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ANNEXATION - GEORGIA

Fulton County v. City of Atlanta

Supreme Court of Georgia - March 4, 2019 - S.E.2d - 2019 WL 1006321

County brought action for declaratory and injunctive relief against city, asserting that the annexation of property within county's industrial district was prohibited by a local constitutional amendment.

The trial court entered judgment for city. County appealed.

The Supreme Court of Georgia held that amendment was never properly adopted because its enactment violated single subject rule.

Local constitutional amendment that created county industrial district and prohibited municipalities from annexing such land was never properly adopted because its enactment violated single subject rule, and thus city's annexation ordinance was not barred by amendment; amendment also prohibited county from levying school tax within city, which had nothing to do with industrial district, and because amendment provided that there could be no overlap between district and city, taxation of properties in city did not and could not relate to creation of district.