

First Reading: May 12, 2020
Second Reading: May 19, 2020

ORDINANCE NO. 13555

AN ORDINANCE TO AMEND THE CHARTER OF THE CITY OF CHATTANOOGA, AND ALL ACTS, ORDINANCES, AND OTHER CHARTER PROVISIONS AMENDATORY THEREOF, PURSUANT TO THE PROVISIONS OF ARTICLE XI, SECTION 9, OF THE CONSTITUTION OF THE STATE OF TENNESSEE (HOME RULE AMENDMENT) SO AS TO CHANGE THE CITY CHARTER BY ADDING A NEW SECTION 13.17, RELATED TO THE ESTABLISHMENT OF A POLICE ADVISORY AND REVIEW COMMITTEE TO TITLE 13 OF THE CITY CHARTER.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE:

SECTION 1. That the present Charter of the City of Chattanooga, and all Acts and Ordinances amendatory thereof, be and is hereby further amended by adding a new Section 13.17 to Title 13 of the City Charter as follows:

Sec. 13.17. Title and Authority for the Police Advisory and Review Committee.

(a) There is hereby created the Police Advisory and Review Committee for the City of Chattanooga.

(b) The Police Advisory and Review Committee is established pursuant to Council's authority under Sections 13.44 and 13.49 of the Charter of the City of Chattanooga to provide for the safe tenure of officers on their jobs so long as they properly and efficiently fulfill the duties of their positions and pursuant to the Council's authority under Section 16-43 of the Chattanooga City Code to ratify and adopt rules and regulations for the government and discipline of the police

department. This Committee shall further have all powers of a Community Oversight Board consistent with Tennessee state law.

(c) The purpose of the Police Advisory and Review Committee is to strengthen the relationship between the citizens of the City of Chattanooga and the Chattanooga Police Department, to assure timely, fair and objective review of citizen complaints while protecting the individual rights of police officers, and to make recommendations concerning citizen complaints to the Chief of Police, the Mayor and to the City Council.

(d) The Committee shall have no authority to direct the Police Chief to alter or to impose any disciplinary action against any employee of the Chattanooga Police Department. In all cases, the Police Chief will be the final authority on case dispositions and discipline of police officers.

FOR THE AMENDMENT ()

AGAINST THE AMENDMENT ()

SECTION 2. BE IT FURTHER ORDAINED, That all provisions in the present Charter of the City of Chattanooga not in conflict with this amendatory home rule ordinance be and the same are continued in full force and effect, and all provisions constituting the Charter of the City of Chattanooga in conflict therewith are hereby repealed.

SECTION 3. BE IT FURTHER ORDAINED, That if any clause, sentence, paragraph, section, or part of this Ordinance shall be held to be unconstitutional or void, it shall not affect the remaining parts of this Ordinance, it being hereby declared to be the legislative intent to have passed the remainder of this Ordinance notwithstanding such part, if any, as may be held to be invalid.

SECTION 4. BE IT FURTHER ORDAINED, That this Ordinance shall be published in full by the Clerk of the City Council in the daily newspaper in the City of Chattanooga after the passage thereof on second and final reading.

SECTION 5. BE IT FURTHER ORDAINED, That the Clerk of the City Council shall certify the passage of this Ordinance to the Hamilton County Election Commission and request that the proposed amendment to the City Charter of the City of Chattanooga, Tennessee, be placed on the ballot to be used in the general state election to be held on or about November 3, 2020.

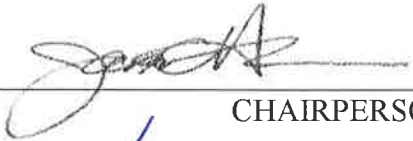
SECTION 6. BE IT FURTHER ORDAINED, That the City Finance Officer is authorized and directed to pay the *pro rata* cost of this special City election.

SECTION 7. BE IT FURTHER ORDAINED, That the Hamilton County Election Commission shall certify to the Clerk of the City Council of the City of Chattanooga, Tennessee, the result of said election, and the said Clerk shall cause said certification to be made a part of the minutes of the City Council.

SECTION 8. BE IT FURTHER ORDAINED, That Section 1 of this Ordinance shall take effect sixty (60) days after its approval by a majority of the qualified voters of the City voting thereon, as provided by Article XI, Section 9, Constitution of Tennessee, the public welfare requiring it.

SECTION 9. BE IT FURTHER ORDAINED, That this Ordinance shall take effect, except for Section 1, immediately from and after its passage and upon signature of the Mayor.

Passed on second and final reading: May 19, 2020


_____ CHAIRPERSON

APPROVED: DISAPPROVED:


_____ MAYOR

PAN/mem/043020