

TITLE 2

BOARDS AND COMMISSIONS, ETC.

CHAPTER

1. SCHOOL BOARD.
2. RECREATION BOARD.
3. [REPEALED.]
4. CITY BEAUTIFICATION COMMISSION.
5. BOARD OF PUBLIC UTILITIES.
6. [REPEALED.]

CHAPTER 1

SCHOOL BOARD¹

SECTION

- 2-101. Board established.
2-102. Membership.
2-103. Organization.

2-101. Board established. There is hereby established "The Fayetteville School Board" which board shall have general supervision, management and control of the City of Fayetteville school system as provided in the Tennessee Code Annotated. (1979 Code, § 1-1001)

2-102. Membership. (1) Eligibility. Every member shall be a resident and qualified voter of the City of Fayetteville.

(2) Compensation. Each member of the board shall be paid the sum of \$200.00 per month for their services on the board, including the chairman and secretary. Board members shall be reimbursed for all legitimate expenses incurred relative to the performance of their official duties.

An alderman appointed to serve as an ex officio member pursuant to 2-102(3) shall be paid the sum of \$200.00 per month for services on the board, and shall be entitled to reimbursement for all legitimate expenses incurred relative to the performance of his or her official duties.

¹For provisions of the current school bus franchise, see the ordinance dated August 12, 1975, of record in the city clerk's office.

(3) Number and appointment. Said board shall consist of seven (7) members, one of whom shall be an alderman, and all of whom shall be appointed to the board by the board of mayor and aldermen. The board shall be reduced to six (6) members after the term of the alderman appointed in November, 1994, has expired. After the term of said alderman has expired the board of mayor and alderman may appoint an alderman to serve as an ex-officio member for such term as it desires but not longer than the term of the alderman.

(4) Present board. The present school board, exclusive of the alderman member, consists of the following:

(a) William Battle and Jimmy Bills whose terms expire February 5, 1994.

(b) Dee Holland and Dr. Michael Ashby whose terms expire February 5, 1995.

(c) Margaret Carter and William Askew whose terms expire February 5, 1996.

All of the above shall continue in office until their terms expire and all appointments to fill the terms of those expiring, as set out above shall be made for a term expiring August 15, 1996, when the appointments shall be for a term of four years and until their successors are duly elected and qualified.

The present alderman's term shall continue until his term expires in November 1994, and the alderman appointed at that time to fill the term shall be for a term of four years or until his/her term as alderman shall expire, whichever should first occur.

(5) Vacancy. Vacancies occurring in the office of a board member prior to August 15, 1996, shall be filled for the unexpired term by the board of mayor and alderman. Should a vacancy occur between August 16, 1996, and November 15, 1998, the size of the school board shall be reduced by that number. Should a vacancy occur after November 15, 1998, the board of mayor and alderman shall fill the vacancy until the next city election.

(6) (a) In the city election held for aldermen on the first Tuesday of November, 2000, there shall be elected at large by the qualified voters of Fayetteville, a school board composed of six members, the three candidates receiving the first, second and third highest number of votes shall be elected for a term of four years and those candidates receiving the fourth, fifth and sixth highest number of votes shall be elected for a term of two years. Each person elected to the school board thereafter shall be elected for a term of four years.

(b) Each elected member of the school board shall be sworn in as a member on the third Monday of November in the year of their election.

(c) Vacancies occurring in the office of a school board member after the third Monday in November, 2000, shall be filled for the unexpired term by the board of mayor and aldermen until the next general election for which candidates have a sufficient time to qualify

under the law. (1979 Code, § 1-1002, as amended by Ord. #98-13, Dec. 1998, and Ord. #2004-18, Sept. 2004)

2-103. Organization. The board shall organize itself and elect a chairman, secretary and such other officers as it deems appropriate. Minutes of all meetings shall be kept in a minute book which shall remain in the custody of the secretary and be open to public inspection. (1979 Code, § 1-1003)

CHAPTER 2

RECREATION BOARD

SECTION

- 2-201. Establishment and powers generally.
- 2-202. Membership eligibility.
- 2-203. Compensation of members.
- 2-204. Number of members and their appointment.
- 2-205. Terms of members.
- 2-206. Organization of board.
- 2-207. Removal of board members.

2-201. Establishment and powers generally. There is hereby established a City of Fayetteville Recreation Board, hereinafter called "board," which board shall have general supervision, management, and control of all of the recreational facilities and programs of the City of Fayetteville, except that all personnel of the recreation department shall be under the direction of the director of the department of purchases and public services. (1979 Code, § 1-1301)

2-202. Membership eligibility. Every board member shall be a resident and qualified voter of the City of Fayetteville except the member appointed by the County Executive of Lincoln County shall be a resident of Lincoln County. (1979 Code, § 1-1302, as amended by Ord. #96-13, June 1996)

2-203. Compensation of members. Each member of the Recreation Board appointed by the mayor shall be paid the sum of \$75.00 per month for their services on the board and the chairman and secretary shall be paid an additional sum of \$25.00 and \$10.00 per month respectively for their services as such officers. Board members appointed by the mayor shall be reimbursed for all legitimate expenses incurred relative to the performance of their official duties. The member appointed by the county executive shall be compensated by Lincoln County. (1979 Code, § 1-1303, as replaced by Ord. #96-13, June 1996)

2-204. Number of members and their appointment. Said board shall consist of nine members, eight of whom shall be appointed by the mayor and approved by the board of aldermen and one of whom shall be a member of the county commission appointed by the county executive and approved by the Lincoln County Commission. One of the members shall be an alderman of the city. All members shall continue in office until their successors are elected. If any member shall resign from or cease to be a member of the board before the expiration of his/her term, the organization making that persons original

appointment shall appoint a new member to serve for such member's unexpired term. (1979 Code, § 1-1304, as replaced by Ord. #96-13, June 1996)

2-205. Terms of members. All appointments shall be for a term of three years except that the first board shall consist of three members whose terms shall expire January 1, 1972, two members whose terms shall expire January 1, 1973, and two members whose terms shall expire January 1, 1974. The alderman member shall serve only a two year term to run concurrently with his term as alderman. The member appointed by the county executive shall be appointed for a term of three years beginning July 1, 1996. (1979 Code, § 1-1305, as amended by Ord. #96-13, June 1996)

2-206. Organization of board. The board shall meet as soon as possible and adopt bylaws, select officers, and adopt reasonable rules and regulations for the operation of the recreation system. (1979 Code, § 1-1306)

2-207. Removal of board members. Any member of the recreation board may be removed at any time by a two-thirds vote of the board of mayor and aldermen. (1979 Code, § 1-1307)

Change 7, November 12, 2002

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CHAPTER 3

This chapter was repealed by Ord. #2002-11, Sept. 2002.

CHAPTER 4

CITY BEAUTIFICATION COMMISSION

SECTION

- 2-401. Establishment and general duties.
- 2-402. Membership, terms, and compensation.
- 2-403. Bylaws and rules of procedure.
- 2-404. Qualifications of members.
- 2-405. Commission to make recommendations; board to establish policies.
- 2-406. Long range plan to list early priorities.

2-401. Establishment and general duties. There is hereby established the "Fayetteville City Beautiful Commission," hereinafter referred to as the "commission," the commission is charged with the duty and obligation to study, investigate, and carry out plans for improving the sanitation, safety, and cleanliness within the city by beautifying the streets, highways, alleys, lots, yards, and other similar places; to aid in the prevention of fires, diseases, and other casualties by the removal and elimination of trash and other debris from the streets, highways, alleys, lots, yards, plots and other similar places; to encourage the planting, placing, and preservation of trees, flowers, plants, shrubbery, and other objects of ornamentation in the city; to protect song birds and other wild fowl; and to promote public interest in the general improvement of the appearance of the city; provided, however, that nothing herein shall be construed to abridge, or change the powers and duties of the other branches of the local government. (1979 Code, § 1-1401)

2-402. Membership, terms, and compensation. The commission shall consist of five (5) members with the mayor of the city and the recreation director to serve as ex officio and nonvoting members. The members shall be appointed by the mayor and approved by the aldermen for five (5) year terms provided, however, the first appointments shall be for periods of one, two, three, four and five years in order that each year the term of one member shall expire. All appointments shall begin on January 1 of the year of the appointment. Said members shall serve without compensation. (1979 Code, § 1-1402)

2-403. Bylaws and rules of procedure. The commission shall, during its first meeting or as soon thereafter as practicable, adopt bylaws for the operation of said commission, which bylaws, in addition to other matters, shall set the number necessary for a quorum and the procedure for the calling of meetings. (1979 Code, § 1-1403)

2-404. Qualifications of members. Every commission member shall be a qualified voter of the City of Fayetteville. (1979 Code, § 1-1404)

2-405. Commission to make recommendations; board to establish policies. The commission shall make recommendations to the board of mayor and aldermen who will have authority to establish policies for the commission. (1979 Code, § 1-1405)

2-406. Long range plan to list early priorities. The commission will, as soon as possible, obtain a long range plan for city improvement and beautification which will list the early priorities. (1979 Code, § 1-1406)

CHAPTER 5**BOARD OF PUBLIC UTILITIES**¹**SECTION**

2-501. Board to supervise and control; membership; terms.

2-502. Board to govern water and sewer system and gas system.

2-503. [Deleted.]

2-501. Board to supervise and control; membership; terms. The provisions of Private Acts of 1963, ch. 8,² shall be performed, complied with, carried out and made effective insofar as the board of mayor and aldermen is required to act.

The board of mayor and aldermen of the City of Fayetteville, Tennessee, acting in compliance with, and conformity to §§ 3 and 4 of said private act, does hereby create and establish a board of public utilities to supervise and control the management and operation of the consolidated electric system, which board shall have all the rights, powers, privileges, duties, and responsibilities with respect to the consolidated electric system as a board of public utilities has under Tennessee Code Annotated, §§ 7-52-101 through 7-52-203, as amended, with respect to the electric system under its control and supervision.

The utility board shall consist of seven (7) members appointed by the mayor and approved by the board of aldermen. Two (2) of the appointees shall be residents of the city, qualified as provided in Tennessee Code Annotated, §§ 7-52-107 et seq., as amended. Four (4) of the appointees shall own property and reside outside the corporate limits of the city, shall be electric consumers of the consolidated electric system, and otherwise shall be qualified as provided in the aforesaid Tennessee Code Annotated, §§ 7-52-107 et seq., as amended. The initial terms of these initial six (6) appointees shall be as follows:

Two (2) shall serve for terms ending July 1, 1964; two (2) shall serve for terms ending July 1, 1965; and two (2) shall serve for terms ending July 1, 1966. Succeeding appointees shall serve three (3) year terms. Any appointee may be appointed to successive terms. The seventh member of the board shall be an alderman of the city whose term of office shall be fixed by the mayor, not to extend beyond his term as alderman. (1979 Code, § 13-301)

¹Municipal code reference
Electrical code: title 12.

²This act has been codified as § 9b in the unofficial compilation of Fayetteville's charter acts as set out in the front of this code of ordinances.

2-502. Board to govern water and sewer system and gas system.

Under authority granted by Chapter No. 8 of the Private Acts of 1962 and Tennessee Code Annotated, § 7-52-111, the board of public utilities shall govern the Fayetteville Water and Sewer System and the Fayetteville Gas System. All assets, liabilities, and authority of the former water and sewer board and the former gas board are transferred to the board of public utilities. In accordance with Tennessee Code Annotated, § 7-52-111(b), the board of public utilities shall keep separate accounts for the electric plant and each works, making due and proper allocation of all joint expenses, revenues and property valuations. (as added by Ord. #2002-11, Sept. 2002)

2-503. [Deleted.] (as added by Ord. #2002-11, Sept. 2002, amended by Ord. #2006-16, Dec. 2006, and deleted by Ord. #2008-23, Dec. 2008)

CHAPTER 6

This chapter was repealed by Ord. #2002-11, Sept. 2002.