

# **TITLE III: ADMINISTRATION**

## **Chapter 31**

### **County Officials**

## CHAPTER 31: COUNTY OFFICIALS

### Section

- 31.01 Role and responsibilities of County Attorney
- 31.02 Issuance of citations

### **§ 31.01 ROLE AND RESPONSIBILITIES OF COUNTY ATTORNEY.**

- A) It has come to the attention of the Association of County Commissioners of Georgia and the Georgia Sheriffs Association that there have been misunderstandings as to the obligations and responsibilities of County Attorneys and their proper role in some counties.
- B) The primary function of the County Attorney is to provide legal advice to and to represent Pike County. In doing so, the County Attorney's duties include advising and representing the governing authority, Sheriff, Tax Commissioner, Clerk of Superior Court, Probate Court Judge, officials and employees of the County. The County Attorney's duties also include advising the governing authority and other County officers and employees on their powers and duties under the law, to prepare ordinances and legal documents, to review proposed contracts and to represent the County and its officers in legal proceedings.
- C) Pike County wishes to improve the understanding of the proper role of the County Attorney and clarify the proper role and responsibilities of the County Attorney in the representation of County officers.
- D) Pike County is committed to ensuring that each and every County official receives proper and adequate legal representation when appropriate from the County Attorney for actions taken pursuant to their public duties.
- E) It is Pike County's position that in cases where there is a legal conflict of interest with the County Attorney providing legal representation or where the simultaneous or dual representation by the County Attorney of any officer or employee of the County and the governing authority would constitute a legal conflict of interest, the County should provide for independent legal representation of the County officer and employee.
- F) The County Attorney, as a professional and a member of the State Bar of Georgia, is sworn to uphold the requirements of professionalism. As such, the County Attorney should seek to fully inform the governing authority and any affected County officer of all decisions affecting the resolution of any dispute requiring representation.
- G) The County Attorney should communicate with the governing authority and any affected County officers particularly regarding settlements and discussions of proposed terms of settlements.
- H) The County Attorney should counsel the governing authority and affected County officers and employees on the value of cooperation as a means towards the productive resolution of disputes.
- I) Upon the adoption of this section, a copy of the same shall be transmitted to each County officer of Pike County and to the County Attorney.

(Res. passed 1-11-95)

**§ 31.02 ISSUANCE OF CITATION**

The Director of The Department of Community Development is authorized, directed and empowered to issue citations for violations of ordinances of Pike County. Said citation shall be returnable to the Magistrate Court of Pike County.  
(Res. Passed 7-8-98)(Amd. Res. Passed 09/28/04)