

CHARTER FOR THE TOWN OF GLEASON, TENNESSEE¹

CHAPTER NO. 33

HOUSE BILL NO. 1027

By Mr. Speaker McWherter, Tanner

Substituted for: Senate Bill No. 1008

By Hamilton

AN ACT continuing the corporate existence of the Town of Gleason, providing a new charter for such corporation, and repealing Chapter 569 of the Private Acts of 1947, Chapter 375 of the Private Acts of 1951, Chapters 65 and 298 of the Private Acts of 1959, Chapter 147 of the Private Acts of 1971, Chapter 49 of the Private Acts of 1977, Chapter 315 of the Private Acts of 1978 and any other acts amendatory thereto.

TABLE OF CONTENTS

<u>SECTION</u>	<u>PAGE</u>
1. Act constitutes city charter	C-4
2. Definitions	C-4
3. Town boundaries	C-4
4. Corporate powers	C-5

¹Priv. Acts 1985, ch. 33, is the current basic charter act for the Town of Gleason, Tennessee. The text of the basic charter act set out herein includes all its amendments through the 2019 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 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.

<u>SECTION</u>	<u>PAGE</u>
5. Municipal elections	C- 7
6. Restrictions on candidates	C-8
7. Board of mayor and aldermen	C-8
8. Mayor as presiding officer	C-9
9. Vice mayor	C-9
10. Vacancy on board	C-9
11. Restrictions on aldermen	C-9
12. Ordinances	C-9
13. Organization of town government	C-10
14. Administrative duties of mayor	C-10
15. City recorder	C-11
16. Town attorney	C-12
17. Town judge	C-12
18. Officers and employees	C-13
19. Personnel actions	C-13
20. Board may adopt employment rules and regulations	C-13
21. Oath of office	C-13
22. Bonds	C-13
23. Political activity	C-14
24. Prohibited acts	C-14
25. Fiscal year	C-14

<u>SECTION</u>	<u>PAGE</u>
26. Annual budget	C-14
27. Public hearing on proposed budget	C-14
28. Adoption of budget	C-15
29. Control of expenditures	C-15
30. Unauthorized contracts or expenditures	C-15
31. Mayor may sell town property	C-15
32. Bonds on contracts	C-15
33. Property taxes	C-15
34. Omitted property	C-15
35. Tax levy	C-16
36. Tax due dates and tax bills	C-16
37. Collection of delinquent taxes	C-16
38. County may collect taxes	C-16
39. Taxes not to be excused	C-16
40. Disbursement by check	C-16
41. Official depository	C-17
42. Cooperative agreements and contracts	C-17
43. Other general laws	C-17
44. Penalties	C-17
45. Repeal of other acts	C-17
46. Severability	C-17

<u>SECTION</u>	<u>PAGE</u>
47. Applicability	C-18
48. Effective date	C-18

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, That the Town of Gleason, Tennessee, shall continue as a body politic and corporate by the name and style of Gleason, Tennessee, and this Act shall constitute its complete Charter. The Town of Gleason shall have perpetual succession, may sue and be sued, plead and be impleaded, in all the courts of law and equity, and in all actions whatsoever, and may have and use a common seal and change it at pleasure.

SECTION 2. BE IT FURTHER ENACTED, That as used in this Charter the following words and terms shall have the following meanings:

(a) "Alderman" shall mean a person elected to the office of Alderman as provided in this Charter.

(b) "At large" shall mean the entire Town, as distinguished from representation by wards or other districts.

(c) "Board of Mayor and Aldermen" and "Board" shall mean the legislative body of the Town, which shall be composed of the Mayor and four Aldermen elected as provided in this Charter.

(d) "Elector" shall mean a qualified voter residing within the Town or a resident of the State of Tennessee who is the owner in fee simple of real property located within the corporate limits of the Town.

(e) "Nonpartisan" shall mean without any designation of candidates as members or candidates of any State or national political party or organization.

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

SECTION 3. BE IT FURTHER ENACTED, That the boundaries of the Town shall be those fixed by chapter 575, Private Acts of 1903, all Acts amendatory thereof, and annexations made pursuant to general law.

SECTION 4. BE IT FURTHER ENACTED, That the Town shall have power:

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

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

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

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

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

(f) To grant franchises or make contracts for public utilities and public services, not to exceed a period of 20 years. Such franchises and contracts may provide for rates, fares, charges, regulations, and standards and conditions of service, subject to regulation by the Tennessee Public Service Commission or other State or federal agency having jurisdiction in such matters.

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

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

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

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

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

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

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

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

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

(p) To regulate and license vehicles operated for hire in the Town, to limit the number of such vehicles, to license the operators thereof, to require public liability insurance on such vehicles, and to

regulate and rent parking spaces in public ways for the use of such vehicles.

(q) To provide that the violation of any ordinance, rule, regulation, or order shall be punishable by fine, penalty, or forfeiture not to exceed \$50 and costs.

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

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

SECTION 5. BE IT FURTHER ENACTED, that on the first Thursday in August, 2004, a non-partisan, at large election shall be conducted for the county elections, at the same hours and places for holding general elections and under the general election laws of the state, to elect a mayor and four (4) aldermen. Any qualified voter who has been a resident of the town for at least one (1) year and who is twenty-one (21) years of age may be qualified as a candidate.

Each elector shall be entitled to vote for one (1) candidate for mayor and four candidates for aldermen.

The candidate for mayor having received the highest number of votes shall be declared elected and the four (4) candidates for alderman having received the highest number of votes shall be declared elected. In case of a tie vote, the incumbent board shall decide which of said candidates shall serve.

The term of office of the mayor and aldermen shall begin at noon local time, on the second Thursday in August 2004, and they shall serve until the first Monday in the month following the general election scheduled for November 2008, or until their successors are elected and qualified.

On the first Tuesday after the first Monday in November 2008, and every four (4) years thereafter, a non-partisan, at large election shall be held to elect a mayor and four (4) aldermen for four-year terms. The terms of office shall begin at noon local time on the first Monday in the month following the date of said election, and they shall serve until their successors are elected and qualified. [As replaced by Priv. Acts 2004, ch. 85]

SECTION 6. BE IT FURTHER ENACTED, That giving or promising to any person or person any office, employment, money, benefit, or anything of value, by or on behalf of any candidate, shall be deemed to be a misdemeanor, and any person convicted thereof shall be ineligible to hold an office or position of employment in the Town government for a period of five years.

SECTION 7. BE IT FURTHER ENACTED, That:

(a) The Mayor and four Aldermen elected under this Charter shall compose the Board of Mayor and Aldermen, in which is vested all corporate, legislative and other powers of the Town, except as otherwise provided in this Charter.

(b) For the term beginning in August 2004, the compensation for the mayor will be two hundred dollars (\$200) per month; and the compensation for each alderman shall be one hundred dollars (\$100) per month. Thereafter, the compensation of the mayor and aldermen shall be as set from time to time by ordinance enacted at least one hundred twenty (120) days prior to the date of the Gleason municipal election, except that the salary of the mayor or any alderman shall not be changed during their term of office. [As replaced by Priv. Acts 2004, ch. 85]

(c) The Board of Mayor and Aldermen shall meet regularly at least once every month at the times and places prescribed by ordinance. The Board shall meet in special session on written notice of the Mayor or any two Aldermen and served on the other members of the Board personally at least 12 hours in advance of the meeting. Only the business stated in the written call may be transacted at a special meeting.

(d) A majority of the Board shall constitute a quorum. Voting, except on procedural motions, shall be by roll call and the ayes and nays shall be recorded in the journal. The Board may by ordinance adopt rules and by-laws to govern the conduct of its business, including procedures and penalties for compelling the attendance of absent members. The Board may subpoena and examine witnesses and order the production of books and papers.

SECTION 8. BE IT FURTHER ENACTED, That the Mayor shall preside at meetings of the Board, and shall have a vote on all matters but no veto power. He shall be recognized as the ceremonial head of the Town. He shall be the officer to accept process against the Town, and shall perform other duties imposed by this Charter and by ordinances not inconsistent with this Charter.

SECTION 9. BE IT FURTHER ENACTED, That the candidate for Alderman having received the highest number of votes at a regular election, shall serve as Vice-Mayor during his term of office. The Vice-Mayor shall perform the duties of the Mayor during his absence or inability to act, and shall fill out any unexpired term in the office of Mayor, in which case an Alderman shall be selected by majority vote of the Board to serve the unexpired term as Vice-Mayor.

SECTION 10. BE IT FURTHER ENACTED, That a vacancy shall exist if the Mayor or an Alderman resigns, dies, moves his residence from the Town, is convicted of malfeasance or misfeasance in office, a felony, a violation of this Charter or election laws of the State, or a crime involving moral turpitude, fails to attend any meetings of the Board for a period of 90 days with no extenuating circumstances, or has been continuously disabled for a period of six months so as to prevent him from discharging the duties of his office.

The Board of Mayor and Aldermen shall, within a period of 30 days from the date of the occurrence of a vacancy, appoint a qualified person to fill the vacancy for the remainder of the unexpired term or until the next county general election, which ever shall occur first. If the next regular county general election occurs prior to the expiration of the term, a special election shall be held, at the same time as the county general election, to fill the remainder of the unexpired term.

SECTION 11. BE IT FURTHER ENACTED, That the Aldermen shall act on all matters as a body, and no member shall seek individually to influence the official acts of the Mayor or any other officer or employee of the Town, or to direct or request the appointment of any person to, or his removal from, any office or position of employment, or to interfere in any way with the performance of duties by the Mayor or any other officer or employee. The Board shall deal with the various agencies, officers and employees of the Town, solely through the Mayor, and shall not give orders to any subordinates of the Mayor, either publicly or privately. Nothing herein contained shall prevent the Board from conducting such inquiries into the operation of the Town government and the conduct of the Town's affairs as it may deem necessary.

SECTION 12. BE IT FURTHER ENACTED, That any action of the Board having a regulatory or penal effect, awarding franchises, or required to

be done by ordinance under this Charter or the general laws of the State, shall be done only by ordinance. Other actions may be accomplished by resolutions or motions. Ordinances and resolutions shall be in written form before being introduced. The enacting clause of ordinances shall be "Be it ordained by the Board of Mayor and Aldermen of the Town of Gleason:". Every ordinance must be approved on two readings and there shall be no more than one reading on any one day. An ordinance may receive first reading upon its introduction. No ordinance shall be valid unless approved by the affirmative vote of at least three members of the Board. Ordinances shall take effect upon final reading and adoption unless a different effective date is designated in the ordinance.

SECTION 13. BE IT FURTHER ENACTED, That the Town government shall be organized into a department of finance, police department, fire department, and department of public works, unless otherwise provided by ordinance. The Board shall determine by ordinance the functions and duties of all departments and offices. The Board by ordinance may establish, abolish, merge, or consolidate offices, positions of employment and departments; may provide that the same person shall fill any number of offices and positions of employment; and may transfer or change the functions and duties of offices, positions of employment and departments.

SECTION 14. BE IT FURTHER ENACTED, That the Mayor shall have the powers of a business manager; he shall have supervision and control of all the administrative affairs of the Town; he shall be its chief executive. He shall have access to all of the books, records, offices and papers of every kind pertaining to the Town's business and require their proper and safe keeping. He shall present in writing or verbally to the Board his recommendations of the needs of the Town at any time he deems advisable.

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

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

The Mayor shall appoint, for an indefinite term, subject to confirmation by the Board, the City Recorder, the Town Attorney, the Town Judge, the Chief of Police, the Director of Public Works and any other employee who is designated a department head by ordinance.

He shall have the authority to make appointments, promotions, demotions and transfers of employees only after approval of the majority of

board members of the Board of Mayor and Aldermen. He shall have the authority to make suspensions and removals of officers and employees for cause and may delegate such authority to department heads. Any such suspensions and removals are of a temporary nature, good only to the next meeting of the Board of Mayor and Aldermen and must be approved by majority vote at this meeting to be of a permanent nature.

In case of a vacancy in the position of Recorder, Fire Chief, Police Chief, Director of Public Works, Town Judge or Town Attorney, the Mayor may make a temporary appointment to fill the vacancy. The temporary appointee shall serve until the next regular Board of Mayor and Aldermen meeting or a called meeting, called in accordance with Section 7, subsection (C) of the Gleason Town Charter. At such time, a permanent appointment, shall be made by motion and seconded with a majority vote of the Board of Mayor and Aldermen. In no case shall this temporary appointment be for more than thirty (30) days, without the approval of the Mayor and Board of Aldermen. During the thirty (30) day period, if the Mayor and Board of Aldermen do not approve the permanent appointment of the person temporarily appointed by the Mayor, then such vacancy may be filled upon motion by any Alderman, duly approved by the Mayor and Board of Aldermen upon proper vote. [As amended by Priv. Acts 1999, ch. 30]

SECTION 15. BE IT FURTHER ENACTED, that the mayor, subject to confirmation by the board, shall appoint a city recorder, who shall serve for an indefinite term. The recorder shall be at least twenty-one (21) years of age and shall, within ninety (90) days of taking office, reside within the urban growth boundary of the Town of Gleason.

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

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

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

The recorder shall serve as head of the department of finance and/or serve as town judge if so designated by the mayor and board. [As replaced by Priv. Acts of 2006, ch. 101]

SECTION 16. BE IT FURTHER ENACTED, That the Mayor, subject to confirmation by the Board, shall appoint a Town Attorney. The Town Attorney shall be responsible for advising the Board, officers and employees concerning legal aspects of their duties and responsibilities; approving as to form and legality all contracts, deeds, bonds, ordinances, resolutions, motions, and other official documents; and performing such other duties as may be prescribed by the Board.

SECTION 17. BE IT FURTHER ENACTED, That a Town Judge who shall constitute the town court shall be appointed by the Mayor, subject to the confirmation of the Board. The Mayor or a person designated by the Mayor shall serve in the absence or incapacity of the judge.

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

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

Fines and costs may be paid by installments to be fixed and security determined as provided by ordinance. Upon failure to pay fines and costs or to furnish security, the Town Judge shall commit the offender to the town jail or workhouse until such fines and costs have been paid at a daily rate of commutation fixed by ordinance, but no person shall be continuously confined in excess of 60 days. Receipts of the town court shall be deposited with the Recorder and the Town Judge shall make monthly reports thereof to the Board.

The Town Judge shall keep a docket of all cases handled by him.

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

SECTION 18. BE IT FURTHER ENACTED, That only the offices and positions of employment provided for in the annual budget, as approved by the Board, shall be filled. In determining salaries, due consideration shall be given to duties, responsibilities, technical knowledge and skill required to satisfactorily perform the work, and availability of persons having the qualifications desired.

SECTION 19. BE IT FURTHER ENACTED, That the appointment and promotion of employees of the Town shall be on a basis of merit, considering technical knowledge required to perform satisfactorily the work, experience in the particular or similar line of work, and administrative or supervisory qualifications. Before removal, demotion, or suspension for more than 10 days, an employee shall be given a written notice of intention to suspend, remove, or demote him, containing a clear statement of the grounds for such proposed action and notification that he may appeal to the Board by filing, within 10 days, with the Recorder written notice of his intention to do so. After receipt of such notice the Board shall set a time and place for a public hearing on the matter, to be held within 20 days thereafter. The votes of three Aldermen, excluding the Mayor's vote, shall be required to override the suspension or removal, and the action of the Board shall be final determination of the matter.

SECTION 20. BE IT FURTHER ENACTED, That the Board may adopt supplementary rules and regulations governing employment by the Town, not inconsistent with the provisions of this Charter.

SECTION 21. BE IT FURTHER ENACTED, That before a person takes any office in the Town government, he shall subscribe to the following oath or affirmation, administered by the Recorder or the Mayor:

"I solemnly swear (or affirm) that I will support the constitution and will obey the laws of the United States and of the State of Tennessee, that I will, in all respects, observe the provisions of the Charter and ordinances of the Town of Gleason, and that I will faithfully discharge the duties of the office of _____."

SECTION 22. BE IT FURTHER ENACTED, That the Mayor and every officer, agent, and employee of the Town having duties embracing the receipt, disbursement, custody, or handling of money, and other officers and employees

designated by the Board, shall give a fidelity bond or faithful performance bond, as determined by the Board with some surety company authorized to do business in the State of Tennessee, in such amount as shall be prescribed by the Board. All such bonds and sureties thereto shall be subject to approval by the Board and the cost of such bonds shall be paid by the Town.

SECTION 23. BE IT FURTHER ENACTED, That no employee of the Town shall continue in the employment of the Town after becoming a candidate for nomination or election to any Town office, but this provisions shall not apply to the Mayor, Aldermen, members of boards or commissions or the Town Attorney. No person shall directly or indirectly give, render or pay any money, service or other valuable consideration to any person for or on account of or in connection with employment by the Town government. No person shall orally, by letter, or otherwise solicit or be in any manner concerned in soliciting any assessment, subscription or contribution from any employee of the Town in connection with any Town election. Any person who by himself or with others willfully or corruptly violates any provision of this section shall be guilty of a misdemeanor, and upon conviction thereof he shall immediately forfeit and vacate the office or position he holds and be ineligible to hold any office or position of employment in the Town government for a period of five years thereafter.

SECTION 24. BE IT FURTHER ENACTED, That no officer or employee shall accept any free or preferred service, benefits or concessions from any person, company or firm regulated by or doing business with the Town.

SECTION 25. BE IT FURTHER ENACTED, That the fiscal year of the Town government shall begin on the 1st day of July and shall end on the 30th day of June of the succeeding year.

SECTION 26. BE IT FURTHER ENACTED, That prior to the beginning of each fiscal year, the Mayor shall submit to the Board a proposed budget for the next fiscal year, showing separately for the general fund, each utility, and each other fund the following: (a) revenue and expenditures during the preceding year, (b) estimated revenue and expenditures for the current fiscal year, (c) estimated revenue and recommended expenditures for the next fiscal year, and (d) any other information and data, such as work programs and unit costs, in justification of recommended expenditures that may be considered necessary by the Mayor. A copy of the budget in full shall be filed with the Recorder for public inspection and a copy shall be furnished to each Alderman.

SECTION 27. BE IT FURTHER ENACTED, That after receiving the Mayor's proposed budget, the Board shall fix a time and place for a public hearing thereon. A notice of the hearing shall be published one time in a

newspaper having general circulation in the Town. The publication shall appear at least 10 days in advance of the date of the hearing.

SECTION 28. BE IT FURTHER ENACTED, That after the public hearing the Board shall adopt the budget, based on the Mayor's proposed budget with such modifications as the Board considers necessary or desirable. If emergency conditions prevent the adoption of a budget before the beginning of the new fiscal year, the appropriations of the last fiscal year shall become the appropriations for the new fiscal year. Amendments may be made to the original budget at any time during a current fiscal year after 10 days notice published in the newspaper and a public hearing before the Board.

SECTION 29. BE IT FURTHER ENACTED, That the Mayor shall be responsible for controlling expenditures of the various agencies of the Town government to accomplish maximum efficiency and economy. No expenditures shall be made in excess of appropriations.

SECTION 30. BE IT FURTHER ENACTED, That any contract or agreement made in violation of the provisions of this Charter or ordinances of the Town shall be void and no expenditure shall be made thereunder. Every officer and employee who shall knowingly make or participate in any such contract or agreement, or authorize or make any expenditure thereunder, and their sureties on their official bonds, and every person who shall knowingly receive such a payment, shall be jointly and severally liable to the Town for the full amount so paid or received. A violation of this section by any officer or employee shall be cause for his removal.

SECTION 31. BE IT FURTHER ENACTED, That the Mayor may sell Town property which is obsolete, surplus or unusable, after advertisement, by sealed bids or at public auction; provided, however, that any sale for more than \$500 or any sale of real estate shall be subject to approval by the Board.

SECTION 32. BE IT FURTHER ENACTED, That each bid on a contract for any public works or improvement shall be accompanied by a cash or surety company bid bond in the amount of five percent of the amount of the bid. Before any contract is awarded, the contractor shall give a bond for the faithful performance of the contract, with a surety company authorized to transact business in Tennessee, in an amount equal to 100 percent of the contract price.

SECTION 33. BE IT FURTHER ENACTED, That all property subject to taxation shall be subject to the property tax levied by the Town.

SECTION 34. BE IT FURTHER ENACTED, That the City Recorder shall add to the assessment rolls any taxable property that may have been omitted by

the county assessor. Such property shall be appraised and assessed at the same ratio as other property of the same class located in the Town.

SECTION 35. BE IT FURTHER ENACTED, That the Board shall make a tax levy, expressed as a fixed rate per \$100 of assessed valuation, not later than 90 days prior to the tax due date. In event of Board's failure to do so, the prior year's tax rate shall continue in effect.

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

SECTION 37. BE IT FURTHER ENACTED, That the Board may provide by ordinance for the collection of delinquent taxes by distress warrants issued by the Mayor for the sale of goods and chattels to be executed by any police officer of the Town under the laws governing execution of such process from a justice of the peace; or by the county trustee as provided by general law; or by the Town attorney acting in accordance with general laws providing for the collection of delinquent city or county taxes; by garnishment; by suits in chancery; or by any two or more of the foregoing methods, or by the use of any other available legal processes and remedies. If not otherwise collected, the Town Attorney, or other attorney designated by the Board, shall file suit for collection of all delinquent taxes not later than 18 months following date of delinquency.

SECTION 38. BE IT FURTHER ENACTED, That the Town may contract with the county for the collection of Town taxes. The contract may provide for reasonable fees to be paid to the county for this service.

SECTION 39. BE IT FURTHER ENACTED, That no officer or employee of the Town shall have the authority to excuse taxes, penalties, interest, special assessments, or other charges due the Town, but errors may be corrected when authorized by the Board.

SECTION 40. BE IT FURTHER ENACTED, That all disbursements, except for any agency of the Town administered by a board or commission, shall be made by checks signed by the City Recorder and countersigned by the Mayor.

The Board may designate other officers to sign such checks in the absence or disability of the Mayor or City Recorder.

SECTION 41. BE IT FURTHER ENACTED, That the Board shall designate an official depository or depositories for deposit and safekeeping of funds of the Town, with such collateral security as may be deemed necessary by the Board.

SECTION 42. BE IT FURTHER ENACTED, That in addition to other powers granted in this Charter, the Board shall have power to contract and cooperate with any other municipality or other political subdivision of the State, or with an elective or appointive official thereof, or with any duly authorized agency of the federal or State government, for the exercise of any power or function which the Town is authorized to undertake by this Charter.

SECTION 43. BE IT FURTHER ENACTED, That notwithstanding any provision of this Charter, the Board may elect to operate under or adopt any general law or public act available to municipalities of the State, in lieu of or in addition to provisions of this Charter.

SECTION 44. BE IT FURTHER ENACTED, That the violation of any provision of this Charter, for which a penalty is not specifically provided herein, is hereby declared to be a misdemeanor, and persons guilty of such violations shall be fined not more than \$50. Any person failing to pay a fine and costs shall be committed to the workhouse to work out the fine and costs at the rate of \$2 per day.

SECTION 45. BE IT FURTHER ENACTED, That when this Act becomes applicable as the Charter of the Town of Gleason, Tennessee, the following acts are hereby repealed: Chapter 569, Private Acts of 1947; Chapter 375, Private Acts of 1951; Chapter 65, Private Acts of 1959; Chapter 298, Private Acts of 1959; Chapter 147, Private Acts of 1971; Chapter 49, Private Acts of 1977; Chapter 315, Private Acts of 1978.

SECTION 46. BE IT FURTHER ENACTED, That if any article, section, subsection, paragraph, sentence, or part of this Charter shall be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect or impair any other parts of this Charter unless it clearly appears that such other parts are necessarily dependent upon the part or parts held to be invalid or unconstitutional. It is the legislative intent in enacting this Charter that each article, section, subsection, paragraph, sentence, or part be enacted separately and independently of each other.

SECTION 47. BE IT FURTHER ENACTED, That to be applicable as the Charter of the Town of Gleason, this Act must be approved by a two-thirds vote of the governing body, said vote to be taken not more than 120 days after passage of this Act. The Mayor shall, within 10 days thereafter, certify to the Secretary of State the results of said vote.

SECTION 48. For the purpose of approving or rejecting the provisions of this Act, it shall take effect on becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 47.

PASSED: April 4, 1985

s/Ned R. McWherter
SPEAKER OF THE HOUSE OF REPRESENTATIVES

s/John Wilder
SPEAKER OF THE SENATE

APPROVED this 8th day of April 1985

s/Lamar Alexander
Governor

**PRIVATE ACTS COMPRISING THE CHARTER OF THE
TOWN OF GLEASON, TENNESSEE**

YEAR	CHAPTER	SUBJECT
1985	33	Basic charter act.
1999	30	Amended § 14, administrative duties of the mayor.
2004	85	Replaced § 5, municipal elections and § 7(b), compensation.
2006	101	Replaced § 15, city recorder.
