

TITLE 1

GENERAL ADMINISTRATION¹

CHAPTER

1. BOARD OF MAYOR AND ALDERMEN.
2. MAYOR.
3. RECORDER AND TREASURER.
4. CITY CLERK.
5. CODE OF ETHICS.
6. ABSENTEE MAIL BALLOT VOTING PROCEDURES FOR
NON-RESIDENT PROPERTY OWNERS IN MUNICIPAL ELECTIONS.

¹Charter references

See the charter index, the charter itself and footnote references to the charter in the front of this code.

Municipal code references

Fire department: title 7.

Utilities: titles 18 and 19.

Wastewater treatment: title 18.

Zoning: title 14.

CHAPTER 1

BOARD OF MAYOR AND ALDERMEN¹

SECTION

- 1-101. Time and place of regular meetings.
- 1-102. Order of business.
- 1-103. General rules of order.

1-101. Time and place of regular meetings. The board of mayor and aldermen shall hold regular monthly meetings at 6:00 P.M. on the second Tuesday of each month at the town hall. (1996 Code, § 1-101, modified)

1-102. Order of business. At each meeting of the board of mayor and aldermen, the following regular order of business shall be observed unless dispensed with by a majority vote of the members present:

- (1) Call to order by the mayor.
- (2) Recording of those present by the city clerk.
- (3) Reading of minutes of the previous meeting by the city clerk and approval or correction.
- (4) Financial report.
- (5) Reports from committees, members of the board of mayor and aldermen, and other officers.
- (6) Communications from the mayor.
- (7) Old business.

¹Charter references

For charter provisions related to the board of mayor and aldermen, see Tennessee Code Annotated, title 6, chapter 3. For specific charter provisions related to the board of mayor and aldermen, see the following sections:

- City Administrator: § 6-4-101.
- Compensation: § 6-3-109.
- Duties of Mayor: § 6-3-106.
- Election of the board: § 6-3-101.
- Oath: § 6-3-105.
- Ordinance procedure
 - Publication: § 6-2-101.
 - Readings: § 6-2-102.
- Residence requirements: § 6-3-103.
- Vacancies in office: § 6-3-107.
- Vice-Mayor: § 6-3-107.

- (8) New business.
- (9) Grievances from citizens.
- (10) Adjournment. (1996 Code, § 1-102)

1-103. General rules of order. The rules of order and parliamentary procedure contained in Robert's Rules of Order, Newly Revised, shall govern the transaction of business by and before the board of mayor and aldermen at its meetings in all cases to which they are applicable and in which they are not inconsistent with provisions of the charter or this code. (1996 Code, § 1-103)

CHAPTER 2**MAYOR**¹**SECTION**

1-201. Generally supervises town's affairs.

1-201. Generally supervises town's affairs. The mayor shall have general supervision of all municipal affairs and may require such reports from the officers and employees as he/she may reasonably deem necessary to carry out his/her executive responsibilities.² (1996 Code, § 1-201)

¹Charter references

For charter provisions related to the mayor, see Tennessee Code Annotated, title 6, chapter 3. For specific charter provisions related to the mayor, see the following sections:

Vacancies in office: § 6-3-107.

Vice-Mayor: § 6-3-107.

²Charter reference

Duties of Mayor: § 6-3-106.

CHAPTER 3

RECORDER¹ AND TREASURER²

SECTION

- 1-301. To be bonded.
- 1-302. To keep minutes, etc.
- 1-303. To perform general administrative duties, etc.
- 1-304. To sign checks.
- 1-305. Certain duties may be delegated to city clerk.

1-301. To be bonded. The recorder and treasurer shall be bonded in such sum as may be fixed by, and with such surety as may be acceptable to, the board of mayor and aldermen. (1996 Code, § 1-301)

1-302. To keep minutes, etc. The recorder and treasurer shall keep the minutes of all meetings of the board of mayor and aldermen and shall preserve the original copy of all ordinances in a separate ordinance book. (1996 Code, § 1-302)

1-303. To perform general administrative duties, etc. The recorder and treasurer shall perform all administrative duties for the board of mayor and aldermen and for the town which are not assigned by the charter, this code, or the board of mayor and aldermen to another corporate officer. He shall also have custody of and be responsible for maintaining all corporate bonds, records, and papers in such fireproof vault or safe as the town shall provide. (1996 Code, § 1-303)

1-304. To sign checks. The recorder and treasurer, along with the city clerk, shall sign all checks drawn on accounts of the town. (1996 Code, § 1-304)

1-305. Certain duties may be delegated to city clerk. The recorder and treasurer may delegate to the city clerk any clerical duties he sees fit to delegate. The recorder and treasurer, however, will be responsible for seeing

¹Charter references

City recorder: § 6-4-201 et seq.
 Recorder as treasurer: § 6-4-401(c).
 Recorder as judge: § 6-4-301(b)(1)(C).

²Charter references

City treasurer: § 6-4-401 et seq.
 Duties: § 6-4-401.

that delegated duties are carried out in a timely and competent manner. (1996 Code, § 1-305)

CHAPTER 4**CITY CLERK****SECTION**

- 1-401. Position created.
- 1-402. To be bonded.
- 1-403. To sign checks.
- 1-404. To perform delegated duties.

1-401. Position created. There is hereby created the position of city clerk. (1996 Code, § 1-401)

1-402. To be bonded. The city clerk shall be bonded in such sum as may be fixed by, and with such surety as may be acceptable to, the board of mayor and aldermen. (1996 Code, § 1-402)

1-403. To sign checks. The city clerk, along with the recorder and treasurer, shall sign all checks drawn on accounts of the town. (1996 Code, § 1-403)

1-404. To perform delegated duties. The city clerk shall perform such clerical duties as may be delegated by the recorder and treasurer and such other duties as may be imposed by this code of ordinances. (1996 Code, § 1-404)

CHAPTER 5

CODE OF ETHICS¹

SECTION

- 1-501. Applicability.
- 1-502. Definition of "personal interest."
- 1-503. Disclosure of personal interest by official with vote.
- 1-504. Disclosure of personal interest in non-voting matters.
- 1-505. Acceptance of gratuities, etc.
- 1-506. Use of information.
- 1-507. Use of municipal time, facilities, etc.
- 1-508. Use of position or authority.
- 1-509. Outside employment.

¹State statutes dictate many of the ethics provisions that apply to municipal officials and employees. For provisions relative to the following, see the Tennessee Code Annotated (T.C.A.) sections indicated:

Campaign finance: Tennessee Code Annotated, title 2, ch. 10.

Conflict of interests: Tennessee Code Annotated, §§ 6-54-107, 108; 12-4-101, 102.

Conflict of interests disclosure statements: Tennessee Code Annotated, § 8-50-501 and the following sections.

Consulting fee prohibition for elected municipal officials: Tennessee Code Annotated, §§ 2-10-122, 124.

Crimes involving public officials (bribery, soliciting unlawful compensation, buying and selling in regard to office): Tennessee Code Annotated, § 39-16-101 and the following sections.

Crimes of official misconduct, official oppression, misuse of official information: Tennessee Code Annotated, § 39-16-401 and the following sections.

Ouster law: Tennessee Code Annotated, § 8-47-101 and the following sections.

A brief synopsis of each of these laws appears in Appendix A of this municipal code.

1-510. Ethics complaints.

1-511. Violations.

1-501. Applicability. This chapter constitutes the code of ethics for officials and employees of the Town of Bell Buckle. It applies to all full-time and part-time elected or appointed officials and employees, whether compensated or not, including those of any separate board, commission, committee, authority, corporation, or other instrumentality appointed or created by the town. The words "municipal" and "municipality" include these separate entities. (Ord. #06-004, Jan. 2007)

1-502. Definition of "personal interest." 1. For purposes of §§ 1-503 and 1-504, "personal interest" means:

(a) Any financial, ownership, or employment interest in the subject of a vote by a town board not otherwise regulated by state statutes on conflicts of interests; or

(b) Any financial, ownership, or employment interest in a matter to be regulated or supervised; or

(c) Any such financial, ownership, or employment interest of the official's or employee's spouse, parent(s), stepparent(s), grandparent(s), sibling(s), child(ren), or stepchild(ren).

2. The words "employment interest" include a situation in which an official or employee or a designated family member is negotiating possible employment with a person or organization that is the subject of the vote or that is to be regulated or supervised.

3. In any situation in which a personal interest is also a conflict of interest under state law, the provisions of the state law take precedence over the provisions of this chapter. (Ord. #06-004, Jan. 2007)

1-503. Disclosure of personal interest by official with vote. An official with the responsibility to vote on a measure shall disclose during the meeting at which the vote takes place, before the vote and so it appears in the minutes, any personal interest that affects or that would lead a reasonable person to infer that it affects the official's vote on the measure. In addition, the official may recuse himself¹ from voting on the measure. (Ord. #06-004, Jan. 2007)

1-504. Disclosure of personal interest in non-voting matters. An official or employee who must exercise discretion relative to any matter, other than casting a vote, and who has a personal interest in the matter that affects

¹Masculine pronouns include the feminine. Only masculine pronouns have been used for convenience and readability.

or that would lead a reasonable person to infer that it affects the exercise of the discretion shall disclose, before the exercise of the discretion when possible, the interest on a form provided by and filed with the recorder. In addition, the official or employee may, to the extent allowed by law, charter, ordinance, or policy, recuse himself from the exercise of discretion in the matter. (Ord. #06-004, Jan. 2007)

1-505. Acceptance of gratuities, etc. An official or employee may not accept, directly or indirectly, any money, gift, gratuity, or other consideration or favor of any kind from anyone other than the town:

1. For the performance of an act, or refraining from performance of an act, that he would be expected to perform, or refrain from performing, in the regular course of his duties; or

2. That might reasonably be interpreted as an attempt to influence his action, or reward him for past action, in executing town business. (Ord. #06-004, Jan. 2007)

1-506. Use of information. 1. An official or employee may not disclose any information obtained in his official capacity or position of employment that is made confidential under state or federal law except as authorized by law.

2. An official or employee may not use or disclose information obtained in his official capacity or position of employment with the intent to result in financial gain for himself or any other person or entity. (Ord. #06-004, Jan. 2007)

1-507. Use of municipal time, facilities, etc. (1) An official or employee may not use or authorize the use of municipal time, facilities, equipment, or supplies for private gain or advantage to himself.

(2) An official or employee may not use or authorize the use of municipal time, facilities, equipment, or supplies for private gain or advantage to any private person or entity, except as authorized by legitimate contract or lease that is determined by the governing body to be in the best interests of the town. (Ord. #06-004, Jan. 2007)

1-508. Use of position or authority. 1. An official or employee may not make or attempt to make private purchases, for cash or otherwise, in the name of the town.

2. An official or employee may not use or attempt to use his position to secure any privilege or exemption for himself or others that is not authorized by the charter, general law, or ordinance or policy of the town. (Ord. #06-004, Jan. 2007)

1-509. Outside employment. An official or employee may not accept or continue any outside employment if the work unreasonably inhibits the

performance of any affirmative duty of the municipal position or conflicts with any provision of the town's charter or any ordinance or policy. (Ord. #06-004, Jan. 2007)

1-510. Ethics complaints. 1. The town attorney is designated as the ethics officer of the town. Upon the written request of an official or employee potentially affected by a provision of this chapter, the town attorney may render an oral or written advisory ethics opinion based upon this chapter and other applicable law.

2. (a) Except as otherwise provided in this subsection, the town attorney shall investigate any credible complaint against an appointed official or employee charging any violation of this chapter, or may undertake an investigation on his own initiative when he acquires information indicating a possible violation, and make recommendations for action to end or seek retribution for any activity that, in the attorney's judgment, constitutes a violation of this code of ethics.

(b) The town attorney may request that the board of mayor and aldermen hire another attorney, individual, or entity to act as ethics officer when he has or will have a conflict of interest in a particular matter.

(c) When a complaint of a violation of any provision of this chapter is lodged against a member of the board of mayor and aldermen, the board of mayor and aldermen shall either determine that the complaint has merit, determine that the complaint does not have merit, or determine that the complaint has sufficient merit to warrant further investigation. If the board of mayor and aldermen determines that a complaint warrants further investigation, it shall authorize an investigation by the town attorney or another individual or entity chosen by the board of mayor and aldermen.

3. The interpretation that a reasonable person in the circumstances would apply shall be used in interpreting and enforcing this code of ethics.

4. When a violation of this code of ethics also constitutes a violation of a personnel policy, rule, or regulation or a civil service policy, rule, or regulation, the violation shall be dealt with as a violation of the personnel or civil service provisions rather than as a violation of this code of ethics. (Ord. #06-004, Jan. 2007)

1-511. Violations. An elected official or appointed member of a separate municipal board, commission, committee, authority, corporation, or other instrumentality who violates any provision of this chapter is subject to punishment as provided by the town's charter or other applicable law, and in addition is subject to censure by the board of mayor and aldermen. An appointed official or an employee who violates any provision of this chapter is subject to disciplinary action. (Ord. #06-004, Jan. 2007)

CHAPTER 6

**ABSENTEE MAIL BALLOT VOTING PROCEDURES FOR
NON-RESIDENT PROPERTY OWNERS IN MUNICIPAL ELECTIONS**

SECTION

1-601. Absentee mail ballot voting procedures for non-resident property owners in municipal elections.

1-601. Absentee mail ballot voting procedures for non-resident property owners in municipal elections. All persons residing outside the Corporate Limits of the Town of Bell Buckle who own real property within the Corporate Limits of the Town of Bell Buckle and who are entitled to vote in the Town of Bell Buckle municipal elections pursuant to the Bell Buckle Charter, and other general law requirements, shall cast their ballot in the Town of Bell Buckle municipal elections by absentee by mail ballots. (as added by Ord. #14-004, April 2014 *Ch1_11-10-20*)