

## TITLE 2

### BOARDS AND COMMISSIONS, ETC.<sup>1</sup>

#### CHAPTER

1. ROCKWOOD PUBLIC LIBRARY AND LIBRARY BOARD.
2. ROCKWOOD MUNICIPAL GOLF COURSE BOARD.
3. ELECTRIC POWER BOARD OF ROCKWOOD.
4. BOARD OF WATERWORKS, SEWERAGE, AND NATURAL GAS COMMISSIONERS.

#### CHAPTER 1

#### ROCKWOOD PUBLIC LIBRARY AND LIBRARY BOARD

#### SECTION

- 2-101. Establishment.
- 2-102. Library board; appointment; terms; compensation.
- 2-103. Powers; duties of board.
- 2-104. Finances.
- 2-105. Use of library.
- 2-106. Rules governing loss, injury to books.
- 2-107. Solicitation of funds, acceptance of gifts, etc.
- 2-108. Vacancies and removal of board members.

**2-101. Establishment.** There is hereby created and established an independent free library to be known and designated as the Rockwood Public Library, which shall be managed and governed by a board of directors of seven (7) members. Said board of directors shall be vested with such power and have such duties as set forth hereinafter. (1970 Code, § 1-1401)

**2-102. Library board; appointment; terms; compensation.** The Rockwood Library Board shall consist of seven (7) members and shall be appointed and confirmed by the governing body of the City of Rockwood. There shall be one member of city council appointed to said board with the term of appointment to run concurrently with the term of election to city council. The original membership of the other six (6) members of said board shall consist of two (2) members appointed for a term of one (1) year each; two (2) members for a term of two (2) years each; two (2) members appointed for a term of three (3) years each. All members thereafter, except the member from city council,

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<sup>1</sup>Municipal code reference  
Civil service board: Title 4.

shall be appointed for a term of three (3) years. All members of said board shall be residents of and taxpayers in the City of Rockwood, except for two (2) members who may be residents outside the City of Rockwood, and said board shall consist of not more than five (5) members of the same sex. All members of said board shall receive compensation of \$50.00 per month, and shall be reimbursed for necessary expenses in the performance of their duties. No board member shall be reappointed to serve more than two (2) consecutive terms. (1970 Code, § 1-1402)

**2-103. Powers; duties of board.** The members of the library board shall organize by electing a chairman, vice chairman, and a secretary. The board shall adopt by-laws and regulations governing its actions. The board shall have the power to direct all the affairs of the library, including appointment of a librarian who shall direct the internal affairs of the library, and such assistants or employees as may be necessary. The board may make and enforce rules and regulations governing operation of the library and expend funds for the special training and formal education of library personnel. (1970 Code, § 1-1403)

**2-104. Finances.** The library board shall prepare annually in detail a budget for public library purposes and shall submit the same to the city council, who shall have full power and authority to strike in whole or in part any item in the budget. The city recorder as treasurer of the library board, shall have custody of all monies and possessions of said board and shall disburse monies only upon receipt of proper invoices and in accordance with a budget approved by city council. All funds belonging to the library board shall be paid into the hands of the treasurer of the city and funds disbursed on behalf of the library shall be in accordance with established procedures of the city. All library accounts of every character shall be audited annually by or under the city.

It is further provided that a treasurer for the library board is hereby authorized to receive funds and disburse same for the board on an internal basis. These funds are to be separate and apart from the duly authorized budget for the library board as adopted by city council, and shall not be a part of the library budget, as set forth by the council. (1970 Code, § 1-1404)

**2-105. Use of library.** The Rockwood Public Library shall be free to the inhabitants and residents of the city; however, the board may, in its discretion, extend the privileges and facilities of the library to persons being outside the city upon such terms as it may deem proper. (1970 Code, § 1-1405)

**2-106. Rules governing loss, injury to books.** The library board shall have the power to make and enforce rules providing penalties for loss or injury to library property. (1970 Code, § 1-1406)

**2-107. Solicitation of funds, acceptance of gifts, etc.** The library board shall have the right to solicit funds, accept gifts, bequests, devises, and donations, in the name of the City of Rockwood for and on behalf of the library, but all funds so received shall be paid into the city treasury and shall be used exclusively for library purposes.

Provided further that the library board shall have the right to create an endowment or trust fund with its separate tax identification number for the purpose of providing additional funds for the library through gifts, bequests, devises and donations. Said endowment or trust fund shall be subject to audit by the municipality. (1970 Code, § 1-1407)

**2-108. Vacancies and removal of board members.** The city council may remove any member of the library board for cause upon two-thirds majority vote. In the event of a vacancy on the public library board occasioned by removal, death, resignation, inability or refusal of a member thereof to serve, said vacancy shall be filled for the unexpired term by appointment and confirmation of the governing body. (1970 Code, § 1-1408)

## CHAPTER 2

### ROCKWOOD MUNICIPAL GOLF COURSE BOARD

#### SECTION

2-201. Establishment.

2-202. Board appointments: terms and compensation.

2-203. Vacancies and removal of board members.

2-204. Powers, duties and responsibilities.

2-205. Employees.

2-206. Finances.

2-207. Solicitations of funds, grants, and gifts.

**2-201. Establishment.** There is hereby created and established the Rockwood Municipal Golf Course Board (the board), which shall be vested with management authority for the Rockwood Municipal Golf Course and Club (municipal golf facility). (1970 Code, § 1-1801)

**2-202. Board appointments: terms and compensation.** The board shall consist of five (5) appointees serving four-year terms; however, the initial terms shall be for one (1), two (2), three (3), and four (4) years; the fifth member shall be a member of the city council and shall serve concurrently with the term of election to the city council. The remaining four (4) members shall be appointed by the chief administrative officer (mayor) subject to approval of the city council. Board members shall be compensated at the rate of \$50.00 per month. (1970 Code, § 1-1802)

**2-203. Vacancies and removal of board members.** Members of the board may be removed for cause upon majority of four (4) votes by the city council. All vacancies shall be filled for the unexpired term; by appointment of the mayor and confirmation of the city council. (1970 Code, § 1-1803)

**2-204. Powers, duties and responsibilities.** Members of the board shall organize and elect officers as deemed necessary by the board, however, the city council member shall not be eligible to serve as permanent chairperson, but shall preside during the election of the chair. The board shall adopt by-laws and rules and regulations governing its action. The board shall have the power to establish and determine policies governing the operation of the municipal golf facility and the services and duties of employees. The board shall prepare for the approval of the city council, an annual budget, that shall include as separate parts, operational elements and capital improvement elements. The operations budget shall separately identify all management personnel and proposals for employee and board compensation, including reimbursement reserves. (1970 Code, § 1-1804)

**2-205. Employees.** The board, with prior approval of the city council, may engage the services of a manager, either as a municipal employee, or under contract for services. Neither the board nor individual members shall exercise direct supervision of non-management personnel, except at such time that the operations of the municipal golf facility is under the direct management of the board or its designated member. (1970 Code, § 1-1805)

**2-206. Finances.** It is the intent that the municipal golf facility shall be a self-sustaining operation, which may from time to time, require financial assistance which may be provided at the discretion of the city council. The council shall exercise fiduciary control and may strike in whole or in part any budget item. The city treasurer shall serve as financial custodian and shall receive and disperse funds of the board as per procedures approved by the city council. Variations from standard municipal policies shall not occur except upon approval of the city council. (1970 Code, § 1-1806)

**2-207. Solicitations of funds, grants, and gifts.** The board shall have the right and shall seek funds from public and private sources in the name of the City of Rockwood for the municipal golf facility, but all funds shall be deposited in the city treasury primarily for the improvement of the municipal golf facility and its operations. At no time shall the expenditure of revenues generated by the municipal golf facility for non-facility related activities, create a deficit in the facility account. (1970 Code, § 1-1807)

## CHAPTER 3

### ELECTRIC POWER BOARD OF ROCKWOOD

#### SECTION

- 2-301. Creation, membership and organization of the board.
- 2-302. Affidavit of board members.
- 2-303. Removal of board members.
- 2-304. Meetings, rules, procedures and compensation for the board.
- 2-305. Powers and duties of the board.
- 2-306. Quorum and voting.
- 2-307. Building permit or certificate of occupancy required before service is supplied.

**2-301. Creation, membership, and organization of the board.** The operation and control of the electric system shall be vested in the Electric Power Board of Rockwood, and the Electric Power Board of Rockwood shall consist of four (4) members appointed by the governing body of the City of Rockwood upon recommendation by the mayor, and one (1) member from the City of Kingston appointed by the governing body of the City of Rockwood upon recommendation by the governing body of the City of Kingston. Three (3) members shall be residents of the City of Rockwood, one (1) member shall be a resident of the City of Kingston, and one (1) member shall be a resident of the unincorporated area served by such board. One (1) of the members who is a resident of the City of Rockwood shall be a member of the city council. The other two (2) members from the City of Rockwood shall be property holders in the city, and shall be residents of the City of Rockwood for one (1) year preceding their appointment. The member from the City of Kingston shall be a property holder in said city, and shall be a resident of said city for one (1) year preceding the appointment. The member from the unincorporated area served by such board shall be a property holder in said unincorporated area and a resident in said unincorporated area for one (1) year preceding the appointment. Upon expiration of the term of each power board member not a member of the city council, the city council of the City of Rockwood shall appoint a successor to serve a four (4) year term, upon recommendation from the mayor, or in the case of the expired term of the power board member from the City of Kingston, upon recommendation of the governing body of the City of Kingston. A board member who is a member of the city council shall serve a term to run with his or her term of office as a member of the city council. Non-council members of the board may not be appointed to succeed themselves more than once. When a vacancy occurs for any other reason, the City Council of the City of Rockwood shall appoint a successor for the unexpired term, only upon recommendation from the mayor, or in the case of a successor to the power board member from the City of Kingston, upon recommendation from the governing body of the City of Kingston. This section

shall not be construed to remove any incumbent from office and the provisions of this section shall be implemented as the terms of office of the members of the board expire.

The power board shall elect from among its members a chairperson and a secretary-treasurer who shall serve a term of one (1) year each and who shall be eligible to succeed themselves. All appointments to the electric power board shall be made by the city council by resolution. (1970 Code, § 13-101, as amended by Ord. #11-1143, May 2011, and Ord. #11-83, Feb. 2014, and replaced by Ord. #12-77, Sept. 2021 *Ch4\_06-20-22*)

**2-302. Affidavit of board members.** All members of the power board, before entering upon the discharge of the duties of their office, shall make and subscribe to an affidavit before some authorized person to administer an oath, that they will faithfully and honestly discharge the duties of their office. However, unless otherwise provided by rules, by-laws or regulations adopted by the power board, and/or unless required by the city council, the members thereof shall serve without bond. (1970 Code, § 13-102)

**2-303. Removal of board members.** Any member of the power board may be removed from office for cause by majority vote of four (4) members of the city council. Any member of the power board may also be removed from office whenever it appears to a majority of the members of the city council that the power board member has a conflict of interest with the power board or the city council of the City of Rockwood. No board member shall be removed by the city council until after a public hearing is held by the city council. The public hearing shall be held only after a notice of hearing has been received by the member to be removed by certified mail at least ten (10) days before the date of hearing. (1970 Code, § 13-103)

**2-304. Meetings, rules, procedures and compensation for the board.** Meetings of the power board shall be held at such intervals and times and at such places as it shall prescribe. The board shall establish its own rules of procedure. Each member of the board shall receive the sum of fifty dollars (\$50.00) per month as compensation for his/her services, the chairman of the board shall receive an additional fifty dollars (\$50.00) per month. The board members shall also be reimbursed for any expenses actually incurred while engaged in the business of the board. (1970 Code, § 13-104, modified)

**2-305. Powers and duties of the board.** The power board shall have the entire and exclusive administrative control of the operation, maintenance, improvement, construction and reconstruction of the electrical system and the improvements and extensions made thereto. It shall have the authority to engage, determine the number of and fix the salaries, qualifications and duties of all employees and to remove any or all employees at its discretion. The board

may also, in its discretion, delegate to a manager or superintendent to be chosen by it the authority to employ and remove subordinate employees.

All revenues derived from the operation of the electric system and all funds now in the hands of the present manager of the system and/or the power board or in the custody or control of the city by virtue of the issuance and sale of electrical system revenue bonds and the acquisition and/or operation of the system shall be deposited in some national or state charter bank or banks or federal savings and loan association bank or banks designated by the board and kept in a separate fund account in the name of the "Electric Power Board of Rockwood." Such funds shall be disbursed on warrants or checks by the board drawn against the said fund account. The warrants or checks shall be signed by the general manager and countersigned by the office manager. Warrants or checks may be signed by the secretary-treasurer of the board, and/or any other member of the power board as the board may designate in the absence or incapacitation of the general manager or office manager. It is further provided that other persons may be designated by the board to sign petty cash checks.

The board shall keep a complete and accurate record of all meetings and actions taken and of all receipts and disbursements and shall make reports of same to the city council of the City of Rockwood. Said reports shall consist of the minutes and the financial report of the power board meeting held immediately preceding said report to city council. All reports and financial statements shall be in writing and shall be filed with the city council at least five (5) days preceding the regular monthly meeting of the city council and a copy of said reports shall be filed with the recorder for permanent record. The superintendent shall attend council (city council) meetings upon request.

The board shall have the authority to employ legal counsel, engineers and other professional services at any time the board deems it necessary to employ such services.

All powers and duties granted in this section however, shall be subject of the provisions of all applicable electric system bond ordinances and resolutions and further subject to the provisions of any and all contract agreements heretofore entered into by the City of Rockwood and the Tennessee Valley Authority and/or the purchasers of electrical system revenue bonds. (1970 Code, § 13-105)

**2-306. Quorum and voting.** A majority of the members of the power board (3) shall constitute a quorum thereof for the transaction of business. The affirmative vote of a majority of those present at any meeting shall be necessary to adopt any motion, resolution, rule or to adopt any measure. The chairman shall at all times be entitled to vote upon any and all questions before the board. (1970 Code, § 13-106)

**2-307. Building permit or certificate of occupancy required before service is supplied.** Prior to the provision of electric, water, gas, or



sewer utility services to a site the service provider shall require the applicant to provide a valid building permit or certificate of occupancy. A certificate of occupancy may be issued without inspection of an existing structure, residential or business, provided the building inspector determines that the property complies with zoning requirements and that an inspection is not required under the provisions of title 13, chapter 2 and/or other municipal ordinances and codes. (1970 Code, § 13-107)

## CHAPTER 4

**BOARD OF WATERWORKS, SEWERAGE, AND NATURAL  
GAS COMMISSIONERS<sup>1</sup>****SECTION**

2-401. Creation; membership; term; qualifications; compensation; powers and duties.

2-402. Meeting.

2-403. Quorum.

2-404. Removal of members.

2-405. Method of notices.

**2-401. Creation; membership; term; qualifications; compensation; powers and duties.** There is hereby created a board to be known and designated as the board of waterworks, sewerage and natural gas commissioners, which shall be responsible for the custody, administration, operation, maintenance and control of the Waterworks, Sewerage and Natural Gas Systems of the City of Rockwood.

The Board of Waterworks, Sewerage and Natural Gas Commissioners of the City of Rockwood shall consist of five (5) members appointed by the governing body of the City of Rockwood upon recommendation by the mayor. Four (4) members shall be residents of the City of Rockwood, and one (1) member shall be a resident of the unincorporated area served by such board. One (1) of the members that is a resident of the City of Rockwood shall be a member of the city council. The other three (3) members from the City of Rockwood which shall be property holders in the city, and shall be residents of the City of Rockwood for one (1) year preceding their appointment. The one (1) member from the unincorporated area of such board shall be a property holder in said unincorporated area and shall be a resident thereof for one (1) year preceding their appointment. Upon expiration of the term of each board member not a member of the city council, the City Council of the City of Rockwood shall appoint a successor to serve a four (4) year term upon recommendation by the mayor. A board member who is a member of the city council shall serve a term to run with his or her term of office as a member of the city council. Non-council members of the board may not be appointed to succeed themselves more than once. When a vacancy occurs for any other reason, the City Council of the City of Rockwood shall appoint a successor for the unexpired term only upon recommendation by the mayor.

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<sup>1</sup>Municipal code reference

Water, sewers, and gas: title 18, ch. 4.

This section shall not be construed to remove any incumbent from office and the provisions of this section shall be implemented as the terms of office of members of the board expire. Members of the board of waterworks, sewerage and natural gas commissioners shall qualify in the manner required by Public Acts 1933, Chapter 68 (Tennessee Code Annotated, §§ 7-35-401, et seq.). After having taken the oath of office required for governing officials, the board shall meet for the purpose of effecting its organization as provided in the above-mentioned public act. The board shall elect a chairperson from among its membership, and the chairperson shall serve a term of one (1) year. The chairperson may be reelected for consecutive and multiple terms. The members of the board shall receive no compensation for their services but shall receive an allowance in the amount of fifty dollars (\$50.00) per month for the attendance at meetings. The board member shall also be reimbursed for any expenses actually incurred while engaged in the business of the board. The board shall elect a secretary-treasurer who need not be a member of the board. The board, in its discretion, shall fix the amount of any surety bond that the board will require of such secretary-treasurer and may, in its discretion, fix compensation for such secretary-treasurer. After the board has effected its organization, it shall have and exercise all of the powers and duties prescribed for it by the aforementioned 1933 Public Act and keep the records and accounts required by that Act subject to the making of additional provisions or regulations as the city council is authorized to make under such Act. All appointments to the board of waterworks, sewerage and natural gas commissioners shall be made by the city council by resolution. The board shall make reports to the City Council of the City of Rockwood consisting of minutes and the financial report of the board meetings held immediately preceding said report to city council. All reports and financial statements shall be in writing and shall be filed with the city council at least five (5) days preceding the regular monthly meeting of city council and a copy of said report shall be filed with the city recorder for permanent record. (1970 Code, § 13-201, as amended by Ord. #1040, Nov. 2000, and replaced by Ord. #11-1133, Sept. 2010, Ord. #11-1136, Oct. 2010, Ord. #11-1141, March 2011, Ord. #12-40, June 2017, and Ord. #12-78, Sept. 2021 ***Ch4\_06-20-22***)

**2-402. Meetings.** The board of waterworks, sewerage and natural gas commissioners shall meet in council chambers, city hall, the fourth (4th) Tuesday of each month at 6:00 P.M. local time for the regular business session of the board, and at all other times and places as the board may adjourn to or reschedule the regular meeting to. The board may hold additional meetings at such times and places as needed for the conduct of any special business. Business transacted at special called meeting shall be confined to the subjects stated in the call. Written notice of special meeting shall state the time, place and purpose of such meetings and shall be mailed, postage prepaid, or otherwise delivered, at least five (5) days before such meeting to each board member at such address as appears on the books of the board. Any two (2) board members

may call a special meeting of the board at any time provided the aforesaid notice is properly given to all members. (1970 Code, § 13-301, as amended by Ord. #03-1065, July 2003, and Ord. #08-1109, Oct. 2007, as amended by Ord. #1040, Nov. 2000, replaced by Ord. #11-1133, Sept. 2010, Ord. #11-1136, Oct. 2010, Ord. #11-1141, March 2011, amended by Ord. #12-35, April 2017, and replaced by Ord. #12-40, June 2017)

**2-403. Quorum.** A majority of the members of the power board (3) shall constitute a quorum thereof for the transaction of business. The affirmative vote of a majority of those present at any meeting shall be necessary to adopt any motion, resolution, rule or to adopt any measure. The chairman shall at all times be entitled to vote upon any and all questions before the board. (1970 Code, § 13-302, modified, as replaced by Ord. #11-1133, Sept. 2010, deleted by Ord. #11-1136, Oct. 2010, and added by Ord. #11-1141, March 2011)

**2-404. Removal of members.** Any member of the board may be removed from office for cause, but only after preferment of formal charges and a trial before a court of proper jurisdiction. Charges may be preferred by resolution of the governing body of the City of Rockwood, by any member of the board, or by a petition signed by two percent (2%) or more, but no fewer than twenty-five (25) in number of the owners of property served by the Rockwood water, sewer and natural gas department. (1970 Code, § 13-220, as replaced by Ord. #11-1133, Sept. 2010, deleted by Ord. #11-1136, Oct. 2010, added by Ord. #11-1141, March 2011, and replaced by Ord. #12-40, June 2017)

**2-405. Method of notices.** Whenever under the provisions of this ordinance notice is required to be given to any board member, it shall not be construed to mean personal notice but such notice is given in writing by mail by depositing the same in the post office or letter box in a postpaid, sealed wrapper, addressed to such board members at last address as appears on the books of the commission and such notice shall be deemed to be given at the time when the same shall thus be mailed. (1970 Code, § 13-303 as replaced by Ord. #11-1133, Sept. 2010, deleted by Ord. #11-1136, Oct. 2010, and added by Ord. #11-1141, March 2011)