

HOUSE BILL 1904

By Ferguson

AN ACT to amend Chapter 165 of the Private Acts of 1917; as amended by Chapter 546 of the Private Acts of 1931 and Chapter 112 of the Private Acts of 1983; and any other acts amendatory thereto relative to the charter of the city of Harriman.

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

SECTION 1. Chapter 165 of the Private Acts of 1917, as amended by Chapter 546 of the Private Acts of 1931, Chapter 112 of the Private Acts of 1983, and any other acts amendatory thereto, is further amended by deleting the text "It shall require a two-thirds vote of the City Council to remove any officer." from Article III, Section 4 and by adding the following language at the end of said section: "It shall require a majority vote of the City Council to remove any appointed officer or employee of the city. The State Ouster procedures compiled in Tennessee Code Annotated, Title 8, Chapter 47, Part 1 govern the removal of any elected officer."

SECTION 2. Chapter 165 of the Private Acts of 1917, as amended by Chapter 546 of the Private Acts of 1931, Chapter 112 of the Private Acts of 1983, and any other acts amendatory thereto, is further amended by deleting the words "only on warrants drawn" in Article III, Section 14.

SECTION 3. Chapter 165 of the Private Acts of 1917, as amended by Chapter 546 of the Private Acts of 1931, Chapter 112 of the Private Acts of 1983, and any other acts amendatory thereto, is further amended by deleting the language "city warrants," and "warrants," from Article III, Section 18.

SECTION 4. Chapter 165 of the Private Acts of 1917, as amended by Chapter 546 of the Private Acts of 1931, Chapter 112 of the Private Acts of 1983, and any other acts

amendatory thereto, is further amended by deleting Article III, Section 21 in its entirety and by substituting instead the following:

No money shall be paid out by the City Treasurer unless signed by the Mayor and countersigned and registered and attested by the Clerk.

SECTION 5. Chapter 165 of the Private Acts of 1917, as amended by Chapter 546 of the Private Acts of 1931, Chapter 112 of the Private Acts of 1983, and any other acts amendatory thereto, is further amended by deleting the language "and register all warrants drawn upon the Treasurer" in Article III, Section 23.

SECTION 6. Chapter 165 of the Private Acts of 1917, as amended by Chapter 546 of the Private Acts of 1931, Chapter 112 of the Private Acts of 1983, and any other acts amendatory thereto, is further amended by deleting the language "When any of the bonds or city warrants shall be paid off and redeemed and after such redemption of payment shall have been reported to the City Council, it shall be the duty of the Clerk to certify the same, with the number and amounts thereof, to the Mayor whereupon the Mayor and City Clerk shall together examine said bonds and warrants" in Article III, Section 26 and by substituting instead the following:

When any of the bonds shall be paid off and redeemed, and after such redemption of payment shall have been reported to the City Council, it shall be the duty of the Clerk to certify the same, with the number and amounts thereof, to the Mayor whereupon the Mayor and City Clerk shall together examine said bonds.

SECTION 7. Chapter 165 of the Private Acts of 1917, as amended by Chapter 546 of the Private Acts of 1931, Chapter 112 of the Private Acts of 1983, and any other acts amendatory thereto, is further amended by deleting the following language from Article III, Section 27: ", and no warrant shall be drawn except for service actually rendered or for money actually due".

SECTION 8. Chapter 165 of the Private Acts of 1917, as amended by Chapter 546 of the Private Acts of 1931, Chapter 112 of the Private Acts of 1983, and any other acts amendatory thereto, is further amended by deleting the language "Every city officer, both

elected and appointed, shall have been a resident within said city" from Article IV, Section 9 and by substituting instead the following:

With the exception of the City Clerk and City Department Heads, every city officer, both elected and appointed, shall have been a resident within said city

SECTION 9. Chapter 165 of the Private Acts of 1917, as amended by Chapter 546 of the Private Acts of 1931, Chapter 112 of the Private Acts of 1983, and any other acts amendatory thereto, is further amended by adding the following language to the end of Article IV, Section 9:

The City Clerk and City Department heads shall be residents of Roane County within six (6) months of appointment or election.

SECTION 10. Chapter 165 of the Private Acts of 1917, as amended by Chapter 546 of the Private Acts of 1931, Chapter 112 of the Private Acts of 1983, and any other acts amendatory thereto, is further amended by deleting the first four paragraphs and the first sentence of the fifth paragraph from Article VI, Section 2.

SECTION 11. Chapter 165 of the Private Acts of 1917, as amended by Chapter 546 of the Private Acts of 1931, Chapter 112 of the Private Acts of 1983, and any other acts amendatory thereto, is further amended by deleting the last sentence in Article VIII, Section 1.

SECTION 12. Chapter 165 of the Private Acts of 1917, as amended by Chapter 546 of the Private Acts of 1931, Chapter 112 of the Private Acts of 1983, and any other acts amendatory thereto, is further amended by deleting the language ", who shall hold his office for a term of two (2) years, and until his successor is appointed and qualified unless sooner removed as herein provided" from Article VIII, Section 4.

SECTION 13. Chapter 165 of the Private Acts of 1917, as amended by Chapter 546 of the Private Acts of 1931, Chapter 112 of the Private Acts of 1983, and any other acts amendatory thereto, is further amended by deleting the following language from Article IX, Section 3:

; but neither the Chief of the Fire Department nor any assistant or other officer shall be removed or reduced in rank except by trial as herein provided for members of the Fire Department

SECTION 14. Chapter 165 of the Private Acts of 1917, as amended by Chapter 546 of the Private Acts of 1931, Chapter 112 of the Private Acts of 1983, and any other acts amendatory thereto, is further amended by deleting Article IX, Section 5 in its entirety and by substituting instead the following:

The duties of the Fire Chief and each member of the Fire Department shall be under the direction of the Mayor subject to such rules and regulations of the Board of Fire Department Commissioners, and the Fire Chief shall have the control, custody, care, and management of the engine houses, hook, and ladder houses, engines, hose carts, trucks, ladders, telegraph and telephone lines, fire alarms and all other public property and equipments belonging to the fire department. He shall maintain prompt order and discipline among the subordinate officers and employees of the Fire Department.

SECTION 15. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 16. 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 Harriman. Its approval or nonapproval shall be proclaimed by the presiding officer of Harriman and certified to the secretary of state.

SECTION 17. 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 16.