

**ORDINANCE AMENDING THE CHARTER OF THE CITY OF
CHATTAHOOCHEE HILLS BY DELETING APPENDIX "B" OF THE CHARTER
IN ITS ENTIRETY AND REPLACING IT WITH A REVISED APPENDIX "B"
ADOPTED BY THE CITY COUNCIL UNDER THE HOME RULE POWERS
FOUND IN O.C.G.A. SECTIONS 36-35-3(b) AND 36-5-4.1 TO REAPPORTION THE
CITY COUNCIL DISTRICTS 1 THROUGH 5 PURSUANT TO THE RESULTS OF
THE 2010 DECENNIAL CENSUS CONDUCTED BY THE UNITED STATES
CENSUS BUREAU AND AS OTHERWISE REQUIRED BY LAW**

WHEREAS, the City of Chattahoochee Hills, Georgia (the "City") was duly created in 2007 and has validly existed as a municipal corporation of the State of Georgia since its incorporation; and

WHEREAS, the City's Charter, Section 2.01(a) establishes the City Council which is composed of five members; and

WHEREAS, the City's Charter, Section 2.01(c) establishes a separate district for each of the five members of the City Council; and

WHEREAS, the United States Census Bureau recently published the 2010 Decennial Census for the United States, the State of Georgia, and for the City; and

WHEREAS, the 2010 Decennial Census shows that the respective City Council districts are mal-apportioned and that the various district lines must be re-drawn to comply with the one person-one vote requirements of the United States Constitution;

WHEREAS, the law in Georgia requires that the reapportionment be limited to adjusting the boundary lines of the existing districts only to the extent reasonably necessary to comply with the one person-one vote requirements; and

WHEREAS, Section 2 of the 1965 Voting Rights Act requires that a redistricting plan not have the purpose or the effect of diluting minority representation; and

WHEREAS, the United States Department of Justice must review and approve the plan and grant preclearance to the plan before the reapportionment can take effect; and

WHEREAS, if for any reason the United States Department of Justice rejects the plan or fails to timely approve the plan, the amendment shall be null and void and the current City Council districts shall remain as drawn until such time as a reapportionment plan is properly

adopted and approved and until such time as a reapportionment plan can be implemented as provided by law; and

WHEREAS, the adoption of the amendment is allowed to be accomplished through local ordinance according to the provisions of Article IX, Section II, Paragraph II of the Constitution of the State of Georgia entitled Home Rule for Municipalities, and O.C.G.A. §§36-35-3 and 36-35-4.1; and

WHEREAS, a synopsis of the proposed ordinance was advertised as required by law; and

WHEREAS, the proposed ordinance was kept on file in the office of the Clerk of the City of Chattahoochee Hills, Georgia and in the office of the Clerk of the Superior Court of Fulton County, Georgia and made available to the public by the recording officer of the municipal governing authority; and

WHEREAS, the proposed ordinance was read at two regular consecutive City Council meetings and duly adopted therein.

BE IT ORDAINED by the City Council of the City of Chattahoochee Hills while in a regular council meeting as follows:

SECTION 1: The current Appendix "B" of the Charter of Chattahoochee Hills is hereby deleted in its entirety.

SECTION 2: The following is adopted to replace Appendix "B" of the Charter of Chattahoochee Hills:

APPENDIX B

Council Districts

Council Districts 1 through 5 shall consist of the described territory of the City of Chattahoochee Hills as found below. All references to Block Groups are to the 2010 Decennial Census provided in the report of the United States Census Bureau for the State of Georgia.

Any part of the City of Chattahoochee Hills which is not included in any such district described herein shall be included within the district contiguous to such part which contains the least population according to the 2010 Decennial Census. Nevertheless, any part of the City of Chattahoochee Hills which is described herein as being in a particular district shall not be included within such district if such part is not contiguous to such district. Such noncontiguous part shall be included with that district contiguous to such part which contains the least population according to the 2010 Decennial Census.

**STATE OF GEORGIA
COUNTY OF FULTON**

ORDINANCE NO. 11-06-85

Any Block Group that is not located in the City of Chattahoochee Hills shall not be included in any district notwithstanding that such Block Group is identified herein and placed in a district. Any portion of a Block Group that is not located in the City of Chattahoochee Hills shall not be included in any district notwithstanding that such Block Group is identified herein and placed in a district. The portion of such a Block Group that is located in the City of Chattahoochee Hills shall remain in the district set forth herein.

In the event that the United States Department of Justice has not granted preclearance to the redistricting plan as proffered and set forth herein by the first date of qualifying for the 2011 Municipal Elections for the City of Chattahoochee Hills, then the districts for the five City Councilmembers shall not be altered from those districts that existed immediately prior to those described herein. In such event, this Appendix shall be null and void and the Appendix B that existed immediately preceding this Appendix shall be revived in full.

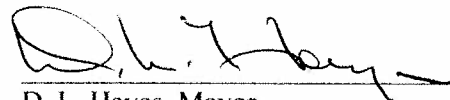
2010 CENSUS BLOCKS PER DISTRICT				
DISTRICT 1	DISTRICT 2	DISTRICT 3	DISTRICT 4	DISTRICT 5
1057	1009	1012	1091	1038
1058	1010	1013	1092	1039
1064	1011	1014	1093	1040
1065	1022	1015	1095	1041
1066	1025	1016	1099	1042
1068	1026	1017	1100	1043
1069	1072	1018	1101	1044
1070	1073	1019	1115	1045
1071	1074	1020	2000	1046
1079	1075	1021	2002	1047
1080	1076	1023	2005	1048
1081	1077	1024	2006	1049
1083	1078	1029	2007	1050
1084	3001	1030	2008	1105
1085	3002	1031	2009	1106
1097	3022	1032	2010	1107
3024	3023	1033	2011	1111
3025	3032	1034	2012	1112
3026		1035	2013	1113
3037		1036	2014	1117
		1037	2015	2016

2010 CENSUS BLOCKS PER DISTRICT

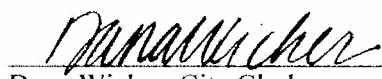
<i>Cont.</i> DISTRICT 1	<i>Cont.</i> DISTRICT 2	<i>Cont.</i> DISTRICT 3	<i>Cont.</i> DISTRICT 4	<i>Cont.</i> DISTRICT 5
		1051	2031	2017
		1052	2036	2018
		1053	2040	2019
		1055	2050	2020
		1056	2055	2021
		1059	2057	2022
		1060	2058	2023
		1090	2059	2024
		1096	3061	2025
		1110	3071	2026
		1114		2027
		1116		2028
				2029
				2045
				2046
				2047
				2048
				2056

SECTION 3: The City Attorney is hereby instructed to forward a copy of this ordinance to the United States Department of Justice for purposes of preclearance.

ORDAINED this the 7th day of June, 2011.


D. L. Hayes, Mayor

Attest:


Dana Wicher, City Clerk

(Seal)

