

CHARTER FOR THE TOWN OF CENTERTOWN, TENNESSEE¹

CHAPTER NO. 606

House Bill No. 808

(By Grizzell)

A BILL to be entitled AN ACT to incorporate the town of Centertown, County of Warren, State of Tennessee; to define the corporate limits; to provide for the election of three commissioners for said town; to define their duties and limitations and to provide for the taking over of the affairs of the town and the administration of same under said commission form as provided in this bill; to fix the compensation of the commissioners; to fix their term of office and to define their powers and duties.

TABLE OF CONTENTS

<u>SECTION</u>	<u>PAGE</u>
1. Corporate name	C-2
2. Corporate boundaries	C-2
3. Board of commissioners	C-3
4. Powers of commissioners	C-3
5. Departments established	C-3
6. Authority of departments	C-4

¹Priv. Acts 1951, ch. 606, is the current basic charter act for the Town of Centertown, Tennessee. The text of the basic charter act set out herein was last amended to reflect legislation passed in the 2018 session of the Tennessee General Assembly and is current with the laws from the 2023 Regular Session of the 113th Tennessee General Assembly. Sections of the charter which have been amended contain at the end of those sections the citation to the official private act or acts constituting the amendment or amendments. No other changes have been made to the charter except the addition of a table of contents to facilitate its use. A list of all the acts including the basic charter appears at the end of the charter.

Acts which did not expressly or in effect amend any particular section or part of the basic charter, but which supplemented it, have been placed after the basic charter act as "Related Acts."

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

<u>SECTION</u>	<u>PAGE</u>
7. Mayor	C-4
8. Commissioner of finance	C-5
9. Commissioner of streets	C-5
10. Municipal elections	C-5
11. Bonds	C-5
12. Meetings of board of commissioners.	C-6
13. Voting form for commissioners.	C-6
14. Officers to reside in town	C-6
15. Filling vacancies on board of commissioners	C-6
16. Severability	C-7
17. Effective date.	C-7

Section 1. Be it enacted by the General Assembly of the State of Tennessee, That the town of Centertown in Warren County, Tennessee, and the inhabitants thereof be, and they are hereby constituted and declared a body politic and corporate by the name and style of Centertown, Tennessee, and said corporation shall have perpetual succession, shall sue and be sued, plead and be impleaded in all the courts of law and equity and in all actions whatsoever; may purchase, receive and hold real estate, personal and mixed property, and sell, lease, convey and dispose of the same for benefit of said corporation and may have and use a common seal and change it at its pleasure.

Sec. 2. Be it further enacted, That the corporate limits of Centertown shall embrace the territory within the following boundaries, to-wit: Beginning at point on U. S. Highway 70S, at the boundary of the W. S. Akers and Will Mitchell farms, extending southward along this property line, thence along the Enell Griffith and Arthur Lorange property line southward to the East-West property line of the boundary separating Enell Griffith and Arthur Lorange property, thence eastward across the Arthur Lorange property to the Morrison Road, thence crossing the road in a straight line to include the house and lot belonging to D. F. Hillis, thence eastward along the D. F. Hillis and J. W. Williamson property line to the corner of the Jesse Smith property, thence northward along the J. W. Williamson and Jesse Smith property line, thence northward along the Woodrow Lorange and Jesse Smith property line to U. S. Highway 70S, thence westward with said highway to the bridge crossing Dog Branch, thence in the northwestwardly direction with the meanders of Dog Branch to its intersection with the Short Mountain Road, thence northwest with the branch to the corner of the property of George Lance, Vinson Lance, and Howard Prater, thence westward with the Prater line to the boundary of Alex Winnett, thence southward along the Winnett-Prater line to the land of Mrs. J. R. Akers, thence westward with the land of Mrs. J. R. Akers, Will Mitchell and Alex Winnett to a point in the Will Mitchell-Alex Winnett property line directly

north of the starting point, thence southward across the Will Mitchell land to the point of beginning on U. S. Highway 70S.

Sec. 3. Be it further enacted, That the government of Centertown, Tennessee, the legislative, executive and judicial branches thereof, together with all business with every nature and kind pertaining to said corporation shall be and is hereby vested in accordance with the provisions and restrictions of this Act, in a Board of Mayor and Aldermen which shall consist of a Mayor and two (2) Aldermen and who shall have the power, perform the duties, receive the compensation, possess the qualifications, be elected and qualified in a manner hereinafter provided. [As amended by Priv. Acts 2003, ch. 65, § 2]

Sec. 4. Be it further enacted, That the Board of Mayor and Aldermen of the town of Centertown shall have full power and authority by ordinance within said corporation: 1st, to levy and collect taxes upon all property taxable by law for State purposes; 2nd, to levy and collect taxes upon all privileges taxable by the laws of the State; 3rd, to appropriate money and provide for the payment of the debts of the corporation; 4th, to make regulations and laws to secure general health and safety of the inhabitants of said town; to declare, prevent and remove nuisances; to make and enforce quarantine laws and regulations; to prevent the introduction and spread of contagious diseases; 5th, to prevent and remove all filth and rubbish from the town and all encroachments into and obstructions upon all streets, alleys, and sidewalks and pavements and for the cleaning of the same; 6th, to open, alter, abolish, widen, extend, establish, grade, pave or otherwise improve, clean and keep in repair streets, avenues, alleys, sidewalks, squares and gutters, and to erect, establish and keep all necessary buildings and improvements for the use of the town; 7th, to make and enforce all laws and regulations necessary and proper for the preservation or protection of all trees buildings, fences, streets, alleys, sidewalks, pavements and squares situated within said town. [As amended by Priv. Acts 2003, ch. 65, § 3]

Sec. 5. Be it further enacted, That to the end that the work of the corporate government of Centertown may be classified and arranged and more efficiently conducted there is hereby established the following departments with the duties and powers made up as hereinafter indicated:

1st. The departments of accounts, finances and revenues.

2nd. The department of streets.

3rd. The department of health.

The department of health shall be under the supervision of the Mayor. The departments of accounts, finances and revenues shall be under the

supervision of one of the Aldermen to be called the Commissioner of Finance. The department of streets shall be under the supervision of the other Alderman, to be called the Commissioner of Streets. [As amended by Priv. Acts 2003, ch. 65, § 4]

Sec. 6. Be it further enacted, That the departments of accounts, finances and revenues shall embrace all matters pertaining to the accounts of the city, its finances and revenues. That the department of streets, shall embrace all matters pertaining to the building, improving, cleaning of streets, sidewalks and alleys in said town. That the department of health shall embrace all matters pertaining to the sanitation of said town and the health of its inhabitants.

Sec. 7. Be it further enacted, That the Commissioner of Health shall be known and designated as Mayor of said town and ex-officio chairman of the Board of Mayor and Aldermen and shall be at the head of and have supervision of all matters pertaining to the city that are not by this Act assigned to one of the Aldermen. It shall be his duty to preside at the meetings of said Board of Mayor and Aldermen and he shall receive, file and safely keep the bonds of the Aldermen hereinafter provided for. He shall also keep the minutes of the proceedings of the Board of Mayor and Aldermen and shall publish by notice posted at some public place in said town or in some newspaper, if one is published in said town, all the laws, rules and regulations passed by said Board of Mayor and Aldermen, and shall copy same in a well bound book kept for such purposes, it shall be his duty to have general supervision over the affairs of said city and see that its laws and ordinances are enforced. He shall have authority to cite offenders of said ordinances to appear before him and show cause why they should not be punished by fine or failure to perform and carry out the rules and regulations made by the Board of Mayor and Aldermen but he shall first warn such offenders against the city ordinances either in person or by letter and if after receiving such warning said offender does not respect and abide by said ordinances he shall be brought before the Mayor on a citation or a warrant issued to the sheriff or any constable of the town and shall be fined for such violations in a sum not exceeding ten dollars for the first offense or \$50.00 for any subsequent offense. But nothing in this Act shall be construed as giving the Mayor general jurisdiction over violation of the law, but this jurisdiction shall be limited to the enforcement of the rules and regulations made by the Board of Mayor and Aldermen in regard to the streets, alleys and sidewalks and in regard to the health and sanitation of the town. It shall be his duty to issue and sign all of the warrants for the payment of any money due to any of the departments and he shall keep an account of all warrants issued and shall annually make and publish a statement showing the amount of money collected, the amount expended and the exact financial condition of the affairs of the corporation. If no newspaper is published in the town he shall post said statement at one or more public places. The mayor shall make bond in the

penalty of \$500.00 payable to the city of Centertown conditioned on the faithful discharge of his duty as Mayor and Commissioner of Health to be approved by and filed with the Commissioner of Finance. [As amended by Priv. Acts 2003, ch. 65, § 5]

Sec. 8. Be it further enacted, That it shall be the duty of the Commissioner of Finance to make out from the tax duplicate made by the County Court Clerk of Warren County a city tax duplicate compromising all of the property subject to taxation within said corporation. He shall make this duplicate on or before the first Monday in July, showing the assessed valuation of all property within the corporate limits of said town, one copy of said duplicate shall be filed with the Mayor and he shall retain the other copy from which to collect the taxes.

It shall be his duty on or before the first Monday in August to make a report to the Mayor of all taxes collected by him and this tax duplicate kept by the Mayor shall show the payments of all taxes as reported by the Commissioner of Finance. He shall also make a report to the Mayor of the uncollected taxes and it shall be the duty of the Mayor within ten days after receiving said report and balancing his tax duplicate with that of the Commissioner of Finance to issue a distress warrant against all delinquents. Said distress warrant to be served by the sheriff or any constable of the county and have all the force and effect of distress warrants issued by County Court Clerks or executions at law. The levy of the taxes as hereinbefore stated shall be and constitute a lien against all property assessed under this charter; the money so collected shall only be paid out on the warrant of the Mayor, countersigned by the Commissioner of Finance.

Sec. 9. Be it further enacted, That it shall be the duty of the Commissioner of Streets to look after and superintend the building, repairing, cleaning and draining of the streets, sidewalks and alleys of said town.

SECTION 10. Be it further enacted, that at the December 2003 election, candidates for Mayor and Aldermen shall be elected for a term of office to begin on the first Saturday of December 2003, and expire on the first Tuesday following the first Monday of November 2008, when the November 2008 election shall be held. Beginning with the November 2008, election and every four (4) years thereafter an election shall be held on the first Tuesday following the first Monday of November to elect a Mayor and two (2) Aldermen for four (4) year terms of office. [As replaced by Priv. Acts 1984, ch. 195; Priv. Acts 1991, ch. 47; and Priv. Acts 2003, ch. 65, § 1]

Sec. 11. Be it further enacted, That as soon as practicable after their election the Mayor and two (2) Aldermen shall execute their bonds in the penal

sum of \$500.00 payable to the town of Centertown for moneys collected and for the faithful discharge of their duties; and shall take an oath before some Justice of the Peace to faithfully perform all their duties as Mayor and Aldermen of the town of Centertown as hereinbefore set out in the charter, and they shall enter upon the performance of their duties. They shall take over all the property, monies, accounts and all other assets belonging or due to said town of Centertown and shall pay all debts and other obligations owing by said town and shall carry out all contracts made by the town of Centertown and shall be liable for same. [As amended by Priv. Acts 2003, ch. 65, § 6]

Sec. 12. Be it further enacted, That the Board of Mayor and Aldermen shall hold regular public meetings at a stated time and place, as provided by ordinance, and they shall pass all ordinances, rules, and regulations that shall be necessary to carry on the affairs of the town and to regulate and control same. All ordinances shall be written out and voted on by the Board of Mayor and Aldermen and shall go into effect at once or at some time fixed in said ordinance and it shall not be necessary to pass same at more than one meeting but when passed same shall be signed by the Mayor, copied by him in a book for that purpose and published as hereinbefore set out. The Mayor may convene the Board of Mayor and Aldermen in extraordinary session as often as he may think advisable and any business may be transacted at said extra session the same as at a regular session. [As amended by Priv. Acts 2003, ch. 65, § 7, and Priv. Acts 2018, ch. 62, § 1]

Section 13. Be it further enacted, that in voting for the candidates for the Board of Mayor and Aldermen one ticket shall be used and shall be in the following form:

For Mayor

For two Aldermen

[As replaced by Priv. Acts 2003, ch. 65, § 8]

Sec. 14. Be it further enacted, That no person shall be elected to any of the offices under this charter except a bona fide resident of the town of Centertown. Any person owning property within the corporate limits but residing elsewhere will be entitled to vote in town elections if otherwise qualified according to the laws of the state.

Section 15. Be it further enacted, that should a vacancy occur in the office of either of the two (2) Aldermen or Mayor, the vacancy shall be filled by the other two (2) remaining members of the Board of Mayor and Aldermen for the remaining portion of such person's term. [As replaced by Priv. Acts 2003, ch. 65, § 9]

Sec. 16. Be it further enacted, That if any clause, sentence, paragraph, section, or any part of this Act shall be held or declared to be unconstitutional and void, it shall not affect the remaining part or parts of this Act, it being hereby declared to be the legislative intent to have passed the remainder of this Act, notwithstanding the part so held to be invalid, if any.

Sec. 17. Be it further enacted, That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: March 15, 1951.

McALLEN FOUTCH,
Speaker of the House of Representatives.

WALTER M. HAYNES,
Speaker of the Senate.

Approved: March 16, 1951.

GORDON BROWNING,
Governor.

RELATED ACTS

PAGE

Public Acts 1975, ch. 187,
"Qualifications of voters to vote in municipal elections" C-9

CHAPTER NO. 187

HOUSE BILL NO. 502

By Hillis

Substituted for: Senate Bill No. 606

By Crouch

AN ACT to amend Section 6-502, Tennessee Code Annotated, relative to qualifications of voters to vote in municipal elections.

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

SECTION 1. Section 6-502, Tennessee Code Annotated, is amended by adding to the section the following:

In counties having a population of not less than 26,500 nor more than 27,150 according to the 1970 federal census or any subsequent federal census, the board of mayor and aldermen of any municipality under this chapter may by ordinance provide that any person who is a qualified voter and who owns real property situated within the corporate limits of such municipality may vote in any municipal election or referendum even though such person does not reside within the municipality.

SECTION 2. This Act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of any municipality to which it may apply. Its approval or nonapproval shall be proclaimed by the presiding officer of such legislative body and certified by him to the Secretary of State.

SECTION 3. For the purpose of approving or rejecting the provisions of this Act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 2.

PASSED: May 6, 1975

Ned R. McWherter,
SPEAKER OF THE HOUSE OF REPRESENTATIVES

John S. Wilder,
SPEAKER OF THE SENATE

APPROVED: May 16, 1975

Ray Blanton,
GOVERNOR

CHARTER AND RELATED ACTS FOR THE TOWN OF CENTERTOWN,
TENNESSEE

YEAR	CHAPTER	SUBJECT
1951	606	Basic charter act.
1975	187	Related act relative to qualifications of voters to vote in municipal elections. (Public Acts)
1984	195	Replaced §10, municipal elections.
1991	47	Replaced §10, municipal elections.
2003	65	Amended §§ 3, 4, 5, and 7 relative to board of mayor and aldermen; replaced § 10, municipal elections; amended §§ 11 and 12 relative to board of mayor and aldermen; and replaced §§ 13 and 15 relative to the board of mayor and aldermen.
2018	62	Amended § 12, board meetings.