

CHARTER OF THE CITY OF COTTAGE GROVE<sup>1</sup>

CHAPTER NO. 54

HOUSE BILL NO. 1532

By Representative Ridgeway

Substituted for: Senate Bill No. 1534

By Senator Springer

AN ACT to repeal, with the exception of Section 1, Chapter 333 of the Private Acts of 1953 as amended by Chapter 322 of the Private Acts of 1955 and any other acts amendatory thereto and to continue the corporate existence of the town of Cottage Grove, Tennessee, by providing a new charter for such corporation.

TABLE OF CONTENTS

<u>SECTION</u>	<u>PAGE</u>
1. Prior charter repealed except for boundaries. . . . .	C-3
2. Corporate name . . . . .	C-3
3. Definitions . . . . .	C-3
4. Corporate boundaries . . . . .	C-4
5. Corporate powers. . . . .	C-4
6. Date of election, officers elected . . . . .	C-7
7. Gifts etc. on behalf of candidates prohibited . . . . .	C-7

---

<sup>1</sup>Priv. Acts 1991, ch. 54, is the current basic charter act for the City of Cottage Grove, Tennessee. The text of the basic charter act set out herein was last amended to reflect legislation passed in the 1991 session of the Tennessee General Assembly and is current with the laws from the 2023 Regular Session of the 113<sup>th</sup> Tennessee General Assembly. Sections of the charter which have been amended contain at the end of those sections the citation to the official act or acts constituting the amendment or amendments. No other changes have been made to the charter except the addition of a table on contents to facilitate its use. A list of all the acts including the basic charter appears at the end of the charter.

Acts of a temporary nature with no general or continuing application, such as bond authorization and validation acts have not been included in this compilation.

<u>SECTION</u>	<u>PAGE</u>
8. Compensation, meetings, quorum . . . . .	C-7
9. Duties of mayor . . . . .	C-8
10. Vice-mayor . . . . .	C-8
11. Vacancy on board. . . . .	C-8
12. Duties of aldermen . . . . .	C-9
13. Ordinances. . . . .	C-9
14. Departments and offices . . . . .	C-9
15. Powers of the mayor . . . . .	C-10
16. Appointment and duties of recorder. . . . .	C-10
17. Appointment and duties of town attorney . . . . .	C-10
18. Town judge. . . . .	C-11
19. Appointment, removal etc. of employees . . . . .	C-12
20. Appointment and promotions based on merit. . . . .	C-12
21. Supplementary rules and regulations governing employment . . . . .	C-12
22. Oath . . . . .	C-12
23. Surety bond . . . . .	C-12
24. Political activity. . . . .	C-12
25. Acceptance of gratuities . . . . .	C-13
26. Fiscal year . . . . .	C-13
27. Budget preparation . . . . .	C-13
28. Adoption of budget. . . . .	C-13
29. Expenditures . . . . .	C-13
30. Contracts and agreements . . . . .	C-13
31. Selling of town property . . . . .	C-14
32. Bidding on contracts for public works . . . . .	C-14
33. Property tax. . . . .	C-14
34. Assessment rolls . . . . .	C-14
35. Tax rate . . . . .	C-14
36. Due dates fixed by ordinance . . . . .	C-14
37. Collection of delinquent taxes. . . . .	C-14
38. Contract with county for collection of taxes . . . . .	C-15
39. No authority to excuse taxes. . . . .	C-15
40. Disbursements made by checks . . . . .	C-15
41. Official depository shall be designated. . . . .	C-15
42. Addition powers to contract and cooperate with other government entities. . . . .	C-15
43. Additional powers to adopt other laws. . . . .	C-15
44. Violation and penalty . . . . .	C-15
45. Severability . . . . .	C-15
46. Local approval . . . . .	C-16
47. Effective date. . . . .	C-16

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. With the exception of Section 1 of Chapter 333 of the Private Acts of 1953, Chapter 333 of the Private Acts of 1953 as amended by Chapter 322 of the Private Acts of 1955 and any other acts amendatory thereto is hereby repealed in its entirety.

SECTION 2. The town of Cottage Grove, Tennessee shall continue as a as a body politic and corporate by the name and style of Cottage Grove, Tennessee, and this act shall constitute its complete charter. The town of Cottage Grove shall have perpetual succession, may sue and be sued, plead and be impleaded, in all the courts of law and equity, and in all action whatsoever, and may have and use a common seal and change it at pleasure.

SECTION 3. As used in this charter the following words and terms shall have the following meanings:

(a) "Alderman" means a person elected to the office of alderman as provided in this charter.

(b) "At large" means the entire town, as distinguished from representation by wards or other districts.

(c) "Board of mayor and aldermen" and "board" means the legislative body of the town, which shall be composed of the mayor and four (4) aldermen elected as provided in this charter.

(d) "Elector" means a qualified voter residing within the town or a qualified voter who has owned in fee simple lands within the town for a period of six (6) months preceding an election.

(e) "Nonpartisan" means without any designation of candidates as members or candidates of any state or national political party or organization.

(f) The masculine shall include the feminine, and the singular shall include the plural and vice versa, except when the contrary intention is manifest.

SECTION 4. The boundaries of the town shall be those fixed by Section 1 of Chapter 333 of the Private Acts of 1953, and annexations made pursuant to general law.<sup>1</sup>

SECTION 5. The town shall have power:

(a) To assess property for taxation, and to levy and provide for the collection of taxes on all property subject to taxation.

(b) To levy and collect privilege taxes on businesses, privileges, occupations, trades, and professions, and to levy and collect any other kind of tax not prohibited to cities by the constitution or general law.

(c) To levy and collect registration fees on motor vehicles operated within the town. Such registration fees may be graduated according to the tonnage capacities, weight, or horsepower of motor vehicles.

(d) To appropriate and borrow money as authorized in this charter, and to authorize the expenditure of money for any municipal purpose.

(e) To acquire land, including improvements thereon, easements, or limited property rights thereto, by purchase, gift or condemnation, for public use, for present or future use by the town, to reserve industrial sites, to provide open spaces, to encourage proper development of the community, or general welfare of the community. Such acquisitions may be within or outside the town.

---

<sup>1</sup>Per Private Acts 1953, ch. 333, § 1, boundaries for the City of Cottage Grove, Tennessee are as follows:

Be it further enacted by the General Assembly of the State of Tennessee, That the town of Cottage Grove, in the County of Henry, and the inhabitants thereof within the boundaries hereinafter specified be, and are hereby, constituted a body politic and corporate by the name and style of "Cottage Grove" and the boundaries of said town to be as follows: Beginning at a monument on Williams Roane's south west corner; running thence east about 450 yards to a monument; thence north about 251 yards to a monument; thence east about 50 yards to a monument; thence in northerly direction about 345 yards to a monument; thence northwest about 313 yards to monument; thence north about 50 yards to monument; thence northwest about 245 yards to monument; thence west about 205 yards to monument; thence south 1,039 yards to the beginning.

(f) To grant franchises or make contracts for public utilities and public services, not to exceed a period of twenty-five (25) years. Such franchises and contracts may provide for rates, fares, charges, regulations, and standards and conditions of service, subject to regulation by the Tennessee public service commission or other state or federal agencies having jurisdiction in such matters.

(g) To provide for the acquisition, construction, building, operation, and maintenance of: public ways, parks, public grounds, cemeteries, markets and market houses, public buildings, libraries, sewers, drains, sewage treatment plants, airports, hospitals, water works, docks, gas works, marinas, forests, tree and shrub nurseries, heliports, terminals, parking garages and lots, industrial sites and buildings or charitable, educational, recreational, sporting, cultural, curative, corrective, detention, penal, and medical institutions, agencies, and facilities; and any other public improvements; inside or outside the town; and to regulate the use thereof; and for such purposes property may be either acquired or taken under applicable laws.

(h) To require property owners to repair and maintain in a safe condition the sidewalks adjoining their lots or lands, including removal of snow, debris or other material.

(i) To make regulations to secure the general health of the inhabitants and to prevent, abate, and remove nuisances, including but not limited to old or dilapidated buildings which are so out of repair as to be unsafe, unsanitary or unsightly. The town shall have the power to abate and remove nuisances at the expense of the owner or owners, and the expense, including fines, penalties, and interest, shall be secured by lien upon the property for which the expenditure is made.

(j) To prescribe standards of health and sanitation and to provide for the enforcement of such standards.

(k) To provide for the collection and disposal of garbage, rubbish and refuse. Charges may be imposed to cover the costs of such service which, if unpaid, shall be collectible in the same manner as taxes or other debts.

(l) To define, regulate, and prohibit any act, practice, conduct, or use of property, that would be detrimental, or likely to be detrimental, to the health, morals, safety, security, peace, or general welfare of inhabitants of the town.

(m) To establish minimum standards for and to regulate building construction and repair, electrical wiring and equipment, gas installations and equipment, fixed mechanical equipment, plumbing, and housing, for the health, sanitation, cleanliness, safety and comfort of the inhabitants of the town, and to provide for the enforcement of such standards.

(n) To provide regulations establishing standards of weights and measures and to enforce compliance with such standards.

(o) To regulate, license and prohibit the keeping or running at large of animals and fowls, and to provide for the impoundment of same in violation of any ordinance or lawful order, and to provide for their disposition by sale, gift, or humane killing when not redeemed as provided by ordinance.

(p) To regulate and license vehicles operated for hire in the town, to limit the number of such vehicles, to license the operators thereof, to require public liability insurance on such vehicles, and to regulate and rent parking spaces in public ways for the use of such vehicles.

(q) To provide that the violation of any ordinance, rule, regulation, or order shall be punishable by fine, penalty, or forfeiture not to exceed fifty (\$50.00) dollars and costs.

(r) To plan for the orderly development of the community, including economic, physical, educational and cultural aspects, and to institute programs to effectuate such plans.

(s) To prescribe the duties of the town marshall.

(t) To exercise and have all other powers, functions, rights, privileges, and immunities granted by general laws or necessary or desirable to promote or protect the safety, health, peace, security, good order, comfort, convenience, morals, and general welfare of the town and its inhabitants, and all implied powers necessary to carry into execution all powers granted in this charter as fully and completely as if such powers were enumerated herein. No enumeration of particular powers in this charter shall be held to be exclusive of others nor restrictive of general words and phrases granting powers, but shall be held to be in addition to such powers unless expressly prohibited to cities by the constitution or general laws of the state.

SECTION 6. On the first Tuesday in November, 1992, a nonpartisan, at large, general municipal election, open to all electors, shall be conducted by the county election commission to elect a mayor, four (4) aldermen and town marshal. The four (4) candidates for alderman who receive the highest number of votes shall be elected to serve until the second Tuesday in November, 1996. The candidate for mayor receiving the highest number of votes shall be elected to serve until the second Tuesday in November of 1996. The candidate for town marshal receiving the highest number of votes shall be elected to serve until the second Tuesday in November of 1996. Present incumbents in the positions of mayor, alderman and town marshal shall continue to serve for the terms to which they were elected and until such time as their successors are elected and qualified. The present incumbent in the office of city recorder shall continue to serve for the term to which she was elected and until her successor to the office is appointed by the board.

Thereafter, elections shall be held on the first Tuesday in November in years divisible by four (4).

The candidate for mayor having received the highest number of votes at an election shall be declared elected and the four (4) candidates for aldermen having received the highest number of votes shall be declared elected and the candidate for town marshal receiving the highest number of votes shall be declared elected. In case of a tie vote, the incumbent board shall decide which of the candidates shall serve.

The terms of the office for all elected officials shall commence on the second Tuesday in November, of years divisible by four (4).

SECTION 7. The giving or promising to any person or persons any office, employment, money, benefit, or anything of value, by or on behalf of any candidate, shall be deemed to be a misdemeanor, and any person convicted thereof shall be ineligible to hold an office or position of employment in the town government for a period of five (5) years.

#### SECTION 8.

(a) The mayor and four aldermen elected under this charter shall compose the board of mayor and aldermen, in which is vested all corporate, legislative and other powers of the town, except as otherwise provided in this charter.

(b) The compensation of the mayor and aldermen shall be set by ordinance, but the salary of the mayor or any alderman shall not be changed during their term of office. The mayor and aldermen may be

reimbursed for actual and necessary expenses incurred in the conduct of their official duties.

(c) The board of mayor and aldermen shall meet regularly at least once every month at the times and places prescribed by ordinance. The Board shall meet in special session on written notice of the mayor or any two aldermen and served on the other members of the board, or as agreed upon by a duly adopted motion at a regular or special meeting. Only the business stated in the written call or stated at the meeting when the special meeting is called may be transacted at a special meeting.

(d) A majority of the aldermen, excluding any vacancies, shall constitute a quorum. The ayes and nays of all votes shall be recorded in the journal. The board may by ordinance adopt rules and by-laws to govern the conduct of its business, including procedures and penalties for compelling the attendance of absent members. The board may subpoena and examine witnesses and order the production of books and papers.

SECTION 9. The mayor shall preside at meetings of the board, and shall not have a vote on any matters except in the case of a tie vote. He shall be recognized as the ceremonial head of the town. He shall be the officer to accept process against the town, and shall perform other duties imposed by this charter and by ordinances not inconsistent with this charter.

SECTION 10. There shall be a vice mayor who shall be selected at the first meeting after each election by the board from among the board members. The term of office of the vice mayor shall be for a period of two (2) years. The vice mayor shall perform the duties of the mayor during his temporary absence or inability to act. In case of a vacancy in the office of mayor, the vice mayor shall fill out the unexpired term, or until the next regular town election, whichever shall occur first. If the vice mayor is filling out a term in the office of mayor, his position as an alderman shall become vacant and the board shall fill the vacancy as provided in Section 11. The board shall select another of their number to fill out the unexpired term of the vice mayor.

SECTION 11. The board of mayor and aldermen shall declare that a vacancy exists if the mayor or an alderman resigns, dies, moves his residence from the town, is convicted of malfeasance or misfeasance in office, a felony, a violation of this charter or election laws of the state, or a crime involving moral turpitude, fails to attend any meetings of the board for a period of ninety (90) days with no extenuating circumstances, or has been continuously disabled for a period of six (6) months so as to prevent him from discharging the duties of his office.



The board of mayor and aldermen shall, within a period of thirty (30) days from the date on which a vacancy was declared, appoint a qualified person to fill the vacancy for the remainder of the unexpired term.

SECTION 12. The aldermen shall act on all matters as a body, and no member shall seek individually to influence the official acts of any officer or employee of the town, or to direct or request the appointment of any person to, or his removal from any office or position of employment, or to interfere in any way with the performance of duties by an officer or employee. The board shall deal with the various agencies officer and employees of the town, solely through the mayor, and shall not give orders to any subordinates of the mayor, either publicly or privately. Nothing herein contained shall prevent the board from conducting such inquiries into the operation of the town government and the conduct of the town's affairs as it may deem necessary.

SECTION 13. Any action of the board having a regulatory or penal effect, awarding franchises, or required to be done by ordinance under this charter or the general laws of the state, shall be done only by ordinance. Other actions may be accomplished by resolutions or motions. Ordinances and resolutions shall be in written form before being introduced. The enacting clause of ordinances shall be "Be it ordained by the board of mayor and aldermen of the town of Cottage Grove:". Every ordinance must be approved on two (2) readings and there shall be no more than one (1) reading on any one (1) day. An ordinance may receive first reading upon its introduction. Ordinances shall take effect upon final reading, adoption, and being signed by the mayor unless a different effective date is designated in the ordinance.

All ordinances shall be signed by the mayor before they shall become effective. The mayor shall affix his approval or disapproval within five days after adoption by the board. If the mayor withholds his signature for five (5) days, exclusive of Sundays and holidays, the ordinance shall become effective for failure to veto. The mayor shall state his reasons for vetoing an ordinance in writing and shall transmit his reasons and the ordinance back to the board for its action. The board may pass the ordinance over the veto by a three-fourths (3/4) vote of the full membership of the board.

SECTION 14. The town government shall be organized into such departments and offices as shall be provided by ordinance. The board shall determine by ordinance the functions and duties of all departments and offices. The board may establish, abolish, merge, or consolidate offices, positions of employment and departments; may provide that the same person shall fill any number of offices and positions of employment; and may transfer or change the functions and duties of offices, positions of employment and departments.

SECTION 15. The mayor shall have the powers of a business manager; he shall have supervision and control of all the administrative affairs of the town; he shall be its chief executive. He shall have access to all of the books, records, offices and papers of every kind pertaining to the town's business and require their proper and safe keeping. He shall present in writing or verbally to the board his recommendations of the needs of the town at any time he deems advisable.

The mayor shall have control over all municipal improvements and property and he shall have the exclusive power to make all expenditures within the budget after the same have been appropriated by the board.

The mayor shall take all proper measures for the preservation of public order and preservation of the peace and he may call upon the governor for military aid.

The mayor shall appoint, subject to confirmation by the board, the town recorder and any other employee who is designated a department head by ordinance.

He shall have authority to make appointments, promotions and transfers of employees; to make demotions, suspensions and removals of officers and employees for cause; and may delegate such authority as he deems advisable.

SECTION 16. The mayor shall appoint, subject to confirmation by the board, a recorder, who shall serve for an indefinite term.

The recorder shall keep and preserve the town seal and all official records not required by law or ordinance to be filed elsewhere; to attend all meetings of the board and to maintain a journal showing the proceedings of all such meetings, the aldermen present and absent, each motion considered, the title of each resolution and ordinance considered and the vote on each question; and to prepare and certify copies of official records.

The recorder shall act as tax collector and issue receipts for taxes collected and enter on the tax books the payment of taxes on the date on which they are collected.

The recorder may act as treasurer and shall receive and keep safely all funds of the town and shall pay out the same upon warrants signed by the mayor and recorder.

SECTION 17. The mayor, subject to confirmation by the board, shall appoint a town attorney. The town attorney shall be responsible for advising

the board and officers and employees concerning legal aspects of their duties and responsibilities; approving as to form and legality all contracts, deeds, bonds ordinances, resolutions, motions, and other official documents; and performing such other duties as may be prescribed by the board.

SECTION 18. A town judge shall be appointed by the mayor, subject to the confirmation of the board. A person designated by the mayor shall serve in the absence or incapacity of the judge.

The jurisdiction of the town judge shall extend to the trial of all offenses against the ordinances of the town, and costs in such trials shall be fixed by ordinance. The town judge shall have power to levy fines, penalties, forfeitures and costs, to issue all necessary process, to administer oaths, and to maintain order including the power which the court of general sessions have to fine for contempt. The sole compensation for serving as town judge shall be a salary fixed by the board, and all fees for actions or cases in his court shall belong to the town and shall be paid into the town treasury.

The bail of persons arrested and awaiting trial and persons appealing a decision of the town judge shall be fixed by the town judge, upon such security as in his discretion he deems necessary or as may otherwise be provided by ordinance. Cash bail of persons arrested may be accepted at such times and by officers or employees other than the judge as provided by ordinance; such ordinance shall require that the person arrested be given a receipt for cash bail which shall explain the nature of the deposit. The receipt shall be in triplicate: the original to the depositor, duplicate and money to the recorder, and triplicate to the town judge within twenty-four (24) hours after the arrest.

Fines and costs may be paid by installments to be fixed and security determined as provided by ordinance. Upon willfull failure to pay fines and costs or to furnish security, the town judge shall commit the offender to the appropriate facility for incarceration until such fines and costs have been paid at a daily rate of commutation fixed by ordinance, but no person shall be continuously confined in excess of sixty (60) days. Receipts of the city court shall be deposited with the recorder and the town judge shall make monthly reports thereof to the board.

The town judge shall keep a docket of all cases handled by him.

The town judge shall be exclusive judge of the law and the facts in every case before him, and no officer or employee of the town shall attempt to influence his decision except through pertinent facts presented in open court.

SECTION 19. Only the officers and positions of employment provided for in the annual budget, as approved by the board, shall be filled. In determining salaries, due consideration shall be given to duties, responsibilities, technical knowledge and skill required to satisfactory perform the work, and availability of persons having the qualifications desired.

SECTION 20. The appointment and promotion of employees of the town shall be on a basis of merit, considering technical knowledge required to perform satisfactory the work, experience in the particular or similar line of work, and administrative or supervisory qualifications.

Before removal, demotion, or suspension for more than ten (10) days, an employee shall be given a written notice of intention to suspend, remove, or demote him, containing a clear statement of the grounds for such proposed action.

SECTION 21. The board may adopt supplementary rules and regulations governing employment by the town, not inconsistent with the provisions of htis charter.

Section 22. Before a person takes any office in the town government, he shall subscribe to the following oath or affirmation, administered by the recorder or the mayor: "I solemnly swear (or affirm) that I will support the Constitution and will obey the laws of the United States and of the State of Tennessee, that I will, in all respects, observe the provisions of the charter and ordinances of the town of Cottage Grove, and that I will faithfully discharge the duties of the office of \_\_\_\_\_."

SECTION 23. The mayor and every officer, agent, and employee of the town having duties embracing the receipt, disbursement, custody, or handling of money, and other officers and employees designated by the board, shall give a fidelity bond or faithful performance bond, as determined by the board with some surety company authorized to do business in the State of Tennessee, in such amount as shall be prescribed by the board. All such bonds and sureties thereto shall be subject to approval by the board and the cost of such bonds shall be paid by the town.

SECTION 24. No employee of the town shall continue in the employment of the town after becoming a candidate for nomination or election to any town office, but this provision shall not apply to the mayor, aldermen, members of boards or commissions, the town attorney or the town judge. No person shall directly or indirectly give, render or pay any money, service or other valuable consideration to any person for or on account of or in connection with employment by the town government. No person shall orally, by letter, or

otherwise solicit or be in any manner concerned in soliciting any assessment, subscription or contribution from any employee of the town in connection with any town election. Upon finding that any person has willfully or corruptly violates the provisions of this section such person shall be assessed civil penalty of fifty dollars (\$50) and such person shall immediately forfeit and vacate the office or position he holds and be ineligible to hold any office or position of employment in the town government for a period of five (5) years thereafter.

SECTION 25. No officer or employee shall accept any free or preferred service, benefits or concessions from any person, company or firm regulated by or doing business with the town.

SECTION 26. The fiscal year of the town government shall begin on the 1<sup>st</sup> day of July and shall end on the 30<sup>th</sup> day of June of the succeeding year.

SECTION 27. Prior to the beginning of each fiscal year, the mayor shall submit to the board a proposed budget for the next fiscal year, showing separately for the general fund, each utility, and each other fund the following: (a) revenue and expenditures during the preceding year, (b) estimated revenue and expenditures for the current fiscal year, (c) estimated revenue and recommended expenditures for the next fiscal year, and (d) any other information and data, such as work programs and unit costs, in justification of recommended expenditures that may be considered necessary by the mayor. A copy of the budget in full shall be filed with the recorder for public inspection and a copy shall be furnished to each alderman.

SECTION 28. After the public hearing the board shall adopt the budget with such modifications as the board considers necessary or desirable. If emergency condition prevent the adoption of the budget the beginning of the new fiscal year, the appropriations of the last fiscal year shall become the appropriations for the new fiscal year. Amendments may be made to the original budget at any time during a current fiscal year.

SECTION 29. The mayor shall be responsible for controlling expenditures of the various agencies of the town government to accomplish maximum efficiency and economy. No expenditures shall be made in excess of appropriations.

SECTION 30. Any contract or agreement made in violation of the provisions of this charter or ordinances of the town shall be void and no expenditure shall be made thereunder. Every officer and employee who shall knowingly make or participate in any such contract or agreement, or authorize or make any expenditure thereunder, and their sureties on their official bonds, and every person who shall knowingly receive such a payment, shall be jointly

and severally liable to the town for the full amount so paid or received. A violation of this section by any officer or employee shall be cause for his removal.

SECTION 31. The mayor may sell town property which is obsolete, surplus or unusable; provided, however, that any sale for more than five hundred dollars (\$500) or any sale of real estate shall be subject to approval by the board.

SECTION 32. Each bid on a contract for any public works or improvement shall be accompanied by a cash or surety company bid bond in the amount of five percent (5%) of the amount of the bid. Before any contract is awarded, the contractor shall give a bond for the faithful performance of the contract, with a surety company authorized to transact business in Tennessee, in an amount equal to one hundred percent (100%) of the contract price.

SECTION 33. All property subject to taxation shall be subject to the property tax levied by the town.

SECTION 34. The town recorder shall add to the assessment rolls any taxable property that may have been omitted by the county assessor. Such property shall be appraised and assessed at the same ratio as other property of the same class located in the town.

SECTION 35. The board shall make a tax levy, expressed as a fixed rate per one hundred dollars (\$100) of assessed valuation, not later than ninety (90) days prior to the tax due date. In the event of the board's failure to do so, they prior year's tax rate shall continue in effect.

SECTION 36. The due dates of property taxes shall be fixed by ordinance and provision may be made for equal semi-annual installments. The town shall send tax bills to taxpayers, showing the assessed valuations, amount of taxes due, tax due dates, and information as to delinquency dates and tax, penalty, or interest thereon. Property taxes which become delinquent shall be subject to penalty and interest which shall be fixed by ordinance. On and after the date when such taxes become delinquent, the tax records of the town shall have the force and effect of a judgement of a court of record.

SECTION 37. The board may provide by ordinance for the collection of delinquent taxes by distress warrants issued by the mayor for the sale of goods and chattels to be executed by any police officer of the town under the laws governing execution of such process from a justice of the peace; or by the county trustee as provided by general law; or by the town attorney acting in accordance with general laws providing for the collection of delinquent city or county taxes;

by garnishment; by suits in chancery; or by any two (2) or more of the foregoing methods, or by the use of any other available legal processes and remedies.

SECTION 38. The town may contract with the county for the collection of town taxes. The contract may provide for reasonable fees to be paid to the county for this service.

SECTION 39. No officer of the town shall have the authority to excuse taxes, penalties, interest, special assessments, or other charges due the town, but errors may be corrected when authorized by the board.

SECTION 40. All disbursements, except for any agency of the town administered by a board or commission, shall be made by checks signed by the town recorder and countersigned by the mayor. The board may designate other officers to sign such checks in the absence or disability of the mayor or town recorder.

SECTION 41. The board shall designate an official depository or depositories for deposit and safekeeping of funds of the town, with such collateral security as may be deemed necessary by the board.

SECTION 42. In addition to other powers granted in this charter, the board shall have power to contract and cooperate with any other municipality or other political subdivision of the state, or with an elective or appointive official thereof, or with any duly authorized agency of the federal or state government, for the exercise of any power or function which the town is authorized to undertake by this charter.

SECTION 43. Notwithstanding any provision of this charter, the board may elect to operate under or adopt any general law or public act available to municipalities of the state, in lieu of or in addition to provisions of this charter.

SECTION 44. Upon a finding that a person has violated any provision of this charter, for which a penalty is not specifically provided herein, such person shall be assessed a civil penalty of not more than fifty (\$50.00) dollars.

SECTION 45. If any article, section, subsection, paragraph, sentence or part of this charter shall be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect or impair any other parts of this charter unless it clearly appears that such other parts are necessarily dependent upon the part or parts held to be invalid or unconstitutional. It is the legislative intent in enacting this charter that each article, section, subsection, paragraph, sentence, or part be enacted separately and independently of each other.

SECTION 46. To be applicable as the charter of the town of Cottage Grove, this act must be approved by a two-thirds (2/3) vote of the governing body, said vote to be taken not more than one hundred twenty (120) days after the passage of this act. The mayor shall, within ten (10) days thereafter, certify to the Secretary of state the results of said vote.

SECTION 47. For the purpose of approving or rejecting the provisions of this act, it shall take effect on becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 46.

PASSED: MARCH 28, 1991

\_\_\_\_\_  
s/Jimmy Naifeh  
JIMMY NAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
s/John S. Wilder  
JOHN S. WILDER  
SPEAKER OF THE SENATE

APPROVED this 5<sup>th</sup> day of April 1991

\_\_\_\_\_  
s/Ned McWherter  
NED McWHERTER, GOVERNOR



CHARTER ACTS FOR THE CHARTER OF THE CITY OF  
COTTAGE GROVE, TENNESSEE

---

YEAR	CHAPTER	SUBJECT
1991	54	Repeals Private Acts of 1953 except for chapter 333, § 1.

---