

TITLE 1

GENERAL ADMINISTRATION¹

CHAPTER

1. BOARD OF MAYOR AND ALDERMEN.
2. MAYOR.
3. VICE MAYOR.
4. ADMINISTRATOR.
5. RECORDER.
6. TREASURER.
7. TOWN ATTORNEY.

CHAPTER 1

BOARD OF MAYOR AND ALDERMEN²

SECTION

- 1-101. Time and place of regular meetings.
1-102. Powers of the town.

1-101. Time and place of regular meetings. The Board of Mayor and Aldermen of the Town of Cornersville ("Board"), shall meet in regular session on the first Thursday of each month at 7:00 p.m. at the Town Hall in Cornersville, Tennessee. (Ord. #12, Oct. 1937, modified)

¹Charter references

See the charter index, the charter itself, and footnote references to the charter in the front of this code.

Municipal code references

Utilities: titles 18 and 19.

Wastewater treatment: title 18.

Zoning: title 14.

²Charter references

Compensation: § 6.

Eligibility: § 6.

Oath of office: § 6.

Term of office: § 8.

Vacancy in office: § 12.

1-102. Powers of the town. The town shall have authority to:

(1) Assess, levy and collect taxes for all general and special purposes on all subjects or objects of taxation, and privileges taxable by law for state, county or town purposes;

(2) Adopt classifications of the subject and objects of taxation that are not contrary to law;

(3) Make special assessments for local improvements;

(4) Contract and be contracted with;

(5) Incur debts by borrowing money or otherwise, and give any appropriate evidence thereof, in the manner hereinafter provided;

(6) Issue and give, sell, pledge or in any manner dispose of, negotiable or nonnegotiable interest-bearing or non-interest bearing bonds, warrants, promissory notes or orders of the town, upon the credit of the town or solely upon the credit of specific property owned by the town or solely upon the credit income derived from any property used in connection with any public utility owned or operated by the town, or solely upon the credit of the proceeds of special assessments for local improvements, or upon any two (2) or more such credits;

(7) Expend the money of the town for all lawful purposes;

(8) Acquire or receive and hold, maintain, improve, sell, lease, mortgage, pledge or otherwise dispose of property, real or personal, and any estate or interest therein, within or without the town or state;

(9) Condemn property, real or personal, or any easement interest or estate or use therein, either within or without the town, for the present or future public use in accordance with Tennessee Code Annotated, title 29, chapter 16, or in any other manner, provided by law.

(10) Take and hold property within or without the town or state upon trust; and administer trusts for the public benefit.

(11) Acquire, construct, own, operate, and maintain, or sell, lease, mortgage, pledge or otherwise dispose of public utilities or any estate or interest therein, or any other utility of service to the town, its inhabitants, or any part thereof, and, further, may issue debt for these purposes under the Local Government Public Obligations Act, compiled at Tennessee Code Annotated, title 9, chapter 21.

(12) Grant to any person, firm, association or corporation (including the town) franchises for public utilities and public services to be furnished the town and those therein. The power to grant franchises embraces the power to grant exclusive franchises. Whenever an exclusive franchise is granted, it shall be exclusive not only against any other person, firm, association, or corporation, but also against the town itself. Franchises may be granted for a period of twenty-five (25) years or less, but not longer. The board may prescribe in each grant a franchise, the rate, fares, charges and regulations that may be made by

the grantee of the franchise in accordance with state and federal law. Franchises may by their terms apply to the territory within the corporate limits of the town at the date of the franchises, and as the corporate limits may be enlarged, and to the existing streets, alleys and thoroughfares that thereafter may be opened;

(13) Make contracts with any person, firm, association or corporation for public utilities, public services to be furnished the town and those therein. The power to make contracts embraces the power to make exclusive contracts. When an exclusive contract is entered into, it shall be exclusive against any other person, firm, association or corporation. These contracts may be entered into for a period of twenty-five (25) years or less, but no longer. The board may prescribe in each such contract entered into, the rates, fares, charges, and regulations that may be made by the person, firm, association or corporation with whom the contract is made. Such contracts may by their terms apply to the territory within the corporate limits of the town at the date of the contract, and as the corporate limits may be enlarged, and to the then existing streets, alleys and thoroughfares that thereafter may be opened;

(14) Prescribed reasonable regulations regarding the construction, maintenance, equipment, operation and service of public utilities, compel reasonable extensions of facilities for these services, and assess fees for the use of or impact upon these services. Nothing herein shall be construed to permit the alteration or impairment of any of the terms or provisions of any exclusive franchise granted or of any exclusive contract entered into under subdivisions (19) and (20);

(15) Establish, open, relocate, vacate, alter, widen, extend, grade, improve, repair, construct, reconstruct, maintain, light, sprinkle and clean public highways, streets, boulevards, parkways, sidewalks, alleys, parks, public grounds, public facilities, libraries and squares, wharves, bridges, viaducts, subways, tunnels, sewers and drains within or without the corporate limits, regulate their use within the corporate limits, assess fees for the use of or impact upon such property and facilities, and take and appropriate property therefor under the provisions of Tennessee Code Annotated, §§ 7-31-107--7-31-111 and 29-16-114, or any other manner provided by general laws;

(16) Construct, improve, reconstruct and reimprove by opening, extending, widening, grading, curbing, guttering, paving, graveling, macadamizing, draining or otherwise improving any streets, highways, avenues, alleys or other public places within the corporate limits, and assess a portion of the cost of these improvements on the property abutting on or adjacent to these streets, highways or alleys under, and as provided by Tennessee Code Annotated, title 7, chapters 32 and 33;

(17) Assess against abutting property within the corporate limits the cost of planting shade trees, removing from sidewalks all accumulations of snow, ice, and earth, cutting and removing obnoxious weeds and rubbish, street lighting, street sweeping, street sprinkling, street flushing, and street oiling, the cleaning and rendering sanitary or removal, abolishing, and prohibiting of closets and privies, in such manner as may be provided by general law or by ordinance.

(18) Acquire, purchase, provide for, construct, regulate and maintain and do all things relating to all market places, public buildings, bridges, sewers and other structures, works and improvements;

(19) Collect and dispose of drainage, sewage, ashes, garbage, refuse or other waste, or license and regulate their collection and disposal, and the cost of collection, regulation, or disposal may be funded by taxation, special assessment to the property owner, user fees or other charges;

(20) License and regulate all persons, firms, corporations, companies and associations engaged in any business, occupation, calling, profession or trade not prohibited by law;

(21) Impose a license tax upon any animal, thing, business, vocation, pursuit, privilege or calling not prohibited by law;

(22) Define, prohibit, abate, suppress, prevent and regulate all acts, practices, conduct, business, occupations, callings, trades, use of property and all other things whatsoever detrimental, or liable to be detrimental, to the health, morals, comfort, safety, convenience or welfare to the inhabitants of the town, and exercise general police powers;

(23) Prescribe limits within which business occupations and practices liable to be nuisances or detrimental to the health, morals, security or general welfare of the people may lawfully be established, conducted or maintained;

(24) Inspect, test, measure and weigh any article for consumption or use within the town, and charge reasonable fees therefor, and provide standards of weights, tests and measures;

(25) Regulate the location, bulk, occupancy, area, lot, location, height, construction and materials of all buildings and structures, and inspect all buildings, lands and places as to their condition for health, cleanliness and safety, and when necessary, prevent their use and require any alteration or changes necessary to make them healthful, clean or safe;

(26) Provide and maintain charitable, educational, recreative, curative corrective, detentive, or penal institutions, departments, functions, facilities, instrumentalities, conveniences and services;

(27) Purchase or construct, maintain and establish a workhouse for the confinement and detention of any person convicted in the town court of offenses against the laws and ordinances of the town who fails to secure the fine imposed upon such person, or contract with the county to keep these persons in the

workhouse of the county and provide by that contract and by ordinance for the commitment of these persons to the workhouse so provided until the fines are paid;

(28)(a) Enforce any ordinance, rule or regulation by fines, forfeitures, and penalties, and by other actions or proceedings in any court of competent jurisdiction;

(b) No penalty may exceed five hundred dollars (\$500.00) for any one (1) offense;

(c) Each day an offense continues shall be a separate and distinct offense;

(29) Regulate, tax, license or suppress the keeping or going at large of animals within the town, impound them, and in default of redemption, sell or kill them;

(30) Call elections as herein provided. (Ord. #94-11, May 1994, modified)

CHAPTER 2

MAYOR

SECTION

- 1-201. To preside at meetings.
- 1-202. To vote in the event of a tie.
- 1-203. Shall not introduce ordinances, etc.
- 1-204. Signs journal, etc.
- 1-205. No administrative duties.
- 1-206. Legal processes.

1-201. To preside at meetings. The mayor shall preside at all meeting of the board.

1-202. To vote in the event of a tie. The mayor shall have a voice in the proceedings of the board but shall not be entitled to vote on any question except in the event of a tie vote of aldermen in which case the mayor shall be entitled to vote.

1-203. Shall not introduce ordinances, etc. The mayor shall not introduce an ordinance, resolution or motion before the board.

1-204. Signs journal, etc. The mayor shall sign the journal of all board meetings, all ordinances and resolutions passed by the board and execute all deeds, bonds, contracts, notes and other instruments in the name of the town.

1-205. No administrative duties. The mayor shall not have any administrative duties.

1-206. Legal processes. All legal processes shall be served on the mayor.

CHAPTER 3

VICE MAYOR

SECTION

1-301. Term, duties, etc.

1-302. Voting privileges.

1-301. Term, duties, etc. The board shall elect an alderman to the office of vice mayor for a two (2) year term. The vice mayor shall serve when the mayor is temporarily absent or unable to discharge the duties of the office.

1-302. Voting privileges. The vice mayor, when acting as mayor, shall retain his voting privileges as an aldermen.

CHAPTER 4

ADMINISTRATOR

SECTION

1-401. Appointment, term, etc.

1-402. Budget committee.

1-403. May serve as recorder and treasurer.

1-404. Bond.

1-405. Duties.

1-401. Appointment, term, etc. The board shall appoint a person to be the administrator for a term and salary as determined by the board.

1-402. Budget committee. The administrator shall be a member of the budget committee.

1-403. May serve as recorder and treasurer. The administrator may, at the direction of the board, be the same person as the recorder and treasurer.

1-404. Bond. The administrator shall execute a bond in a sum fixed by the board.

1-405. Duties. The administrator shall be under the direction and control of the board, be responsible to the board and shall:

- (1) Administer the business of the town;
- (2) Recommend to the board employment, promotion and discharge of all employees;
- (3) Direct, control, supervise, discipline and suspend all employees, in accordance with policies and procedures adopted by the board;
- (4) Issue licenses and permits on behalf of the town;
- (5) Act as purchasing agent for the Town in the purchase of all the materials, supplies and equipment for the proper conduct of town business; provided that all purchases shall be made in accordance with policies, practices and procedures established by the board;
- (6) Make recommendations to the board for improving the quality and quantity of public service to be rendered by the town to its citizens;
- (7) Keep the board fully advised as to the condition and needs of the town;
- (8) Report to the board the condition of all property, real and personal, owned by the town and recommend repairs or replacements as needed;

(9) Recommend to the board and suggest the priority of programs or projects involving public works or public improvements that should be undertaken by the town;

(10) Recommend specific personnel positions, as may be required for the needs and operations of the town, and may propose personnel policies and procedures for approval by the board;

(11) Perform such other duties as may from time to time be designated or required by the board.

CHAPTER 5**RECORDER¹****SECTION**

- 1-501. Appointment.
- 1-502. Budget committee member.
- 1-503. Board directs.
- 1-504. May serve as administrator and treasurer.
- 1-505. Shall be certified.

1-501. Appointment. The board shall appoint a person to be the recorder for a term and salary as determined by the board.

1-502. Budget committee member. The recorder shall be a member of the budget committee.

1-503. Board directs. The recorder shall be under the direction and control of the board.

1-504. May serve as administrator and treasurer. The recorder may, at the direction of the board, be the same person as the administrator and/or treasurer.

1-505. Shall be certified. The recorder shall be certified by the secretary of State of the State of Tennessee as provided by Public Acts of 1994, Chapter 548, as amended. (Ord. #95-01, March 1995, modified)

¹Charter reference: § 24.

CHAPTER 6

TREASURER

SECTION

- 1-601. Appointment.
- 1-602. Budget committee member.
- 1-603. May serve as administrator and recorder.
- 1-604. Bond.
- 1-605. Issues receipts for taxes, etc.
- 1-606. Supervises fiscal affairs.
- 1-607. Warrants.
- 1-608. Certifies available money.

1-601. Appointment. The board shall appoint a person to be the treasurer for a term and salary as determined by the board.

1-602. Budget committee member. The treasurer shall be a member of the budget committee.

1-603. May serve as administrator and recorder. The treasurer may, at the discretion of the board, be the same person as the administrator and/or recorder.

1-604. Bond. The treasurer shall execute a bond in an amount determined by the board.

1-605. Issues receipts for taxes, etc. The treasurer shall collect, receive and issue receipts for all taxes and other revenues and bonds of the town.

1-606. Supervises fiscal affairs. The treasurer shall keep a proper account of all funds and expenditures of the town and shall exercise general supervision over the town's fiscal affairs.

1-607. Warrants. All warrants to be paid shall be signed by the mayor and administrator.

1-608. Certifies available money. The treasurer shall first certify that money required is available or will be available for contracts, obligations, agreements, expenditures of the town on time to comply with the terms of the contract, obligation or agreement.

CHAPTER 7**TOWN ATTORNEY****SECTION**

1-701. Appointment.

1-702. Duties.

1-701. Appointment. The board shall appoint a town attorney who shall be an attorney at law admitted to the practice of law within the State of Tennessee and the courts of this state.

1-702. Duties. The town attorney shall direct the management of all litigation in which the town is a party; represent the town in all legal matters and functions and proceedings of whatsoever kind and nature; attend all meetings of the board; advise the board, officers and department heads of the town as to legal questions affecting the town's interest; and approve all contracts, deeds, bonds, ordinances, resolutions and other documents to be signed in the name of, or made by or with the town. The salary and term of the town attorney shall be fixed by resolution of the board. The town attorney is designated the delinquent tax attorney for the town.