

TITLE 2**BOARDS AND COMMISSIONS, ETC.****CHAPTER**

1. RECREATION COMMISSION.
2. SAFETY COMMITTEE.
3. PUBLIC LIBRARY BOARD AND PUBLIC LIBRARY.
4. PARKS COMMISSION.
5. CITY HOUSING AUTHORITY.

CHAPTER 1**RECREATION COMMISSION****SECTION**

- 2-101. Inter-local agreement.
- 2-102. [Deleted.]
- 2-103. [Deleted.]
- 2-104. [Deleted.]
- 2-105. [Deleted.]
- 2-106. [Deleted.]
- 2-107. [Deleted.]
- 2-108. [Deleted.]
- 2-109. [Deleted.]
- 2-110. [Deleted.]

2-101. Inter-local agreement. Pursuant to Tennessee Code Annotated, the board of mayor and aldermen hereby authorizes the Mayor of the Town of Mount Carmel, upon the advise and consent of the board of mayor and aldermen, to enter into inter-local agreements with neighboring municipalities for providing joint recreation programs, acquiring equipment and facilities in the use of such programs, staffing such programs, and doing all things incidental and necessary thereto for the purpose of conducting a recreation program. (1990 Code, § 2-101, as replaced by Ord. #12-374, May 2012)

2-102. [Deleted.] (1990 Code, § 2-102, as deleted by Ord. #12-374, May 2012)

2-103. [Deleted.] (1990 Code, § 2-103, as deleted by Ord. #12-374, May 2012)

2-104. [Deleted.] (1990 Code, § 2-104, as deleted by Ord. #12-374, May 2012)

2-105. [Deleted.] (1990 Code, § 2-105, as deleted by Ord. #12-374, May 2012)

2-106. [Deleted.] (1990 Code, § 2-106, as deleted by Ord. #12-374, May 2012)

2-107. [Deleted.] (1990 Code, § 2-107, as deleted by Ord. #12-374, May 2012)

2-108. [Deleted.] (1990 Code, § 2-108, as deleted by Ord. #12-374, May 2012)

2-109. [Renumbered.] (1990 Code, § 2-109, as renumbered by Ord. #12-374, May 2012)

2-110. [Deleted.] (1990 Code, § 2-110, as deleted by Ord. #12-374, May 2012)

CHAPTER 2

SAFETY COMMITTEE

SECTION

2-201. Establishment.

2-202. Membership; appointments; terms.

2-203. Vacancies.

2-204. Organization, rules, etc.

2-205. Meetings.

2-201. Establishment. There is hereby established a safety committee to consist of thirteen (13) members. (1990 Code, § 2-201)

2-202. Membership; appointments; terms. The mayor and each member of the board of mayor and aldermen shall serve on the safety committee. Additional members of the safety committee shall be appointed by the mayor and approved by the board of mayor and aldermen. The city attorney shall serve as a non-voting advisory member of the safety committee. The appointed members shall include a member of the police department, fire department, public works department, and the city recorder. (1990 Code, § 2-202)

2-203. Vacancies. The members of the safety committee shall serve without compensation. In the event a vacancy occurs among the appointed members, such vacancy shall be filled by that person's successor in office. (1990 Code, § 2-203)

2-204. Organization, rules, etc. The safety committee shall elect from its appointed members a secretary and chairman. The terms of the chairman and the secretary shall be one (1) year each with eligibility for re-election. The chairman of the safety committee shall be elected prior to April of each calendar year. The safety committee shall report to the board of mayor and aldermen. It shall be the obligation of the safety committee to review all ordinances or resolutions proposed for consideration by the board of mayor and aldermen which involve public safety. (1990 Code, § 2-204)

2-205. Meetings. The safety committee shall meet quarterly. Specially called meetings may be scheduled by the chairman or the mayor. The chairman shall preside at all meetings but in his absence the mayor shall preside at the safety committee meetings. The time and place of the regular meetings shall be selected by the mayor. (1990 Code, § 2-205)

CHAPTER 3

PUBLIC LIBRARY BOARD AND PUBLIC LIBRARY

SECTION

2-301. Public library board established.

2-302. Composition of the board.

2-303. Powers and duties.

2-304. Public library established.

2-301. Public library board established. There is established the Mount Carmel Public Library Board to consist of seven (7) members. (Ord. #183, Nov. 1997, as replaced by Ord. #17-455, July 2017)

2-302. Composition of the board. Not more than one (1) of the seven (7) members shall be a member of the board of mayor and aldermen. This member shall be appointed by the current Mayor and approved by the library board. The members shall serve without salary. Library board members may serve for two (2) consecutive terms of three (3) years. Individuals may be appointed to fill an unexpired term, which will not count as one of the two (2) full terms. The members shall be appointed by the mayor subject to the consent of the board of mayor and aldermen, and must all be residents of Hawkins County, Tennessee. (Ord. #183, Nov. 1997, as replaced by Ord. #17-455, July 2017, and Ord. #19-487, July 2019 *Ch7_10-24-19*)

2-303. Powers and duties. The members of the library board shall organize by electing officers and adopting by-laws and regulations which shall not be subject to the approval of the board of mayor and aldermen. The library board shall advise the board of mayor and aldermen concerning the affairs of the library, shall be autonomous in their appointment of a librarian, who shall direct the internal affairs of the library, and such employees and assistants as may be necessary. The librarian shall be considered a department head answering directly to the library board. The library board shall also be endowed with the authority to promulgate rules and regulations for the library. The library board shall also furnish to the state library agency such statistics and information as may be required, and shall make monthly reports to the board of mayor and aldermen. Additionally, the library board shall take all actions necessary to maintain compliance with any rules or regulations of the Tennessee State Library and Archives, Holston River Regional Library, in order to ensure the continuous involvement of the library as a member of the state system, including reporting to the board of mayor and aldermen any action necessary for that body to undertake. (Ord. #183, Nov. 1997, as replaced by Ord. #17-455, July 2017)

2-304. Public library established. There is hereby established a public library to be known as the "Mount Carmel Public Library" to be operated within the corporate limits of the Town of Mount Carmel, Tennessee, as a member of the Tennessee State Library and Archives, Holston River Regional Library. The Town of Mount Carmel, Tennessee hereby pledges to maintain the funding levels of the Mount Carmel Public Library, in order that it may remain a member of the Tennessee State Library and Archives, Holston River Regional Library. Use of the library shall be free to the inhabitants of the town and its services, privileges, and facilities may be extended to persons residing outside the town upon such terms as the library board may deem proper. (Ord. #183, Nov. 1997, as replaced by Ord. #17-455, July 2017)

CHAPTER 4

PARKS COMMISSION

SECTION

- 2-401. Creation.
- 2-402. Membership; appointment; vacancies; compensation.
- 2-403. Officers.
- 2-404. Staff.
- 2-405. Meetings.
- 2-406. Quorum.
- 2-407. Record of meetings.
- 2-408. Functions.
- 2-409. Budget.
- 2-410. Grants, gifts, and bequests.

2-401. Creation. There is created a parks commission. (Ord. #247, July 2002)

2-402. Membership; appointment; vacancies; compensation.

- (1) The parks commission shall have nine (9) members.
- (2) The mayor shall serve as an ex-officio member; there shall also be two (2) aldermen appointed by the board of mayor and aldermen to serve as ex-officio members. The remaining members shall be appointed by the mayor and confirmed by the board of mayor and aldermen.
- (3) The term of each of the six (6) appointed members shall be three (3) years, except that the terms of the first two (2) appointed members shall be one (1), two (2), and two (3) years respectively. The terms of the ex-officio members shall be coterminous with their term on the board of mayor and aldermen.
- (4) Any appointed member who is absent from three (3) consecutive meetings or from four (4) meetings in any fiscal year shall be deemed to have resigned and a successor shall be appointed as provided herein.
- (5) If a vacancy occurs on the parks commission by death, resignation or inability or refusal of a member to serve, the vacancy shall be filled for the unexpired term by appointment by the mayor.
- (6) The members of the parks commission shall serve without compensation. (Ord. #247, July 2002)

2-403. Officers. The members of the parks commission shall meet in regular session and organize each year by electing from their number a chair, vice-chair, and secretary. Each person so elected shall hold office for one (1) year or until their successor is elected by the parks commission and qualifies. (Ord. #247, July 2002)

2-404. Staff. All officers, departments and committees, boards and commissions of the town shall render reasonable assistance to the parks commission in the orderly performance and discharge of its duties. (Ord. #247, July 2002)

2-405. Meetings. The parks commission shall meet in regular session at least once every other month, the time and place to be designated by a vote of the members. It shall be the duty of the chair to preside over all meetings of the parks commission. In the absence of the chair, the vice-chair shall preside. Any meeting other than a regular meeting may be called by the chair or by any four (4) members. (Ord. #247, July 2002)

2-406. Quorum. Five (5) members of the parks commission present at a meeting shall constitute a quorum. (Ord. #247, July 2002)

2-407. Record of meetings. The secretary of the parks commission shall keep a record of all proceedings of the parks commission. (Ord. #247, July 2002)

2-408. Functions. The parks commission shall serve in an advisory capacity and shall report to the board of mayor and aldermen regarding any and all rules and regulations for the conduct, control, governance and operation of the public parks of the town which the parks commission shall find necessary or desirable. The parks commission shall study the parks needs of the town and recommend to the board of mayor and aldermen on facilities and sites needed or desirable for the use and enjoyment of the citizens of the town. (Ord. #247, July 2002)

2-409. Budget. The parks commission shall submit to the board of mayor and aldermen a suggested annual budget for the operation of the public parks of the town in accordance with the annual budget calendar for each fiscal year. Such recommendation shall be adopted in whole or in part by the board of mayor and alderman and incorporated in the annual budget of the town. Appropriations for park purposes shall be encumbered and disbursed in accordance with the established purchasing procedure manual. (Ord. #247, July 2002)

2-410. Grants, gifts, and bequests. The parks commission shall request that the board of mayor and aldermen apply for any grant that may be available for park purposes; the terms and conditions of which grants shall be accepted at the discretion of the board of mayor and aldermen. Any gift or other contribution made for the use of the public parks of the town may be accepted by the parks commission and shall be deposited with the recorder and held in trust, to be kept separate and apart from all other municipal funds and

property, and any such funds shall be appropriated by the board of mayor and aldermen only with the advice and consent of the parks commission. Any bequest of property, either real or personal, shall be accepted by the board of mayor and alderman after due consideration of any attendant expenses for improvements, maintenance or similar costs and expense. (Ord. #247, July 2002)

CHAPTER 5

CITY HOUSING AUTHORITY

SECTION

2-501. Petition for creation of authority--notice.

2-502. Hearing and determination.

2-503. Application of commissioners--contents.

2-504. Authority is a public body.

2-505. Boundaries of authority.

2-501. Petition for creation of authority--notice. (1) Any twenty-five (25) residents of the Town of Mount Carmel, and of the area within ten (10) miles from the territorial boundaries thereof, may file a petition with the recorder setting forth that there is a need for an authority to function in the town and the surrounding area.

(2) Upon the filing of such a petition, the recorder shall give notice of the time, place, and purpose of a public hearing at which the board of mayor and aldermen will determine the need for an authority in the town and the surrounding area.

(3) Such notice shall be given at the town's expense by publishing a notice, at least ten (10) days preceding the day on which the hearing is to be held, in a newspaper having a general circulation in the town and the surrounding area, or, if there is no such newspaper, by posting such notice in at least three (3) public places within the town, at least ten (10) days preceding the day on which the hearing is to be held. (Ord. #305, Oct. 2005)

2-502. Hearing and determination. (1) Upon the date fixed for the hearing held upon notice as provided in § 2-501, an opportunity to be heard shall be granted to all residents and taxpayers of the town and the surrounding area and to all other interested persons.

(2) After such a hearing, the board of mayor and aldermen shall determine:

(a) Whether unsanitary or unsafe inhabited dwelling accommodations exist in the town and the surrounding area; and/or

(b) Whether there is a lack of safe or sanitary dwelling accommodations in the town and the surrounding area available for all the inhabitants of the Town of Mount Carmel or area. In determining whether dwelling accommodations are unsafe or unsanitary, the board of mayor and aldermen shall take into consideration the following:

(i) The physical condition and age of the buildings;

(ii) The degree of overcrowding;

(iii) The percentage of land coverage;

- (iv) The light and air available to the inhabitants of such dwelling accommodations;
- (v) The size and arrangement of the rooms;
- (vi) The sanitary facilities; and
- (vii) The extent to which conditions exist in such buildings which endanger life or property by fire or other causes.

(3) If it shall determine that either or both of the above enumerated conditions in subsections (a) and (b) exist, the board of mayor and aldermen shall adopt a resolution so finding (which need not go into any detail other than the mere finding) and shall cause notice of such determination to be given to the mayor who shall thereupon appoint, as hereinafter provided, five (5) commissioners to act as an authority. (Ord. #305, Oct. 2005)

2-503. Application of commissioners--contents. (1) The commissioners shall present to the secretary of state an application signed by them, which shall set forth (without any detail other than the mere recital):

(a) That a notice has been given and public hearing has been held as aforementioned, that the board of mayor and aldermen made the aforementioned determination after such hearing, and that the mayor has appointed them as commissioners;

(b) The name and official residence of each of the commissioners, together with a certified copy of the appointment evidencing their right to office, the date and place of induction into and taking oath of office, and that they desire the housing authority to become a public body and a body corporate and politic under this chapter;

(c) The term of office of each of the commissioners;

(d) The name which is proposed for the corporation; and

(e) The location of the principal office of the proposed corporation.

(2) The application shall be subscribed and sworn to by each of the commissioners before an officer authorized by the laws of the state to take and certify oaths, who shall certify upon the application that such officer personally knows the commissioners and knows them to be the officers as asserted in the application, and that each subscribed and swore thereto in the officer's presence. The secretary of state shall examine the application and, if the secretary of state finds that the name proposed for the corporation is not identical with that of a person or of any other corporation of this state or so nearly similar as to lead to confusion and uncertainty, the secretary of state shall receive and file it, and shall record it in an appropriate book of record in the secretary of state's office. (Ord. #305, Oct. 2005)

2-504. Authority is a public body. When the application has been made, filed and recorded, as herein provided, the authority shall constitute a public body corporate and politic under the name proposed in the application.

The secretary of state shall make and issue to the commissioners a certificate of incorporation pursuant to this chapter, under the seal of the state, and shall record the same with the application. (Ord. #305, Oct. 2005)

2-505. Boundaries of authority. (1) The boundaries of such authority shall include the town and the area within ten (10) miles from the territorial boundaries of the town, but in no event shall it include the whole or a part of any other town nor any area included within the boundaries of another authority.

(2) In case an area lies within ten (10) miles of the boundaries of more than one (1) town, such area shall be deemed to be within the boundaries of the authority embracing such area which was first established, all priorities to be determined on the basis of the time of the issuance of the aforementioned certificates by the secretary of state.

(3) After the creation of an authority, the subsequent existence within its territorial boundaries of more than one (1) town shall in no way affect the territorial boundaries of such authority. (Ord. #305, Oct. 2005)