

CHARTER FOR THE TOWN OF PIKEVILLE, TENNESSEE<sup>1</sup>

## CHAPTER NO. 574

House Bill No. 1421

(By McGinness.)

AN ACT to incorporate the Town of Pikeville, in the County of Bledsoe and State of Tennessee, and to prescribe its duties and powers; provide for the election of officers, and prescribe their powers and duties; to provide that no Justice of the Peace shall be elected from said town; and to abolish any office of the Justice of the Peace from said town which may have heretofore existed.

## TABLE OF CONTENTS

<u>SECTION</u>	<u>PAGE</u>
1. INCORPORATION AND BOUNDARIES .....	C-3
2. BOARD OF MAYOR AND ALDERMEN - NUMBER, ELECTION AND TERM; SALARY OF THE MAYOR .....	C-4
3. BOARD OF MAYOR AND ALDERMEN - ADMINISTRATION OF ELECTIONS, QUALIFICATION OF VOTERS, VACANCIES IN OFFICE .....	C-5
4. OATH OF OFFICE .....	C-6
5. BOARD OF MAYOR AND ALDERMEN - MEETINGS .....	C-6

---

<sup>1</sup>Priv. Acts 1939, ch. 574, is the current basic charter act for the Town of Pikeville, 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>
6. MAYOR - PRESIDING OFFICER OF BOARD .....	C-7
7. BOARD OF MAYOR AND ALDERMEN - POWERS ENUMERATED .....	C-7
8. BOARD OF MAYOR AND ALDERMEN - POWER TO ENACT ORDINANCES .....	C-9
9. EXECUTIVE DEPARTMENT; APPOINTMENT OF TREASURER AND RECORDER .....	C-9
10. MAYOR - DUTY AND POWERS .....	C-9
11. TREASURER - DUTY AND POWERS .....	C-10
12. RECORDER - DUTY AND POWERS .....	C-11
13. MUNICIPAL COURT .....	C-11
14. [REPEALED] .....	C-12
15. POLICE FORCE .....	C-12
16. [REPEALED] .....	C-13
17. TAXATION .....	C-13
18. TREASURY WARRANTS TO SHOW PURPOSE .....	C-14
19. BOARD OF MAYOR AND ALDERMEN - POWER TO PASS HEALTH ORDINANCES AND REGULATIONS .....	C-14
20. SALARIES AND COMPENSATION OF OFFICERS .....	C-14
21. PURPOSE OF APPROPRIATIONS TO BE STATED .....	C-15
21-A. OLD ORDINANCES CONSISTENT WITH CHARTER TO REMAIN IN FORCE .....	C-15
22. CHARTER A PUBLIC ACT .....	C-15
23. PROVISIONS OF CHARTER SEVERABLE .....	C-16

<u>SECTION</u>	<u>PAGE</u>
24. EFFECTIVE DATE OF CHARTER . . . . .	C-16
25. REPEAL OF OLD CHARTER . . . . .	C-16

SECTION 1

INCORPORATION AND BOUNDARIES

Be it enacted by the General Assembly of the State of Tennessee, That the territory hereinafter described in this Section and the inhabitants thereof are hereby constituted a body politic and corporate by the name and style of the Town of Pikeville, and shall have perpetual succession by that name; and by said corporate name sue and be sued, plead and be impleaded; may grant, receive, purchase, and hold real estate and personal property and dispose of same for the benefit of said town; and may have and use a common seal, which it may change at pleasure; that the boundaries of said town shall be as follows: Beginning at a poplar tree on the side of the road running from Pikeville to Dunlap and near the property of T. J. Nixson; running thence a straight line in a northern course to the southeast corner of the property of E. E. Henry; running thence in a western course a straight line to a stake fifty feet south and west of the southwest corner of the barn of Dr. D. A. Greer; thence in a northern course a straight line to the line between R. B. Schoolfield and J. C. Dyer; thence in an easterly course with said line to the northeast corner of said J. C. Dyer; thence in a northern course with the line of R. B. Schoolfield to the Sparta Road; thence a continuation of the same course 350 feet across Sparta Road; thence in an eastern course to a stake 30 feet north of the northeast corner of Ed Cook's yard fence; thence in an eastern course to a small tree (heaven bush) standing on the side of the street near the line of S. H. Ferguson; thence in an eastern course to a stake on a branch 25 feet north of the upper town spring; thence down said branch to a sycamore tree, being the second tree below the lower town spring; thence in a southern course to the northeast corner of the lot of J. W. Pope near the bridge; thence with the line between said J. W. Pope and J. P. Vaughn around to the southeast corner of the county jail lot; thence with the south line of said jail to the southwest corner of said jail lot; thence south, running parallel with the east line of the street in front of said jail to the street running from the parsonage of the Southern Methodist Church to the north side of the residence of J. W. Barber in the Blackburn addition, thence running with the north side of said street east to the northeast corner of said Blackburn addition to the southeast corner of same; thence west with the south line of said Blackburn addition to a point near the barn of W. N. Tollett, on the G. T. McWilliams lot, and in the line of the present incorporation as now defined by the said Act of 1911; thence in a southern course to a stake directly opposite the

county jail and the street between the property of W. A. Brown and S. L. Deakins; thence in a western course to an alley just behind the property of W. A. Brown; thence in a southern course with said alley and on with the back line of the M. C. Church, south, parsonage property, C. E. Pope and P. M. Foust to the southeast corner of P. M. Foust's lot; thence in a southern course to the corner between J. B. Vaughn and Dr. I. L. McGinnis in the center of Sequatchie River; thence with the river to a corner between R. G. Blackburn and the County High School; thence to the southeast corner of M. S. Greer's lot; thence in a western course with the line between M. S. Greer and R. G. Blackburn and a continuation of the same course to a line between C. E. Pope and T. V. McReynolds; thence in a northern course with said line to the north side of the Dunlap Road; thence with the said road to the beginning.

Said incorporated town shall also embrace the following additional property: Beginning at a stake fifty feet South and West of the South West corner of Dr. D. A. Greer, thence in a straight line in a northerly direction to a point on the South boundary of the old Sparta Road, 600 feet West of the N.C. & St. L. R. R.; thence in an Easterly direction to the East boundary of said R.R., thence North along East boundary to South West corner Negro school property thence East along Southern border of Negro school property to Number 28 Highway, thence South East along said Highway to present line, thence following present line to a point to the North border of street on North side of Southern Methodist Parsonage, thence in an Easterly direction along North border of said street to the North East boundary of Frank Brown property, thence a straight line in Southerly direction to the South East corner of Will Thomas lot, thence in a westerly direction along Alley to South West corner of Charlie Wheeler property, thence due South to a point in the center of Sequatchie River, thence down River to present line; following present line to the South East corner of Hugh D. McReynolds property, thence in a straight line to the South Western boundary of Hugh D. Reynolds property, thence along said boundary to Dunlap Road, thence along said road to beginning point of said line.<sup>1</sup>

## SECTION 2

### BOARD OF MAYOR AND ALDERMEN-NUMBER, ELECTION AND TERM; SLAARY OF THE MAYOR

Be it further enacted, That the legislative power of the Town of Pikeville shall be vested in a Board of Mayor and Aldermen, and shall be elected for a term of one year by the qualified voters of said corporation, and shall serve until

---

<sup>1</sup>The boundaries of the town have been expanded as provided by ordinances on record in the office of the town recorder.

successors are elected and qualified. Four Aldermen shall be elected at large. The regular term of office of such Mayor and Aldermen shall begin on the first day of January of each and every year, except the first ones, which shall begin with their appointment and qualification hereinafter provided for.

Provided, however, that beginning January 1, 1992, the term of office of such mayor and aldermen shall be for four years to begin on the first day of January of each even-numbered year.

The salary of the Mayor of the City of Pikeville shall be set by the mayor and board of aldermen, and shall not be less than seven thousand two hundred dollars (\$7,200) annually, and shall not be more than the salary of any elected official of Bledsoe County, Tennessee. [As amended by Priv. Acts 1967, ch. 780, § 1; Priv. Acts 1980, ch. 220, § 1; Priv. Acts 1986, ch. 118, § 1; and Priv. Acts 1991, ch. 15, §§ 1 and 2]<sup>1</sup>

### SECTION 3

#### BOARD OF MAYOR AND ALDERMEN - ADMINISTRATION OF ELECTIONS QUALIFICATION OF VOTERS, VACANCIES IN OFFICE

Be it further enacted, That the following persons are hereby designated and appointed to fill the vacancies in the office of Mayor and Aldermen until January 1, 1940: M. B. Stephens, Mayor; J. W. Welch, J. Colvard, N. G. Ferguson and J. D. Pyle, Aldermen. All elections shall be held in said corporation on the first Saturday of December of each and every year, and the same shall be held under the direction of and in such manner as the Board of Mayor and Aldermen shall prescribe, and under the general rules and regulations fixed by law for holding State, county and municipal elections, and they are given power to appoint officers, judges, and clerks to hold the same. All vacancies in the Board of Mayor and Aldermen shall be filled by the remaining members of said Board. Any person who is qualified to hold office in Bledsoe County, Tennessee, and has been a resident of the corporation for twelve months next preceding his election shall be qualified to hold the office of Mayor and Aldermen. All persons living within the corporate limits of the town who are entitled to vote for members of the General Assembly shall be entitled to vote in municipal elections. Provided, however, that any person owning property within the corporate limits of the town and residing outside such limits but within Bledsoe County may register and vote in municipal elections, if such

---

<sup>1</sup>Priv. Acts 1980, ch. 220, § 1, did not specifically amend § 2 of the charter; it provided that its contents ("Four Aldermen shall be elected at large") be placed between the first and second sentences of "the section." Based on the content of Priv. Acts 1980, ch. 220, and of § 2 of the charter, the compiler determined that "the section" meant § 2.

property ownership is of residential lot size of not less than thirty-five hundred square feet (3,500 sq. ft.) or any person owning a commercial property of any size as long as there are not more than two (2) persons per deed in either property classification. Such nonresident shall furnish to the Registrar's office proof of ownership and lot size and location by submitting a copy of the corporation's tax notice or such other document deemed acceptable by the Registrar. Such nonresident shall not be eligible to hold any municipal office or serve on any municipal board or commission.

The person receiving the highest number of votes at any election held under this Act for Mayor and Aldermen shall be declared elected and the office or officers holding said election shall issue to the persons so elected a certificate showing their election within two days thereafter. If there should be any contests of election, notice shall be filed with the Board of Mayor and Aldermen when the one holding the certificate of election presents the same to be sworn in, and said board may prescribe reasonable and lawful rules for the determination of such contests. Provided, however, no Justice of the Peace shall be elected to represent the town of Pikeville and said town shall not be entitled to a Justice of the Peace or Magistrate in the Quarterly County Court. the office of any Justice of the Peace undertaking to represent the town of Pikeville on the effective date of this Act is hereby vacated and abolished. [As amended by Priv. Acts 1980, ch. 220, § 2; and Priv. Acts 2015, ch. 11]

#### SECTION 4

##### OATH OF OFFICE

Be it further enacted, That before entering upon the discharge of their duties of Mayor and Aldermen they shall take an oath to faithfully, honestly and impartially perform the duties of their office without fear or affection and to the best of their skill and ability.

#### SECTION 5

##### BOARD OF MAYOR AND ALDERMEN - MEETINGS

Be it further enacted, That the Board of Mayor and Aldermen shall hold a regular meeting once each month, and a special meeting whenever called for by the Mayor, which he may do at any time that he thinks the welfare of the corporation demands it, and it shall be his duty to call such special meetings on the written request of two members specifying the purpose of the meeting, and no business shall be transacted not specified in the call. Until otherwise provided by ordinances, the regular meeting shall be held on the first Thursday night in each month. [As amended by Priv. Acts 1981, ch. 68, § 1]

## SECTION 6

MAYOR - PRESIDING OFFICER OF BOARD

Be it further enacted, That the Mayor shall preside at all meetings of the board. Three members of the board, including the Mayor, constitute a quorum for the transaction of business. A journal of the proceedings of the board shall be kept by the Recorder, upon which shall be entered each vote taken by the board of yeas and nays, and no action of the board except to adjourn shall have any force or validity unless at least three of the members shall have voted in favor thereof. The Mayor shall have the right to vote once on all questions.

## SECTION 7

BOARD OF MAYOR AND ALDERMEN - POWERS ENUMERATED<sup>1</sup>

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

(1) To preserve the health, quiet, peace, and good order of said town, including such quarantine regulations as occasion may require.

(2) To declare what is a nuisance and to prevent and remove the same.

(3) To levy and collect taxes on all property within the corporate limits taxable by the laws of the State and on poll.

(4) To appropriate money and provide for the debts and running expenses of the corporation.

(5) To license and tax any privilege taxable by the laws of the State, but not to exceed the amount hereinafter set out.

(7) To regulate and suppress gaming and gambling houses, bawdy houses and houses of ill fame or assignation houses, and they shall have power to declare all such places nuisances and abate them as such.

(8) To suppress and prevent the carrying of concealed weapons or the sale of the same.

(9) To regulate the storage, the sale, or the use of fire-crackers and all other fireworks, toy pistols, explosives, and combustibles.

(10) To suppress and prohibit the sale of intoxicating liquors and to prevent the drinking thereof and drunkenness.

(11) To provide for the lighting of the town, public buildings and other places, and may make contracts with persons or corporations for the lighting of the town.

---

<sup>1</sup>The omission of subsection 6 in § 7 is accounted for by Priv. Acts 1967, ch. 280, § 2, which deleted subsection 6 in its entirety.

(12) To impose fines, forfeitures, and penalties for the breach of any ordinance adopted under this Act, and to provide for their recovery and the arrest of any party or parties breaching said ordinances, and to provide for sentences of imprisonment in the town workhouse; provided, that no fine shall exceed \$50.00 and no sentence of imprisonment more than three months.

(13) To erect and keep a calaboose or town prison in which to confine all parties violating the ordinances of the corporation under such regulations as the board may adopt.

(14) To commit any person or persons who may fail or refuse to pay or secure any fines and costs imposed upon him or them to the town calaboose or workhouse until said fine and costs are fully paid, secured and worked out, and the Recorder shall have the power to commit the person or persons not paying such fines and costs assessed against him or them to the town calaboose or workhouse, and such parties shall be required to work out such fines and costs.

Every person committed for failure to pay or secure the fine assessed against them shall be required to work for the town as his or her health will permit at such wages and under such regulations as may be established by ordinance, said work to continue until such fines and costs are fully paid.

(15) To regulate and prohibit running at large on the streets hogs and other animals.

(16) To provide for a police force and to appoint same.

(17) To pass all ordinances, necessary for the health, peace, convenience, safety, and good order of the town, and for the suppressing and prohibition of any and all acts and things made criminal by the laws of the State, and to provide a punishment of the breach of the same.

(18) To grant rights of way through the streets and alleys of said town for street railways and other railways.

(19) To abolish, alter, widen, extend, establish and create sidewalks and to improve and keep in repair the same and to drain and sewer the same, and to remove obstructions to said sidewalks and curbstones; but if the land of any person is so appropriated he shall be compensated for actual damage suffered.

(20) To remove all obstructions from sidewalks, curbstones and to provide for the construction and repair of all sidewalks and to prescribe regulations for the same.

(21) To license and tax all privileges taxable by the laws of the State. And the Board of Aldermen of the Town of Pikeville shall have the power and authority to and may levy a privilege tax not to exceed \$100.00 per year on all traveling shows, tent shows, theaters, minstrels, and other like amusements, except those given for educational or charitable purposes, and on all pool rooms, billiard halls, bowling alleys or other like places, operated for profit and on beer halls, beer gardens, restaurants, hotels, or other eating places or any other places selling beer.

(22) The said privilege taxes to apply only on locations within the corporate limits of the Town of Pikeville, Tennessee, and to be in addition to the



regular license already charged as now required by law. [As amended by Priv. Acts 1967, ch. 280, § 2; and Priv. Acts 1967, ch. 449, § 2]

## SECTION 8

### BOARD OF MAYOR AND ALDERMEN - POWER TO ENACT ORDINANCES

Be it further enacted, That the Board of Mayor and Aldermen shall have the power to make all ordinances necessary and proper for carrying to execution the provisions of this Act and power herein granted, and all ordinances which it may deem necessary and requisite for the good fare of the town, and also for the protection of any corporate property, privileges and franchises, and force the same by a proper fine, imprisonment, and other penalties.

## SECTION 9

### EXECUTIVE DEPARTMENT; APPOINTMENT OF TREASURER AND RECORDER

Be it further enacted, That the executive power of the corporation shall be vested in a Mayor, a Town Treasurer, and a Recorder, each of whom, except the Mayor, who shall be elected by the qualified voters of the corporation, shall be elected by the Board of Mayor and Aldermen at their regular meeting in January of each year for a term of one year and until their successors are elected and qualified; provided the first board elected under the provisions of this Act shall elect or appoint such officers immediately on its organization to serve until January 1940. [As amended by Priv. Acts 1967, ch. 280, § 3]

## SECTION 10

### MAYOR - DUTY AND POWERS

Be it further enacted, That the Mayor shall preside at all meetings of the Board of Mayor and Aldermen, call special meetings of the board as hereinbefore provided, see that the corporate laws and ordinances are duly enforced, and issue corporate warrants on the Treasurer when so ordered by the board. No warrant on the Treasurer shall be issued until the same has been ordered by the board. In the absence, resignation, or sickness of the Marshal, he may appoint officers to fill such vacancies until the meeting of the board. He shall also be empowered to appoint special policemen to assist the Marshal when, in his opinion, the occasion requires, and shall administer to such special policemen the oath of office. He shall have power to suspend any officer when, in his judgment, the public welfare requires it, but shall submit to such officer at the

time of his suspension a written specification of the charges against him, and shall call the Board of Mayor and Aldermen together within five days to try such suspended officer; and if the majority thereof sustain the Mayor, such office shall be declared vacant, and the board proceed to fill the vacancy for the balance of the term. In all cases of the examination of charges against any officer the Mayor shall preside, administer oaths, and issue subpoenas to compel the attendance of the witnesses and the production of books and papers. The Mayor shall give such records and information in writing to the board as he may deem expedient for the interest of the corporation. He shall have the power to veto any ordinance, and any ordinance vetoed by the Mayor shall not become operative except by the vote of a majority of the board, exclusive of the Mayor. The Mayor is hereby empowered to call upon every male inhabitant over twenty-one years of age to aid in the enforcement of public peace. The Mayor shall have power, and is hereby made his duty, to perform all acts that may be required of him by an ordinance duly enacted.

## SECTION 11

### TREASURER - DUTY AND POWERS

Be it further enacted, That the Treasurer before entering upon the duties of his office, shall taken an oath to faithfully discharge the same, and shall execute a bond in such sum as the Board of Mayor and Aldermen may prescribe for the faithful discharge of his duties and the caring for and paying out the funds entrusted in his keeping. It shall be the duty of the Treasurer to receive and pay out on warrants drawn by order of the Board of Mayor and Aldermen, signed by the Mayor and Recorder and attested by the seal of the corporation. It shall be the further duty of the Treasurer to keep an account of all funds coming into his hands and paid out by him, and to furnish to the Mayor such information as he may possess in reference to the finances of the corporation or other person who shall receive or have in his hands any money belonging to the corporation shall immediately pay the same over to the Treasurer and take his receipts therefor in duplicate, one of which shall be delivered to the Recorder by the party paying over the money and kept by the Recorder subject to public inspection. For every failure to pay over money to the Treasurer or to deliver the Treasurer's receipt therefor to the Treasurer, such officer, agent or other person shall forfeit to the corporation double the amount of money not paid over as herein specified. At the beginning of each calendar month the Treasurer shall report to the Board of Mayor and Aldermen the transactions of the Treasurer's office during the previous month, which shall show the amount of money received, from whom, and on what account, also a list of the town warrants or orders which have been redeemed by him or paid into the town treasury as money due the Town, which said warrants shall be canceled by him when received, a permanent list thereof made and kept, and the originals

submitted with each report to the board to be destroyed. He shall also make an annual report to the board at the first meeting night in January of each year, and such other reports as the board may require. All warrants upon the Treasurer shall show the date of their issuance, date of allowance by the board, to whom issued, for what purpose, and from what fund payable. All warrants shall be payable on demand, and in no event shall a warrant draw interest.

## SECTION 12

### RECORDER - DUTY AND POWERS

Be it further enacted, That the Recorder, before entering upon the duties of his office, shall take an oath to faithfully perform the same, and shall give bond in such sum as the Board of Mayor and Aldermen may require, conditioned upon the faithful performance of the duties of his office and to pay over to the Treasurer all moneys that may come into his hands belonging to the corporation, and turn over to his successor all books, papers, vouchers and property of every kind pertaining to the office. It shall be his duty to register and sign all warrants on the treasury drawn and signed by the Mayor for all appropriations and money ordered by the board. He shall keep a complete table of the resources, assets, and liabilities of the town, and all contracts, names of contractors, amount of contracts, amount paid and amount due, and a list of all employees of the town, the time worked and wages paid to each. He shall administer oaths and require all settlements, returns, and reports made to him to be verified and every claim against the town itemized and sworn to, and no claim shall be allowed by the board, or warrants drawn therefor, except upon a sworn itemized statement. The Town Recorder is hereby authorized to issue all privilege license and permits of every kind, which may be fixed by ordinance as above provided. Said license may be issued quarterly, semi- annually, or annually, and shall be payable in advance in all cases. All moneys received by him must be accounted for to the Treasurer. The Recorder shall attend all meeting of Mayor and Aldermen, and keep a full, true, and correct record and minutes of the proceedings of said meetings. He shall have custody of the seal, public records, and ordinances of the board, all of which ordinances shall be copied by him into a book provided for that purpose, and each ordinance as copied into said book shall show the date of its passage and of (date) signed by the Mayor and Recorder.

## SECTION 13

### MUNICIPAL COURT

The recorder shall have jurisdiction over the violation of the laws and ordinances of the town. An appeal is available to the Circuit Court. After the

ratification of this act, the General Sessions Court shall have jurisdiction over all criminal violations within the municipal boundaries of Pikeville. The costs in such trials shall be fixed by ordinance. The recorder 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 Court of General Sessions has to fine for contempt. The recorder may remit with or without condition, fines and costs imposed for violation of any ordinance or charter provision. All fees for actions or cases in his court shall belong to the city and shall be paid into the City Treasury.

The bail of persons arrested and awaiting trial and persons appealing a decision of the recorder shall be fixed by the recorder, upon such security as in his discretion he deems necessary or as may otherwise be provided by ordinance. Fines and costs may be paid by installments to be fixed and security determined as provided by ordinance.

The recorder shall keep a docket of all cases handled by him. The recorder shall be exclusive judge of the law and the facts in every case before him, and no officer or employee of the city shall attempt to influence his decision except through pertinent facts presented in open court. [As replaced by Priv. Acts 1987, ch. 449, § 1; amended by Priv. Acts 1987, ch. 51; Priv. Acts 1993, ch. 41; and replaced by Priv. Acts 1995, ch. 7]

#### SECTION 14

[REPEALED]<sup>1</sup>

#### SECTION 15

#### POLICE FORCE

Be it further enacted, That the police force of Pikeville shall consist of one Marshal and so many policemen as the board may direct and as the Mayor may appoint in case of emergency as herein provided. The Marshal, before entering upon the discharge of his duties, shall make such bond payable to the Town of Pikeville as may be prescribed by the board, and shall take an oath to faithfully and honestly discharge the duties of his office. All duties of Marshal and policemen shall be under the direction of the Mayor and in conformity with the ordinances. It shall be his duty to arrest all violators of the ordinances and laws of said town or State of Tennessee and bring them before the Recorder for trial. State Marshal or policemen of said town shall have the right to make arrests within the limits of said corporation for violation of the ordinances and laws of said corporation and of said State with or without warrants, and said arrests

---

<sup>1</sup>Section 14 was repealed in its entirety by Priv. Acts 1967, ch. 449, § 2.

may also be made within one mile of the nearest corporate boundary. The Marshal or policemen on making an arrest is authorized to take bond from the party arrested, with surety good and solvent, for his appearance for trial at the time set by said Marshal, said bond to be for such sum as he may deem expedient, not to exceed \$100.00. He is also authorized to receive in lieu of such bond a deposit of money for the appearance of such party for trial as aforesaid in an amount not exceeding \$50.00. The bonds so taken for appearance shall be payable to the Town of Pikeville. In case the Marshal or any policeman of said town make an arrest, and the case is not immediately tried, and the person arrested fails to furnish a good bond or make deposit of money in lieu of such bond for their appearance before the Town Judge for trial, such officer shall commit said offender to the jail or calaboose to be held for trial before the Town Judge. [As amended by Priv. Acts 1967, ch. 449, § 4]

#### SECTION 16

[REPEALED]<sup>1</sup>

#### SECTION 17

#### TAXATION

Be it further enacted, That the Board of Mayor and Aldermen shall have power and authority to levy taxes on all taxable property within the corporate limits, upon polls and privileges, but the rate of property tax shall not exceed one dollar on the \$100.00 assessed. The poll tax for road purposes shall not exceed that fixed by the County of Bledsoe that is equal to the time that road hands subject to road duty are required to work on the county roads in said county. In lieu of the town assessment, it shall be the duty of the Recorder to copy into a well-bound book each assessment made for State and county purposes of all property within the corporate limits, and certify the same to the Marshal, which shall be the town assessment; and if upon copying said assessment the Recorder finds that a certain piece of property is assessed as a whole, and a portion of it lies without the corporate boundary, he shall then deduct from said assessment such proportional part of the whole as would be a reasonable value of that portion on the outside, taking the whole assessment as a reasonable value of the whole tract; and if the Recorder finds that any property within the corporate limits is not on the County Assessor's book, he shall then proceed to assess the same for corporate purposes, and after he has made up his assessment books as above provided he shall certify the same to the Marshal, which shall be the town assessment. All taxes shall be due and

---

<sup>1</sup>Section 16 was repealed in its entirety by Priv. Acts 1967, ch. 280, § 4.

payable to the Marshal on the first Monday in September of each year, and shall become delinquent the first Monday of December of each year, and the Marshal shall then turn the tax books to the Recorder, together with his oath that the same shows correctly all taxes collected by him and all taxes uncollected and owing to the corporation, and he shall pay the money collected to the Treasurer. The said corporation is authorized and empowered in the collection of delinquent taxes, in addition to the means herein specified, to exercise those remedies afforded by the law for the collection of delinquent taxes due the State and County.

## SECTION 18

### TREASURY WARRANTS TO SHOW PURPOSE

Be it further enacted, That every warrant issued by the Mayor on the Treasurer shall show on its face for what purpose the same was issued.

## SECTION 19

### BOARD OF MAYOR AND ALDERMEN - AUTHORITY TO PASS HEALTH ORDINANCES AND REGULATIONS

Be it further enacted, That said Board of Mayor and Aldermen are empowered to enact such laws and ordinances as may be necessary to prevent by reasonable regulations the introduction and spread of contagious or infectious diseases in the town, and to this end may appoint a Board of Health and define its powers and duties, and authorize and empower such Board of Health to make and enforce such quarantine regulations with respect thereto as such Board of Health deems necessary.

## SECTION 20

### SALARIES AND COMPENSATION OF OFFICERS

Be it further enacted, That none of the officers herein provided for shall receive any regular salary or compensation for their services as such officer, but that they serve without compensation, except that the Marshal and Recorder shall be entitled to the fees as hereinbefore provided, and also the Board of Mayor and Aldermen may have the right to compensate any of the officers herein mentioned a reasonable pay for actual work done, this to be left to the discretion of the board, it being the purpose and intention of this charter that the money raised by the taxes shall be utilized for the improvement and betterment of the town; provided that the Board of Mayor and Aldermen shall

have the power to fix a regular salary for the town marshal not to exceed the sum of \$40.00 per month.

Each member of the board of aldermen shall receive a monthly salary of one hundred fifty (\$150) dollars. [As amended by Priv. Acts 1975, ch. 142, § 1; Priv. Acts 1983, ch. 114, § 1; Priv. Acts 1988, ch. 150; Priv. Acts 1988, ch. 225; Priv. Acts 1989, ch. 17; and Priv. Acts 1991, ch. 15, § 3]<sup>1</sup>

## SECTION 21

### PURPOSE OF APPROPRIATIONS MUST BE STATED

Be it further enacted, That no appropriation for work or other improvement shall be made by the Mayor and Aldermen without the object is fully stated in the order making such appropriations.

## SECTION 21-A

### OLD ORDINANCES CONSISTENT WITH CHARTER TO REMAIN IN FORCE

Be it further enacted, That all valid ordinances of the Board of Mayor and Aldermen of the town of Pikeville, Tennessee, now in force, not inconsistent herewith, shall be and remain in full force and effect; and all legal and subsisting debts, taxes, assessments, obligations, liabilities, actions, claims, contracts, and prosecutions, arising under the charter of said town, in force at the time of the passage hereof, shall remain and continue in full force and effect; and the Board of Mayor and Aldermen shall take the Town of Pikeville, and administer the same for the benefit of the Town of Pikeville, Tennessee, under the provisions of this Act, and shall assume and discharge all legal and subsisting obligations arising under said former charter of incorporation.

## SECTION 22

### CHARTER A PUBLIC ACT

Be it further enacted, That this Act is declared to be a public Act, and may be read in evidence in all courts of law and equity, and all ordinances, resolutions, and proceedings of the Board of Mayor and Aldermen may be proved by the seal of the corporation. The same shall be received in evidence in all

---

<sup>1</sup>Priv. Acts 1983, ch. 114, § 1, did not actually amend § 20 of the charter; it repealed Priv. Acts 1975, ch. 142, which did amend § 20 of the charter.

courts and places when attested by the Recorder, printed and published by authority of the corporation, and certified by the Recorder.

SECTION 23

PROVISIONS OF CHARTER SEVERABLE

Be it further enacted, That the provisions of this Act are hereby declared to be severable. If any of its sections, provisions, excerpts, sentences, clauses, phrases, or parts be held unconstitutional or void the remainder of this Act shall continue in full force and effect, it being the legislative intent now being declared that this Act would have been adopted if such matter had not been included therein.

SECTION 24

EFFECTIVE DATE OF CHARTER

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

SECTION 25

REPEAL OF OLD CHARTER<sup>1</sup>

Be it enacted by the General Assembly of the State of Tennessee, that Chapter 96 of the Private Acts of 1911, the caption of which is set out in the caption hereof, and all Acts amendatory thereto be and the same are hereby repealed.

Passed March 9, 1939.

John Ed O'Dell,  
Speaker of the House of Representatives.

Blan R. Maxwell  
Speaker of the Senate.

---

<sup>1</sup>Section 25 was created by the compiler to accommodate Priv. Acts 1939, ch. 575, § 1, which repealed in its entirety Priv. Acts 1911, ch. 96, which was the old Pikeville Town Charter.



Approved March 10, 1939.

Prentice Cooper,  
Governor.

PRIVATE ACTS COMPRISING THE CHARTER OF  
THE TOWN OF PIKEVILLE, TENNESSEE<sup>1</sup>

YEAR	CHAPTER	SUBJECT
1939	574	Basic charter act.
1939	575	Repealed in its entirety the old basic charter act, which was Priv. Acts 1911, ch. 96 and all acts amendatory thereto.
1967	280	Amended §§ 2, 7, 9, and 16 of the basic charter act.
1967	449	Amended § 13 of the basic charter act.
1975	142	Amended § 20 of the basic charter act.
1980	220	Amended §§ 2 and 3 of the basic charter act.
1981	68	Amended § 5 of the basic charter act.
1983	114	Repealed Priv. Acts 1975, ch. 142, (see § 20 of the basic charter act.)
1986	118	Amended § 2 of the basic charter act.
1987	51	Amended § 13, subsections (1), (2), and (5).
1988	150	Amended § 20, annual salary for members of the board of mayor and aldermen.

---

<sup>1</sup>Also see Priv. Acts 1947, ch. 596, which created for the Town of Pikeville three additional justices of the peace for the purpose of representation on the old Bledsoe County Court. That act was not included in the compilation of the charter.

YEAR	CHAPTER	SUBJECT
1988	225	Amended § 20, annual salary for members of the board of mayor and aldermen.
1989	17	Amended § 20, annual salary for members of the board of mayor and aldermen.
1991	15	Amended § 2, mayor's salary; and § 20, salary for board of mayor and aldermen.
1993	41	Amended § 13 by replacing subsection (2).
1995	7	Replaced § 13.
2015	11	Amended § 3.