

CHARTER FOR THE TOWN OF SHARON, TENNESSEE¹

CHAPTER NO. 177.

House Bill No. 151.

Private Acts of 1901

AN ACT to incorporate the town of Sharon, in Weakley County.

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¹Priv. Acts 1901, ch. 177, is the current basic charter act for the Town of Sharon, Tennessee. The text of the basic charter act set out herein includes all of 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 of amendments. No other changes have been made to the charter except the addition of a table of contents to facilitate its use. A list of all the acts including the basic charter appears at the end of the charter.

Acts which did not expressly or in effect amend any particular section or part of the basic charter, but which supplemented it, have been placed after the basic charter act as "Related Acts."

Acts of a temporary nature with no general or continuing application, such as bond authorization and validation acts have not been included in this compilation.

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SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That the inhabitants of the town of Sharon, in Weakley County, Tennessee, within the following boundaries,¹ are hereby constituted a

¹Boundaries of the city have been extended by ordinances which are of record in the city recorder's office.

corporation and body politic by the name and style of "Mayor and Board of Aldermen of Sharon:"

Beginning at a 6 inch concrete post, a N.W. corner on the old corporate limits of Sharon, Tennessee, said concrete post being 6 feet west of Will Simpson's garden and about 300 feet north of West Main Street; thence south passing west of Will Simpson's residence and crossing West Main Street 585 feet to a 6 inch concrete post in south west corner of Tom Jones' yard; thence east 628 feet to 6 inch concrete post in Butler Killebrew's south and Harry Cornell's north line; thence south 710 feet to 6 inch concrete post in R.G. Taylor's south and Foster Brooks' north line; thence east 1298 feet to a 6 inch concrete post in Dennie Taylor's lot; thence south 1818 feet to 6 inch concrete post in north line of Arnold Roberts' rental houses, being 210 feet west of Highway No. 45E; thence east 1060 feet to 6 inch concrete post in Guy Campbell's field; thence southeast 612 feet to 6 inch concrete post in Mandy Tansil's garden, being 80 feet east of I.C.R.R.; thence east 510 feet to 6 inch concrete post in field 90 feet east of R. Tansil; thence north 2370 feet to 6 inch concrete post in W.H. Simmons' (formerly Paul Moore) south and Charles Speight's north line; thence east 460 feet to 6 inch concrete post, Old Jackson's south line; thence north 1020 feet to 6 inch concrete post in east yard of W.B. Bruce's north tenant house 10 feet south of Dresden Road; thence northwest 390 feet to 6 inch concrete post in Zula Brock's field; thence west 520 feet to 6 inch concrete post in John Overton's west and Elmore Cross' (formerly Roy Brannon) east line; thence northwest to 1575 feet to 6 inch concrete post 50 feet east of the S.E. corner of the New Cemetery; then leaving the old corporation line and running north about 30 degrees east 360 feet to a one foot red oak tree in A.S. Erwin's yard fence N.E. of his residence; thence west with the fence 110 feet to the center of the gravelled road; thence northward with the center of the gravelled road, passing the south end of the bridge at 760 feet, and on northward with the center of the gravelled road 880 feet further to Alvie Lackey's S.E. corner; thence westward 205 feet to his S.W. corner; thence northward 788 feet with Alvie Lackey's and Robert Lemon's west line to Robert Lemon's ell corner; thence westward 1232 feet with Robert Lemons' and Jody Heathcott's south line to Jody Heathcott's S.W. corner on the east right of way line of the I.C.R.R. thence south 20 degrees east 2113 feet with the east right of way line of the I.C.R.R. to a point, 637 feet northward from the center line of the road along the north side of the cemetery; thence south 58 degrees west crossing the center line of U.S. Highway 45 E at 328 feet and on south 58 degrees west 259 feet to the center line of the old Sharon-Martin Road; thence westward 740 with Ralph Bailey's north line, Maude Nowlin's south line to a stake; thence south about 65 degrees west about 2750 feet to the beginning. [As amended by Priv. Acts 1949, ch. 505; and Priv. Acts 1959, ch. 371]

SEC. 2. Be it further enacted, That the Mayor and Board of Aldermen of Sharon shall have perpetual succession, shall sue and be sued, implead and be

impleaded in all the courts of law and equity, and in all actions whatsoever; may purchase and sell and hold property, both real and personal, within or without the corporate limits for public uses, such as a cemetery, calaboose, hospital, etc. They may use a common seal.

Section 3. Be it further enacted, that on the third Thursday in June of 1993, a nonpartisan, at-large, general municipal election, open to all electors, shall be conducted by the county election commission. Those two (2) candidates receiving the highest number of votes shall be elected to a term to end after the election to be held on the first Tuesday on November of 1996. That on the third Thursday in June of 1995, a nonpartisan, at-large, general municipal election, open to all electors, shall be conducted by the county election commission. Those two (2) candidates receiving the highest number of votes shall be elected to a term to end after the election to be held on the first Tuesday of November of 1998. The candidate for the office of Mayor receiving the highest number of votes in the election of June 1993 shall be elected to a term to end after the election to be held on the first Tuesday of November of 1996. Thereafter, elections shall be held every two (2) years on the first Tuesday in November of even numbered years to the end that aldermen shall serve four (4) year staggered terms and the mayor shall serve a two (2) 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.

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 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 on the second Tuesday in November. [As replaced by Priv. Acts 1947, ch. 683; and Priv. Acts 1993, ch. 44, § 1]

SEC. 4. Be it further enacted, That the town of Sharon shall be divided into four wards: South of Sharon and Dresden road and east of I.C.R.R. shall be Ward No. 1; south of said public road and west of I.C.R.R. shall be Ward No. 2; north of said public road and west of public road running north from the town shall be Ward. No. 3; north of first said public road and east of said second public road shall be Ward No. 4.

SEC. 5. Be it further enacted, That the officers to be elected by the Town Council shall be a Recorder and Treasurer and a Marshal, and such other officers, agents and servants as may be deemed necessary and provided for by ordinance. Within six (6) months of their initial appointment, the Recorder and Treasurer and Marshal shall establish and maintain a principal place of

residence within Weakley County, Tennessee. The Recorder and Treasurer shall be one and the same person, and chosen by the Aldermen-elect. The Town Council shall prescribe the duties of both officers, and shall have the power of removal from office for misdemeanor, misconduct or malfeasance in office. The Recorder and Treasurer and Marshal shall be chosen in their offices for one year. [As replaced by Priv. Acts 2003, ch. 13]

SEC. 6. Be it further enacted, That the election for Mayor and Aldermen of Sharon shall be held by the officer, judges and clerks appointed by the Commissioners of Elections of Weakley County; said officer, judges and clerks shall be legal voters of the town of Sharon, and all elections by the people of the town of Sharon shall be conducted according to the laws and regulations governing county elections in the State of Tennessee. In failure of election in any case another election shall be called, giving thirty days' notice.

SEC. 7. Be it further enacted, That all persons qualified to vote under the laws of the State of Tennessee, having been residents within the corporate limits six months, and all non-resident owners of \$100 worth of realty within the corporation, shall be legal voters in all municipal elections in the town of Sharon.

SEC. 8. Be it further enacted, That at the first meeting of the Board of Mayor and Aldermen following an election, the Mayor and/or Aldermen elect shall be duly installed in office. The Mayor and Aldermen shall each take an oath to execute their offices faithfully, and to support the Constitution of the United States and of the State of Tennessee. At this meeting the Town Council shall elect a Recorder and Treasurer and a Marshal, which two officials shall take an oath to discharge their respective official duties faithfully. [As amended by Priv. Acts 1925, ch. 213, and Priv. Acts 1993, ch. 44, § 2]

SEC. 9. Be it further enacted, That elections for Mayor and Aldermen in the Town of Sharon shall be held as provided in Section 3 of this Charter. [As amended by Priv. Acts 1925, ch. 213; and Priv. Acts 1993, ch. 44, § 3]

SEC. 10. Be it further enacted, That in case of any office becoming vacant it shall be filled by appointment of the mayor until the next scheduled election, which said election shall be held in the regular way, on giving not less than thirty (30) days' notice. [As replaced by Priv. Acts 2007, ch. 19, § 1]

SEC. 11. Be it further enacted, That no person shall be elected Mayor who is under thirty years of age; he shall have been a resident of the town one year, a bona fide citizen of the United States, of the State of Tennessee and of the town, and a property owner within the corporate limits. The Mayor shall discharge all the duties belonging to the office as is usually practiced in

incorporated towns in the State of Tennessee; and a Mayor's Court is hereby established, and the Mayor is hereby vested with all the powers of a magistrate of Weakley County, and shall try all cases against the peace and dignity of the town. In the absence or incompetency of the Mayor, all his duties shall devolve upon the Recorder and Treasurer.

SEC. 12. Be it further enacted, That the Aldermen of the town of Sharon shall perform all and the same duties usually performed by such officers in incorporated towns in the State of Tennessee.

SEC. 13. Be it further enacted, That the Recorder shall keep an accurate minute of all proceedings of the Council in a suitable book, issue privilege license, collect taxes on same, collect all special taxes, make out all tax books for the town, and turn over same tax books to the Marshal at the date fixed by the Council. He shall assess all taxes according to the State laws regulating and governing the same. He shall safely keep all money belonging to the town, and pay out same only on the warrant of the Mayor, and give a quarterly statement to the Council of the finances of the town.

SEC. 14. Be it further enacted, That the Marshal shall collect all taxes except privilege and special taxes, and pay over same to the Recorder and Treasurer, and make a quarterly statement of same, and all other public funds coming into his hands, and perform any and all the duties belonging to said office as practiced in incorporated towns in the State of Tennessee.

SEC. 15. Be it further enacted, That the Recorder and Treasurer and the Marshal shall both give good bond in a sum not exceeding \$1,000 each, conditioned upon the faithful and proper accounting for of all moneys coming into their hands by virtue of their respective offices; and no officer shall become bondsman for another officer.

SECTION 16. FEES OF MAYOR, ALDERMAN, RECORDER AND MARSHAL. The Mayor may receive as compensation for his services a sum not to exceed one hundred dollars (\$100.00) per month; each Alderman may receive as compensation for his services a sum not to exceed fifty dollars (\$50.00) per month; and the compensation of the Mayor and Aldermen shall be without regard to the number of meetings held or conducted each month. The compensation of the Mayor and Aldermen shall be established by ordinance adopted prior to the election of the members of the Board of Mayor and Aldermen to which such ordinance applies. The Recorder and Marshall shall receive such compensation or salary as may be fixed from time to time by the Board of Mayor and Aldermen. [As amended by Priv. Acts 1937, ch. 802; and replaced by Priv. Acts 1981, ch. 130; and Priv. Acts 1989, ch. 51]

SEC. 17. Be it further enacted, That the Town Council shall have power by ordinance within the corporate limits:

1. To levy and collect taxes upon all real and personal property within the corporate limits taxable by law, on polls and privileges; provided, no levy for general corporate purposes, including the annual tax levy for the payment of bonds and the interest thereon, shall exceed \$1.75 on each \$100 valuation of taxable property, and not to exceed \$1 on polls.

2. To appropriate money and provide for the payment of all debts and expenses of the town.

3. To license, tax and regulate every person, business and corporation licensed, taxed and regulated by the county.

4. To open, establish, extend, widen, alter, abolish and discontinue any street, alley, sidewalk, sewer, gutter, bridge, culvert and crossing, and keep same in repair.

5. To prevent encroachment upon the streets, sidewalks, lanes, alleys and avenues, and to recover same.

6. To remove all obstructions from sidewalks and streets, and provide for the construction of sidewalks, streets, bridges, culverts and gutters, and for keeping sidewalks, culverts and gutters in repair at the expense of owners of ground fronting thereto.

7. To provide for lighting streets and public places.

8. To regulate all lights, stove pipes, flues in all houses, shops, stables and other places.

9. To regulate all combustible material or material otherwise dangerous to the public.

10. To regulate the erection of any building or operation of any business dangerous in causing or spreading fires.

11. To provide for the erection of any building for public use.

12. To prohibit all disorderly houses and bawdy houses.

13. To regulate the police of the town, but in nowise to exclude the jurisdiction of the Justice of the Peace within said corporate limits; Provided, penalties shall not exceed \$50 and cost, or thirty days' imprisonment for any single offense.

14. To provide for arrest and confinement of all disorderly persons.

15. To prevent and punish all disorderly persons, all breaches of the peace, noise, disturbance, drunkenness, in any house or in any place within the corporate limits.

16. To erect and maintain a calaboose, a work house and a hospital.

17. To commit any person who may fail or refuse to pay any fine or cost imposed on him or her by any ordinance of said town to the calaboose or work house until such costs or fines are fully paid; every such person so committed shall labor for the town, not exceeding ten hours per day, at a credit of fifty cents per day, exclusive of board, until all fines, costs, etc., are fully discharged, when such person shall be released.

18. To suppress, abate, and remove all nuisances.
19. To require all persons without visible means of support, loungers about town, tramps, and all suspicious persons to move out of the town instantler, or be put to work for the town.
20. To make regulations to secure the health of the town.
21. To establish a system of public schools in connection with existing public schools, for extending the terms or curriculum, and maintaining same not exceeding ten months for any one scholastic year, by taxation, when such taxation shall have been ratified by two-thirds of the qualified resident voters of the town, avoiding race and sectarian influences; said schools to be under the existing public school officials; Provided, the Town Council shall not be debarred hereby from appointing additional school officials as shall be necessary to protect and control the school interests of the town.
22. To arrange with persons without the corporate limits to become identified with the town public school without any alteration as to age, etc., to entitle attendance upon said public school.
23. To pass all ordinances not contrary to the laws of the State and the purposes of this incorporation.
24. To prohibit gaming, betting, profanity, drunkenness, the shooting of guns, unnecessary fast riding and driving, the selling, either direct or by order, or giving away of all intoxicating liquors, spirituous, vinous, malt, or mixed, and hard cider, within the corporate limits, within one mile of any church or school house, public or private, whether services are held in such church house, or school is kept in such school house or not.
25. To prevent the unnecessary blowing of all engines within the corporate limits, also the shooting of fireworks, such as Roman candles, giant firecrackers and all others in close proximity to any building within the corporate limits. The same being made subject to fine and imprisonment as misdemeanors.
26. To regulate, license, or prohibit and prevent the running, or operating, pool rooms, billiard halls, bowling alleys, and all other places of public resort or public amusement. [As amended by Priv. Acts 1929, ch. 781; and Priv. Acts 1931, ch. 329]

SEC. 18. Be it further enacted, That the Town Council shall have full power to enforce collection of all taxes, and to this end the Recorder and Treasurer and the Marshal are clothed with all and necessary powers for collection of taxes.

The treasurer of the Town of Sharon, with approval from the board of mayor and aldermen, is authorized and empowered to settle and adjust with taxpayers all errors and double assessments of town taxes erroneously or illegally collected by the town and to direct the refunding of the same. Any claim for such refund by the town of taxes or revenue alleged to have been erroneously or illegally paid shall be filed with the treasurer, supported by

proper proof, within one (1) year from the date this amendment becomes law or the date of payment of such taxes, whichever is later; otherwise the taxpayer shall not be entitled to refund and said claim for refund shall be barred. [As amended by Priv. Acts 1996, ch. 149]

SEC. 19. Be it further enacted, That the Town Council shall have full power to collect delinquent taxes in the same manner as delinquent State and county taxes are collected.

SEC. 20. Be it further enacted, That if the Recorder and Treasurer and Marshal of the town of Sharon shall negligently and purposely fail to collect, or having collected, fail to properly account for any funds coming into their hands for the use of the town, such officer shall be liable to be proceeded against by motion with five days' notice, or by original suit in the Circuit Court of Weakley County, or any Court having jurisdiction over the person of such officer.

SEC. 21. Be it further enacted, That if the Mayor or Aldermen fail to discharge their respective duties for one quarter, or are proven guilty of crime or grave misdemeanor, his office shall be declared vacant, and an election held to fill the vacancy.

SEC. 22. Be it further enacted, That this charter is declared to be a public Act, and may be read in all Courts of the State without proof.

SEC. 23. Be it further enacted That any and all Acts or parts of Acts contrary to this Act are hereby repealed.

SEC. 24. Be it further enacted, That this Act take effect from and after its passage, the public welfare requiring it.

Passed January 29, 1901.

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

NEWTON H. WHITE,
Speaker of the Senate.

Approved February 6, 1901.

BENTON MCMILLIN,
Governor.

RELATED ACTS

"Parking and storage of motor vehicles within city limits" C-11

CHAPTER NO. 9

HOUSE BILL NO. 1657

By Representative Maddox

Substituted for: Senate Bill No. 2045

By Senator Herron

AN ACT relative to the parking or storage of motor vehicles within the city limits of the City of Sharon.

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

SECTION 1. No property owner or tenant shall park or store, or allow any other person to park or store, a motor vehicle on that property for more than ninety (90) consecutive days unless there is affixed to such vehicle the following:

(1) A current, valid license plate as required by Tennessee Code Annotated, title 55, chapter 4; and

(2) A current, valid City of Sharon sticker, as required by the ordinances of the City of Sharon, indicating that the proper fees have been paid on such vehicle to the City of Sharon.

SECTION 2. A violation of this act shall be punishable by a penalty of not more than fifty dollars (\$50.00). Each day upon which a violation occurs shall constitute a separate violation.

SECTION 3. This act shall not apply to persons or businesses holding a current and valid dealer's license under Tennessee Code Annotated, title 55, chapter 4.

SECTION 4. This act shall not apply to vehicles parked or stored inside an enclosed building.

SECTION 5. The police department of the City of Sharon shall have authority to enforce the provisions of this act and to issue summonses requiring violators to appear in city court.

SECTION 6. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of the City of Sharon. Its approval or

nonapproval shall be proclaimed by the presiding officer of the legislative body and certified to the secretary of state.

SECTION 7. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 6.

PASSED: March 9, 2005

s/Jimmy Naifeh
Jimmy Naifeh, Speaker
House of Representatives

s/John S. Wilder
John S. Wilder
Speaker of the Senate

APPROVED this 18th day of March 2005

s/Phil Bredesen
Phil Bredesen, Governor

PRIVATE ACTS COMPRISING THE CHARTER OF THE TOWN OF
SHARON, TENNESSEE

YEAR	CHAPTER	SUBJECT
1901	177	Basic charter act
1925	213	Amends § 8, oath of office; and § 9, term of office
1929	781	Amends § 17 subsection 1., limit tax rate
1931	329	Amends § 17 by adding 26., providing for the regulating, licensing, or prohibiting and preventing the running, or operating, pool rooms, billiard halls, bowling alleys, etc.
1937	802	Amends § 16, officers compensation
1945	555	Bond authorization, \$22,000 streets
1947	683	Replaces § 3, board of mayor and aldermen
1949	83	Bond authorization, \$30,000 streets
1949	505	Amends § 1, boundaries
1959	371	Amends § 1, boundaries
1981	130	Replaces § 16, fees of mayor, alderman, recorder and marshal.
1989	51	Replaces § 16, fees of mayor, alderman, recorder and marshal
1993	44	Replaces § 3, board of mayor and aldermen; and amends §§ 8 and 9, oath of office and elections
1996	149	Amends § 18, collection of taxes

YEAR	CHAPTER	SUBJECT
2003	13	Replaces § 5, residency requirements for the recorder, treasurer, and marshal
2005	9	Related Act relative to parking or storage of motor vehicles within city limits
2007	19	Replaces § 10, filling vacancies in office