

ORDINANCE 2010-04

AN ORDINANCE OF THE CITY OF BRENTWOOD, TENNESSEE PROVIDING THAT THE CODE OF ORDINANCES OF THE CITY OF BRENTWOOD BE REPEALING SECTION 2-81 AND BY ADDING A NEW SECTION 2-212 TO CHAPTER 2, ARTICLE V, IN REGARD TO FIDELITY BONDS FOR CITY EMPLOYEES

WHEREAS, a provision of the Uniform City Manager-Commission charter (specifically, *Tennessee Code Annotated*, § 6-21-104) requires that the City maintain a fidelity bond in an amount to be prescribed by the Board of Commissioners for the City Manager and every officer, agent, and employee having duties embracing the receipt, disbursement, custody, or handling of money; and

WHEREAS, section 2-66 of the Brentwood Municipal Code requires that a fidelity bond in the sum of \$100,000.00 be maintained for the City Manager; and

WHEREAS, section 2-81 of the Brentwood Municipal Code requires that a fidelity bond in the sum of \$10,000.00 be maintained for the City Recorder; and

WHEREAS, current duties of the City Recorder no longer involve the receipt, disbursement, custody, or handling of money, and a separate fidelity bond is therefore no longer needed for the City Recorder; and

WHEREAS, provisions should be added to the Brentwood Municipal Code to provide for fidelity bond coverage for the various employees of the City whose duties do include the receipt, disbursement, custody, or handling of money.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF BRENTWOOD, TENNESSEE, AS FOLLOWS:

SECTION 1. That section 2-81 of Chapter 2, Article V of the Code of Ordinances of the City of Brentwood is hereby repealed in its entirety and declared null and void and of no effect.

SECTION 2. That Chapter 2, Article V the Code of Ordinances of the City of Brentwood be amended by adding a new section, to be numbered section 2-212, said new section to read as follows:

Sec. 2-212. Fidelity bonds.

Pursuant to T.C.A. § 6-21-104, fidelity bond coverage in a sum of no less than \$500,000.00 shall be maintained to cover every officer, agent and employee having duties embracing the receipt, disbursement, custody or handling of money. The cost of the fidelity bond coverage shall be paid by the city. The terms of coverage and the name of the entity providing the coverage shall be subject to the approval of the board of commissioners.

SECTION 3. In case of conflict between this ordinance or any part hereof, and the whole or part of any existing ordinance of the City, the provision that establishes the higher standard shall prevail.

SECTION 4. If any section, subsection, clause, provision or portion of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, subsection, clause, provision or portion of this ordinance.

SECTION 5. That this ordinance shall take effect from and after its final passage, or fifteen days after its first passage, whichever occurs later, the general welfare of the City of Brentwood, Williamson County, Tennessee, requiring it.

PASSED:	1st reading	_____	PLANNING COMMISSION	_____ N/A
	2nd reading	_____	NOTICE OF PASSAGE	
			Notice published in:	_____ N/A
			Date of publication:	_____
PUBLIC HEARING				
	Notice published in:	_____		
	Date of publication:	_____		
	Date of hearing:	_____	EFFECTIVE DATE	_____

MAYOR	_____ Betsy S. Crossley	RECORDER	_____ Deborah Hedgepath
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Approved as to form:

CITY ATTORNEY	_____ Roger A. Horner
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