

HOUSE BILL 1556

By Whitson

AN ACT to amend Chapter 126 of the Private Acts of 1967; as amended by Chapter 88 of the Private Acts of 1977; Chapter 45 of the Private Acts of 1987; Chapter 216 of the Private Acts of 1988; Chapter 81 of the Private Acts of 1989; Chapter 152 of the Private Acts of 1990; Chapter 73 of the Private Acts of 1991; Chapter 79 of the Private Acts of 2008; Chapter 39 of the Private Acts of 2012; Chapter 22 of the Private Acts of 2017; and any other acts amendatory thereto, relative to the City of Franklin.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Chapter 126 of the Private Acts of 1967, as amended by Chapter 216 of the Private Acts of 1988, Chapter 152 of the Private Acts of 1990, Chapter 73 of the Private Acts of 1991, Chapter 79 of the Private Acts of 2008, Chapter 39 of the Private Acts of 2012, and any other acts amendatory thereto, is amended by deleting Section 5(b) in Article IV and substituting instead:

(b) Each year at its November meeting, the Board of Mayor and Aldermen shall elect an alderman to the office of vice mayor, who shall serve when the mayor is absent or unable to discharge the duties of the office. The term of vice mayor shall be for one (1) year. In the case of a vacancy in the office of mayor, the vice mayor shall serve until the next regular city election, at which time the office of mayor shall be filled for any unexpired term by the voters. The vice mayor, when serving in the office of mayor, shall have the right to vote on all matters.

SECTION 2. Chapter 126 of the Private Acts of 1967, as amended by Chapter 88 of the Private Acts of 1977, Chapter 45 of the Private Acts of 1987, Chapter 81 of the Private Acts of 1989, Chapter 73 of the Private Acts of 1991 and Chapter 22 of the Private Acts of 2017; and any other acts amendatory thereto, is amended by deleting Section 3 of Article V and substituting instead:

At all meetings at which he or she is present the mayor shall preside. In his or her absence, the vice mayor shall preside and shall have the right to vote in all matters while presiding. In the absence of both mayor and vice mayor, the meeting shall be called to order by the recorder, and the aldermen shall elect a mayor pro tempore who shall be vested for the time with the powers of the mayor. The mayor pro tempore elected under this section shall not act as an alderman but shall have the right to vote in all matters while presiding. A majority of the members of the Board of Mayor and Aldermen shall constitute a quorum, but a smaller number may adjourn from time to time. The board may by ordinance establish its own rules of procedure not inconsistent with this charter, and such rules until amended or abolished shall be as binding upon the board and succeeding boards as though contained in this charter. No vote shall be taken upon an ordinance, resolution, or motion, except a motion to adjourn, unless the same is reduced to writing. Voting, except on procedural motions, shall be by roll call and yeas and nays shall be recorded in the minutes, except as provided in Section 4 of this Article and Section 5 of Article IV, and an affirmative vote of a majority of all members present shall be required for the passage of any ordinance, resolution, or motion. The mayor, excluding the vice mayor and mayor pro tempore when serving as mayor, shall be a member of the board but shall have no vote except in the event of a tie vote or votes to fill vacancies in the office of alderman, as provided in Section 5 of Article IV.

SECTION 3. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of the City of Franklin. Its approval or nonapproval shall be proclaimed by the presiding officer of the legislative body and certified to the secretary of state.

SECTION 4. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 3.