

CHARTER OF THE CITY OF HENDERSON, TENNESSEE¹

CHAPTER 198.

House Bill No. 254.

AN ACT to incorporate the City of Henderson, Chester County, Tennessee, and define the rights, powers, etc., of said city.

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¹Priv. Acts 1901, ch. 198, is the current basic charter act for the City of Henderson, Tennessee. The text of the basic charter act set out herein includes all its amendments through the 2016 session of the 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 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 continuing application, such as bond authorization and validation acts have not been included in this compilation.

²See page C-14 for other acts affecting the City of Henderson not included in the charter.

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SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That the City of Henderson, in Chester County, Tennessee, and the inhabitants thereof, are hereby constituted a body politic, and corporate under the name and style of the "City of Henderson," and shall have perpetual succession; that by this corporate name and style may sue and be sued, contract and be contracted with, grant, receive, purchase, and hold real, mixed and personal property, or dispose of the same for the benefit of said city, and have and use an official seal. [As amended by Priv. Acts 2001, ch. 46, § 1]

SECTION 2. Be it further enacted, That the corporate limits¹ of the City of Henderson, in Chester County, are as follows:

Beginning at a stake in the south margin of the Old Jacks Creek gravel road, at a point 1042 feet south 87 degrees east of the old corporate limits; runs thence northward with the line of the properties of Terry and Cooley to a stake in the south margin of Highway No. 100, the same being north 75 degrees east

¹The corporate limits as herein set out have been extended by the following annexation ordinances of record in the recorder's office:

Ordinances No. 56, 71, 124, 128, 143, 179, 195, 196, 222, 223, 282, 301, 314, 318, 351, 370, 381, 389, 393, and 401.

527 feet and north 70 degrees east 616 feet from the old city limit on said highway; thence in a northwesternly direction to a stake on the east side of the road, directly east of the point where Fifth Street intersects said road; runs thence north 41½ degrees west to a stake in the north margin of the Henderson Mifflin gravel road; runs thence north 84 degrees west to a stake where North Street Extended intersects United States Highway No. 45, this point being north 12 degrees west and 1025 feet from the old corporate limits; thence in a southwestern direction to a post on the west side of United States Highway No. 45, south of Stewart's Garage, which is north 80 degrees west and 154 feet from the old W. S. Baughn corporate corner; thence southward or south to a stake on the south side of U. S. Highway No. 100, which is south 16 degrees west and 480 feet from a corner of the old corporate limits on the south side of West Main Street; runs thence a little north of east to the Henderson Compress Company water tank; runs thence in a northeastern direction to the point of beginning on the said old Jacks Creek Road. [As amended by Priv. Acts 1945, ch. 129; Priv. Acts 1949, ch. 664; and Priv. Acts 2001, ch. 46, § 1]

SECTION 3. Be it further enacted, That the officers of the City of Henderson are to be elected by the qualified voters of the city and shall be a Mayor and six (6) Aldermen and they shall constitute the City Board. The Mayor and Aldermen shall all be citizens and qualified voters of said city and shall hold their offices until their successors are elected, qualified and sworn into office. Beginning with the election held on the first Thursday in August of 2002, in conjunction with the General Primary election of the State of Tennessee, three (3) Aldermen shall be elected to take office on the first Monday of October 2002 for a term that lasts until the first Monday of September of 2006. Thereafter, their successors shall take office on the first Monday of September following their election for a term of four (4) years. Beginning with the election held on the first Thursday in August of 2004, in conjunction with the General Primary election of the State of Tennessee, three (3) Aldermen and a Mayor shall be elected to take office on the first Monday of October 2004 for a term that lasts until the first Monday of September of 2008. Thereafter their successors shall take office on the first Monday of September following their election for a term of four (4) years. The City municipal election shall be held in accordance with the provisions of the election laws of the State.

The Board of Mayor and Aldermen shall appoint a City Attorney, City Recorder, Chief of Police, Fire Chief, Public Works Director, Utility Director, Building Official, and all other operating department heads, who shall serve at the pleasure of the Board. [As amended by Priv. Acts 1903, ch. 225, §§ 1 and 2; Priv. Acts 1905, ch. 327; Priv. Acts 1921, ch. 876, §§ 1, 2, 5, and 6; Priv. Acts 1925, ch. 631; Priv. Acts 1977, ch. 72, §§ 1 and 2; replaced by Priv. Acts 1979, ch. 148, § 1; amended by Priv. Acts 1988, ch. 151, § 1; replaced by Priv. Acts 2001, ch. 46, § 2; and amended by Priv. Acts 2007, ch. 11, § 1]

SECTION 4. Be it further enacted, That the Mayor, Aldermen, Recorder, Chief of Police, and Judge shall, before entering upon their duties, take an oath, before a person authorized by law to administer oaths in this state, to honestly and faithfully discharge the duties of their respective offices without partiality or favoritism. [As replaced by Priv. Acts 1977, ch. 72, § 3; and amended by Priv. Acts 2001, ch. 46, § 3; and replaced by Priv. Acts 2007, ch. 11]

SECTION 5. Be it further enacted, That the legislative power of the city of Henderson shall be exercised by and vested in the Board of Mayor and Aldermen of the city, over whose meetings the Mayor shall serve as presiding officer and cast the deciding vote where there is a tie. A majority of all the Aldermen shall constitute a quorum for the transaction of business. The Board, at the first meeting after each election, shall appoint one of its number to serve as Vice-Mayor. If the Mayor shall be temporarily absent the Vice-Mayor shall preside over the deliberation of the body, in which event one more than a quorum shall be present. In the event of a vacancy in the office of Mayor, the Board shall have the authority to elect from its members a person to assume the duties of the Mayor for the unexpired term of that office or until the next municipal biennial election, then the position of Mayor shall be filled at such next biennial election and the person appointed to such office shall only serve as Mayor until a person is elected as Mayor at such election. The person so elected shall be elected to fill the unexpired term of his predecessor as Mayor. Alternatively, the Board may elect to declare a vacancy in the office of Mayor and shall instruct the City Recorder to certify such fact to the County Election Commission and the Commission shall, within ten (10) days, call a special election to fill the unexpired term of the office of Mayor of the city of Henderson. The special election shall be called and held under the applicable general laws of the state regulating the holding of elections. The person so elected shall be elected to fill the unexpired term of his predecessor as Mayor. Any member of the Board, upon assuming the office of Mayor, shall have all powers and duties of the Mayor, until a new Mayor is elected or appointed and assumes the position of Mayor.

The Board of Mayor and Aldermen of the city of Henderson shall have the power to fill any and all other vacancies occurring in the Board.

The Board of Mayor and Aldermen may, by ordinance entered upon the minutes, set the salary of the Mayor and Aldermen. Any ordinance establishing, increasing, or decreasing such salary shall be adopted at least one hundred eighty (180) days prior to the next municipal election and shall be in accordance with Article XI, Section 9 of the Tennessee Constitution.

At any time the Board may, by ordinance, establish, increase, or decrease the benefits, other than salaries, that are incidental to the office of mayor and aldermen; provided that such benefits are commensurate with like benefits being furnished to employees of the city, such as, but not limited to, insurance under a group plan. However, any such ordinance notwithstanding, the Mayor

shall be entitled to insurance and retirement benefits as provided to employees of the city. The Board shall adopt an ordinance authorizing and regulating the reimbursement of municipal officers and employees for the expenses they incur in the performance of the duties of their offices or employment. The Mayor and Aldermen shall be entitled to reimbursement under the provisions of that ordinance.

The Board of Mayor and Aldermen shall have the power to request the Chester County Election Commission to conduct a special election or referendum within the city of Henderson as the board may deem necessary from time to time. [As amended by Priv. Acts 1941, ch. 340; Priv. Acts 1974, ch. 352; Priv. Acts 1977, ch. 72, §§ 2, 4, and 5; replaced by Priv. Acts 1979, ch. 148, §§ 2 and 3; and amended by Priv. Acts 1988, ch. 151, § 2; Priv. Acts 1989, ch. 2; and Priv. Acts 2001, ch. 46, § 4; and replaced by Priv. Acts 2007, ch. 11, § 3]

SECTION 6. Be it further enacted, That no person shall be eligible to hold the office of Mayor, or Alderman, or any other office to be elected by the qualified voters of the City of Henderson, unless the person is a resident within the corporate limits of Henderson for a period of twelve (12) months next preceding the day of election, and a legally qualified voter in the election of the said city. [As replaced by Priv. Acts 1989, ch. 108; and amended by Priv. Acts 2001, ch. 46, §§ 1 and 5]

SECTION 7. Be it further enacted, That the Board of Mayor and Aldermen shall prescribe its own rules of proceedings, the punishment of its own members of misconduct in office, and enforce the same. Two thirds (2/3) of the remaining members of the Board present and voting to concur may vote for the expulsion of a member for any malfeasance, misfeasance, or nonfeasance of office, in accordance with applicable state law. A less number than a majority can adjourn from day to day and may by ordinance compel the attendance of absent members by fines and penalties. The Board of Mayor and Aldermen shall hold its regular meetings at such times as it may determine and adopt by ordinance the city of Henderson Municipal Code. [As amended by Priv. Acts 1988, ch. 151, § 3; and Priv. Acts 2001, ch.46, § 6; and replaced by Priv. Acts 2007, ch. 11, § 4]

SECTION 8. Be it further enacted, That the Mayor and Aldermen of Henderson shall have the power by ordinances within the corporate limits of said City of Henderson:

1st. To levy and collect taxes upon all property taxable by law for State purposes being in the bounds of said corporation.

2d. To levy and collect taxes upon all privileges and polls taxable by law of the State, which shall in no wise exceed the State tax.

3d. To appropriate money and provide for the payment of debts and expenses of the city.

4th. To make regulations to prevent the introduction and spread of all contagious diseases into the city and to make quarantine laws for this purpose, and enforce the same.

5th. To establish hospitals and regulations for the government of same.

6th. To make regulations to secure the health of the inhabitants, and to prevent and remove all nuisances.

7th. To open, alter, abolish, widen, extend, establish, grade or otherwise improve, gravel, cleanse and keep in repair streets, alleys, sidewalks and public squares.

8th. To establish and keep in repair bridges, culverts, sewers and gutters.

9th. To provide for the erection of all buildings necessary for the use of the City of Henderson.

10th. To license, regulate and tax all businesses and all privileges taxable by the State.

11th. To license, tax and regulate theatrical and other exhibitions, shows and amusements.

12th. To prohibit and suppress disorderly or bawdy houses or houses of ill-fame.

13th. To provide for the prevention and extinguishment of fires, to organize and regulate fire companies, to establish fire limits, to regulate or prohibit the erection of wooden buildings in the fire limits thus established.

14th. To establish a system of free schools and maintain them by taxation.

15th. To regulate the police of the city, to improve fines, forfeitures and penalties for breach of any ordinances and provide for the collection of the same.

16th. To provide for the arrest and confinement until trial of all riotous or disorderly persons within the assemblies of any street, house, or other place in said city by day or by night, to authorize the detention of all suspicious persons found violating any ordinances of the city.

17th. To prevent and punish by pecuniary penalties all breaches of the peace, noises, disturbances or disorderly persons within the assemblies in any street, house or other place in said city by day or by night.

18th. To regulate and provide for the construction and repair of sidewalks and foot pavements, and if the owner or owners of any business lots shall fail to comply with the provisions of any ordinance requiring such owner or owners to build or repair, after due notice the city authorities may build the same, if the Board of Mayor and Aldermen so order and pay therefor, and the amount so paid shall be held a lien on said business lot or lots of land and the improvements thereon, which may be enforced by any court of competent jurisdiction under the proper proceedings brought in the name of the city of Henderson.

19th. To pass all ordinances not contrary to the constitution of and laws of the State, and that may be necessary to carry out the fulfillment and meaning of this Act, and to accomplish the object of this incorporation.

20th. Provided further, the Mayor and Aldermen of the City of Henderson, Tennessee, shall have the right and authority to dispatch fire trucks, fire equipment and personnel outside the corporate limits under such rules and regulations as the Board of Mayor and Aldermen may from time to time prescribe.

21st. (1) The Board of Mayor and Aldermen of the City of Henderson are authorized to establish and operate a cable television service within the confines of the City of Henderson, Tennessee, and Chester County, Tennessee, and to do and perform every act necessary and incidental thereto.

(2) The Board of Mayor and Aldermen of such City of Henderson are empowered to take and appropriate of such lands and grounds, either within or without the limits of the City of Henderson, as they may deem advisable, for the location and operation of such cable television service.

(3) 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 Henderson. 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 Henderson unless they are expressly authorized to do so by a resolution duly passed by the Board of Mayor and Aldermen of such City of Henderson. The compensation to be paid to all such subordinate officers, employees, agents, etc., must be fixed by resolution which authorizes their appointment, and all such salaries or expenses shall be paid out of the funds or revenues herein provided for.

(4) The Board of Mayor and Aldermen of the City of Henderson 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.

(5) The Board of Mayor and Aldermen of the City of Henderson shall have full power and authority to borrow monies or to issue bonds necessary for the construction and operation of such cable television service.

22nd. To make such expenditures as are necessary to maintain and increase employment opportunities in the city and county by promoting industry, trade, commerce, tourism, and recreation by inducing manufacturing, industrial, governmental, educational, financial, service, commercial, recreational, and agricultural enterprises to locate in or remain in the county.

23rd. Room occupancy Tax. As used in this subsection unless the context otherwise requires:

(1) "City" means the City of Henderson, Tennessee.

(2) "City Recorder" means the City Recorder of the City of Henderson, Tennessee.

(3) "Consideration" means the consideration charged, whether or not received, for the occupancy in a hotel valued in money whether to be received in money, goods, labor or otherwise, including all receipts, cash, credits, property and services of any kind or nature without any deduction therefrom whatsoever. Nothing in this definition shall be construed to imply that consideration is charged when the space provided to the person is complimentary from the operator and no consideration is charged to or received from any person.

(4) "Hotel" means any structure or space, or any portion thereof, which is occupied or intended or designed for occupancy by transients for dwelling, lodging or sleeping purposes, and includes any hotel, inn, tourist camp, tourist court, tourist cabin, motel or any place in which rooms, lodgings or accommodations are furnished to transients for a consideration.

(5) "Occupancy" means the use or possession, or the right to the use or possession, of any room, lodgings or accommodations in any hotel.

(6) "Operator" means the person operating the hotel whether as owner, lessee or otherwise.

(7) "Person" means any individual, firm, partnership, joint venture, association, social club, fraternal organization, joint stock company, corporation, estate, trust, business trust, receiver, trustee, syndicate, or any other group or combination acting as a unit.

(8) "Transient" means any person who exercises occupancy or is entitled to occupancy for any rooms, lodgings or accommodations in a hotel for a period of less than thirty (30) continuous days.

The Legislative Body of the City of Henderson is authorized to levy a privilege tax upon the privilege of occupancy in any hotel of each transient in the amount of five percent (5%) of the consideration charged by the operator. Such tax is a privilege tax upon the transient occupying such room and is to be collected as provided in this act.

Such tax shall be added by each and every operator to each invoice prepared by the operator for the occupancy of the hotel and given directly or transmitted to the transient. Such tax shall be collected by such operator from the transient and remitted to the City of Henderson, Tennessee.

When a person has maintained occupancy for thirty (30) continuous days, that person shall receive from the operator a refund or credit for the tax previously collected or charged and the operator shall receive credit for the amount of such tax if previously paid or reported to the city.

(a) The tax levied shall be remitted by all operators who lease, rent or charge for any rooms, lodgings, spaces or accommodations in hotels within the city to the City Recorder or his designee who may be charged with the duty of collection thereof, such tax to be remitted to such officer not later than the twentieth (20th) day of each month for the preceding month. The operator is required to collect the tax from the transient at the time of the presentation of the invoice for such occupancy as may be the custom of the operator, and if credit is granted by the operator to the transient, then the obligation to the city entitled to such tax shall be that of the operator.

(b) For the purpose of compensating the operator for remitting the tax levied by this act, the operator shall be allowed two percent (2%) of the amount of the tax due and remitted to the city in the form of a deduction in submitting the report and paying the amount due by such operator, provided the amount due was not delinquent at the time of payment.

The City Recorder shall be responsible for the collection of such tax and shall place the proceeds of such tax in accounts as provided in this act. A monthly tax return shall be filed under oath with the City Recorder by the operator with such number of copies thereof as the City Recorder may reasonably require for the collection of such tax. The report of the operator, shall include such facts and information as may be deemed reasonable for the verification of the tax due. The form of such report shall be developed and furnished by the City Recorder. The City Recorder shall audit each operator in the city at least once a year and shall report on the audits to the Board of Mayor and Aldermen.

The Board of Mayor and Alderman is authorized to adopt ordinances to provide reasonable rules and regulations for the implementation of the provisions of this act.

No operator of a hotel shall advertise or state in any manner, whether directly or indirectly, that the tax or any part thereof will be assumed or absorbed by the operator or that it will not be added to the rent, or that if added, any part will be refunded.

Taxes collected by an operator which are not remitted to the City Recorder on or before the due dates are delinquent. An operator is liable for interest on such delinquent taxes from the due date at the rate of twelve percent

(12%) per annum, and is liable for an additional penalty of one percent (1%) for each month or fraction thereof such taxes are delinquent. Such interest and penalty shall become a part of the tax herein required to be remitted. Each occurrence of willful refusal of an operator to collect or remit the tax or willful refusal of a transient to pay the tax imposed is unlawful and shall be punishable by a civil penalty not in excess of fifty dollars (\$50.00). In addition, it is a violation of this act for any operator to knowingly file a false tax return and such violation shall be punishable by a civil penalty not in excess of fifty dollars (\$50.00).

It is the duty of every operator liable for the collection and payment to the city of any tax imposed by this act to keep and preserve for a period of three (3) years all records necessary to determine the amount of tax due and payable such person may have been liable for the collection of and payment to the city, which records the City Recorder, his designee or any accounting firm or accountant employed by the city, has the right to inspect at all reasonable times.

The City Recorder in administering and enforcing the provisions of this act has as additional powers, those powers and duties with respect to collecting taxes as provided in Title 67 of Tennessee Code Annotated or otherwise provided by law for City Recorders.

Upon any claim of illegal assessment and collection, the taxpayer has the remedies provided in Tennessee Code Annotated, Title 67. It is the intent of this act that the provisions of law which apply to the recovery of State taxes illegally assessed and collected shall also apply to the tax levied under the authority of this act. Provided, further, the City Recorder shall possess those powers and duties as provided in Tennessee Code Annotated, Section 67-1-707, for county clerks applicable to adjustments and refunds of such tax.

With respect to the adjustment and settlement with taxpayers, all errors of city taxes collected by the City Recorder under authority of this act shall be refunded by the city.

Notice of any tax paid under protest shall be given to the Mayor and City Recorder and suit may be brought for recovery against the Mayor and City Recorder.

The proceeds of the tax authorized by this act shall be allocated to and placed in the General Fund of Henderson, or such other fund as the Board of Mayor and Aldermen shall direct.

The tax levied pursuant to the provisions of this act shall only apply in accordance with the provisions of Tennessee Code Annotated, Section 67-4-1425.

If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

24th. The Board of Mayor and Aldermen may own and operate, or cause to be operated, water, wastewater and natural gas systems and shall establish

rates adequate to the self-sufficiency of the individual systems. Such rates may be established by ordinance or resolution, and shall be adjusted from time to time to ensure that there shall be no deficit in any of these systems. [As amended by Priv. Acts 1903, ch. 225; Priv. Acts 1913, ch. 24; Priv. Acts 1969, ch. 67; Priv. Acts 1989, ch. 13; Priv. Acts 1989, ch. 14; Priv. Acts 1995, ch. 117; and Priv. Acts 2001, ch. 46, §§ 1, 7, 8, 9, and 10]

SECTION 8A. Deleted. [As added by Priv. Acts 1921, ch. 876, § 4; and deleted by Priv. Acts 2001, ch. 46, § 11]

SECTION 9. Be it further enacted, That it shall be the duty of the Mayor to carefully examine all resolutions, ordinances and any other writings passed by the Board. Should any such resolution, ordinance or writing not meet with his approval, the same shall be returned at the next regular meeting of the Board with the objections thereto in writing. No action so vetoed shall go into effect unless the same be again passed by a majority of the entire Board. No ordinance shall become law unless the same shall have passed two readings by majority vote and been signed by the Mayor unless returned by veto at the next regular meeting. Both readings may be made at the same meeting by unanimous vote of the Board with no members absent or by readings at two regular consecutive meetings or at a special called meeting prior to the second consecutive regular meeting.

The Mayor may make temporary appointments to fill temporary vacancies, subject to the approval of the Board at its next regular meeting; he shall likewise have the power to make special deputation to increase temporarily the police force when in his judgment the good of the City requires it.

A special called meeting may be called by the Mayor, or by any three Aldermen, and he or they shall state to the Board in writing the purpose of such meeting, which, together with the action of the Board, shall be spread on the minutes of the regular minute book. The Mayor shall take care that all ordinances are duly enforced and observed, and perform other duties such as may by ordinance of the Board be required of him. [As replaced by Priv. Acts 2001, ch. 46, § 12]

SECTION 10. Be it further enacted, That the Board of Mayor and Aldermen shall appoint a City Judge who shall serve at the will of the Board. The City Judge shall try all offenses created by this act or any lawful ordinance of the city and impose penalties and enforce the collection and payment of the same. In the absence or temporary disability of the City Judge, the Mayor may designate a qualified person to serve as City Judge. The compensation of the City Judge shall be fixed by the Board of Mayor and Aldermen. The provisions of this section do not apply to any city official or employee who, on the effective date of this act, concurrently holds office as judge; provided, however, if such

official or employee either discontinues service as a city official or employee or discontinues service as judge of the municipal court, then the exemption granted by this sentence no longer applies. [As replaced by Priv. Acts 1983, ch. 135; Priv. Acts 2001, ch. 46, § 13; and by Priv. Acts 2007, ch. 11 § 5]

SECTION 11. Be it further enacted, That it shall be the duty of the Recorder to attend all meetings of the Board of Mayor and Aldermen. He shall keep an accurate minute of all the proceedings of the Board, and read the same at the next regular meeting of the Board for their approval, amendment or rejection; he shall collect all taxes due the corporation, of whatever kind; he shall issue all privilege licenses and keep a proper book account of the same, giving name of party to whom issued, and amount received for same; he shall have supervision over the city cemetery, and shall perform such duties in the management and control of the same as the ordinances require of him.

SECTION 12. Be it further enacted, That it shall be the duty of the City Attorney to acquaint himself thoroughly with the laws and ordinances of the city, and he shall rigidly enforce the same and prosecute for the city all violations of the laws and city ordinances, and council, and advise with the Board whenever his services are needed, and perform such other duties and services as the Board may by ordinance require of him.

The City Attorney shall receive compensation and fees as may from time to time be adjusted and approved by the Board. [As amended by Priv. Acts 1937, ch. 447; Priv. Acts 1977, ch. 72, § 7; Priv. Acts 1988, ch. 151, § 4; and Priv. Acts 2001, ch. 46, §§ 1 and 14]

SECTION 13. Be it further enacted, That it shall be the duty of the Chief of Police to rigidly and diligently enforce the laws and ordinances of the city, for which purpose police authority is hereby given him, which he may exercise without warrant in hand. He shall perform such other duties as the Board may by ordinance require of him. [As amended by Priv. Acts 1977, ch. 72, § 2; and Priv. Acts 2001, ch. 46, § 1]

SECTION 14. Be it further enacted, That all persons entitled to vote for members of the General Assembly under the laws of the state of Tennessee, and who are actual bona fide residents of the City of Henderson, shall be entitled to vote in municipal elections. [As replaced by Priv. Acts 1982, ch. 381; and Priv. Acts 2001, ch. 46, §§ 1 and 15; and amended by Priv. Acts. 2014, ch. 32]

SECTION 15. Be it further enacted, That when any tax shall be levied or imposed by the said corporation upon any real estate lying within said City of Henderson, and the owner or owners thereof shall not pay same, it shall be the duty of the Mayor and/or Recorder, by and with the advice and consent of

the Board of Aldermen, to take steps for the collection of said taxes as are or may be provided by the laws of the State for their collection.

All real estate and personal property taxes levied and assessed by said city shall become due the first day of October in the year for which they are levied and assessed, and shall become delinquent the first day of March in the year following, and the City Recorder is authorized and empowered to collect penalty and interest as allowed by state law each month or fraction thereof on the amount of taxes so delinquent. [As amended by Priv. Acts 1921, ch. 876, § 3; and replaced by Priv. Acts 2001, ch. 46, § 16]

SECTION 16. Be it further enacted, That this Act is declared to be a public law, and may be read in evidence in all Courts of law or equity without special proof of same.

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

Passed March 11, 1901.

E. B. Wilson,
Speaker of the House of Representatives.

Newton H. White,
Speaker of the Senate.

Approved March 13, 1901.

Benton McMillin,
Governor.

RELATED ACTS

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| Priv. Acts 1933, ch. 588, "Construction of electric transmission lines" | C-15 |

CHAPTER NO. 588¹

Senate Bill No. 939

(By Mr. Moss)

AN ACT entitled "An Act to amend Chapter 198 of the Acts of 1901, entitled 'An Act to incorporate the Town of Henderson, Chester County, Tennessee, and define the rights, powers, etc., of said Town,' so as to authorize the City of Henderson to build or construct electric transmission lines either alone or in co-operation with others, and to make contracts with reference to the same.'

Section 1. Be it enacted by the General Assembly of the State of Tennessee, That, An Act to incorporate the town of Henderson, Chester County, Tennessee, and define the rights, powers, etc., of said town, being Chapter 198, Acts of 1901, of the General Assembly of the State of Tennessee, be and the same is hereby amended so as to authorize and empower the City of Henderson to build, construct, own and operate transmission lines for the transmission of electricity for light and power, which transmission lines may be either wholly or partially within or without the City of Henderson; and the City of Henderson is authorized also to build, construct and maintain such lines, either singly or individually or in conjunction with and co-operation with other municipal corporation, counties, individuals or corporations, or either or all of them; and the City of Henderson is authorized and empowered to negotiate and enter into all necessary and proper contracts for the purchase, building, maintaining, use and operation of such electric transmission lines.

¹This act didn't specifically state what section of the charter it amended, so the compiler arbitrarily added it after the basic charter act.

Sec. 2. Be it further enacted, That this Act take effect from and after its passage, the public welfare requiring it.

Passed April 20, 1933.

A. F. Officer,
Speaker of the Senate.

Frank W. Moore,
Speaker of the House of Representatives.

Approved April 22, 1933.

Hill McAlister,
Governor.

CHARTER AND RELATED ACTS FOR THE CITY OF
HENDERSON, TENNESSEE

| YEAR | CHAPTER | SUBJECT |
|-----------|------------------|--|
| 1901 | 198 | Basic charter act. |
| 1903 | 225 | Amended § 3, relative to the recorder's duties and § 8 relative to ordinance powers by city. |
| 1905 | 327 | Repealed Pub. Acts 1903, ch. 225, § 2, which provided that recorder would also serve as an alderman. |
| 1905 | 419 ¹ | Authorized \$15,000 waterworks bond issue. |
| 1907 | 241 ¹ | Authorized \$20,000 electric and street bond issue. |
| 1911 | 374 ² | Abutting property law for curbing and sidewalks. |
| 1913 | 36 | Repealed by Priv. Acts 2001, ch. 46, § 17. |
| 1913 | 339 ¹ | Authorized \$25,000 sewer and street bond issue. |
| 1913 E.S. | 24 | Amended § 8 relative to miscellaneous ordinance powers by city. |

¹This act has not been included in the foregoing compilation because its purpose and effect are temporary.

²Abutting property laws have not been included in the foregoing compilation because they are now general laws with substantially the same provisions available for use by all municipalities.

| YEAR | CHAPTER | SUBJECT |
|-----------|------------------|--|
| 1917 | 31 ¹ | Authorized \$15,000 refunding bond issue. |
| 1919 | 683 ² | Abutting property law. |
| 1921 | 876 | Amended § 3 relative to the recorder's duties, § 15 relative to taxes, and added an 8A relative to cemetery tax. |
| 1923 | 662 | Repealed by Priv. Acts 2001, ch. 46, § 17. |
| 1925 | 631 | Amended § 3 relative to recorder's duties. |
| 1927 | 218 | Repealed by Priv. Acts 2001, ch. 46, § 17. |
| 1931 E.S. | 11 ¹ | Authorized \$30,000 industrial bond issue. |
| 1933 | 588 | Authorized electric transmission lines. (See Related Acts following the charter). |
| 1937 | 446 | Repealed by Priv. Acts 2001, ch. 46, § 17. |
| 1937 | 447 | Amended § 12 relative to compensation of city attorney. |

¹This act has not been included in the foregoing compilation because its purpose and effect are temporary.

²Abutting property laws have not been included in the foregoing compilation because they are now general laws with substantially the same provisions available for use by all municipalities.

| YEAR | CHAPTER | SUBJECT |
|------|------------------|--|
| 1939 | 16 ¹ | Validated \$17,500 refunding and \$30,000 general improvement bond issues. |
| 1941 | 60 ¹ | Validated \$1,000 war memorial building warrants. |
| 1941 | 340 | Amended §5 relative to vacancies in the office of the mayor. |
| 1941 | 349 ¹ | Validated \$2,500 funding bond issue. |
| 1945 | 129 | Amended § 2 relative to corporate limits. |
| 1949 | 664 | Amended § 2 relative to corporate limits. |
| 1969 | 67 | Amended § 8 relative to ordinance powers of city. |
| 1974 | 352 | Amended § 5 relative to mayor. |
| 1977 | 72 | Amended § 3 relative to election of chief of police; replaced § 4 relative to oath of officers; amended § 5 relative to chief of police; § 6 relative to chief of police and § 13 relative to chief of police. |
| 1979 | 148 | Replaced § 3 relative to mayor and aldermen and § 5 relative to mayor and aldermen. |

¹This act has not been included in the foregoing compilation because its purpose and effect are temporary.

| YEAR | CHAPTER | SUBJECT |
|------|---------|--|
| 1982 | 381 | Replaced § 14 relative to voting qualifications. |
| 1977 | 72 | Amended § 3 relative to election of chief of police; replaced § 4 relative to oath of officers; amended § 5 relative to chief of police; § 6 relative to chief of police and § 13 relative to chief of police. |
| 1979 | 148 | Replaced § 3 relative to mayor and aldermen and § 5 relative to mayor and aldermen. |
| 1982 | 381 | Replaced § 14 relative to voting qualifications. |
| 1983 | 135 | Replaced § 10 relative to trial of offenders. |
| 1988 | 151 | Amended § 3 relative to elections; § 5 relative to compensation of mayor and aldermen; § 7 relative to regular meetings of board; and § 12 relative to compensation of city attorney. |
| 1989 | 2 | Amended § 5 relative to special elections. |
| 1989 | 13 | Amended § 8 relative to ordinance powers of city. |
| 1989 | 14 | Amended § 8 relative to ordinance powers of city. |
| 1989 | 108 | Replaced § 6 relative to eligibility for office. |

| YEAR | CHAPTER | SUBJECT |
|------|---------|---|
| 1995 | 117 | Amended § 8 miscellaneous ordinance powers. |
| 2001 | 46 | Section 1 replaced all references to "town" with "city" throughout the charter; replaced § 3 relative to qualification and number of city officers; amended § 4 by deleting city attorney; amended § 5 relative to powers of vice-mayor and salary of mayor; amended § 6 relative to residency of officials; amended § 7 relative to offenses by city officials; amended § 8 relative to miscellaneous ordinance powers; deleted § 8A; replaced § 9 relative to duties and powers of the mayor and ordinance procedures; replaced § 10 relative to powers and duties of mayor and recorder; amended § 12 relative to compensation of city attorney; replaced § 14 relative to voter requirements; replaced § 15 relative to property taxes; and repealed related acts: Priv. Acts 1913, ch. 36; Priv. Acts 1923, ch. 662; Priv. Acts 1927, ch. 218; and Priv. Acts 1937, ch. 446. |
| 2007 | 11 | Amended § 3 by replacing the second paragraph; replaced § 5 relative to mayor, vice-mayor, vacancies in office of mayor, salaries; replaced § 7 relative to rules of proceedings, expulsion, meeting times; replaced § 10 relative to the city judge. |
| 2014 | 32 | Amended § 14 by deleting the second paragraph. |