

SENATE BILL 1421

By Southerland

AN ACT to amend Chapter 332 of the Private Acts of 1949, as amended by Chapter 105 of the Private Acts of 2000, Chapter 14 of the Private Acts of 2009, and any other acts amendatory thereto, relative to the charter of the town of Parrottsville.

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

SECTION 1. Chapter 332 of the Private Acts of 1949, as amended by Chapter 105 of the Private Acts of 2000, Chapter 14 of the Private Acts of 2009, and any other acts amendatory thereto, is amended in Article II, Section 2.04, by deleting subsection (c) in its entirety and by substituting instead the following:

(c) Not more than two (2) vacant board positions may be filled by appointment of the Board. If a vacancy occurs more than six (6) months prior to a regular election and while two (2) appointed members are on the Board, a special election shall be held by the Cocke County Election Commission on the eighth (8th) Tuesday following occurrence of the vacancy, at which election a person shall be elected to serve the unexpired term of the vacant office. The provisions of this article for regular elections shall govern special elections.

SECTION 2. Chapter 332 of the Private Acts of 1949, as amended by Chapter 105 of the Private Acts of 2000, Chapter 14 of the Private Acts of 2009, and any other acts amendatory thereto, is amended in Article II, Section 2.07, by deleting subsection (b) in its entirety and by substituting instead the following:

(b) Establishment, Maintenance and Distribution of the Parrottsville Town Code.

The Board may have the general and continuing ordinances of the Town assembled into an official code of the Town, which shall be known and may be styled, as the "Parrottsville Town Code". A copy of the code may be updated by the Town Recorder,

in concert with the Town Attorney. Copies of the Parrottsville Town Code shall be made available to the public, and a reasonable duplication fee may be charged to cover the costs of publication. Such duplication fee may be set by ordinance. Following adoption of the Parrottsville Town Code, all ordinances shall be adopted as additions to, deletions from, or amendments to the code.

SECTION 3. Chapter 332 of the Private Acts of 1949, as amended by Chapter 105 of the Private Acts of 2000, Chapter 14 of the Private Acts of 2009, and any other acts amendatory thereto, is amended by deleting Article II, Section 2.09, in its entirety and by substituting instead the following:

Section 2.09. Abatement of Nuisances.

(a) If it is determined by the Board of Mayor and Commissioners that any owner of record of real property has created, maintained or permitted to be maintained on such property the growth of trees, vines, grass, underbrush and/or the accumulation of debris, trash, litter or garbage, or any combination of the preceding elements, or a vacant dilapidated building or structure, so as to endanger the health, safety or welfare of other citizens or to encourage the infestation of rats and other harmful animals, the Mayor shall provide notice to the owner of record to remedy the condition immediately, in accordance with the general law on nuisances. The notice shall be given by United States mail, addressed to the last known address of the owner of record. The notice shall state that the owner of the property is entitled to a hearing. The notice shall be written in plain language and shall also include, but not be limited to, the following elements:

- (1) A brief statement of this section which shall contain the consequences of failing to remedy the noted condition;
- (2) The Mayor's office address and telephone number;
- (3) A cost estimate for remedying the noted condition which shall be in conformity with the standards of cost in the community; and

(4) A place wherein the notified party may return a copy of the notice, indicating the desire for a hearing.

SECTION 4. Chapter 332 of the Private Acts of 1949, as amended by Chapter 105 of the Private Acts of 2000, Chapter 14 of the Private Acts of 2009, and any other acts amendatory thereto, is amended in Article III, Section 3.02, is amended by deleting the language "Administrative Duties of the Manor" from the section title, and by substituting instead the language "Administrative Duties of the Mayor."

SECTION 5. Chapter 332 of the Private Acts of 1949, as amended by Chapter 105 of the Private Acts of 2000, Chapter 14 of the Private Acts of 2009, and any other acts amendatory thereto, is further amended in Article III, Section 3.02, by deleting the following language:

The mayor may direct the Town Attorney to act in the Mayor's stead with respect to these matters, and to take such legal actions as may be warranted to protect the Town's best interests.

SECTION 6. Chapter 332 of the Private Acts of 1949; as amended by Chapter 105 of the Private Acts of 2000, Chapter 14 of the Private Acts of 2009; and any other acts amendatory thereto; is amended in Article III, Section 3.03, by deleting subdivision (4) in its entirety and by renumbering the present subdivision (5) as new subdivision (4).

SECTION 7. Chapter 332 of the Private Acts of 1949, as amended by Chapter 105 of the Private Acts of 2000, Chapter 14 of the Private Acts of 2009, and any other acts amendatory thereto, is amended in Article III, Section 3.05, by deleting subsection (a) in its entirety and by substituting instead the following:

(a) Parrottsville Town Court Judge. The Parrottsville Town Court Judge, who shall constitute the Parrottsville Town Court, shall be a disinterested, neutral person possessing a Tennessee law license and shall be appointed for a term of six (6) years. Should the Parrottsville Town Court Judge position be vacant or the judge be absent, operating under disability or incapacity to perform the duties of the office, the Board may appoint such a disinterested, neutral person to serve as Town Court Judge pro tempore. The Town Court Judge shall not be dissolved unless the Commission agrees and can show proof that the Town can no longer financially support the Town Court.

SECTION 8. Chapter 332 of the Private Acts of 1949, as amended by Chapter 105 of the Private Acts of 2000, Chapter 14 of the Private Acts of 2009, and any other acts amendatory thereto, is amended in Article III, Section 3.07 by deleting subsection (b) in its entirety and by substituting instead the following:

(b) Unless otherwise provided by this charter, the Mayor shall have authority to make appointments, promotions and transfers of employees on hourly wage. The Mayor may demote, suspend and remove employees for reasonable cause. The Mayor may delegate such authority to department heads. The termination of salaried employees or those in law enforcement shall require an affirmative two-thirds (2/3) vote of the Board of Mayor and Commissioners.

SECTION 9. Chapter 332 of the Private Acts of 1949, as amended by Chapter 105 of the Private Acts of 2000, Chapter 14 of the Private Acts of 2009, and any other acts amendatory thereto, is amended in Article IV, Section 4.02, by deleting the following language from subsection (d):

Members of the public may, upon paying the requisite fee, receive the Mayor's message and the full budget, such rates per page and document to be set by ordinance.

SECTION 10. Chapter 332 of the Private Acts of 1949, as amended by Chapter 105 of the Private Acts of 2000, Chapter 14 of the Private Acts of 2009, and any other acts amendatory thereto, is amended in Article IV, Section 4.05, by deleting the language:

Appropriations need not be in more detail than a lump sum for each department or agency.

and by substituting instead the language:

Expenditures for the preceding fiscal year, reasons for recommended departures, and estimates of anticipated revenue from all sources with comparative statements for the past, present and upcoming fiscal year shall be shown.

SECTION 11. Chapter 332 of the Private Acts of 1949, as amended by Chapter 105 of the Private Acts of 2000, Chapter 14 of the Private Acts of 2009, and any other acts amendatory thereto, is amended in Article IV, Section 4.07, by deleting from subsection (b) the language

"five hundred dollars (\$500.00)" and by substituting instead the language "seven hundred fifty dollars (\$750.00)".

SECTION 12. Chapter 332 of the Private Acts of 1949, as amended by Chapter 105 of the Private Acts of 2000, Chapter 14 of the Private Acts of 2009, and any other acts amendatory thereto, is amended in Article IV, Section 4.10, by deleting the language "within ninety (90) days after the end of the fiscal year" and by substituting instead the language "within one hundred eighty (180) days after the end of the fiscal year".

SECTION 13. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of the town of Parrottsville within thirty (30) days of its signing by the governor of this state. Its approval or non-approval shall be proclaimed by the presiding officer of the legislative body and certified to the secretary of state.

SECTION 14. 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 13.