

HOUSE BILL 2645

By Windle

AN ACT to amend Chapter 54 of the Private Acts of 1959; as amended by Chapter 222 of the Private Acts of 1965; Chapter 138 of the Private Acts of 1990; Chapter 64 of the Private Acts of 2000 and Chapter 67 of the Private Acts of 2004; and any other acts amendatory thereto, relative to the charter for the city of Jamestown.

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

SECTION 1. Chapter 54 of the Private Acts of 1959, and any other acts amendatory thereto, is amended in Article II, Section 5, by adding the following language after item (2):

(3) No more than two persons of ownership of real property in fee simple shall be qualified to vote.

SECTION 2. Chapter 54 of the Private Acts of 1959, and any other acts amendatory thereto, is further amended in Article II, Section 8, by deleting the following language:

The Courthouse shall be the voting place for all voters residing south of Highway 52, and the City Hall shall be the voting place for all voters residing north of Highway 52.

SECTION 3. Chapter 54 of the Private Acts of 1959, and any other acts amendatory thereto, is amended in Article III, Section 2, by deleting the following language:

(2) an owner of real property in fee simple within the City,

SECTION 4. Chapter 54 of the Private Acts of 1959, as amended by Chapter 222 of the Private Acts of 1965, Chapter 64 of the Private Acts of 2000, Chapter 67 of the Private Acts of 2004, and any other acts amendatory thereto, is amended by deleting Article III, Section 5 in its entirety and substituting instead the following:

The salaries of the mayor and aldermen shall be set by ordinance. The salary ordinance shall be adopted at least thirty (30) days prior to the qualifying deadline

preceding the regular city election and any change in salary shall take effect only with the start of a new term of office for the mayor or aldermen.

SECTION 5. Chapter 54 of the Private Acts of 1959, and any other acts amendatory thereto, is amended by deleting the first sentence of Article IV, Section 3, and substituting instead the following:

The Mayor shall preside at all meetings of the Board, and in his absence the Aldermen constituting a quorum may designate one of their members to act as presiding officer.

SECTION 6. Chapter 54 of the Private Acts of 1959, and any other acts amendatory thereto, is amended by deleting Article V, Section 5, in its entirety and substituting instead the following:

In the event of an emergency, the nature of which shall be spread upon the minutes, the Board is authorized to borrow in any one fiscal year an amount not to exceed \$50,000, and to appropriate the proceeds to meet the emergency. Such appropriation shall not be within the restrictions of the annual budget. Such borrowing shall be upon negotiable notes signed by the Mayor and Recorder bearing the lowest interest rate obtainable. Provision shall be made in the budget for the succeeding fiscal year for the payment of such notes, and their maturity shall not be extended beyond the succeeding fiscal year.

SECTION 7. Chapter 54 of the Private Acts of 1959, and any other acts amendatory thereto, is amended by deleting Article V, Section 7, in its entirety and substituting instead the following:

All disbursements shall be approved by the Recorder and Mayor. The Recorder and Mayor shall thus determine that each claim against the City is correct and due and shall approve each invoice for payment prior to approval by the Board of Mayor and Aldermen.

SECTION 8. Chapter 54 of the Private Acts of 1959, and any other acts amendatory thereto, is amended by deleting Article VI, A, Section 1, in its entirety and substituting instead the following:

A city judge who shall constitute the City Court shall be appointed by the Board of Mayor and Aldermen to serve at the will of the Board. He shall be not less than twenty-one (21) years of age and shall take the oath prescribed for the Mayor and Aldermen and shall receive payment in an amount set by ordinance. This ordinance shall be adopted at least thirty (30) days prior to the qualifying deadline preceding the regular city election and any change in payment shall take effect only with the start of a new term of appointment coinciding with the mayor or aldermen elections.

SECTION 9. Chapter 54 of the Private Acts of 1959, and any other acts amendatory thereto, is amended by deleting Article VI, Section 3, in its entirety and substituting instead the following:

In addition to the offices required by this Charter, the Board may create such offices and positions of employment as deemed necessary for the efficient operation of the City; and shall fix the compensation for offices and positions created. All such offices and positions of employment shall serve under the supervision of the Mayor, subject to the Personnel Policies and Procedures approved by the Board of Mayor and Aldermen. All officers and employees who are authorized to receive or to have custody of public funds shall give bond acceptable to and in an amount to be determined by the Board. The cost of bonds of officers and employees may be made an expense of the City, and instead of individual bonds, a blanket bond may be used. All officers, whether their offices are provided by this Charter or the Board, shall, before entering upon the duties of office, take the oath required of the Mayor and Aldermen. In the temporary absence of any officer other than Aldermen, the Mayor shall appoint some qualified person to serve temporarily.

SECTION 10. Chapter 54 of the Private Acts of 1959, and any other acts amendatory thereto, is amended by deleting the following language from Article VI, A, Section 4:

Upon failure to pay fines and costs or to furnish security, the City Judge shall commit the offender to the City Jail or workhouse until such fines and costs have been paid. For each day's confinement, the offender shall be credited with \$2.00, but in no instance shall confinement be in excess of 90 days for any one offense. There shall be

taxed in the bill of costs the same amounts and for the same items allowed for Justices of the Peace for similar items in State cases. In addition he shall include in the costs five dollars for each arrest which amount shall be paid into the treasury of the City.

SECTION 11. Chapter 54 of the Private Acts of 1959, and any other acts amendatory thereto, is amended by deleting Article VI, A, Section 7, in its entirety.

SECTION 12. 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 Jamestown. Its approval or nonapproval shall be proclaimed by the presiding officer of the city of Jamestown and certified to the secretary of state.

SECTION 13. 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 12.