens of Bryan County. The Bryan County Board of Health is directed to implement procedures which will insure that the citizens of Bryan County will receive all procedural rights to which they are entitled under the Laws of the State of Georgia.

4-604 Violations.

1. Any violation of the rules and regulations hereby referenced shall be a violation of this Ordinance and shall be a misdemeanor offense. Any violator shall be subject to the imposition of a fine not to exceed \$1,000.00 and/or imprisonment for a period not to exceed sixty (60) days.
2. The Magistrate's Court of Bryan County shall have jurisdiction over violations of this Ordinance and all procedures for enforcement of this Ordinance shall be as provided in Article 4, Chapter 10 Title 15, Official Code of Georgia. Complaints of violations of any provision of this Ordinance shall be brought before the Magistrate's Court by a designated representative of the Bryan County Board of Health and shall be prosecuted through that

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Court. A complaint shall be brought before the Magistrate's Court only after all notices and rights to a hearing before a Hearing Officer of the Board of Health shall have been provided.

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