

Senate Bill 560

By: Senator Harrell of the 40th

AS PASSED

A BILL TO BE ENTITLED

AN ACT

1 To amend an Act creating a new charter for the City of Doraville, approved October 13, 1971
2 (Ga. L. 1971, Ex. Sess., p. 2154), as amended, so as to change the corporate limits of such
3 city; to provide descriptions; to provide for a referendum, effective dates, automatic repeal,
4 mandatory execution of election, and judicial remedies regarding failure to comply; to repeal
5 conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 An Act reincorporating the City of Doraville in the County of DeKalb, approved
9 October 13, 1971 (Ga. L. 1971, Ex. Sess., p. 2154), as amended, is amended by revising the
10 description of the corporate limits of the City of Doraville in Appendix A by adding at the
11 end the following:

12 "(2024-C)(1) In addition to all other territory included within the corporate limits of said
13 city, the corporate limits shall specifically include the following described property, all
14 of which is located in DeKalb County, Georgia:

15 Doraville-Annex-2024

16 District C

17 County DeKalb GA

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18 VTD Oakcliff Elem
 19 Block 021307
 20 2000 3006
 21 Block 021309
 22 1002 1003 1004 2002
 23 Block 021310
 24 1020 1024 1026 1027 1028 1029 1030 1031 1033 3004 3005 3006
 25 3007

26 (A) The term 'VTD' shall mean and describe the same geographical boundaries as
 27 provided in the report of the Bureau of the Census for the United States decennial
 28 census of 2020 for the State of Georgia. The separate numeric designations in a district
 29 description which are underneath a VTD heading shall mean and describe individual
 30 Blocks within a VTD as provided in the report of the Bureau of the Census for the
 31 United States decennial census of 2020 for the State of Georgia; and

32 (B) Except as otherwise provided in the description of any district, whenever the
 33 description of any district refers to a named city, it shall mean the geographical
 34 boundaries of that city as shown on the census maps for the United States decennial
 35 census of 2020 for the State of Georgia.

36 (2) For the purposes of the description provided in this Act, the term 'VTD' shall mean
 37 and describe the same geographical boundaries as provided in the report of the Bureau
 38 of the Census for the United States decennial census of 2020 for the State of Georgia.
 39 The separate numeric designations in a district description which are underneath a 'VTD'
 40 heading shall mean and describe individual blocks within a VTD as provided in the report
 41 of the Bureau of the Census for the United States decennial census of 2020 for the State
 42 of Georgia.

43 (3) Any property described in this Act which on the effective date of this Act is already
 44 incorporated within the corporate limits of a municipality other than the City of Doraville

45 shall not be included within the boundaries of the City of Doraville by operation of this
 46 Act; provided, however, that nothing in this paragraph shall operate to prevent any such
 47 property from being annexed into the City of Doraville in the future if such property is
 48 no longer located within the corporate limits of another municipality.

49 (4) Any property described in this Act which on the effective date of this Act is the right
 50 of way of State Route 403, also known as Interstate 85, or the right of way of State
 51 Route 407, also known as Interstate 285, shall not be included within the boundaries of
 52 the City of Doraville by operation of this Act; provided, however, that nothing in this
 53 paragraph shall operate to prevent any such property from being annexed into the City
 54 of Doraville in the future."

55

SECTION 2.

56 The election superintendent of DeKalb County shall call and conduct a special election as
 57 provided in this section for the purpose of submitting the annexation provided for in this Act
 58 to the electors of the territory sought to be annexed into the City of Doraville under this Act
 59 for approval or rejection. The election superintendent shall conduct such election on the
 60 Tuesday next following the first Monday in November, 2024, and shall issue the call and
 61 conduct such election as provided by general law. The election superintendent shall cause
 62 the date and purpose of the election to be published once a week for two weeks immediately
 63 preceding the date thereof in the official organ of DeKalb County. The ballot shall have
 64 written or printed thereon the words:

65 "() YES Shall the provisions of the Act which annexes certain land, identified as
 66 () NO 2024 Annexation District C, into the City of Doraville be approved?"

67 All persons desiring to vote for approval of the annexation shall vote "Yes," and all persons
 68 desiring to vote for rejection of the annexation shall vote "No." If more than one-half of the
 69 votes cast on such question are for approval of the annexation, then this Act shall become
 70 effective on the first day of the month following the month during which the voters approve

71 such question for all purposes other than ad valorem tax purposes and on
72 December 31, 2024, for ad valorem tax purposes. If more than one-half of the votes cast on
73 such question are for rejection of the annexation, this Act shall not become effective and
74 shall be automatically repealed on July 1, 2025. The expense of such election shall be borne
75 by the City of Doraville. It shall be the election superintendent's duty to certify the result
76 thereof to the Secretary of State. The provisions of this section shall be mandatory upon the
77 election superintendent and are not intended as directory. If the election superintendent fails
78 or refuses to comply with this section, any resident of the City of Doraville or an elector of
79 the territory described in Section 1 of this Act may apply for a writ of mandamus to compel
80 the election superintendent to perform his or her duties under this section. If the court finds
81 that the election superintendent has not complied with this section, the court shall fashion
82 appropriate relief requiring the election superintendent to call and conduct such election on
83 the date required by this section or on the next date authorized for special elections as
84 provided for in Code Section 21-2-540 of the O.C.G.A.

85 **SECTION 3.**

86 Except as provided in Section 2, this Act shall become effective upon its approval by the
87 Governor or upon its becoming law without such approval.

88 **SECTION 4.**

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