

HOUSE BILL 1347

By Sexton

AN ACT to amend Chapter 179 of the Private Acts of 1923; as amended and rewritten by Chapter 115 of the Private Acts of 2004; and any other acts amendatory thereto, relative to the charter of the City of Spencer.

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

SECTION 1. Chapter 179 of the Private Acts of 1923; as amended and rewritten by Chapter 115 of the Private Acts of 2004; and any other acts amendatory thereto, is amended in subsection (a) in Section 10 by deleting subsection (a) in its entirety and substituting instead the following:

(a) The Mayor and Alderman, under the style of "board," shall constitute the legislative body of the corporation. The board shall meet once every two (2) months, and more often as it deems it necessary. The board shall have the power to pass all ordinances and resolutions, and to make all orders that are necessary to carry out the objects of this charter. The board shall not be required to pass an ordinance at more than two (2) meetings or more than (2) readings; nor shall the board be required to pass a resolution at more than (1) meetings or more than one (1) reading. However, before any ordinance or resolution becomes effective, it shall be read in an open meeting of said board and shall be signed and approved by the Mayor on or before the next meeting of the board; provided, however, the Mayor may veto any such ordinance or resolution as provided in subsection (d).

SECTION 2. Chapter 179 of the Private Acts of 1923; as amended and rewritten by Chapter 115 of the Private Acts of 2004; and any other acts amendatory thereto, is amended in Section 11 by deleting the section in its entirety and by substituting instead the following new language:

Section 11. The Mayor shall be a full-time Mayor who shall be the Chief Executive Officer of the city responsible for the daily oversight and administration of the affairs of the city. The Mayor's responsibility for the daily oversight and administration of the affairs of the city shall include the authority to employ, assign, promote, discipline, suspend, and discharge all employees and department heads in accordance with personnel policies and procedures, if any, adopted by the board, except that nothing in this charter, nor any policies or procedures adopted by the board shall be interpreted or construed to grant a property right in the continued employment of the city's employees or department heads. In addition to any other duties contained in this charter, the Mayor shall also have the duty to preside at all meetings of the board, vote on all questions coming before the board in case of a tie vote, make such recommendations as the Mayor desires for the best interest of the city, call special meetings of the board when the Mayor deems it necessary, be the ceremonial head of the city, and accept legal process on behalf of the city.

SECTION 3. Chapter 179 of the Private Acts of 1923; as amended and rewritten by Chapter 115 of the Private Acts of 2004; and any other acts amendatory thereto, is amended in Section 17 by deleting the section in its entirety and substituting instead the following new language:

Section 17. In the absence of the Recorder, or in case of disabilities of the Recorder that would, even with a reasonable accommodation, affect the Recorder's ability to perform an essential function of the job, the Mayor shall perform all the duties of said Recorder, and the Mayor is hereby given the same power and authority in such cases as are generally granted herein to the Recorder.

SECTION 4. 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 Spencer. Its approval or nonapproval shall be proclaimed by the presiding officer of the legislative body and certified to the secretary of state.

SECTION 5. For the purpose of approving or rejecting the provisions of this act, it shall become effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 4.