

CHARTER FOR THE CITY OF MEDINA, TENNESSEE¹

CHAPTER NO. 96

HOUSE BILL NO. 1585

By Representative Ray Davis

Substituted for: Senate Bill No. 1577

By Senator McKnight

AN ACT to repeal Chapter 238 of the Acts of 1907, Chapter 106 of the Acts of 1909, as amended by Chapter 466 of the Private Acts of 1915, Chapter 388 of the Private Acts of 1947, Chapter 624 of the Private Acts of 1947, Chapter 403 of the Private Acts of 1961, Chapter 205 of the Private Acts of 1976, and any other acts amendatory thereto and to continue the corporate existence of the city of Medina.

TABLE OF CONTENTS

<u>SECTION</u>	<u>PAGE</u>
1. Incorporation	C-3
2. Previous Acts repealed	C-3
3. Definitions	C-3
4. Boundaries	C-4
5. Corporate powers	C-4
6. Municipal elections	C-7
7. Restrictions on candidates	C-8

¹Priv. Acts 1991, ch. 96, is the current basic charter act for the City of Medina, 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 temporary nature with no general or continuing application, such as bond authorization and validation acts have not been including in this compilation.

<u>SECTION</u>	<u>PAGE</u>
8. Board of mayor and aldermen	C-9
9. Mayor as presiding officer	C-9
10. Vice-mayor	C-9
11. Vacancy on board	C-9
12. Board to act as body	C-9
13. Ordinance procedure	C-10
14. Organization of city government	C-10
15. Mayor--powers	C-10
16. City recorder	C-11
17. City attorney	C-11
18. City judge	C-11
19. Board--employment	C-12
20. Promotion requirements	C-12
21. Supplementary rules	C-12
22. Oath of office	C-12
23. Bonds	C-12
24. Political activity	C-13
25. Conflict of interest	C-13
26. Fiscal year	C-13
27. Budget	C-13
28. Adoption of budget	C-14
29. Control of expenditures	C-14
30. Contracts	C-14
31. Sale of city property	C-14
32. Contracts	C-14
33. Property taxes	C-14
34. Omitted property	C-14
35. Tax levy	C-14
36. Tax due dates and tax bills	C-15
37. Collection of delinquent taxes	C-15
38. County may collect taxes	C-15
39. Taxes not to be excused	C-15
40. Disbursement by check	C-15
41. Official depository	C-15
42. Cooperative agreements and contracts	C-15
43. Other general laws	C-16
44. Penalties	C-16
45. Severability	C-16
46. Effect of act on terms of office	C-16
47. Effect of act on salaries of officials	C-16
48. Applicability	C-16
49. Effective date	C-16

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. The City of Medina, Tennessee, shall continue as a body politic and corporate by the name and style of Medina, Tennessee, and this Act shall constitute its complete Charter. The City of Medina 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. When this Act becomes applicable as the Charter of the City of Medina, Tennessee, the following acts are hereby repealed: Chapter 238 of the Acts of 1907, Chapter 106 of the Acts of 1909, as amended by Chapter 466 of the Private Acts of 1915, Chapter 388 of the Private Acts of 1947, Chapter 624 of the Private Acts of 1947, Chapter 403 of the Private Acts of 1961, Chapter 205 of the Private Acts of 1976, and any other acts amendatory thereto.

SECTION 3. 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 City, as distinguished from representation by wards or other districts.

(c) "Board of Mayor and Aldermen" and "Board" shall mean the legislative body of the City, which shall be composed of the Mayor and four (4) Aldermen elected as provided in this Charter.

(d) "Elector" shall mean a qualified voter residing within the City or a qualified voter who has owned in fee simple lands within the City for a period of six (6) months proceeding an election.

(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 4. The boundaries of the City shall be those fixed by Section 2 of Chapter 238 of the Acts of 1907, as amended by Chapter 624 of the Private Acts of 1947, and any other acts amendatory thereto, and annexations made pursuant to general law.¹

SECTION 5. The City 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 cities by the Constitution of general law.

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

¹The boundaries, as set out in Priv. Acts 1907, ch. 238, § 2, and as replaced by Priv. Acts 1947, ch. 624, are as follows:

That the corporate limits of the Town of Medina shall embrace the territory within the following boundaries, to-wit: Lying and being within the First Civil District of Gibson County, Tennessee, and described more particularly as follows:

Beginning at Culvert No. 45728 on the Illinois Central Railroad south of the depot, runs thence south 61 degrees east sixteen hundred (1600) feet to a stake; runs thence north 48 degrees east twenty-two hundred fifty(2250) feet to a stake in the west margin of the County road; runs thence north with the west margin of said road crossing the Spring Creek Road at fifteen hundred fifty (1550) feet, in all eighteen hundred (1800) feet to a stake at a wild cherry tree, said tree being two hundred fifty (250) feet north of the Spring Creek Road; runs thence north 63 degrees west, crossing U. S. Highway No. 45E at fourteen hundred (1400) feet, in all twenty-five hundred ten (2510) feet to a stake; runs thence west eight hundred twenty (820) feet in all to a point in the south line of Witt Street, said point being three hundred (300) feet west of the west margin of Cumberland Street; runs thence south nine hundred ten (910) feet to a stake; runs thence south 26 degrees west seventeen hundred (1700) feet to a stake (west of Futrell dwelling); runs thence south eight hundred (800) feet to a stake and hickory pointers; runs thence south 61 degrees east eight hundred thirty (830) feet to the beginning.

(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 City, 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 City.

(f) To grant franchises or make contracts for public utilities and public services, not to exceed a period of twenty-five (25) 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, detention, penal, and medical institutions, agencies, and facilities; and any other public improvements; inside or outside the City; 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 City 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 City.

(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 City, and to provide for the enforcement of such standards.

(n) To provide regulations establishing standards of weights and measures and to enforce compliance of 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 City, 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 as established by City Ordinance.

(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 City and its inhabitants, and all implied powers necessary to carry into execution

all powers granted in the 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 cites by the Constitution or general laws of the State. [As amended by Priv. Acts 2002, ch. 70, § 1]

SECTION 6. The City of Medina shall elect a Mayor and four (4) Aldermen. On the first Tuesday after the first Monday in November of each even-numbered year, a nonpartisan, at-large, general municipal election, open to all electors, shall be conducted by the county election commission.

On the first Tuesday after the first Monday in November 2016, the City of Medina shall elect two (2) Aldermen to fill the positions of the Aldermen whose terms are set to expire in 2016. The two (2) persons who receive the highest number of votes shall be elected to a term to end at the next meeting of the Board of Mayor and Aldermen after the election that will be held on the first Tuesday after the first Monday in November 2020. On the first Tuesday after the first Monday in November 2018, the City of Medina shall elect two (2) Aldermen to fill the positions of the Aldermen whose terms are set to expire in 2018. The two (2) persons who receive the highest number of votes will be elected to a term that will end at the next meeting of the Board of Mayor and Aldermen after the election that will be held on the first Tuesday after the first Monday in November 2022.

On the first Tuesday after the first Monday in November 2016, the City of Medina shall elect a Mayor to fill the position of the Mayor whose term is set to expire in 2016. The person receiving the highest number of votes for Mayor will be elected for a term to end after the election that will be held on the first Tuesday after the first Monday in November 2020.

Thereafter, elections shall be held every two (2) years to the end that the Aldermen shall serve four-year staggered terms and the Mayor shall serve a four-year term. Present incumbents in the positions of Mayor and Aldermen shall continue to serve for the terms to which they were elected and until such time as their successors are elected and qualified.

At each subsequent mayoral election, the candidate for Mayor having received the highest number of votes at an election shall be declared elected, and the two (2) candidates for Alderman having received the highest number of votes at each subsequent aldermanic election shall be declared elected. In case of a tie vote, the incumbent Board shall decide which of the candidates shall serve.

The terms of office for the Mayor and for the Aldermen shall commence at the next regularly scheduled meeting of the Board of Mayor and Aldermen.

Any qualified voter who is at least twenty-one (21) years of age and who has been a resident of the City for at least one (1) year may be qualified as a candidate for the position of Mayor or Alderman. [As replaced by Priv. Acts 2016, ch. 28]

SECTION 7. Upon a finding that any person has given or promised to any person or persons any office, employment, money, benefit, or anything of value, by or on behalf of any candidate, such person shall be assessed a civil penalty as established by City Ordinance, and such person, if holding office, shall immediately forfeit and vacate the office or position he holds and shall be ineligible to hold an office or position of employment in the City government for a period of five (5) years. [As amended by Priv. Acts 2002, ch. 70, § 2]

SECTION 8.

(a) The Mayor and four (4) 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 City, except as otherwise provided in this Charter.

(b) The compensation of the Mayor and Aldermen shall be set by Ordinance, but the salary of the Mayor or any Alderman shall not be changed during their term of office. The Mayor and Aldermen may be reimbursed for actual and necessary expenses incurred in the conduct of their official duties.

(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 (2) Aldermen and served on the other members of the Board or as agreed upon by a duly adopted motion at a regular or special meeting. Only the business stated in the written call or stated at the meeting when the special meeting is called may be transacted at a special meeting.

(d) Two (2) Aldermen and the Mayor shall constitute a quorum. The ayes and nays of all votes 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 9. The Mayor shall preside at meetings of the Board, and may vote on any matter. He shall be recognized as the ceremonial head of the City. He shall be the officer to accept process against the City, and shall perform other duties imposed by this Charter and by ordinances not inconsistent with this Charter.

SECTION 10. There shall be a Vice-Mayor who shall be selected at the first meeting after each election by the Board from among their number. The term of office of the Vice-Mayor shall be for a period of two (2) years. The Vice-Mayor shall perform the duties of the Mayor during his temporary absence or inability to act. In case of a vacancy in the office of Mayor, the Vice-Mayor shall fill out the unexpired term, or until the next regular City election, whichever shall occur first. If the Vice-Mayor is filling out a term in the office of Mayor, his position as an Alderman shall become vacant and the Board shall fill the vacancy as provided in Section 11. The Board shall select another of their number to fill out the unexpired term of the Vice-Mayor.

SECTION 11. The Board of Mayor and Aldermen shall declare that a vacancy exists if the Mayor or an Alderman resigns, dies, moves his residence for the City, 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 ninety (90) days with no extenuating circumstances, or has been continuously disabled for a period of six (6) months so as to prevent him from discharging the duties of his office.

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

SECTION 12. The Aldermen shall act on all matters as a body, and no member shall seek individually to influence the official acts of any officer or employee of the City, 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 an officer or employee. The Board shall deal with the various agencies, officers and employees of the City, 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 City government and the conduct of the City's affairs as it may deem necessary.

SECTION 13. Any action of the Board having a regularity 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 City of Medina:". Every ordinance must be approved on two (2) readings and there shall be no more than one (1) reading on any one (1) day. An ordinance may receive first reading upon its introduction. Ordinances shall take effect upon final reading, adoption and being signed by the Mayor unless a different effective date is designated in the ordinance.

SECTION 14. The City government shall be organized into such departments and offices as shall be provided by ordinance. The Board shall determine by ordinance the functions and duties of all departments and offices. The Board 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 15. The Mayor shall have the powers of a business manager; have supervision and control of all administrative affairs of the City; be its chief executive; have access to all of the books, records, offices, and papers of every kind pertaining to the City's business and require their proper and safe keeping; and present in writing or verbally to the Board his recommendations of the needs of the City at any time he deems advisable.

The Mayor shall have control over all municipal improvements and property and shall have the exclusive power to make all expenditures 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 may call upon the Governor for military aid.

The Mayor shall appoint, subject to confirmation of the Board, the City Recorder and any other employee who is designated a department head by ordinance.

The Mayor shall have authority to make appointments, promotions and transfers of employees; to make demotions, suspensions and removals of officers and employees; and may delegate such authority as he deems advisable. [As replaced by Priv. Acts 2009, ch. 5, § 1]

SECTION 16. The Mayor shall appoint, subject to confirmation by the Board, a City Recorder, who shall serve for an indefinite term.

The Recorder shall keep and preserve the City seal and all official records not required by law or ordinance to be filed elsewhere; shall 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 shall 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 may act as Treasurer and shall receive and keep safely all funds of the City and shall pay out the same upon warrants signed by the Mayor and the Recorder.

SECTION 17. The Mayor, subject to confirmation by the Board, shall appoint a City Attorney. The City Attorney shall be responsible for advising the Board and 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 18. A City Judge shall be appointed by the Board. The jurisdiction of the City Judge shall extend to all cases arising under the laws and ordinances of the City, and costs in such trials shall be fixed by ordinance in accordance with Tennessee Code Annotated, Section 16-18-304. The City 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 to punish for contempt in accordance with Tennessee Code Annotated, Section 16-18-306. The sole compensation for serving as City Judge shall be a salary fixed by the Board, and all fees for actions or cases in his court shall belong to the City and shall be paid into the City treasury.

A receipt in triplicate shall be issued for all fines, penalties, and costs imposed and collected by the court: the original to the depositor, duplicate and money to the Recorder, and triplicate to remain in the receipt book for review by the auditor.

Fines and costs may be paid by installments to be fixed and security determined as provided by ordinance. Receipts of the city court shall be

deposited with the Recorder and the City Judge shall make monthly reports thereof to the Board.

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

The City Judge 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 amended by Priv. Acts 2002, ch. 70, §§ 3 and 4; and replaced by Priv. Acts 2009, ch. 5, § 2]

SECTION 19. 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 20. The appointment and promotion of employees of the City 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. [As replaced by Priv. Acts 2009, ch. 5, § 3]

SECTION 21. The board of mayor and aldermen may adopt supplementary rules and regulations governing employment by the City. However, all municipal employees shall be at will employees and the board shall have no authority to change their status in such personnel rules. [As replaced by Priv. Acts 2009, ch. 5, § 4]

SECTION 22. Before a person takes any office in the City 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 City of Medina, and that I will faithfully discharge the duties of the office of _____."

SECTION 23. The Mayor and every officer, agent, and employee of the City 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 City.

SECTION 24. No employee of the City shall continue in the employment of the City after becoming a candidate for nomination or election to any City office, but this provision shall not apply to the Mayor, Aldermen, members of boards or commissions, the City Attorney or the City Judge. 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 City 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 City in connection with any City election. Upon a finding that any person has willfully or corruptly violated any provision of this section shall be assessed a civil penalty in an amount established by City Ordinance, and such person shall immediately forfeit and vacate the office or position he holds and be ineligible to hold any office or position of employment in the City government for a period of five (5) years thereafter. [As amended by Priv. Acts 2002, ch. 70, § 5]

SECTION 25. 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 City.

SECTION 26. The fiscal year of the City government shall begin on the 1st day of July and shall end on the 30th day of June of the succeeding year.

SECTION 27. 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 expenditure during the preceding year;
- (b) estimated revenue and expenditure 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 28. After the public hearing the Board shall adopt the 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.

SECTION 29. The Mayor shall be responsible for controlling expenditures of the various agencies of the City government to accomplish maximum efficiency and economy. No expenditures shall be made in excess of appropriations.

SECTION 30. Any contract or agreement made in violation of the provisions of this Charter or ordinances of the City 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 City 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. The Mayor may sell City property which is obsolete, surplus or unusable; provided, however that any sale for more than five hundred dollars (\$500) or any sale of real estate shall be subject to approval by the Board.

SECTION 32. 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 (5%) 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 the surety company authorized to transact business in Tennessee, in an amount equal to one hundred percent (100%) of the contract price.

SECTION 33. All property subject to taxation shall be subject to the property tax levied by the City.

SECTION 34. 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 City.

SECTION 35. The Board shall make a tax levy, expressed as a fixed rate per one hundred dollars (\$100) of assessed valuation, not later than ninety (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. The due dates of property taxes shall be fixed by ordinance and provision may be made for equal semi-annual installments. The City 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 City shall have the force and effect of a judgement of a court of record.

SECTION 37. 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 City 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 City 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 (2) or more of the foregoing methods, or by the use of any other available legal processes and remedies.

SECTION 38. The City may contract with the county for the collection of City taxes. The contract may provide for reasonable fees to be paid to the county for this service.

SECTION 39. No officer or employee of the City shall have the authority to excuse taxes, penalties, interest, special assessments, or other charges due the City, but errors may be corrected when authorized by the Board.

SECTION 40. All disbursements, except for any agency of the City administered by a board or commission, shall be made by checks signed by a person designated by the Board and countersigned by the Mayor. The Board may designate other officers to sign such checks in the absence or disability of the Mayor or other designated official.

SECTION 41. The Board shall designate an official depository or depositories for deposit and safekeeping of funds of the City, with such collateral security as may be deemed necessary by the Board.

SECTION 42. 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 City is authorized to undertake by this Charter.

SECTION 43. 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. Upon a finding that a person has violated any provision of this Charter, for which a penalty is not specifically provided herein, such person shall be assessed a civil penalty as established by City Ordinance. [As amended by Priv. Acts 2002, ch. 70, § 6]

SECTION 45. 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 46. Nothing in this act shall be construed as having the effect of removing any incumbent from office or abridging the term of any official prior to the end of the term for which such official was elected.

SECTION 47. Nothing in this act shall be construed as having the effect of altering the salary of any incumbent prior to the end of the term for which such public officer was elected.

SECTION 48. To be applicable as the Charter of the City of Medina, this Act must be approved by a three-fourths (3/4) vote of the governing body, said vote to be taken not more than one hundred twenty (120) days after passage of this Act. The Mayor shall, within ten (10) days thereafter, certify to the Secretary of State the results of such vote.

SECTION 49. 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 48.

PASSED: MAY 2, 1991

s/Jimmy Naifeh
JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

s/John Wilder

C-17

JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 14th day of May 1991

s/Ned McWherter
NED McWHERTER, GOVERNOR

PRIVATE ACTS COMPRISING THE CHARTER OF THE CITY OF
MEDINA, TENNESSEE

YEAR	CHAPTER	SUBJECT
1991	96	Repealed and replaced entire charter.
2002	70	Bail receipts; penalties for ordinance violations.
2009	5	Replaced §§ 15, 18, 20, and 21.
2016	28	Replaced § 6.