

CHARTER OF THE CITY OF JAMESTOWN, TENNESSEE¹

CHAPTER NO. 54

House Bill No. 183

(By Joe Clark, Joe Dyer)

AN ACT to amend the Charter of Jamestown, Tennessee.

CHARTER TABLE OF CONTENTS

<u>Sections</u>	<u>PAGE</u>
1. General corporate powers and name section amended	C-3
2. Boundaries	C-4
3. Remainder of charter amended	C-5
 ARTICLE	
I. CORPORATE POWERS	C-5
 <u>Sections</u>	
1. General laws adopted; fines for violation of criminal laws	C-5
 ARTICLE	
II. ELECTIONS	C-5
 <u>Sections</u>	
1. Elective offices	C-5

¹Private Acts 1959, ch. 54, is the current basic charter act for the City of Jamestown, Tennessee. The text of the basic charter act set out herein was last amended to reflect legislation passed in the 2016 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 private 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.

PAGE

2.	To be elected from city at large	C-5
3.	Nomination of mayor	C-5
4.	Nomination of aldermen.	C-6
5.	Qualifications of voters.	C-6
6.	Registration of voters	C-6
7.	Time for holding elections	C-6
8.	Place and manner of holding elections	C-6
9.	Election offenses	C-6
10.	Election to be non-partisan	C-7

ARTICLE

III.	MAYOR AND BOARD OF ALDERMEN	C-7
------	---------------------------------------	-----

Sections

1.	Governing body	C-7
2.	Qualifications	C-7
3.	Term of office	C-7
4.	Oath.	C-7
5.	Salaries	C-7
6.	Vacancies	C-8

ARTICLE

IV.	LEGISLATIVE POWERS AND PROCEDURE	C-8
-----	--	-----

Sections

1.	Exercise of powers	C-8
2.	Meetings	C-8
3.	Procedure	C-8
4.	Ordinance adoption--resolutions	C-8

ARTICLE

V.	FINANCE	C-9
----	-------------------	-----

Sections

1.	Budget preparation.	C-9
2.	Adoption	C-9
3.	Expenditures to be within appropriation--exception	C-9
4.	Borrowing--tax anticipation	C-10
5.	Borrowing--emergency	C-10
6.	Accounting.	C-10
7.	Disbursements	C-10
8.	Depositories.	C-10

PAGE

9.	Audit	C-10
10.	Property taxes	C-10

ARTICLE

VI.	ADMINISTRATIVE ORGANIZATION	C-11
-----	-----------------------------------	------

Sections

1.	Organization by ordinance	C-11
2.	Duties of the mayor	C-11
3.	Additional offices and positions of employment	C-11
A.	City court	C-11
1.	City judge--appointment, term, salary	C-11
2.	Jurisdiction, powers	C-12
3.	Bail	C-12
4.	Fines and costs	C-12
5.	Docket	C-12
6.	Separation of powers	C-12
7.	Deleted	C-12
B.	Recorder	C-13
1.	Appointment, term, compensation	C-13
2.	Finance	C-13
3.	Clerk	C-13

ARTICLE

VII.	GENERAL PROVISIONS	C-13
------	--------------------------	------

Sections

1.	Franchises	C-13
2.	Status of officers	C-14
3.	Interpretation, constitutionality	C-14
4.	Local approval	C-15
5.	Effective date	C-15

Section 1. Be it enacted by the General Assembly of the State of Tennessee, That Section 1 of Chapter 31, Private Acts of Tennessee of 1920 (Extraordinary Session) be amended to read as follows:

"Section 1. Be it enacted by the General Assembly of the State of Tennessee, "That the City of Jamestown, in the County of Fentress and State of Tennessee, and the inhabitants thereof be, and are hereby constituted a body politic and corporate under and by the name of City of Jamestown, and under that name they may have perpetual succession; may sue and be sued; grant, receive, purchase and hold real, mixed and

personal property and dispose of the same for the use and benefit of the City of Jamestown, and may have and use a common seal and alter the same at pleasure."

Section 2. Be it further enacted, That the boundaries of the City of Jamestown shall remain as fixed by Chapter 31, Private Acts of Tennessee of 1920 (Extraordinary Session), and all Acts amendatory thereto, and all annexations made pursuant to the general law.¹ [As amended by Priv. Acts

¹The boundaries for the City of Jamestown as set forth in Private Acts 1920 (Extraordinary Session), ch. 31 and as amended were replaced by Private Acts 1949, ch. 161 as follows:

Be it enacted by the General Assembly of the State of Tennessee, That from and after the effective date of this Act, the corporate limits of Jamestown shall be as follows: Beginning at a point on State Highway No. 28, 1½ miles north of the intersection of State Highways 52 and 28; thence due east a distance of one mile to a stake, thence south 2 ½ miles, crossing State Highway 52 at a point approximately one mile east of said intersection with Highway 28, to a stake; thence west two miles, crossing Highway 28 approximately one mile south of the said intersection with State Highway 52, to a stake; thence north 2 ½ miles, crossing State Highway 52, approximately one mile west of its intersection with State Highway 28, to a stake; thence east one mile to the beginning.

Private Acts 1951, ch. 188 adds:

That the corporate limits of said town be and the same are hereby fixed as provided in Section 2 of the original Act, Chapter 31 of the General Assembly of the State of Tennessee, Extra Session of 1920, with the following to clarify the western and northern boundary line of said corporation, as follows: Beginning at a point on the south bank of Rock Castle Creek where the old Gooding road intersects with the old Jamestown and Boatland road; thence with the old Gooding road to the east line of C. A. Williams, near his southeast corner, being the east line of the old Gooding tract; thence north 2½ degrees east, with the line of C.A. Williams, the Sam M. Smith saw mill tract, Dayhuff and others to State Highway No. 52, west of Dayhuff's Planning Mill; thence crossing said highway to the road intersecting same at or near this point; thence with said road, in a northwardly direction, to Rock Castle Creek near where Dillard Wright now lives, and near Walter Mace's northwest corner; thence up Rock Castle Creek to the Alvin C. York Agricultural Institute property; thence with the lines of the Alvin C. York Agricultural Institute property to where said school property reaches the road leading from York Highway, same being Tennessee
(continued...)

1937, ch. 892; Priv. Acts 1943, ch. 279; and Priv. Acts 1947, ch. 666 §§ 1 and 2; and replaced by Priv. Acts 1949, ch. 161; and amended by Priv. Acts 1951, ch. 188, § 1]

Section 3. Be it further enacted, That excepting the provisions of Sections 1 and 2 of this Act, Chapter 31, Private Acts of Tennessee of 1920 (Extraordinary Session), and all Acts amendatory thereto are hereby deleted from the Charter, and the following provisions substituted, which with Sections 1 and 2 of this Act shall constitute the complete Charter of the City of Jamestown.

ARTICLE 1. CORPORATE POWERS

Section 1. All powers granted to cities incorporated under the general law, Section 6-202, Tennessee Code Annotated, and to cities incorporated under the Uniform City Manager Charter, Sections 6-1901 through 6-1904, Tennessee Code Annotated, and all general laws delegating powers to cities are hereby adopted by reference and made a part of this Charter, and the repeal of any of these laws shall have no effect on this Charter unless the repealing law expressly denies the power to cities. The city shall have power to punish as violation of a city ordinance with fine not to exceed fifty dollars any violation of the criminal laws of the State of Tennessee committed within the corporate limits.

ARTICLE II. ELECTIONS

Section 1. Elective Offices. The elective offices of the City shall be that of Mayor and five Aldermen.

Section 2. To be Elected from City at Large. The Mayor and each of the five Aldermen shall be elected from the City at large without regard to the ward in which any of them may live.

Section 3. Nomination of Mayor. Any person eligible for the office of Mayor shall have his name placed on the ballot as a candidate upon filing with the County Commissioners of Elections not less than 30 nor more than 60 days

¹(...continued)

Highway No. 28, to the Ward well, so as to include the Alvin C. York Agricultural Institute property within the corporate limits of said town; thence with said road to the old Ward well on the west bank of White Oak Creek; thence with the boundary as provided in Chapter 31, Public Acts of the General Assembly of Tennessee, Extra Session of 1920, to the place of beginning.

prior to the day of the election a petition signed by not less than 25 qualified voters of the City. The petition shall be headed, "Petition. To the Commissioners of Elections, Fentress County, Tennessee. We hereby nominate _____ for the office of Mayor of Jamestown, Tennessee, in the election to be held _____. We request that his name be printed on the ballot." The legal address of each signer shall be stated opposite his signature. The person obtaining the signatures shall certify under oath after the last signature on the petition that he is acquainted with each signer and that each signer signed in his presence.

Section 4. Nomination of Aldermen. Any person eligible for the office of Alderman shall be nominated in the same manner as candidates for Mayor are nominated.

Section 5. Qualifications of Voters. Every person entitled to vote for members of the General Assembly and other civil officers for Fentress County and who, in addition, meets either of the following qualifications shall be entitled to vote for elective officials: (1) has been a resident of the City for 3 months next preceding the day of the election, (2) if a non-resident, owns real property in fee simple within the City. The same qualifications for voting in all other City elections or referenda shall apply unless otherwise specifically provided. (3) No more than two persons of ownership of real property in fee simple shall be qualified to vote. [As amended by Priv. Acts 2016, ch. 55, § 1]

Section 6. Registration of Voters. Permanent registration to vote shall be prescribed in Sections 2-301 through 2-326, Tennessee Code Annotated, except that in registering voters for City elections the County Election Commission shall use the qualifications as set out in Section 5 of this Article.

Section 7. Time for Holding Elections. The Election Commissioners of Fentress County shall hold an election for Mayor and five aldermen on the first Tuesday after the first Monday in November of even numbered years. Should the County Election Commissioners fail to hold an election at the time specified, then they shall hold an election as soon thereafter as reasonably possible, notice of such election to be given at least fifteen days prior to the date of said election.

Section 8. Place and Manner of Holding Elections. The County Election Commissioners shall hold elections for City Officials and all other elections over which they have exclusive jurisdiction during such hours, and in the manner prescribed by general law for holding regular and general elections for county, state and national officials. Certification of results shall be as prescribed by general law. The candidate for Mayor receiving the highest number of votes shall be declared elected. The five top candidates in number of votes received

for Alderman shall be declared elected. [As amended by Priv. Acts 2016, ch. 55, § 2]

Section 9. Election Offenses. It shall be unlawful for any candidate for office or any officer of the City, directly or indirectly, to pay, give, or offer to pay or give, or promise directly or indirectly, money, office, position, employment, benefit, or any thing of value to any person, or to knowingly suffer any person to do so for the purpose of obtaining the political support, aid, vote, or influence of any voter or for obtaining his vote or influence against any opposing candidate. Any person violating this provision shall be punished by a fine of not more than fifty dollars for each offense, and shall be disqualified from holding the office of Mayor or Alderman for five years.

Section 10. Election To Be Non-partisan. Elections for Mayor and Aldermen shall be non-partisan, and candidates shall be listed on ballots without indication of party affiliation.

ARTICLE III. MAYOR AND BOARD OF ALDERMEN

Section 1. Governing Body. The governing body of the City shall consist of a Mayor and five aldermen to be known officially as the Board of Mayor and Aldermen.

Section 2. Qualifications. To be eligible for and to hold the office of Mayor or Alderman, a person must meet all of the following qualifications: (1) a qualified voter under the laws of the State of Tennessee and a resident of the City and for at least one year next preceding the day of the election, (2) deleted, (3) at least twenty-five years of age. No person shall be eligible for the office of Mayor or Alderman who shall have been convicted of malfeasance in office, bribery, or other corrupt practice, or crime, or of violating any of the provisions of this Charter, and if the Mayor or an Alderman shall be so convicted, he shall forfeit his office. [As amended by Priv. Acts 2016, ch. 55, § 3]

Section 3. Term of Office. The Mayor and Aldermen shall take office at 12:00 noon, December 1, following the election unless that date falls on Sunday in which event they shall take office at 12:00 noon, December 2. They shall hold office for a term of four (4) years or until their successors are elected and qualified. [As amended by Priv. Acts 2004, ch. 67, § 1]

Section 4. Oath. As a condition precedent to taking office, the Mayor and each Alderman shall take the following oath before the Recorder or some other official authorized to administer oaths: "I do solemnly swear that I will perform with fidelity the duties of the office to which I have been elected, and which I am about to assume."

Section 5. Salaries. The salaries of the mayor and aldermen shall be set by ordinance. The salary ordinance shall be adopted at least thirty (30) days prior to the qualifying deadline preceding the regular city election and any change in salary shall take effect only with the start of a new term of office for the mayor or aldermen. [As replaced by Priv. Acts 2004, ch. 67, § 2; and Priv. Acts 2016, ch. 55, § 4]

Section 6. Vacancies. The office of Mayor or Alderman shall be declared vacant by the Board by reason of death, resignation, or failure to meet any of the qualifications of Section 2 of this Article, and shall be filled for the unexpired term by a majority vote of the remaining members of the Board. The Mayor shall have a vote in the event of a tie. A member of the Board may be appointed to fill a vacancy in the office of Mayor, but no member of the Board shall vote for his own appointment to fill such a vacancy.

ARTICLE IV. LEGISLATIVE POWERS AND PROCEDURE

Section 1. Exercise of Powers. The exercise of all powers granted in this Charter or by general law is vested in the Board of Mayor and Aldermen except as otherwise specifically provided. The Board shall speak solely through its minute entries which shall be authenticated by the presiding officer, at least one Alderman and the Recorder.

Section 2. Meetings. Regular meetings of the Board shall be held at least once every month, but the Board may provide by ordinance for as many other regular meetings as deemed necessary. The Board shall also fix by ordinance the hour at which regular meetings shall convene and the place at which meetings shall be held. Until changed by ordinance, regular meetings shall be held at 7:00 o'clock, p.m., on the first Monday in January following the election, and on the first Monday every month thereafter. Regular meetings may be adjourned to any subsequent day of the week in which the meeting is held. Special meetings may be called by the Mayor or two Aldermen by twenty-four hours notice, or shorter in case of an emergency, to the other members of the Board served personally by the Mayor or one of the Aldermen or by a police officer. The notice shall indicate in a general way the business to be considered and business not embraced in the call shall not be considered unless the Mayor and all Aldermen are present. All meetings shall be open to the public.

Section 3. Procedure. The Mayor shall preside at all meetings of the Board, and in his absence the Aldermen constituting a quorum may designate one of their members to act as presiding officer. Four members of the Board of Mayor and Aldermen shall constitute a quorum. The Mayor shall have no vote except in the event of a tie. The Board may by ordinance or resolution establish its own rules of procedure not inconsistent with this Charter and prescribe fines

not exceeding fifty dollars for non-attendance or disorderly conduct of its members. [As amended by Priv. Acts 2016, ch. 55, § 5]

Section 4. Ordinance Adoption--Resolutions. Except as otherwise provided, ordinances shall be passed in the following manner. Every proposed ordinance shall be in writing. After adoption of a Code of ordinances, each ordinance of a general and permanent nature shall be adopted as amending or adding a numbered section of the Code. Each ordinance amending an existing ordinance or section of the Code shall state the section of the ordinance or Code as amended in its entirety. Each ordinance shall be read and passed once on two separate days, which may be regular, adjourned or special meetings. An affirmative vote of at least three members of the Board shall be required for the passage of any ordinance. The record of how each member of the Board voted shall be spread on the minutes. After passage, each ordinance shall be authenticated by the Mayor and Recorder or in their absence, two of the Aldermen, and placed in a binder.

ARTICLE V. FINANCE

Section 1. Budget Preparation. As a prerequisite to the collection of taxes, the Board shall adopt annually a comprehensive budget which shall reasonably inform the taxpayers of the City of all estimated revenues by source and all funds which will be available for the coming fiscal year including all unexpended funds on hand at the end of the current fiscal year, and shall classify expenditures by major activities to inform the taxpayers of the purposes for which these revenues and funds are to be used during the coming fiscal year. The budget shall be based upon accurate and realistic estimates and shall be prepared by the Mayor with the assistance of the Recorder and by consultation with the Aldermen.

Section 2. Adoption. The budget ordinance shall, after five day's notice and public hearing, be finally adopted before the beginning of the fiscal year which shall be July 1 to June 30, and shall be published in its entirety. Adoption of the budget ordinance shall constitute an appropriation of the amounts listed for the stated purposes and a levy of a property tax at the rate stated. Unless otherwise required by law or contract, the property tax shall be levied by a single rate, and all revenues shall be credited to the general fund.

Section 3. Expenditures To Be Within Appropriation--Exception. No obligation shall be created or money spent to meet necessary expenditures in the current fiscal year until it shall have been determined that an appropriation in the annual budget has been made for that purpose and that there is unexpended in the appropriation for that purpose an amount sufficient to meet the obligation or to make the expenditure. Provided, however, the budget may be amended

quarterly in the same manner in which the annual budget was adopted so that there may be a re-appropriation to meet changing conditions, but subject to the following condition: re-appropriation shall not be permitted if within ten days following a public hearing to amend the annual budget a petition is filed with the Recorder signed by at least ten per cent of the registered voters of the City protesting any proposed reappropriation. Appropriations shall lapse at the end of the fiscal year, and all unexpended funds shall be reappropriated.

Section 4. Borrowing--Tax Anticipation. The Board, for the sole purpose of meeting the necessary expenditures for the operation of the City, is authorized to borrow money in an amount not to exceed fifty percent of the anticipated and uncollected revenues from taxes and other sources for the current year. Such borrowing shall be upon negotiable notes signed by the Mayor and Recorder, bearing the lowest interest rate obtainable, and with maturity not to extend beyond the current fiscal year.

Section 5. Borrowing--Emergency. In the event of an emergency, the nature of which shall be spread upon the minutes, the Board is authorized to borrow in any one fiscal year an amount not to exceed \$50,000, and to appropriate the proceeds to meet the emergency. Such appropriation shall not be within the restrictions of the annual budget. Such borrowing shall be upon negotiable notes signed by the Mayor and Recorder bearing the lowest interest rate obtainable. Provision shall be made in the budget for the succeeding fiscal year for the payment of such notes, and their maturity shall not be extended beyond the succeeding fiscal year. [As replaced by Priv. Acts 2016, ch. 55, § 6]

Section 6. Accounting. There shall be installed and maintained adequate accounting records in accordance with generally accepted principles of municipal accounting. Annual and monthly financial statements shall be prepared and constant and comprehensive budgetary control maintained. The same account titles shall be used throughout the accounting records, the budget and the financial statements.

Section 7. Disbursements. All disbursements shall be approved by the Recorder and Mayor. The Recorder and Mayor shall thus determine that each claim against the City is correct and due and shall approve each invoice for payment prior to approval by the Board of Mayor and Aldermen. These disbursements shall be provided to the Board of Mayor and Aldermen for review at the following regularly scheduled meeting. [As replaced by Priv. Acts 2016, ch. 55, § 7]

Section 8. Depositories. The Board shall designate official depositories of City funds, and require such security as they deem necessary.

Section 9. Audit. An audit of the financial affairs of the City shall be made after the close of each fiscal year by a public accountant skilled in such work. Each audit shall cover the period extending back to the date of the last preceding audit. Any taxpayer may file a bill in chancery court to compel the Board to have the audit made.

Section 10. Property Taxes. Taxes on property shall be due and payable on the first Monday in July of each year, and shall become delinquent on the first day of September. If taxes are not paid on or before the date fixed for delinquency, then a penalty of five percent thereon shall at once accrue. If the same be not paid on or before the first day of the following month, then an additional penalty of two percent thereon shall accrue, and an additional penalty of one percent shall accrue on the first day of each month thereafter that the same shall remain unpaid until such penalty shall reach the sum of ten percent on the original tax, whereupon the said penalty shall be no further increased. In addition to the foregoing penalties, all unpaid taxes shall bear simple interest at the rate of six percent per annum from the delinquency date. All taxes not paid by the end of the year for which assessed shall be collected by the Recorder in the same manner in which county trustees are directed and authorized to collect delinquent taxes. Police officers of the City are authorized to serve and execute all necessary process in the collection of delinquent taxes.

ARTICLE VI. ADMINISTRATIVE ORGANIZATION

Section 1. Organization by Ordinance. The Board shall by ordinance provide the administrative organization of the City not provided for in this Charter.

Section 2. Duties of the Mayor. The Mayor shall be the chief executive officer of the City, and shall have the duty of seeing that all laws are administered and enforced and the business of the City carried on efficiently. He shall have exclusive supervision of appointed officers and employees. The Mayor shall be the ceremonial head of the City, and shall have general supervision of all matters pertaining to the government of the City.

Section 3. Additional Offices and Positions of Employment. In addition to the offices required by this Charter, the Board may create such offices and positions of employment as deemed necessary for the efficient operation of the City, and shall fix the compensation for offices and positions created. All such offices and positions of employment shall be filled by the Board of Mayor and Aldermen, and all officers and employees shall serve at the will of the Board, subject to the Personnel Policies and Procedures approved by the Board of Mayor and Aldermen. All officers and employees who are authorized to receive or to have custody of public funds shall give bond acceptable to and in an

amount to be determined by the Board. The cost of bonds of officers and employees may be made an expense of the City, and instead of individual bonds, a blanket bond may be used. All officers, whether their offices are provided by this Charter, or the Board, shall before entering upon the duties of office, take oath required of the Mayor and Aldermen. In the temporary absence of any officer other than Aldermen, the Mayor shall appoint some qualified person to serve temporarily. [As replaced by Priv. Acts 2016, ch. 55, § 9]

A. CITY COURT

Section 1. City Judge--Appointment, Term, Salary. A city judge who shall constitute the City Court shall be appointed by the Board of Mayor and Aldermen to serve at the will of the Board. He shall be not less than twenty-one (21) years of age and shall take the oath prescribed for the Mayor and Aldermen and shall receive payment in an amount set by ordinance. This ordinance shall be adopted at least thirty (30) days prior to the qualifying deadline preceding the regular city election and any change in payment shall take effect only with the start of a new term of appointment coinciding with the mayor or aldermen elections. [As replaced by Priv. Acts 2016, ch. 55, § 8]

Section 2. Jurisdiction, Powers. The jurisdiction of the City Judge shall extend to the trial of all offenses against the ordinances of the City, and concurrently with Justices of the Peace for violation of the criminal laws of the State. He shall have power to levy fines and costs, to issue all necessary process, to administer oaths, and to maintain order including the power which justices of the peace have to fine for contempt.

Section 3. Bail. The bail of persons arrested and awaiting trial and persons appealing the decision of the City Judge shall be fixed by the City Judge and upon such security as in his discretion he deems necessary. Cash bail of persons arrested may be accepted at such times and by officials other than the City Judge as provided by ordinance. But no official shall accept cash bail except upon conditions fixed by ordinance whereby the person arrested shall be given a receipt, which shall explain the nature of the deposit. The receipt shall be in duplicate and may be made a part of the summons. The duplicate receipt with the money received shall be deposited with the City Judge within twenty-four hours of the arrest.

Section 4. Fines and Costs. Upon failure to pay fines and costs or to furnish security, the City Judge shall commit the offender to the City Jail or workhouse until such fines and costs have been paid. For each day's confinement, the offender shall be credited with \$2.00, but in no instance shall confinement be in excess of 90 days for any one offense. They shall be taxed in the bill of costs the same amounts and for the same items allowed for Justices

of the Peace for similar items in State cases. In addition he shall include in the costs five dollars for each arrest which amount shall be paid into the treasury of the City. [As replaced by Priv. Acts 2016, ch. 55, § 10]

Section 5. Docket. The City Judge shall keep a docket of all cases handled by him.

Section 6. Separation of Powers. The City Judge shall be exclusive judge of the law and the facts in every case before him, and no official or employee of the City shall attempt to influence his decision except through pertinent facts presented in Court.

Section 7. Deleted. [As deleted by Priv. Acts 2016, ch. 55, § 11]

B. RECORDER

Section 1. Appointment, Term, Compensation. A Recorder shall be appointed by the Board of Mayor and Aldermen to serve at the will of the Board, and shall receive such compensation as shall be fixed by ordinance.

Section 2. Finance. The immediate responsibility for the administration of all financial affairs of the City shall be that of the Recorder. He shall collect all taxes and receive all revenues, have custody of all funds and make all disbursements.

Section 3. Clerk. The Recorder shall perform all clerical duties not delegated to another officer, shall act as clerk and secretary to and attend all meetings of the Board, and shall have custody of all public records and all official bonds; provided, however, that the bond of the Recorder shall be in the custody of the Mayor.

ARTICLE VII. GENERAL PROVISIONS

Section 1. Franchises. Franchises shall not be granted for a period in excess of twenty-five years.

Section 1 (a).¹

(A) The board of mayor and aldermen of the City of Jamestown are authorized to establish and operate a cable television service within the confines

¹Priv. Acts 1990, ch. 138, § 1 did not specify placement of this section. The compiler chose to place it here.

of the City of Jamestown, Tennessee, and Fentress County, Tennessee, and to do and perform every act necessary and incidental thereto.

(B) The board of mayor and aldermen of such City of Jamestown are empowered to take and appropriate such lands and grounds, either within or without the limits of the City of Jamestown, as they may deem advisable, for the location and operation of such cable television service.

(C) The entire work, supervision, and control of the purchase, construction, operation, and maintenance of such cable television service shall be vested in the board of mayor and aldermen of the City of Jamestown. It shall be lawful for such board of mayor and aldermen to employ such subordinate officers, employees, agents, etc., as may be necessary to transact the business and do the work of constructing and operating such cable television service, and to delegate to such subordinate officers, employees, agents, etc., such authority and power as may be consistent with good business management. Such subordinate officers, employees, agents, etc., shall not have the right or authority to make any contracts binding upon such City of Jamestown unless they are expressly authorized to do so by ordinance duly passed by the board of mayor and aldermen of the City of Jamestown. The compensation to be paid to all such subordinate officers, employees, agents, etc., shall be fixed by ordinance which authorizes their appointment, and all such salaries or expenses shall be paid out of the funds or revenues herein provided for.

(D) The board of mayor and aldermen of the City of Jamestown shall have full power and authority by ordinance to make and enforce all reasonable rules and regulations from time to time for the control and management of such cable television service, and to set rates for the use of the cable television service. The city shall have the right to enter upon the premises where cable television service is used or desired for the purpose of inspecting, repairing, installing, regulating, or terminating the use of such cable television service. The city shall have the right to terminate such service on the account of the nonpayment of rates. The city shall have the full power and authority to collect and enforce collections of all monies due for the use of such cable television service or otherwise arising out of the operation of such system.

(E) The board of mayor and aldermen of the City of Jamestown shall have full power and authority to borrow money to purchase, acquire, construct, extend, improve, repair or equip any such system and issue its bonds or notes therefor, including refunding bonds, in such form and upon such terms as it may determine. Any such bonds or notes shall be issued pursuant to the procedures set forth in and shall be governed by the provisions of Tennessee Code Annotated, Title 9, Chapter 21, including provisions dealing with covenants permitted in bond resolutions, security and remedies of bondholders and the

system hereinabove described shall be deemed to be a "public works project", as that term is defined in Title 9, Chapter 21, Tennessee Code Annotated. [As amended by Priv. Acts 1990, ch. 138, § 1]

Section 2. Status of Officers. Persons holding the offices of Mayor and Aldermen shall continue to hold those offices until their successors are elected at the next regular City election and qualified.

Section 3. Interpretation, Constitutionality. In the interpretation of any portion of this Charter whose meaning or application is in dispute, it is intended that the phraseology shall be liberally construed to effect the substantial objects of the Charter. If any section or part of this Charter proves to be invalid or unconstitutional, the same shall not be held to invalidate or impair the validity, force, or effect of any other section or part.

Section 4. Be it further enacted, That this Act shall be void and of no effect unless the same shall be approved by two-thirds of the Board of Mayor and Aldermen of the City of Jamestown, Tennessee, within ninety days after its approval by the Governor. Its approval or non-approval shall be certified by the Mayor to the Secretary of State.

Section 5. Be it further enacted, That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: February 13, 1959.

James L. Bomar,
Speaker of the House of Representatives

Wm. D. Baird,
Speaker of the Senate

Approved: February 20, 1959.

Buford Ellington,
Governor

PRIVATE ACTS COMPRISING THE CHARTER OF THE
CITY OF JAMESTOWN, TENNESSEE

YEAR	CHAPTER	SUBJECT
1937	829 ¹	Bond
1937	892	Amended boundaries
1943	279	Amended boundaries
1947	666	Amended boundaries
1949	161	Replaced boundaries
1951	188	Amends boundaries in § 1
1951	391	Bond
1953	118 ¹	Bond
1959	54	Basic Charter Act
1965	222	Amended § 5 relative to salaries of mayor and aldermen
1990	138	Amends Article VII relative to mayor and aldermen
2000	64	Not ratified
2004	67	Amends Article III relative to term of office; and salaries of mayor and board of aldermen
2016	55	Amends Article II, §§ 5 and 8; amends Article III, § 2 and replaces § 5; amends Article IV, § 3 and replaces §§ 5 and 7; replaces Article VI, § 3 and A. §§ 1 and 4; and deletes Article VI, A § 7.

¹Bond acts are of a temporary nature and therefore not included in the compilation of this charter.