

HOUSE BILL 3882

By Campbell

AN ACT to amend Chapter 24 of the Private Acts of 1997; as amended by Chapter 5 of the Private Acts of 2003 and Chapter 82 of the Private Acts of 2004; and any other acts amendatory thereto; and any other acts amendatory thereto, relative to amending the charter of Bluff City.

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

SECTION 1. Chapter 24 of the Private Acts of 1997; as amended by Chapter 5 of the Private Acts of 2003; and any other acts amendatory thereto, is amended in Article III by adding the following language at the end of Section 1:

The Mayor and Aldermen shall take office upon the results of the election being certified by the Sullivan County Election Commission and shall hold office until their successors are elected and qualified.

SECTION 2. Chapter 24 of the Private Acts of 1997; and any other acts amendatory thereto, is amended in Article III, Section 5 by deleting the second sentence in the first paragraph and the first sentence in the second paragraph and substituting instead the following language:

Unless otherwise provided by ordinance, the regular meetings of the Board shall be held at seven o'clock p.m. (7:00 p.m.) prevailing time on the second Thursday of each month.

Whenever, in the opinion of the Mayor or three (3) Aldermen, the welfare of the town demands it, the Mayor or the three (3) Aldermen shall call special meetings of the Board of Mayor and Aldermen.

SECTION 3. Chapter 24 of the Private Acts of 1997; and any other acts amendatory thereto, is amended in Article III, by deleting Section 6 in its entirety and substituting instead the following:

Section 6. Vacancies in the Office of Alderman. In the event a vacancy occurs in one (1) or two (2) seats on the Board of Mayor and Aldermen, such vacancies shall be filled by majority vote of the remaining members of the board for the unexpired portion of the term. In the event there are three (3) or more vacancies on the board the Sullivan County Election Commission shall be notified by the town recorder and shall immediately call a special election for the purposes of filling such board vacancies for the unexpired portion of each term in compliance with title 2, chapter 14, part 1.

SECTION 4. Chapter 24 of the Private Acts of 1997; as amended by Chapter 82 of the Private Acts of 2004; and any other acts amendatory thereto, is amended in Article III, by deleting Section 7 in its entirety and substituting instead the following:

Section 7. Vice-Mayor; Vacancy in Office of Mayor. At the first regular or called meeting of the Board of Mayor and Aldermen following the general town election in May or as soon thereafter as possible, the Board shall choose from its membership a Vice-Mayor to serve as Mayor in the Mayor's absence or disability. Any vacancy in the office of Mayor shall be filled by the Vice-Mayor. If the Vice-Mayor declines to fill the office of Mayor he or she shall be deemed to have resigned the position of Vice-Mayor and their position as an Alderman on the Board of Mayor and Aldermen thereby creating a vacancy. In that event, the Board shall select another of its members to fill the vacancy in the office of Mayor. In either case, the person appointed to fill the vacant office of Mayor shall be appointed for the unexpired portion of the Mayor's term.

SECTION 5. Chapter 24 of the Private Acts of 1997; and any other acts amendatory thereto, is amended in Article III, by deleting Section 11 in its entirety and substituting instead the following:

Section 11. Recall. The Mayor and any member or members of the Board of Mayor and Aldermen may be removed from office by recall election held pursuant to Tennessee Code Annotated § 2-5-151.

SECTION 6. Chapter 24 of the Private Acts of 1997; and any other acts amendatory thereto, is amended in Article V, Section 1 by deleting the language "The Mayor shall also have

the power to preside over the town court to the extent prescribed by Article VIII of this charter." in its entirety.

SECTION 7. Chapter 24 of the Private Acts of 1997; and any other acts amendatory thereto, is amended in Article VIII, Section 1 by deleting the language "Alternately, the board may designate the Mayor or the recorder to serve as the town judge." in its entirety.

SECTION 8. Chapter 24 of the Private Acts of 1997; and any other acts amendatory thereto, is amended in Article VIII, by deleting Section 4 in its entirety.

SECTION 9. Chapter 24 of the Private Acts of 1997; and any other acts amendatory thereto, is amended in Article X, by deleting Section 8 in its entirety.

SECTION 10. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of Bluff City. Its approval or nonapproval shall be proclaimed by the presiding officer of Bluff City and certified to the secretary of state.

SECTION 11. 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 10.