

SENATE BILL 1632

By Pody

AN ACT to amend Chapter 325 of the Private Acts of 1945; as amended by Chapter 335 of the Private Acts of 1968; Chapter 282 of the Private Acts of 1972; Chapter 23 of the Private Acts of 1973; Chapter 93 of the Private Acts of 1983; Chapter 90 of the Private Acts of 2000; Chapter 136 of the Private Acts of 2002; Chapter 77 of the Private Acts of 2002 and Chapter 27 of the Private Acts of 2011; and any other acts amendatory thereto, relative to the charter of the City of Lafayette.

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

SECTION 1. Chapter 325 of the Private Acts of 1945, as amended by Chapter 335 of the Private Acts of 1968, Chapter 282 of the Private Acts of 1972, Chapter 23 of the Private Acts of 1973, Chapter 93 of the Private Acts of 1983, Chapter 90 of the Private Acts of 2000, Chapter 136 of the Private Acts of 2002, Chapter 77 of the Private Acts of 2002, and Chapter 27 of the Private Acts of 2011, and any other acts amendatory thereto, is amended by deleting the first two paragraphs of Section 3 and substituting instead:

Section 3. No person shall be eligible to hold the office of council member who is not twenty-one (21) years of age or over, and who is not a resident of and property owner in the City of Lafayette for at least one (1) year preceding the election in which such person is elected.

No person shall be eligible to hold the office of mayor who is not twenty-one (21) years of age or over, and who has not been a resident of and property owner in the City of Lafayette for at least two (2) years preceding the election in which said person is elected.

SECTION 2. Chapter 325 of the Private Acts of 1945, as amended by Chapter 335 of the Private Acts of 1968, Chapter 282 of the Private Acts of 1972, Chapter 23 of the Private Acts of 1973, Chapter 93 of the Private Acts of 1983, Chapter 90 of the Private Acts of 2000, Chapter 136 of the Private Acts of 2002, Chapter 77 of the Private Acts of 2002, and Chapter 27

of the Private Acts of 2011, and any other acts amendatory thereto, is amended by adding the following paragraph immediately following the fifth paragraph of Section 3:

If a council member or mayor is absent six (6) consecutive council meetings said member shall be removed and replaced by the existing five (5) council members.

SECTION 3. Chapter 325 of the Private Acts of 1945, as amended by Chapter 335 of the Private Acts of 1968, Chapter 282 of the Private Acts of 1972, Chapter 23 of the Private Acts of 1973, Chapter 93 of the Private Acts of 1983, Chapter 90 of the Private Acts of 2000, Chapter 136 of the Private Acts of 2002, Chapter 77 of the Private Acts of 2002, and Chapter 27 of the Private Acts of 2011, and any other acts amendatory thereto, is amended by deleting the last paragraph of Section 3 and substituting:

No person who is a member of the immediate family of the mayor or of a council member shall be employed by the city. The immediate family shall include the mayor or council member's spouse, children, father, mother, brother, sister, grandparent, grandchild, half-brother, half-sister, or the spouse or children of such family member.

SECTION 4. Chapter 325 of the Private Acts of 1945, as amended by Chapter 90 of the Private Acts of 2000 and Chapter 27 of the Private Acts of 2011, and any other acts amendatory thereto, is amended by deleting the first paragraph of Section 8 and substituting:

Section 8. There shall be appointed by the mayor, subject to confirmation of the city council, a city judge; a city attorney; a city recorder; an auditor or comptroller; a director of public works; a superintendent of water; a superintendent of gas; a chief of police and such day and night police officers as the council may provide by ordinance or resolution; a superintendent of sewer; a chief of the fire department and members thereof; members of the park commission; and such other agents and employees as the city council by ordinance designate and provide. The filling of the offices and positions and duties of such offices are left within the discretion and determination of the mayor and city council.

SECTION 5. 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 Lafayette. Its approval or nonapproval shall be proclaimed by the presiding officer of the legislative body and certified to the secretary of state.

SECTION 6. 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 5.