

CHARTER FOR THE TOWN OF LAGRANGE, TENNESSEE¹

AN ACT to incorporate the town of LaGrange, in the County of Fayette, and to define the rights of said corporation.

TABLE OF CONTENTS

<u>SECTION</u>	<u>PAGE</u>
1. INCORPORATION, CORPORATE BOUNDARIES	C-2
2. BOARD OF MAYOR AND ALDERMEN	C-3
3. DUTIES AND POWERS OF MAYOR	C-4
4. ELECTIONS	C-4
5. AUTHORITY OF BOARD OF MAYOR AND ALDERMEN	C-5
5-A. AUTHORITY TO BUILD AND MAINTAIN AN ELECTRIC DISTRIBUTION SYSTEM	C-7
5-B. POWERS OF EMINENT DOMAIN WITH RESPECT TO PUBLIC UTILITIES	C-8
6. AUTHORITY OF BOARD OF MAYOR AND ALDERMEN TO APPOINT OFFICERS	C-10
7. POWER OF BOARD OF MAYOR AND ALDERMEN OR RECORDER	C-10

¹Priv. Acts 1901, ch. 254, is the current basic charter act for the Town of LaGrange, 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 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 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>
8. APPELLANT TO GIVE BOND	C-10
9. BOUNDARIES OF POLICE AUTHORITY	C-11
10. RECORDER VESTED WITH AUTHORITY OF JUSTICE OF THE PEACE	C-11
11. TOWN MARSHAL	C-11
12. RECORDER TO ISSUE DISTRESS WARRANTS	C-12
13. COLLECTION OF UNPAID TAXES	C-12
14. ACTION FOR DAMAGES AGAINST THE TOWN	C-12
15. TOWN LIABLE FOR BONDS AND OBLIGATIONS	C-13
16. BONDS OF OFFICERS	C-13
17. FIRST OFFICERS OF CORPORATION	C-13
18. VACANCIES IN OFFICE	C-14
18-A. AUTHORITY OF TOWN'S FIRE FIGHTING EQUIPMENT AND PERSONNEL	C-15
19. PROVISIONS FOR ANY CONTRARY OR INCONSISTENT LAW REPEALED	C-15
20. DATE OF EFFECT	C-15

SECTION 1

INCORPORATION, CORPORATE BOUNDARIES

Be it enacted by the General Assembly of the State of Tennessee, That all that district of country contained within the following limits, viz,: BEGINNING at a stake, the northwest corner of Lot No. 43 of the original plan of the Town of LaGrange, this point being the intersection of south margin of Second Street with the western boundary line of the Town of LaGrange and 80 feet south of the southwest corner of Lot No. 50 of said old plan of the Town of LaGrange, which point is the beginning point of the 1901 boundaries of the town as set out

by the Charter of Incorporation, from said joint of beginning west, with south line of land owned by William B. Cowen, 610.5 feet to the stake in east line of land owned by Marion Parham; thence south 301.5 feet to a stake, the southeast corner of said Marion Parham land; thence West 1056 feet to a stake thence north, through land of Marion Parham and with west line of Land owned by Will Winston, 1782 feet to a stake in south line of land owned by L. N. Pierce; thence west 900 feet to a stake, the southwest corner of said L. N. Pierce land; thence North 562 feet to a concrete marker on north margin of right-of-way of State Highway No. 57; thence north 1 degree 45 minutes east, along old fencerow and west line of land owned by George N. Burnett, 306 feet to a point in center of Southern Railroad tracks; thence South 74 degrees 30 minutes east, along center of said Southern Railroad, 1103 feet to a point of intersection of center of said Southern Railroad and center of Old Somerville and LaGrange Road, this old road being the former western boundary of the town; thence with meanders of said old Somerville and LaGrange Road the following courses; South 9 degrees East 212 feet; South 22 degrees East 200 feet; South 31 degrees East 450 feet to the intersection of north margin of right-of-way of said State Highway No. 57; thence South 56 degrees 30 minutes East, along north margin of said Highway No. 57, 650 feet to the intersection of north margin of Fourth Street; thence South 280 feet to center of said old Somerville and LaGrange Road; thence in a southeasterly direction with said old road to the point of beginning. LaGrange is hereby chartered and incorporated as one town to be called the town of LaGrange, and that the inhabitants thereof are hereby constituted a corporation and body politic by the name and style of Mayor and Aldermen of the town of LaGrange, and by the same name shall have perpetual succession, and shall sue and be sued, implead and be impleaded in all courts of law and equity and in all actions whatsoever; may purchase, receive and hold property, real and personal, and may sell, lease or dispose of the same for the benefit of the said town, and may purchase, receive and sell property, real and personal, beyond the limits of the said town to be used for the burial of the dead and for a hospital or poor house; and may sell, lease or dispose of said property for the benefit of the town, and do all other acts touching the same as natural persons. They may also have and use a common seal, and change it at pleasure. [As amended by Priv. Acts 1957, ch. 410, § 1]

SECTION 2

BOARD OF MAYOR AND ALDERMAN

Be it further enacted, That there shall be a Town Council, to consist of a Mayor and six Aldermen, who shall be elected by the qualified votes of the town,

and hold their offices for two years, and until their successors shall be elected.¹
[As amended by Priv. Acts 1915, ch. 133, § 1]

SECTION 3

DUTIES AND POWERS OF MAYOR

Be it further enacted, That when two or more persons shall have an equal number of votes for the office of Mayor the election shall be decided by a majority of the votes of the Council-elect, and a vacancy in the office of Mayor, created by death or resignation, shall be filled in like manner. It shall be the duty of the Mayor to preside at all meetings of the Council; to take care that all the ordinances of the town are duly enforced, respected and observed within the town; to call special sessions of the Council when he may deem it expedient. The Mayor and Aldermen shall take an oath of office, before some Justice of the Peace before entering upon the duties of the same.

SECTION 4

ELECTIONS

Be it further enacted, that beginning on the first Tuesday after the first Monday in November, 2016 and every even numbered year thereafter, an election for Mayor and Aldermen shall be held, to be concurrent with the federal and state elections scheduled for those dates. All municipal elections shall be conducted by the Fayette County Election Commission in accordance with the general election laws of the State of Tennessee and this charter. Candidates for the offices of Mayor and Aldermen must be qualified to vote in LaGrange municipal elections, must be a current resident, and shall have resided within the corporate limits of the Town of LaGrange for a period of at least twelve (12) consecutive months prior to the scheduled date of the election. Any person residing within the corporate limits of the Town of LaGrange, and any person not residing within the corporate limits but who owns and has continuously owned at least five thousand (5,000) square feet of real property within the corporate limits of the Town of LaGrange, shall be eligible to vote in town elections provided such person is properly registered in accordance with the applicable laws of the State of Tennessee. The Mayor and Aldermen elected hereunder as herein provided for shall assume office on the first Monday in

¹Priv. Acts 1915, ch. 133, refers to line "three" to replace the word "one" with "two". The apparent intent of the drafter of the act was to replace the words "one year" with the words "two years" in line four.

December following their election. [As replaced by Priv. Acts 1988, ch. 224; and Priv. Acts 2014, ch. 38]

SECTION 5

AUTHORITY OF BOARD OF MAYOR AND ALDERMAN

Be it further enacted, That the Mayor and Aldermen shall have power, by ordinance, within the town:

(1) To levy and collect taxes upon all property taxable by law for State purposes.

(2) To levy and collect taxes upon all privileges and polls taxable by the laws of the State.

(3) To appropriate money and provide for the payment of the debts and expenses of the town.

(4) To make regulations to secure the general health of the inhabitants; to prevent and remove nuisances.

(5) To open, alter, abolish, widen, extend, establish, grade, pave or otherwise improve, clean and keep in repair streets, alleys, sidewalks, or to have the same done.

(6) To erect, establish and keep in repair bridges, culverts, sewers and gutters.

(7) To regulate the use of lights, stove pipes and flues in all houses, shops, stables, kitchens, and other like places.

(8) To establish, support, and regulate night watch and patrol.

(9) To erect market houses, establish markets and regulate the same.

(10) To provide for the erection of all buildings necessary for the use of the town.

(11) To provide for enclosing, improving and regulating all public grounds belonging to the town in or out of the corporate limits.

(12) To license, tax and regulate auctioneers, grocers, merchants, retailers, brokers, coffee houses, confectioneries, hawkers, peddlers, livery stable keepers and tavern keepers.

(13) To license, tax, regulate and suppress theatrical and other exhibitions, shows and amusements.

(14) To regulate or prohibit or suppress all disorderly houses, bawdy houses.

(15) To appoint and regulate a police for the town; to impose fines and forfeitures and penalties for breach of any ordinance, and to provide for their recovery and appropriation, and to appoint an officer or officers before whom such recovery may be had.

(16) To provide for arrest and confinement until trial of all riotous and disorderly persons within the town, by day or by night; to authorize the arrest

and detention of all suspicious persons found violating any ordinance of the town.

(17) To prevent and punish by pecuniary penalties all breaches of the peace, noise, disturbances or disorderly assemblies in any street, house or place in the town, by day or night.

(18) To prevent and remove all encroachments into and upon all streets, lanes, avenues and alleys established by law or ordinance.

(19) To remove all obstructions from the side walks and to provide for the construction and repair of all sidewalks and curbstones, and for cleaning the same, and of the gutters, at the expense of the owners of the ground fronting thereto.

(20) To pass all ordinances not contrary to the Constitution and laws of the State, that may be necessary to carry out the full intent and meaning of this Act, and to accomplish the object of their incorporation.

(21) There shall be a Town Constable who shall be elected by the Mayor and Aldermen, who shall hold his office for the period of twelve months from the date of his election, and until his successor shall be elected and qualified.

(22) The Town Constable shall have power to execute all State warrants for the violation of the criminal laws of the State of Tennessee; also to execute all warrants of violation of the ordinance or charter of the town of LaGrange; also to execute all other process that a constable generally, by the laws of Tennessee, can execute, and that his jurisdiction shall only extend to the limits of the town of LaGrange.

(23) The Town Constable shall have power to summon any person or persons, whether residents in the town of LaGrange or not, to aid him in arresting any disorderly or riotous person or persons against whom he has a warrant authorizing him to arrest the same, or for any offense committed in his, the constable's presence; and upon their refusal to aid him in executing the same, they shall forfeit a fine of \$10 for every refusal, to be recovered before the Recorder of the town, upon proof of the same, upon a warrant issued in the name of the Mayor and Aldermen of the town of LaGrange against said person or persons.

(24) That for securing persons who may be arrested for violation of the charter ordinance of the town of LaGrange until the trial of the same, and for punishment of those who may be ordered to be imprisoned for any violation of the charter or ordinance of said town of LaGrange, the jail or common prison house of the county of Fayette be used for that purpose, and the jailer shall be required to take charge of the same as other prisoners, and he entitled to the same fees.

(25) There shall be a Town Recorder, who shall be appointed by the Mayor, by and with the advice and consent of the Board of Aldermen, who shall have exclusive original jurisdiction of all offenses arising under any violation of the provisions of this charter or breach of any ordinance of the town, and shall have concurrent jurisdiction with the Justices of the Peace of the County of

Fayette in all cases arising from the violation of the laws of Tennessee within the limits of the town. He shall hold his office for one year, and until his successor is duly qualified, and shall receive such fees as may be prescribed by ordinance.

If the Town Recorder shall notify the Board of Aldermen in writing of his desire not to serve as town judge, the mayor shall act as town judge.¹

(26) That the Recorder of the town of LaGrange shall have and may exercise concurrent jurisdiction within the corporate limits of said town with Justices of the Peace in all cases arising from a violation of the laws of the State of Tennessee within the limits of said town, and shall have exclusive jurisdiction of all cases arising within the corporate limits of said town of LaGrange from a violation of any of the ordinances, by-laws or regulations of the said town, unless otherwise authorized or ordered by the Mayor of said town, in special cases, or in absence of the Recorder, in which case any Justice of the Peace of the town may try any offender against the by-laws, ordinances and regulations of the town.

(27) This charter is declared to be a public Act, and may be read in all courts of law and equity in this State without proof and shall go into effect upon its passage. [As amended by Priv. Acts 1978, ch. 223, § 1]

5-A²

AUTHORITY TO BUILD AND MAINTAIN AN ELECTRIC DISTRIBUTION SYSTEM

(1) Said town is hereby authorized to purchase or build and maintain and operate an electric light plant and an electric distribution system, including, but without limitation, the necessary grounds therefor, engines, boilers, poles, wires, and other appurtenances incident and usual to such a plant or distribution system, for the purpose of lighting streets, alleys, squares, buildings and

¹The last sentence in subparagraph (25) of the section represents Priv. Acts 1978, ch. 223, which did not amend a specific provision of the charter. The compiler placed it in that location because its contents were consistent with subparagraph (25).

²Section 5-A was created by the compiler to accommodate Priv. Acts 1937, ch. 654, which authorized the town to establish an electrical distribution system but which did not specify where in the charter the contents of the Act were to be placed. The compiler elected to place it in the location indicated because it relates to the general power of the town, which is the subject of § 5 of the charter.

residences within the said town, and within a radius of fifteen miles of said town.

(2) Be it enacted, That the said town is hereby authorized to distribute electric energy at such rates as may be established by the governing body of said town, and said town shall have full and complete authority to conduct, manage and operate said electric plant or electric distribution system, or either or both of them, and to install all necessary appurtenances conducive to the operation thereof.

(3) Be it further enacted, That in carrying out the authority herein granted, the governing body of said town is authorized to join with other towns having generally similar charter powers, upon such terms, stipulations and conditions as may be agreed upon, to carry out severally the exercise of said powers, and may contract in such manner as may be determined by the governing body of said town or towns.

(4) Be it further enacted, That the governing body of said town is hereby authorized to issue bonds, carrying such terms, conditions and maturities as to the governing body may seem right or proper, to finance the building, or acquiring of any plant, distribution system, or other facility, including all appurtenances connected therewith, for the generating or distributing of electric energy.

The said town shall have the authority to levy taxes, in addition to all other taxes now authorized to be levied by law, for the purpose of paying the principal of and interest on said bonds as the same mature. Said bonds may be issued without a referendum or ballot by the duly qualified voters of said town, and without regard to any existing debt limitations prescribed by law.

(5) Be it further enacted, That if any clause, sentence or section of this Act be declared unconstitutional, such unconstitutionality shall not affect the remainder thereof. [As added by Priv. Acts 1937, ch. 654, §§ 1-5]

SECTION 5-B¹

POWERS OF EMINENT DOMAIN WITH RESPECT TO PUBLIC UTILITIES

¹Section 5-B was created by the compiler to accommodate Priv. Acts 1937, ch. 659, which amended the charter without specifying wherein the charter the amendment was to be placed. The compiler elected to place it in the location indicated because it relates to the general powers of the town, which is the subject of § 5 of the charter.

(1) Be it further enacted, That the governing body of the Town of LaGrange shall have specific authority and power to take possession of, use and control of all or any part of the plants, rights of way, equipment, franchises, appurtenances, wires, poles and properties of every character whatsoever of any public utility, as defined by Section 5448 of Chapter 23 of the Code of 1932, operating within the corporate limits of the Town of LaGrange, or within a radius of fifteen miles thereof.

(2) Be it further enacted, That for the purposes mentioned in the foregoing sections, the governing body of the Town of LaGrange is hereby vested with the powers of eminent domain, and is hereby authorized and empowered to condemn, take possession of, use and control of fall or any part of the plants, rights of way, equipment, franchises, appurtenances, wires, poles and properties of any character whatsoever of any public utility, as defined in Section 5448 of Chapter 23 of the Code of 1932, operating within the corporate limits of the Town of LaGrange, or within a radius of fifteen miles thereof, from said utilities, their lessees, or any person, firm or corporation that may be in possession of, using or controlling all or any part of the properties of said utilities, or other corporations, in the manner, mode, or upon the terms provided in Sections 3398 to 3401 inclusive, of the Code of Tennessee for 1932.

(3) Be it further enacted, That the governing body of said Town of LaGrange is hereby authorized and empowered to join with other incorporated municipalities or towns within this State for the purpose of exercising the right of condemnation of any public utilities as defined in Section 5448 of Chapter 13, the code of 1932, including but without limitation the prosecution of suits to condemn, take possession of, use and control of any public utility, and jointly with said towns exercise all rights conferred by this Act upon the terms and conditions as the governing bodies of said towns may agree and determine.

(4) Be it further enacted, That the Railroad and Public Utility Commission is hereby deprived of all jurisdiction in all proceedings where eminent domain and condemnation is resorted to under this Act, and it shall not be necessary to secure by order or otherwise the approval of the Railroad and Public Utility Commission of any prorcedings authorized hereunder; and said commission shall have no power or authority in any wise to interfere by injunction or otherwise with any proceedings had pursuant of this Act. [As amended by Priv. Acts 1937, ch. 659, §§ 2-5]

SECTION 6

AUTHORITY OF BOARD OF MAYOR AND
ALDERMAN TO APPOINT OFFICERS

Be it further enacted, That the Board of Mayor and Aldermen of said town shall have full power and authority to appoint all officers and agents of the corporation, such as they may deem necessary, and may provide by ordinance. The said Board shall have full power and authority to dismiss and remove any officer or agent appointed or elected by them, including the Recorder and Town Marshal, for incompetency or in violation, neglect or disregard of the duties imposed upon them by the by-laws or ordinances of said corporation; Provided, that two-thirds of the Board of Mayor and Aldermen concur in the removal or dismissal.

SECTION 7

POWER OF BOARD OF MAYOR AND ALDERMEN OR RECORDER

Be it further enacted, That the said Board of Mayor and Aldermen, or the Recorder, shall have the power to commit to the calaboose or work house provided by them any person or persons who may fail or refuse to pay any fine or cost imposed on him or her, or the violation of any of the laws or ordinances of said town, until said fine or cost has been fully paid. Every person so committed shall be required to work for said town at such labor and under such restriction as his or her health or strength may permit, within or without said place of confinement, not exceeding ten hours per day, and for such work the person so committed shall receive whatever compensation the Board may fix by ordinance; Provided, no person shall be committed or compelled to work longer than three months for any one offense.

SECTION 8

APPELLANT TO GIVE BOND

Be it further enacted, That in the event an appeal is taken to the Circuit Court of Fayette County for any fine of the ordinances of said town, the person so appealing shall give bond and security in double the amount of said fine and all costs imposed, conditioned to abide by the judgment of the Court on appeal, but in no case shall an appeal be taken for such fine and costs under the pauper's oath.

SECTION 9

BOUNDARIES OF POLICE AUTHORITY

Be it further enacted, That the police authority of said town shall extend to a distance of one mile from the lawful corporate limits thereof for the suppression of all disorderly act or practices forbidden by the general laws of the State and of said corporation.

SECTION 10

RECORDER VESTED WITH AUTHORITY OF
JUSTICE OF THE PEACE

Be it further enacted, That the Recorder of said town of LaGrange shall have exclusive original jurisdiction of all offenses arising from a breach or violation of the laws and ordinances of said town; that the said Recorder is hereby vested with all the powers of the Justice of the Peace of Fayette County, but his jurisdiction shall not extend beyond the limits of said corporation as such Justice of the peace; that in the leave of the absence or incompetency of said Recorder, the Mayor of said town shall exercise the functions and duties of said office and shall hear and determine all cases which may arise as a foresaid; that in the absence of both Recorder and Mayor any Justice of the Peace for Civil District No. 13, Fayette County, Tennessee, may try and decide all cases that might properly come before the Town Recorder.

SECTION 11

TOWN MARSHAL

Be it further enacted, That the Mayor and Aldermen of said town, at its first session after the first Saturday in May, 1902, and every two years thereafter, are hereby authorized and empowered to elect a Town Marshall, who shall hold his office for the period of two years from the date of his election, and until his successor shall be elected and qualified. The Town Marshal shall have power to execute all State warrants for the violation of the criminal laws of the State of Tennessee, also to execute all warrants for violation of ordinances or charter for the town of LaGrange; also to execute all other processes that a Marshal generally, by the laws of the State of Tennessee, can execute, and that his jurisdiction shall only extend one mile beyond the corporate limits of the town of LaGrange. The Town Marshal shall have power to summon any person or persons, whether residents of the town of LaGrange or not, to aid him in arresting any disorderly or riotous person or persons against whom he has a warrant authorizing him to arrest the same, or for any offense committed in his, the Marshal's presence and upon their refusal to aid him in executing the same, they shall forfeit a fine of \$10 for every refusal to be recovered before the Recorder of the town, upon proof of the same, upon a warrant issued in the

name of the Mayor and Aldermen of the town of LaGrange against such person or persons.

SECTION 12

RECORDER TO ISSUE DISTRESS WARRANTS

Be it further enacted, That the Recorder of said town shall have power and authority, and it is hereby made his duty, to issue to the Marshal of said town distress warrants for the collection of any and all unpaid taxes assessed upon property of every description and not voluntarily paid by parties to whom the same are assessed on or before the first Monday in April of the year after said assessment is made, and it shall be the duty of the Town Marshal, or any other official whose duty it may be to collect taxes, to make return of all delinquents on or before the first of March each year to the Recorder of said town, with affidavit as to the correctness of said unpaid taxes, which shall be sufficient authority to the Recorder to issue distress warrants as herein provided.

SECTION 13

COLLECTION OF UNPAID TAXES

Be it further enacted, That where any tax or duty shall be levied or imposed by said corporation upon any real estate lying within said town of LaGrange, and the owner or owners, occupier or occupiers thereof shall not pay the same, and the Town Marshal shall make return of that fact, under oath, that the owner or owners have no personal property within said town upon which to restrain for said tax or duty of, the Recorder, by and with the advice and consent of the Council, to take special steps for the collection of such tax or duties as are or may be provided for by the laws of the State.

SECTION 14

ACTION FOR DAMAGES AGAINST TOWN

Be it further enacted, That no action can be maintained against the town of LaGrange, for damages to persons or property by reason of defect in the streets of sidewalks of said town, which defect was caused by or resulted from the negligence of some person other than an employe of the town, unless the person so causing the defect shall be joined with the town in the same action as defendant, and in the event of a judgement against the town, in such case the town shall not be required to pay the sum until execution shall have issued against such person and return thereof duly made, that after search no property could be found out of which to satisfy the judgment and the town, therefore,

should have the right to purchase the judgment from the plaintiff by paying him the amount of the judgment and interest, or in the parties agreed a less amount, and receive from the plaintiff an assignment thereof, and the judgment paid by the town shall not operate as a satisfaction of the judgment against said codefendant for the amount it has paid plaintiff, together with interest thereof, which have collected from said codefendant under said execution shall be paid to the town.

SECTION 15

TOWN LIABLE FOR BONDS AND OBLIGATIONS

Be it further enacted, That the incorporation herein granted shall assume and be liable for all bonds, obligations and debts contracted and warrants issued by the Board of Mayor and Aldermen acting under the previous charter of the former town of LaGrange, and the Mayor and Aldermen herein provided for are hereby empowered, and it shall be their duty, to levy taxes for the payment of same, and all the rights and title to all the property, real and personal, debts and choses in action owned and claimed by the former town of LaGrange, is hereby divested out of same and vested in the corporation hereby created, to hold, collect and use in as full and complete a manner as if they had been purchased and acquired under the powers and rights of this charter, and it shall be the duty of the incorporation hereby created to perform, execute and perfect all executory contracts lawfully made and entered into by the old corporation of the town of LaGrange.

SECTION 16

BONDS OF OFFICERS

Be it further enacted, That the Recorder, Treasurer and other officers charged with the collection, safe keeping and disbursement of taxes, fines, costs or other corporation funds, shall be bound in such sum or sums as the Board of Mayor and Aldermen require for the faithful preferance of their duties in respect to said funds.

SECTION 17

FIRST OFFICERS OF CORPORATION

Be it further enacted, That the first officers of the municipal corporation hereby created shall consist of the Mayor and Aldermen, Marshal and Recorder of the previous corporation of the town of LaGrange, to-wit: W. F. Hancock, Mayor; F. L. Pankey, J. N. Pulliam, W. P. Cowan, M. L. Anderson, A. P. Rose,

Aldermen; E. A. Stafford, Recorder; Provided, that the said Board shall have power to remove any officers as hereinbefore provided in Section 7 of this Act , and they shall hold their said offices and be vested with all the powers of regularly elected officers, and shall hold their said offices until the first Saturday in January, 1902, when successors shall be elected and qualified, or until their successors are elected and qualified, and one the term of office of the officers thereof elected shall be one years, and until their successors shall be elected and qualified. The Marshal, however, shall be elected by the Board of Mayor and Aldermen as hereinbefore provided. On the fourth Saturday in March, 1903, an election of Mayor, Aldermen, Marshal, and Recorder shall be held and upon their qualification the terms of the present officers holding said offices shall expire, and the said officers chosen on said day shall hold office until the qualification of their successors, who shall be chosen on the first Saturday in January, 1904. [As amended by Priv. Acts 1903, ch. 111, § 2]¹

SECTION 18

VACANCIES IN OFFICE

Be it further enacted, That in case any vacancy of office of Mayor, Aldermen, Recorder or Marshal of said town occasioned by death or otherwise, such vacancy shall be filled by the majority of the votes of the Council elected. The Mayor and Aldermen of said town shall, before entering upon the duties of their office, take the oath before some Justice of the Peace of Fayette County to faithfully by law demean themselves as Mayor and Aldermen of said corporation during their continuance in office. It shall be the duty of the Mayor to preside at all meetings of the Board, take care that all the ordinances of the town are duly enforced, respected and observed within the town, and to call special sessions of the Board when he may deem it expedient; he shall make such suggestions and give such instructions in reference to the action of said Board as in his judgment will be the most conducive to the interest of said corporation. He shall give orders in connection with the Recorder upon the Treasurer of said town of LaGrange whenever said Board directs same to be done, or the payment of any money that may be due to said corporation. He may employ legal counsel in behalf of said corporation upon the advice of the Board when they may deem it necessary. He shall be allowed one vote, as any other Aldermen, on all questions coming before the Board for consideration, but shall not be allowed a second in case all are a tie, but unless a majority of the Board present shall vote

¹Priv. Acts 1903, ch. 111, did not specify where in this charter the amendment should be placed. The compiler added it at the end of the last sentence of § 17 because its contents are consistent with that section.

in favor of any proposition coming before the Board the same shall be declared lost.

SECTION 18-A¹

AUTHORITY OF TOWN'S FIRE FIGHTING
EQUIPMENT AND PERSONNEL.

Be it further enacted, That the Board of Mayor and Aldermen of the Town of LaGrange shall have full power and authority by resolution:

1. To authorize the use of the Town's fire fighting equipment and personnel outside the corporate limits to suppress or extinguish fires, subject to such conditions and limitations as the Board may determine. [As added by Priv. Acts 1961, ch. 224, § 1]

SECTION 19

PROVISIONS FOR ANY CONTRARY OR
INCONSISTENT LAW REPEALED

Be it further enacted, That all provisions in any law contrary to or inconsistent with the provisions of this charter are hereby repealed.

SECTION 20

DATE OF EFFECT

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

¹Section 18-A was specifically created by Priv. Acts 1961, ch. 224, § 1.

Passed April 1, 1901.

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

Newton H. White,
Speaker of the Senate.

Approved April 9, 1901.

Benton McMillin,
Governor.

ACTS COMPROMISING THE CHARTER OF
THE TOWN OF LAGRANGE, TENNESSEE

YEAR	CHAPTER	SUBJECT
1901	254	Basic charter act.
1903	111	Changed boundaries of the town.
1915	133	Changed term of office of mayor and aldermen.
1937	654	Amendment to charter authorizing an electric distribution system.
1937	659	Amendment to charter regarding powers of eminent domain for public utilities.
1957	410	Changed boundaries of the town.
1961	224	Use of fire fighting equipment and personnel.
1978	223	Amended § 5, subsection (25) with regard to recorder as municipal judge.
1988	224	Replaced § 4 relative to elections.
2014	38	Replaced § 4 relative to elections.