

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

1. SCHOOL BOARD.
2. RECREATION BOARD.
3. CITY BEAUTIFICATION COMMISSION.
4. BOARD OF PUBLIC UTILITIES.

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*. (1995 Code, § 2-101)

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 two hundred dollars (\$200.00) per month for his or her 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.

(3) Number and appointment. Said board shall consist of six (6) members, all of whom shall be elected by the people. Each member shall be elected to a four (4) year term. Elections shall be held on the Tuesday after the first Monday in even years, with three (3) members being elected in years when a gubernatorial election is held and three (3) members being elected in years when a presidential election is held. Each elected member of the school board shall be sworn in as a member on the third Tuesday after the first Monday of November in the year of his or her election.

¹The current school bus franchise is available in the city clerk's office.

(4) Vacancy. Vacancies occurring in the office of a school board member shall be filled by the board of mayor and alderman until the next city election when school board positions are on the ballot. When the remaining term of a vacant position is more than two years in duration when the vacancy arises, the person appointed by the board to fill the vacancy shall serve until the next city election. At the next city election, the three (3) candidates for school board positions receiving the highest number of votes shall serve full four (4) year terms. The candidate(s) receiving the next highest number(s) of votes shall serve the final two (2) years of the original term(s) of the vacant position(s).

(5) Liaison officer. The board of mayor and alderman may appoint an alderman to serve as a non-voting liaison officer to the school board for such term as it desires but not longer than the term of the alderman. Such alderman shall be entitled to reimbursement of all legitimate expenses incurred relative to the performance of his or her official duties. All other provisions of title 2, chapter 1 shall remain effective. (Ord. #2014-26, Dec. 2014)

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. (1995 Code, § 2-103)

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 city administrator. (1995 Code, § 2-201, modified)

2-202. Membership eligibility. Every board member shall be a resident and qualified voter of the City of Fayetteville. (1995 Code, § 2-202, modified)

2-203. Compensation of members. Members of the recreation board shall serve without pay, but shall be reimbursed for all legitimate expenses incurred relative to the performance of their official duties.

2-204. Number of members and their appointment. Said board shall consist of eight (8) members, who shall be appointed by the mayor and approved by the board of aldermen. One (1) 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 mayor shall appoint a new member to serve for such member's unexpired term. (1995 Code, § 2-204, modified)

2-205. Terms of members. All appointments shall be for a term of three (3) years. The alderman member shall serve only a two (2) year term to run concurrently with his or her term as alderman. (1995 Code, § 2-205, modified)

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. (1995 Code, § 2-206)

2-207. Removal of board members. Any member of the recreation board may be removed at any time by a two-thirds (2/3) vote of the board of mayor and aldermen. (1995 Code, § 2-207)

CHAPTER 3

CITY BEAUTIFICATION COMMISSION

SECTION

- 2-301. Establishment and general duties.
- 2-302. Membership, terms, and compensation.
- 2-303. Bylaws and rules of procedure.
- 2-304. Qualifications of members.
- 2-305. Commission to make recommendations; board to establish policies.
- 2-306. Long range plan to list early priorities.

2-301. 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; 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. (1995 Code, § 2-401, modified)

2-302. 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 four (4) year terms. All appointments shall be made at the board meeting following each mayoral election when other committee appointments are made. Said members shall serve without compensation. (1995 Code, § 2-402, modified)

2-303. 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. (1995 Code, § 2-403)

2-304. Qualifications of members. Every commission member shall be a qualified voter of the City of Fayetteville. (1995 Code, § 2-404)

2-305. 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. (1995 Code, § 2-405)

2-306. 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. (1995 Code, § 2-406)

CHAPTER 4

BOARD OF PUBLIC UTILITIES¹**SECTION**

2-401. Board to supervise and control; membership; terms.

2-402. Board to govern water and sewer system and gas system.

2-401. 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 to 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, with the mayor to serve as an ex-officio and non-voting member. 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 seventh member of the board shall be an alderman of the city whose term of office shall be two (2) years. Any appointee may be appointed to successive terms. (1995 Code, § 2-501, modified)

2-402. 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 and the telecommunications and internet department. All assets, liabilities, and authority of the former water and sewer board and the former gas board are

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.

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. (1995 Code, § 2-502, modified)