

PRIVATE CHAPTER NO. 36

HOUSE BILL NO. 2382

By Representatives McDaniel, Harrison

Substituted for: Senate Bill No. 2371

By Senator Herron

AN ACT to amend Chapter 131 of the Private Acts of 2004; and any other acts amendatory thereto, relative to the Charter of the City of Lexington.

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

SECTION 1. Chapter 131 of the Private Acts of 2004, and any other acts amendatory thereto, is amended by deleting Section 2 (1) and substituting instead the following:

(1) "Alderman" means a person elected to the board as provided in this charter. The term "Alderman" expressly excludes the position of Mayor.

SECTION 2. Chapter 131 of the Private Acts of 2004, and any other acts amendatory thereto, is amended by deleting Section 6 and substituting instead the following:

Section 6. The legislative powers of the city of Lexington shall be vested in and exercised by a Board of Mayor and Aldermen, elected under the provisions of this act, over whose meetings the Mayor shall preside. Any form of board action shall be passed by a majority of the Aldermen present, if there is a quorum. A quorum shall consist of four (4) Aldermen.

The Board of Mayor and Aldermen shall hold regular monthly meetings and hear and take action on ordinances, resolutions and other matters of City business.

The Board of Mayor and Aldermen may appoint, promote, suspend, transfer and remove any officer or employee of the City; or the Board may, in the Board' s discretion, authorize the Mayor or head of a department or officer responsible to the Board to take such actions regarding subordinates in such department or office. The Board shall appoint such heads of administrative offices or organizational units, as the Board deems necessary. The Board may combine any such administrative offices herein or otherwise established.

Except as otherwise provided in this charter, the compensation of all officers and employees of the city shall be fixed by the Board within the limits of the appropriations ordinance and in accordance with a comprehensive pay plan adopted by the Board.

SECTION 3. Chapter 131 of the Private Acts of 2004, and any other acts amendatory thereto, is amended by adding the following paragraph to Section 10:

The Mayor shall serve as a member of all boards and committees created by the Board of Mayor and Aldermen but shall not have a vote. The Mayor shall have a voice, but shall not have a vote at meetings of the Board of Mayor and Aldermen or at any board or committee meeting created by the Board of Mayor and Aldermen.

SECTION 4. Chapter 131 of the Private Acts of 2004, and any other acts amendatory thereto, is amended by adding the following sentence at the end of Section 11:

The Vice-Mayor shall have a voice and a vote when serving as Mayor.

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 Lexington. Its approval or nonapproval shall be proclaimed by the presiding officer of the city of Lexington 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.

PASSED: May 3, 2007



JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES



RON RAMSEY
SPEAKER OF THE SENATE

APPROVED this 21st day of May 2007



PHIL BREDESEN, GOVERNOR