

HOUSE BILL 1516

By Shaw

AN ACT to amend Chapter 142 of the Private Acts of 1953; as amended by Chapter 143 of the Private Acts of 1965; Chapter 122 of the Private Acts of 1981; Chapter 12 of the Private Acts of 1985; Chapter 68 of the Private Acts of 1995; Chapter 186 of the Private Acts of 1996; Chapter 35 of the Private Acts of 2005; and any other acts amendatory thereto, relative to the charter of the City of Bolivar.

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

SECTION 1. Section 2.03 of Chapter 142 of the Private Acts of 1953, as amended by Chapter 143 of the Private Acts of 1965, Chapter 122 of the Private Acts of 1981, Chapter 12 of the Private Acts of 1985, Chapter 68 of the Private Acts of 1995, Chapter 186 of the Private Acts of 1996, Chapter 35 of the Private Acts of 2005, and any other acts amendatory thereto, is amended by deleting the Section in its entirety and substituting instead the following:

Section 2.03. City Council and Salary of Mayor and City Council. The councilmembers shall compose the city council, in which is vested all corporate legislative and other powers of the city, except as otherwise provided in this Act.

The council shall be the final judge of the election and qualifications of its members.

The council shall levy all taxes, apportion and appropriate all funds, and it shall make all assessments of the cost of street improvements or repairs which may be specially assessed. It shall make or authorize the making of all contracts, ordinances or resolutions adopted by the council, or reduced to writing and approved by the council, or expressly authorized by ordinance or resolution adopted by the council.

The mayor and each member of the council shall be paid a salary as fixed by the city council by ordinance. Any amendment to the salary ordinance shall be adopted at

least sixty (60) days prior to the qualifying deadline for an election for the mayor and councilmembers. The salaries of the mayor and councilmembers shall be paid in monthly installments from the city treasury. A councilmember serving on a utility board, planning commission, or any other board, commission, or committee, shall be compensated at the same as any other member of the utility board, planning commission, or committee.

The council shall hold regular public meetings at a stated time and place as provided by ordinance, but must meet at least once each month. The council shall meet in special session on written call of the mayor or any two councilmembers and served on the other members personally or left at their residences at least twelve (12) hours in advance of the meeting, but such notice of a special meeting shall not be required if the mayor and all councilmembers are present when the special meeting is called. Only the business stated in the written call may be transacted at a special meeting. The council shall exercise the powers only in public meetings.

A majority of the council shall constitute a quorum. The council may by ordinance adopt rules and bylaws to govern the conduct of its business, including procedures and penalties for compelling the attendance of absent members.

The council shall have the authority to subpoena and examine witnesses, to order the production of books and paper, and shall have the same powers as a circuit court to punish for refusal to obey such an order or subpoena or for disorderly or contemptuous behavior in the presence of the council. Fewer numbers than a majority may adjourn a meeting from day to day.

SECTION 2. Section 4.06 of Chapter 142 of the Private Acts of 1953, as amended by Chapter 12 of the Private Acts of 1985, and any other acts amendatory thereto, is amended by deleting the section and substituting instead the following:

Section 4.06. Purchases shall be made in accordance with the Municipal Purchasing Law of 1983 and amendments thereto; and ordinances or resolutions and purchasing procedures approved by the council. The purchasing agent or designated representative, as provided by ordinance, shall purchase materials, supplies, services,

and equipment, provide for leases and lease-purchases and dispose of surplus property in accordance with purchasing procedures approved by the governing body.

SECTION 3. Section 4.07 of Chapter 142 of the Private Acts of 1953, as amended by Chapter 12 of the Private Acts of 1985, Chapter 68 of the Private Acts of 1995, Chapter 186 of the Private Acts of 1996, and any other acts amendatory thereto, is amended by deleting the section in its entirety and substituting instead the following:

Section 4.07. (Deleted by 2019 amendment to charter.)

SECTION 4. Section 4.09 of Chapter 142 of the Private Acts of 1953, as amended by Chapter 12 of the Private Acts of 1985, and any other acts amendatory thereto, is amended by deleting the section and substituting instead the following:

Section 4.09. Property Taxes. All real and personal property, including the capital stock of merchants and public service companies, assessed as of January 1 of each year, shall be subject to the property tax levied by the city.

SECTION 5. Section 4.11 of Chapter 142 of the Private Acts of 1953, as amended by Chapter 12 of the Private Acts of 1985, and any other acts amendatory thereto, is amended by deleting the section and substituting instead the following:

Section 4.11. Tax due dates and tax bills. The due date for the payment of property taxes shall be October 1. The City shall send tax bills to taxpayers, showing the assessed valuations, amounts of taxes due, tax due dates, and information as to delinquency dates and penalties. Failure to send tax bills shall not, however, invalidate any tax penalty or interest thereon. Property taxes shall become delinquent March 1, at which time such taxes shall be subject to the penalty and interest as prescribed by state law for delinquent county property taxes.

SECTION 6. Section 4.12 of Chapter 142 of the Private Acts of 1953, as amended by Chapter 12 of the Private Acts of 1985, and any other acts amendatory thereto, is amended by deleting the section and substituting the following:

Section 4.12. (Deleted by 2019 amendment to charter.)

SECTION 7. 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 8. 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 Bolivar. Its approval or nonapproval shall be proclaimed by the presiding officer of the legislative body and certified to the secretary of state.

SECTION 9. 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 8.