

CHARTER OF THE TOWN OF WOODBURY, TENNESSEE¹

CHAPTER NO. 633.

SENATE BILL NO. 886.

(By Mr. Underhill.)

AN ACT entitled an Act to incorporate the Town of Woodbury in the County of Cannon, State of Tennessee; to define the corporate limits thereof; to constitute the territory thus incorporated a separate road district; to provide for the paying over by the trustee and other officers of said county to the said corporation all State and county road funds collected from persons or property within said corporation; to define the rights, powers and liabilities of said corporation; to provide for the government and control of the said corporation; to provide for the election of officers and prescribe their duties; to provide for other purposes and things incident to the incorporation of said town; and to provide for the repealing of all laws and parts of laws in conflict with this Act.

TABLE OF CONTENTS

<u>SECTION</u>	<u>PAGE</u>
1. Incorporation, name, and general powers	C-3
2. Corporate limits	C-3
3. Composition and term of governing body; qualifications for voting in municipal elections	C-5

¹Priv. Acts 1925, ch. 633, is the current basic charter act for the Town of Woodbury, 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>
4. Miscellaneous powers of board enumerated	C-6
5. Mayor and aldermen -- election and term of office	C-10
6. Mayor and aldermen -- compensation	C-10
7. Failure to hold election at designated time	C-10
8. First board of mayor and aldermen named	C-10
9. Qualifications of mayor and aldermen	C-10
10. Mayor and aldermen to take oath of office	C-10
11. Meetings of the board	C-11
12. Adoption of ordinances	C-11
13. Board to appoint recorder/secretary, chief of police, public works manager, town attorney, and town judge, and fix their compensation and terms	C-11
14. Mayor is chief executive officer of the town -- general powers	C-11
15. Additional powers and duties of the mayor	C-11
16. Mayor protempore	C-12
17. Vacancy in office of alderman	C-12
18. Recorder/secretary	C-12
19. Tax assessments	C-13
20. Property taxes -- when due and payable and delinquent	C-13
21. Collection of delinquent taxes	C-14
22. Notice to be published informing public of delinquent date	C-14

<u>SECTION</u>	<u>PAGE</u>
23. Taxes to be lien on property	C-14
24. Privilege and merchants ad valorem taxes	C-14
25. Town is special road district	C-14
26. Chief of police	C-14
27. Town judge	C-15
28. Power of board of mayor and aldermen to supply omissions	C-16
29. Charter and code as evidence	C-16
30. Severability clause	C-16
31. Repeal of conflicting provisions	C-16
32. Date of effect	C-16

SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That the Town of Woodbury, in the County of Cannon, State of Tennessee, and the inhabitants thereof, are hereby constituted and declared a body politic and corporate by the name and style of the Town of Woodbury, and by that name shall have perpetual succession, shall sue and be sued, plead and be impleaded in all the courts of law and equity in all actions whatsoever; may purchase and receive and hold real, personal and mixed property in said town and sell, lease and dispose of the same for the benefit of said town, and may purchase, receive and hold real, personal and mixed property beyond the limits of said town to be used for the burial of the dead and for the establishment and maintenance of hospitals, poorhouses, workhouses and houses of correction; to have and use a common seal and change it at pleasure; may contract and be contracted with, and have and exercise all the rights and privileges of a municipal corporation.

SECTION 2. Be it further enacted, That the corporate limits of said town shall embrace the territory within the following boundaries, to-wit:

Beginning at point on N/S Highway 70-S directly across Highway from Houston's W/B/L and running with north margin of Highway in western direction about 1400 feet to W. R. Trail's SE corner in Adam's line; thence about north with Trail and Adams' line about 300 feet to turn in fence below colored school building; thence about west with north margin of school property and

Adams' line about 140 feet to NE corner of Mrs. Alyce B. Woods rental property (formerly Aunt Puss Wiley); thence North and Northwest with Adams' line on the north to the south bank of Slone's river at or near the Bluff to the north of Woodbury Church of Christ; thence West with the meanderings of Stone's River to a point where College Street enters said river; thence South with the W/S of College Street to George Gilley's NE corner; thence West with Gilley and Ezell to the NW corner of vacant lot; thence N 86 1/4 degrees West crossing River at 135 feet and in all 523 feet to a cedar tree to the North of Cora Burks residence; thence S 86 degrees West 241 feet to a locust fence post, J. T. Alexander's NE corner; thence South 71 degrees West with Alexander's line 148 feet to fence post at north end of retaining wall, Alexander's NW corner; thence North 82 degrees West 116 feet to corner fence post, the same being Henry Hoover's SE corner; thence South 64 1/2 degrees West crossing gulley and with N/B/L of Bragg and Miss Sophronia Hoover 241 feet to NE corner of Jim Brandon's barn; thence South 65 1/2 degrees West 147 feet to Brandon's NW corner; thence South 74 degrees West across J. A. Arnold's pasture, passing to north of his henhouse, 403 feet to Simmons E/B/L, same being 43 feet NW of Arnold's barn; thence South 5 degrees East 202 feet with Womack's E/B/L to SE corner of Womack's garden; thence South 71 degrees West with Womack's garden and N/B/L of Womack's property leased to R. Y. Martin 116 feet to West margin of Auburntown road; thence South 26 degrees East with West margin of said road 161 feet to the south margin of Highway 70-S; thence South 62 degrees West with said Highway and N/B/L of Miss Addie Melton 116 feet to her NW corner; thence South 22 degrees East with east margin of Mill Lane 179 feet to Melton's SW corner; thence North 66 degrees East with Melton's line 92 feet to west bank of Stone's river; thence NW with River 192 feet to Nora Lefevors W/B/L; thence with Lefevors North 28 degrees West 82 feet to South margin of Highway 70-S; thence North 64 degrees East with Highway 961 feet to J. T. Alexander's NW corner, the same being 8 feet east of headway of a culvert; thence South 26 degrees East with Alexander's W/B/L 315 feet to north bank of Stone's River; thence NE with river 382 feet to south margin of Highway 70-S at a point south of and near the center of bridge; thence South 85 degrees East with south margin of Highway and crossing river 252 feet to S. B. Hawkins' NW corner; thence South 4 degrees West 562 feet to SW corner of N. B. Hancock's garden; thence West with Mrs. Jacob Hoover's garden 29 feet to NW corner of Hoover garden; thence South 4 degrees West 178 feet to corner in west line of Dr. J. F. Adams' garden; thence with north margin of Recreation Field North 88 degrees West 688 feet to bank of Stone's river; thence with Nora Lefevor's E/B/L South 20 degrees East 762 feet to north margin of Hollis Creek Road; thence SW with said road about 700 feet to north bank of branch at culvert; thence with branch SE about 965 feet to Adams' W/B/L, the same being west margin of Adams' Street Extension to the south of Shirt Factory; thence South 49 degrees East with branch 1460 feet to J. C. Bogle's W/B/L; thence N 30 degrees East 1006 feet to turn in fence South 86 degrees East 60 feet to turn in fence; thence North

10 degrees East 375 feet with Bogle's line to the south margin of Colonial Street at intersection of Dillon Street; thence with south margin of Colonial Street South 86 degrees East 586 feet to the east margin of Highway 53, the same being SW corner of property acquired by Town of Woodbury from Sterling S. Brown for Park and Street purposes; thence continuing South 86 degrees East about 745 feet to rock fence in S. S. Barrett's W/B/L on east side of Old Manchester Road; thence with east margin of said road about 865 feet to Francis SW corner (formerly Cummings); thence with Francis S/B/L north 72 degrees East 148 feet to his SE corner; thence North 9 degrees East 58 feet to Edd Walker's S/B/L; thence with Walker South 86 degrees East 165 feet to east margin of Summitt Street; thence South 84 degrees East with the south line of Mason Sub-Division properties and north line of Powell Sub-Division about 1130 feet to Houston's W/B/L; thence North 8 1/2 degrees East with Houston 1028 feet to the south margin of Highway 70-S; thence across to the north margin of said Highway, the point of beginning, which boundaries include the areas described in said Private Acts of 1937 and 1949 and 1951 in addition to new areas, incorporated herein, known as "Edgefield"; "Recreation Field"; "George Brown and Henry Hoover properties"; "Academy Heights"; "Parker Sub-Division"; "Brown Spurlock Park"; and the S.S. Brown property lying between south margin of previous City Limits and Parker Sub-Division and Brown Spurlock Park.¹ [As replaced by Priv. Acts 1937, ch. 687, § 1; amended by Priv. Acts 1949, ch. 261, § 1; Priv. Acts 1951, ch. 210; and replaced by Priv. Acts 1953, ch. 398, § 1]

SECTION 3. Be it further enacted, That the government of said town shall be vested in a Mayor and six aldermen to be chosen by the qualified voters of said town, and all residents of the said town and all persons owning real estate in said town but residing without its limits who would be qualified to vote for members of the General Assembly of the State of Tennessee shall be qualified to vote for Mayor and Aldermen and in all town and municipal elections; Provided, however, that it shall not be required of the voter or be a pre-requisite to voting that the poll tax for the next preceding year be paid sixty days before the election mentioned and provided for in this Act, but such poll tax may be paid at any time before the casting of his or her vote by the voter; And, provided, further, that any voter unable to read or write shall have the right to have his or her ballot marked upon and according to request, by the receiving

¹The corporate limits as set out here have been further amended by the following annexation ordinances of record in the recorder's office: 150, 151, 168, 173, 175, 176, 179, 181, 195, 196, 197, 198, 212, 215, 216, 219, 220, 221, 232, 233-A, 241, 242, 244, 255, 257, 265, 271, 273, 283 (Oct. 1997), 295, 300, 304, 305, 306, 307, 308, 312, 316, 344, and 345.

officer of the election openly and in the presence of the judges of the election.
[As amended by Priv. Acts 1933, ch. 784, § 5, and Priv. Acts 1994, ch. 184, § 1]

SECTION 4. Be it further enacted, That the said Board of Mayor and Aldermen shall have full power and authority within said town.

1. To levy and collect taxes upon all property designated by law for State purposes.

2. To levy and collect taxes upon all privileges taxable by the laws of the State. That they shall have full power to levy and collect a privilege tax on all gasoline filling stations operating within the corporate limits of the Town of Woodbury; a privilege tax of not more than the State privilege tax on each pump, per annum, to be collected as other privilege taxes are collected.

3. To levy and collect poll taxes.

4. To appropriate money and provide for the payment of the debts and expenses of the corporation.

5. To make regulations and laws to secure the general health and safety of the inhabitants of said town; to make and enforce quarantine laws and regulations; to prevent the introduction and spread of contagious diseases; to declare, prevent and remove nuisances; and to provide for the control of the growth of grass, weeds and vegetation and the accumulation of trash, rubbish, junk and other deleterious or noxious matter upon any property within the town; to require the owner or tenant of said property to keep the property free from the accumulation thereof; to charge such owner or those in possession of said property and land with the cost of removal of and to impress a lien upon such property to defray the costs thereof.

6. To erect, regulate and maintain hospitals and pest houses within or without the corporate limits of said town, and said town shall have the right to acquire by purchase, receive by gift or procure by condemnation proceedings, as authorized by laws of the State of Tennessee, land for said purposes.

7. To provide for the regulation and inspection of meats, vegetables, and other provisions, and of butter and milk, and of oils and other spirits.

8. To impose fines, forfeitures and penalties for the breach of any ordinances made, and provide for their recovery; but no penalty or fine for the breach of any ordinance shall exceed Five Hundred Dollars; that upon the failure of any person or persons, to pay any fine or penalty imposed upon him, her or them, he, she, or they shall be confined in the County Workhouse or County Jail, and shall be required to work upon the streets of the Town until such fine or penalty is fully paid together with all costs, the said convicted person or persons being allowed a credit of one dollar for each day of confinement or work upon his or her or their said fine or penalty; provided, however, that the Mayor and Recorder may contract with the County to work said convicted person or persons when it is not convenient or profitable for the City of Woodbury to work him or her or them, and in such case there shall be a credit of ten dollars for each day of such service or confinement, upon said fine.

9. To establish, regulate and provide for the maintenance of a system of free schools and to cooperate with the State of Tennessee and Cannon County in the maintenance and establishment of free schools.

10. To license, tax and regulate all business, occupations and privileges lawful to be carried on within the corporate limits of the town and which are taxable by the State, provided that no tax shall be imposed on any business, occupation or privilege or property exempt from taxation by the State.

11. To regulate, restrain or prevent the carrying on of any business dangerous in producing fires, and to regulate and suppress the sale of fireworks and firearms; and to regulate the storage of powder, gasoline and all other explosive and inflammable material. To regulate the carrying on of the business of the sale of any light wines or beers within the corporate limits of the Town of Woodbury, under and within the general laws of the State of Tennessee.

12. To regulate the use of lights, lamps, electric wiring, steam, gas and hot air pipes in all factories, shops and other buildings or places.

13. To establish fire districts and to regulate and prevent the erection of wooden buildings and other buildings built of or covered with combustible material.

14. To prevent the dangerous construction and condition of buildings, chimneys, flues, fireplaces, hearths, stoves, stovepipes, ovens, boilers, and apparatus, and to cause the same to be removed or placed in a safe or secure condition when considered dangerous, and to make such general regulations for the prevention and extinguishment of fires as said Board of Mayor and Aldermen may deem expedient.

15. To regulate the size, number and manner of construction of doors and stairways in all public halls, or other buildings used for the gathering of a large number of people, whether now built or hereafter to be built, so there may be convenient, safe and speedy exit in case of fire.

16. To provide for the arrest, imprisonment and punishment of all riotous or disorderly persons within the corporation and for the punishment of all breaches of the peace, noise, disturbances and disorderly assemblies by day and by night.

17. To pass all ordinances necessary for the health, convenience and safety of the citizens of said town and carry out the full intent and meaning of this Act, and to accomplish all objects of this corporation.

18. To regulate, tax, license and suppress the keeping and going at large of all animals within the town; to impound such animals and in default of redemption in pursuance of ordinance to sell and dispose of the same.

19. To prevent the raising of hogs and the keeping of hog pens within the corporate limits.

20. To prevent and remove all filth and rubbish from the town and all encroachments into and obstructions upon all streets, lanes, alleys, sidewalks and pavements, and for the cleaning of the same.

21. To provide the town with water and lights; to erect hydrants and pumps; to construct reservoirs, and standpipes and powerhouses; to dig or bore wells, to lay pipes for conducting and distributing water over the town, to erect wires and lines, poles and conduits for the carrying of current and to keep the same in repair; to lay pipes and conduits for the bringing of water from streams, reservoirs, wells, springs and standpipes, to string wires, to erect poles, lay conduits from powerhouses for the purpose of conducting current into the town for the use of the inhabitants thereof in such way and manner as may be deemed to the best interest of the town and to keep the same in repair; to hold, by gift, acquire by purchase or condemnation proceedings, under the general laws of the State, right of way for water pipes, conduits, wire lines and poles to and from streams, wells, springs, reservoirs, standpipes, pumping station intakes and powerhouses; for the erection of standpipes, reservoirs, wells, pumping stations, intakes and powerhouses either within or without the corporate limits of the town; to maintain the same; and said corporation shall have the power by condemnation proceedings, as provided by the laws of the State of Tennessee, to condemn sites for dams from any stream or streams and wells for the purposes of supplying water to said corporation.

22. To acquire by purchase or gift, to construct and erect, operate and maintain sewers and a sewerage system within or without the corporation limits of the town, and for these purposes the town shall have the right to condemn land and rights of way under the general laws of the State of Tennessee.

23. To grant rights of way through the streets, alleys, avenues and squares of said town for the purposes of railroads, electric light systems, water systems, telephone systems, telegraph systems, water and gas mains, or for other purposes, and to regulate the laying out, construction and operation of the same, with such limitations as to the time of any such franchise may be granted as may be considered to the best interest of the town.

24. To erect and maintain a calaboose, workhouse or other place of confinement and punishment and to work all corporation prisoners on the streets and alleys of the corporation; and all such prisoners confined for the payment of any fine or costs shall be allowed a credit of Ten Dollars per day on said fine and costs on each day's confinement. In the absence of such workhouse or place of confinement, or in the discretion of the Board of Mayor and Aldermen, said Board of Mayor and Aldermen are authorized to make contracts for the confinement of corporation prisoners in the County Jail or workhouse of Cannon County, Tennessee, and for the working of such prisoners by the authorities of said county, each prisoner to be entitled to a credit of Ten Dollars on his fine and cost for each day's confinement or work. Provided, that in no event may any prisoner of the corporation be sent, confined or worked outside the limits of Cannon County except that such prisoner be sent temporarily for safe keeping.

25. The right to open, alter, abolish, widen, extend, establish, grade, pave or otherwise improve, clean and keep in repair streets, avenues, lanes,

alleys, sidewalks, squares, gutters and conduits; and erect, establish and keep all necessary buildings and improvements for the use of the town and to make all necessary provisions for the maintenance, regulations and improvements of the same, and to make all necessary appropriations for said purposes; and to take and appropriate ground for the widening of streets, avenues, alleys, pavements and sidewalks and parks under the provisions of the condemnation laws of the State of Tennessee.

26. To provide by ordinance for the construction of sidewalks, curbings and gutters within the corporate limits of said town, to declare certain acts and commissions a nuisance, and provide for the abatement thereof; to provide for ordering and enforcing and construction of sidewalks, curbing and gutters and declaring a lien upon land and provide for its enforcement; to compel by ordinance the owner or owners of property on any street, alley or avenue within the corporation to grade, construct, pave and repair the sidewalk and foot pavements for the whole extent, or any portion along the same, the same to be done according to the plan, specifications and grade furnished by the municipal authorities, and if the owner of the lot or ground shall fail to comply with the provisions of this Act, and of such laws as may be duly enacted for the grading, construction and paving and repairing of sidewalks and foot pavements then the Board of Mayor and Aldermen may do or cause the same to be done and the cost thereof shall constitute a charge against the owner of the ground and be a lien upon the land which may be enforced as other liens.

27. To regulate the speeding of horses and other animals and automobiles and other vehicles on the public thoroughfares of said corporations.

28. To make and enforce all laws and regulations necessary or proper for the preservation or protection of all trees, town or public property of every kind situated in the said town.

29. To define offenses, declare and impose fines, forfeitures and penalties and provide for their collection and enforcement; to pass all laws and ordinance for the government of said town and the rightful enjoyment of the powers herein conferred, for the regulations and preservation of public morals and health, peace and good order of the town.

30. The foregoing enumeration of particular powers granted to the Board of Mayor and Aldermen of the Town of Woodbury, Tennessee, in this charter shall not be construed to impair any general grant of power herein, or in this charter contained, or granted by the general laws of the State of Tennessee, nor to limit any such general grant of power of the same class or classes as those herein enumerated; and the said Board of Mayor and Aldermen shall have full power to pass, publish, amend, enact, and repeal all such ordinances, rules, and regulations not inconsistent with the provisions of this charter, or contrary to the laws of the State of Tennessee or the United States. [As amended by Priv. Acts 1933, ch. 784, §§ 1, 3, and 4, and Priv. Acts 1994, ch. 183, §§ 1, 2, and 3]

SECTION 5. Be it further enacted, that an election, in accordance with state election laws, shall be held on the fourth Saturday in May, 1995, and the Mayor and six Aldermen elected shall serve approximately eighteen months, from the day they take their oath of office, at the first regular meeting in June, until their successors are elected and qualified at an election to be held on the Tuesday after the first Monday in November, 1996 (the November General Election day). Thereafter, elections will be held every four years on November General Election day and all terms of office shall begin after taking the oath of office at the first regular meeting of the Board of Mayor and Aldermen during the month of December. All tie votes shall be decided in accordance with provisions of general state law (Tennessee Code Annotated, § 2-8-111(2)). [As replaced by Priv. Acts 1994, ch. 184, § 2]

SECTION 6. Be it further enacted, that the compensation of the Board of Mayor and Aldermen shall be established by ordinance. The compensation of the board of Mayor and Aldermen shall not be increased or decreased during their term of office. [As replaced by Priv. Acts 1994, ch. 183, § 4]

SECTION 7. Be it further enacted, that the rights, powers and privileges of this Act shall not be lost or forfeited by a failure to hold an election every four years as herein directed, but shall continue and be exercised by the Board of Mayor and Aldermen then in office under the provisions of this Act; and if for any reason or cause the election for Mayor and Aldermen should not occur on the day fixed by this Act, the Board of Mayor and Aldermen shall call for a special election in accordance with state law. [As replaced by Priv. Acts 1994, ch. 184, § 3]

SECTION 8. Be it further enacted, That the following named qualified citizens and residents of the Town of Woodbury, Tennessee, be, and are hereby named, designated and appointed as the first Board of Mayor and Aldermen of said town, to-wit: E. A. Brevard, Mayor; J. E. Harney, C. M. Grizzle, R. T. Bryson, D. F. Williams, S. B. Hawkins and B. M. Downing, Aldermen, who shall hold office until the first Monday of June, 1925, and until their successors are duly elected and qualified.

SECTION 9. Be it further enacted, That no person shall be eligible for or elected to either of the offices of Mayor or Aldermen who is not a citizen of the State of Tennessee, a qualified voter and for one year a resident of the Town of Woodbury.

SECTION 10. Be it further enacted, That before entering upon the duties of their respective offices the Mayor and Aldermen shall take and subscribe to an oath to faithfully demean him or herself in office and discharge the duties thereof to the best of their skill and ability.

SECTION 11. Be it further enacted, That the Board of Mayor and Aldermen shall meet in regular session once every month, and in special session at such other times as may appear necessary or when called together by the Mayor.

SECTION 12. Be it further enacted, That all ordinances enacted for the Town of Woodbury shall pass two readings by the Board of Mayor and Aldermen, at least one reading to be at a regular meeting of said Board, but before any ordinance shall become effective it shall, on or before the next regular meeting of the Board after its passage by second reading be signed and approved by the Mayor, but the Mayor shall have veto powers, and if he shall refuse to approve an ordinance he shall return the same to the Board at its next meeting with his reasons stated in writing for his refusal, and said ordinance shall not become binding unless by an affirmative vote of a majority of the Aldermen it shall be passed notwithstanding the Mayor's veto, but if the Mayor does not veto the same as herein provided within ten days it shall be valid and enforceable without the signature and approval of the Mayor.

SECTION 13. Be it further enacted, that the Board of Mayor and Aldermen shall appoint and provide for compensation of the following officers: Recorder/Secretary, Chief of Police, Public Works Manager, Town Attorney, and Town Judge, all to serve at the pleasure of the Board. The Board of Mayor and Aldermen may establish new, abolish or combine existing agencies, departments, offices or positions in addition to those created by this charter, and may prescribe the functions and fix compensation thereof not inconsistent with this charter. [As replaced by Priv. Acts 1994, ch. 183, § 5]

SECTION 14. Be it further enacted, that the Mayor shall be the chief executive and administrative officer of the town and as such shall be chairman of all standing committees and a member of all boards and commissions. The Mayor shall have full custody and control of all town property and day to day operations of the town. The Mayor shall employ, discipline and discharge, in accordance with personnel policies and procedures, if any, approved by the Board, all agents, employees, workmen and servants with the exception of the officers as established in the previous section of this charter who shall be employeed and discharged by the Board of Mayor and Aldermen. [As replaced by Priv. Acts 1994, ch. 183, § 6]

SECTION 15. Be it further enacted, That it shall be the duty of the Mayor to preside at all meetings of the Board of Mayor and Aldermen, and he shall have a vote on all questions and matters properly before the said Board for a vote with the exception of action taken on the veto of any and all acts and ordinances by the Mayor as in this Act provided. The Mayor shall have power to call special meetings of the Board when he deems such meetings advisable or

necessary. He shall have power to fill all vacancies in offices to be filled by the Board of Mayor and Aldermen until the same are filled by the Board of Mayor and Aldermen. He shall see that all the ordinances, acts and resolutions of the Board of Mayor and Aldermen are enforced, observed and respected; and in the case of an emergency he shall have the power to call to the aid of the regular police force of the corporation as many special police as he may deem proper to effect this end, and the Board of Mayor and Aldermen may, by ordinance, prescribe penalties for a failure to obey such a call on the part of the Mayor.

SECTION 16. Be it further enacted, That the Board of Mayor and Aldermen shall elect from among the Aldermen one of their number to the office of Mayor Protempore who shall hold office for two years and until his successor is duly elected and qualified; that in the case of absence of the Mayor, the Mayor Protempore shall preside at the meetings of the Board of Mayor and Aldermen and in the case of the disability of the Mayor to act, the Mayor Protempore shall act in his place and stead and have all the powers and perform all the duties of the Mayor during such disability; and in case of a vacancy in the office of Mayor the Mayor Protempore shall succeed to the office of Mayor for the full unexpired term.

SECTION 17. Be it further enacted, that any vacancy in the office of Aldermen shall be filled by the Board of Mayor and Aldermen at the next regular meeting for the remainder of the unexpired term, however any portion of an unexpired term that remains beyond the next municipal election shall be filled by the voters at that election, if the vacancy occurs at least twenty days before the latest time for filing nominating petitions for candidates in that election. [As replaced by Priv. Acts 1994, ch. 183, § 7]

SECTION 18. Be it further enacted, that the Board of Mayor and Aldermen shall appoint a Recorder/Secretary to serve at the pleasure of the board and he/she shall have the following duties and responsibilities:

(1) Shall be present, or designate someone to be present at all meetings of the board, and keep a full and accurate record of all business transacted by the board to be preserved in permanent form;

(2) Shall have custody of, and preserve in the recorder's office, the town seal, the public records, original rolls of ordinances, ordinance books, minutes of the board, contracts, bonds, title deeds, certificates, and papers, all official indemnity, security or surety bonds (except the recorder's bond, which shall be in the custody of the mayor), and all other bonds, oaths and affirmations and all others records, papers and documents not required by this charter or by ordinance to be deposited elsewhere, and register them by numbers, dates and contents, and keep an accurate and modern index of such material;

(3) Shall provide, copy and, when required by any officer or person, certify copies of records, papers and documents in the recorder's office and charge fees for copying and certification of such documents as established by ordinance;

(4) Shall prepare and recommend the annual budget for all funds for the town in accordance with state law (the Municipal Budget Law of 1982, Tennessee Code Annotated Title 6 Chapter 56, Part 2);

(5) Shall maintain the accounting and financial records for all funds, reconcile bank statements, sign all checks to be co-signed in accordance with procedures established by the board;

(6) Shall maintain all types of insurance coverage for the town;

(7) Shall issue all privilege licenses, collect all taxes, fees and other revenues of the town;

(8) Shall act as treasurer of the town and deposit all funds in appropriate accounts in banks approved by the Board of Mayor and Aldermen; and

(9) Perform other duties and responsibilities as assigned by the Board of Mayor and Aldermen.

The Board of Mayor and Aldermen shall provide a surety bond for the Recorder with good and solvent security, in an amount to be fixed by the board. The Recorder shall make and submit to the Board of Mayor and Aldermen a quarterly financial and performance report of the town's business at a regular meeting of the board, if requested by the board. [As amended by Priv. Acts 1933, ch. 784, § 2, and replaced by Priv. Acts 1994, ch. 183, § 8]

SECTION 19. All property within the town not exempt by general law shall be assessed for taxation upon the same principles established in regard to state and county taxation. Assessments made by the county tax assessor may be adopted by the town. The Board of Mayor and Aldermen shall levy taxes by ordinance or resolution to meet the financial obligations of the town. [As replaced by Priv. Acts 1994, ch. 183, § 9]

SECTION 20. Property taxes shall be payable on and after October 1 in the year for which assessed and shall become delinquent on March 1 following. The Board of Mayor and Aldermen by ordinance shall fix penalties and interest on delinquent taxes. [As amended by Priv. Acts 1941, ch. 262; Priv. Acts 1949,

ch. 261, § 2; Priv. Acts 1953, ch. 398, § 2; Priv. Acts 1961, ch. 32; and replaced by Priv. Acts 1994, ch. 183, § 9]

SECTION 21. The Board of Mayor and Aldermen may provide by ordinance for the collection of delinquent taxes in accordance with general law. If not otherwise collected, the town attorney, or other attorney designated by the board, shall, at the Board of Mayor and Aldermen's direction, file suit for collection of all delinquent taxes not later than 18 months following date of delinquency. [As replaced by Priv. Acts 1937, ch. 687, § 2, and Priv. Acts 1994, ch. 183, § 9]

SECTION 22. In March of each year there shall be published once a week for two consecutive weeks a notice to taxpayers informing them the date after which penalties and interest on property taxes will be due. [As replaced by Priv. Acts 1994, ch. 183, § 9]

SECTION 23. All municipal taxes on real estate in the Town of Woodbury, and all penalties and cost accruing thereon are hereby declared to be a lien on said real estate from and after the last day of February after the year for which the same are assessed. [As replaced by Priv. Acts 1994, ch. 183, § 9]

SECTION 24. Be it further enacted, That all privileges and merchants ad valorem taxes shall be assessed, collected and payment thereof enforced in the same way and manner as such taxes of the State and county are now by law assessed, collected and payment thereof enforced by the County Court Clerks. [As renumbered by Priv. Acts 1994, ch. 183, § 10]

SECTION 25. Be it further enacted, That the territory herein incorporated as the Town of Woodbury, Tennessee, shall be and constitute a separate and special Road District of the County of Cannon, Tennessee, and that all the road funds assessed and collected and all money and funds received by the County of Cannon and its officers and agents upon the property and privileges within said Town of Woodbury, and all money and funds received for the benefit of the roads within said separate road district, shall be kept by said County, its officers and agents, separate and turned over monthly to the Treasurer, or person acting as Treasurer, of the Town of Woodbury. [As renumbered by Priv. Acts 1994, ch. 183, § 18]

SECTION 26. Be it further enacted, that the Chief of Police shall be named and elected by the Board of Mayor and Aldermen and serve at the pleasure of the Board; that the Chief of Police shall take an oath to well and truly perform the duties of the office and properly demean himself and shall enter into a bond in an amount and conditioned as the Board of Mayor and Aldermen may require. That the Chief of Police, and any policeman appointed

under the provisions of this Act, shall have full power to arrest any person or persons for the violation of any ordinance of the Town of Woodbury, execute all criminal civil warrants and state warrants, and other process issued by authorities in accordance with state law. [As added by Priv. Acts 1994, ch. 183, § 10]

SECTION 27. Be it further enacted, that a Town Judge who shall constitute the Town Court shall be appointed by the Board of Mayor and Aldermen. He shall take the same oath required of the Mayor and Aldermen and shall be licensed to practice law in the State of Tennessee. He shall receive such compensation as may be provided by ordinance. The Town Judge shall serve at the will of the Board of Mayor and Aldermen.

The Board of Mayor and Aldermen shall designate a qualified person to serve as interim judge in the absence or disability of the Town Judge.

The Town Judge shall have jurisdiction in and over all cases for the violation of the ordinances of the Town. He shall have the power to levy fines, penalties and forfeitures not exceeding \$500, or maximum set by state law, for each offense and to impose such costs as the Board of Mayor and Aldermen may by ordinance provide, to issue all necessary process, to administer oaths, and to punish for contempt by fine.

The bail of persons arrested and awaiting trial and persons appealing the decision of the Town Judge shall be fixed by the Town Judge and upon such security as in his discretion he deems necessary or as otherwise provided by ordinance. Cash bail of persons arrested may be accepted at such times and by officials other than the Town Judge as provided by ordinance, but no officer shall accept cash bail unless the person arrested shall be given a receipt which shall explain the nature of the deposit. The receipt shall be in duplicate and a copy with the money deposited shall be filed with the Town Judge. Fines and costs may be paid by installments to be fixed and security determined as provided by ordinance. Upon failure to pay fines or to furnish security, the Town Judge shall commit the offender to the jail or workhouse until such fines have been paid. For each day's confinement there shall be credited \$10.00 toward the fine.

The Town Judge shall keep a docket. The Board of Mayor and Aldermen may by ordinance require such other records, fix the time for holding court, and provide such other rules and regulations for the proper functioning of the court as deemed necessary.

The Town Judge shall be the exclusive judge of the law and facts in every case before him, and no official or employee of the Town shall attempt to

influence his decision except through pertinent facts presented in court. [As added by Priv. Acts 1994, ch. 183, § 10]

SECTION 28. Be it further enacted, That whenever in this Act any omission is made in defining the duties or authorities of any officer provided for herein and which is essential to properly carry out the objects of this Act the Board of Mayor and Aldermen are hereby granted authority to supply such omission; and they are given the power and authority to do any and everything necessary to carry out the objects of this Act. [As renumbered by Priv. Acts 1994, ch. 183, § 11]

SECTION 29. Be it further enacted, That this Act is declared to be a Public Act and may be received and read as evidence in all courts; and the Board of Mayor and Aldermen are authorized to codify the laws, ordinances and by-laws of the Town of Woodbury under certificate of the Mayor which code, printed copies thereof, or certified copies of the laws, ordinances and by laws may be received and read in evidence in all the courts. [As renumbered by Priv. Acts 1994, ch. 183, § 11]

SECTION 30. Be it further enacted, That should the courts declare any section, provisions or part of this Act unconstitutional, unauthorized by law or in conflict with the provisions of this Act that such decision shall affect only those sections, provisions and parts so declared and the remaining sections, provisions and parts of this Act shall remain in full force and effect. [As renumbered by Priv. Acts 1994, ch. 183, § 11]

SECTION 31. Be it further enacted, That all laws and parts of laws in conflict with this Act be and the same are hereby repealed. [As renumbered by Priv. Acts 1994, ch. 183, § 11]

SECTION 32. Be it further enacted, That this Act take effect on the seventh day after its passage, the public welfare requiring it. [As renumbered by Priv. Acts 1994, ch. 183, § 11]

Passed April 6, 1925.

L. D. Hill,
Speaker of the Senate.

W. F. Barry,
Speaker of the House of Representatives.

Approved April 15, 1925.

Austin Peay,
Governor.

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

YEAR	CHAPTER	SUBJECT
1925	633	Basic charter act.
1933	784	Amended § 3, qualifications for voting in elections, § 4(2), 4(8), 4(11), miscellaneous powers, and § 18, recorder.
1937	687	Replaced § 2, corporate limits, and § 21, taxes.
1941	262	Amended § 20, tax assessor.
1945	224 ¹	Authorized \$50,000 bond issue for public buildings, building committee, etc.
1949	261	Amended § 2, corporate limits, and § 20, tax assessor.
1949	809 ¹	Authorized \$20,000 bond issue for municipal improvements.
1951	210	Amended § 2, corporate limits.
1953	398	Replaced § 2, corporate limits and amended § 20, tax assessor.
1961	32	Amended § 20, tax assessor.

¹This act has not been included in the foregoing compilation because its purpose and effect are temporary.

YEAR	CHAPTER	SUBJECT
1994	183	Amended § 4(5), 4(8), and 4(24), miscellaneous powers; replaced § 6, compensation of mayor and aldermen; § 13, board to appoint certain officials; § 14, mayor to CEO; § 17, vacancy in office of aldermen; § 18, recorder/secretary; § 19, tax assessments; § 20, property taxes; § 21, collection of delinquent taxes; § 22, taxes; § 23, taxes; § 24, taxes; renumbered §§ 25, 28, 33, 34, 35, 36, and 37; deleted §§ 26, 27, 29, 30, 31, and 32; Added new §§ 26 and 27.
1994	184	Amended § 3, qualifications for voting in elections, and replaced § 5, election and term of mayor and aldermen, and § 7, failure to hold election at designated time.