

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

## CHAPTER NO. 6

House Bill No. 22

(By H. A. Morgan)

AN ACT to incorporate the Town of Enville, Chester County, Tennessee, and the inhabitants thereof, under the corporate name of the Town of Enville, and to define the powers thereof; to provide for the government and organization thereof; to name the members of the first governing body; to provide for the employment of the necessary officials of said municipality and to provide for their election and appointment; to define their qualifications, powers and duties and to fix their duties and to fix their compensation; and to provide a complete charter for said Town of Enville.

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<sup>1</sup>Priv. Acts 1953, ch. 6, is the current basic charter act for the Town of Enville, Tennessee. The text of the basic charter act set out herein includes all its amendments through the 2009 session of the Tennessee General Assembly. Sections of the charter which have been amended contain at the end of those sections the citation to the official act or acts constituting the amendment or amendments. No other changes have been made to the charter except the addition of a table of contents to facilitate its use. A list of all the acts including the basic charter appears at the end of the charter.

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

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Section 1. Be it enacted by the General Assembly of the State of Tennessee, That the Town of Enville in Chester County, Tennessee, and the inhabitants thereof, be and the same are hereby constituted and declared a body politic and corporate by the name and style of “Town of Enville, Tennessee,” and by that name shall have perpetual existence; may use a common seal and may alter it at pleasure; may sue and be sued; plead and be impleaded in all the courts of law and equity in all actions whatsoever; may purchase, receive, and own and hold real estate, personal, and mixed property within or without the town for corporate purposes, and sell, lease or dispose of such property for the benefit of the corporation and do all other things touching the same as a natural person may do.

Section 2. Be it further enacted, That the corporate limits of the Town of Enville shall embrace the territory within the following boundaries:

Beginning at a concrete marker on the property of V. B. Sewell, ten feet southwest of his residence; and being the southwest corner of this survey; runs thence in an easterly direction to a concrete marker on the property of Joe Sewell, the southeast corner of tenant house where Travis Canady now lives; thence runs in a northeasterly direction to concrete marker on property of J. U. Kent on the north side of Highway No. 22, near a ditch that runs between the said J. U. Kent property and Helen S. Holland property; thence in a northerly direction with said ditch to a concrete marker on said J. U. Kent property and on the west bank of said ditch 75 feet from the northeast corner of his residence; thence in a westerly course running between J. C. Kent’s residence and smokehouse to a concrete marker on the west margin of gravel road leading from Enville to Cash’s School house; thence running in a northwestern direction to a concrete marker on the property of J. H. Gourley near the

northeast corner of his residence; thence to a concrete marker on the east side of Highway No. 22 on the property of G. E. Bishop; thence in a northwest direction to a concrete marker on R. B. Johnson property 30 feet northwest from his residence; thence in a southern direction to a concrete marker in a hollow on K.T. Teuton property near a pond; thence in a northeastern direction to a concrete marker at a corner of the property of R. G. Tenry, R. J. Teuton and E. E. Jackson; thence in a southern direction to the point of beginning.

Section 3. Be it further enacted, That said municipality shall have full power and authority:

(1) To make such laws and ordinances as may be necessary and proper to preserve the health, peace and good order of the town.

(2) To prevent, remove and abate nuisance.

(3) To establish a police department with a marshal and such patrolmen as may be deemed necessary, and as may be fixed by ordinance.

(4) To ascertain the boundaries of streets and alleys and to open, change, close and widen streets and alleys and to lay out and establish new streets and alleys and to effectuate such powers it shall have the right to condemn lands and other property for such purposes and shall also have the right and power to sell and convey streets and alleys owned by said municipality within said corporate limits for the benefit of the said municipality where the titles to said streets and alleys have been acquired by said municipality in fee.

(5) To extend, establish, grade, pave, or otherwise improve, clean and keep in repair, streets, alleys, pikes, sidewalks and, when necessary, to remove trees or other obstructions from said streets, sidewalks and alleys, and to grant right-of-ways on and along said streets and alleys for electric power lines, telephone lines, gas lines, water lines, all other public utilities, and when necessary may grant to such utilities the power to trim trees or limbs extending into said streets and/or alleys.

(6) To erect, establish, and keep in repair, bridges, culverts, sewers, and gutters within the city limits or immediately connected with the town.

(7) To assess property for taxes and to levy and collect by proper officials, taxes on all real estate, personal property, polls and privilege taxable by the laws of the State of Tennessee.

(8) To appropriate money and provide for the debts of the town.

(9) To make regulations and to prevent the introduction and spread of contagious diseases in the town, and when deemed necessary to appoint a board of health or health officer for the purpose of enforcing the same within the city limits and within one mile adjacent to the city limits.

(10) To restrain and prohibit gaming, gambling and houses of ill fame, and to prevent other misdemeanors and other disorderly conduct.

(11) To prohibit indecent exposure and indecent shows and exhibitions.

(12) To provide for the organization and regulation of a fire department and fire companies for said town, and to regulate and suppress other fire hazards.

(13) To establish a fire zone and prohibit the erection of wooden buildings in such parts of the town as may be deemed expedient.

(14) To regulate the storage of gun powder, dynamite and any and all combustible materials and explosives, and the use of lights and stove pipes and heating systems in all garages, shops and any and all other buildings within the corporate limits, and to regulate the installation of electric wiring, gas pipes and the method of installation of all heating systems in any buildings within the corporate limits.

(15) To impose and collect fines and forfeitures and penalties for breeches and violations of the town ordinances.

(16) To provide for the arrest and confinement until the trial of all drunks and disorderly persons.

(17) To commit any person or persons who may fail or refuse to pay or secure any fine or fines and costs imposed upon them by any ordinance of said town, to the jail, calaboose or workhouse of said town until such fine or costs be paid or secured. Every person committed to the workhouse shall be required to work for the town as his or her health will permit at such rates and under such regulations as may be established by ordinance, said work to continue until said fine and costs are fully paid. In the event said town does not have a jail or other place for the confinement of persons as herein provided, then said town may contract with Chester County, or the sheriff of said county, for the confinement of such persons in the workhouse or jail of said county, or such contract may be made with any other county of the State of Tennessee.

(18) To provide by ordinance for a waterworks department for said town, and to furnish to said town, and the inhabitants thereof, water and sewer

system for said town under the provisions of any law now in effect, or that may hereinafter be enacted, providing for the operation of said system.

(19) To regulate, tax, license, or suppress the keeping or running at large of all livestock within the corporate limits or within any part of the same, and to impound any animal or animals running at large, and in default of redemption in pursuance of any ordinance, to sell or dispose of them.

(20) To prohibit the speeding of automobiles, busses, trucks, wagons, horses, or other animals, and any and all vehicles upon the public thoroughfares of said town.

(21) To license, tax, and regulate carriages, carts, omnibusses, wagons, drays, automobiles, whether driven for hire or pleasure, all trucks of every description, and all other vehicles doing public hauling of goods or carriage of passengers for hire, all taxi cabs, automobile trucks, or farm tractors, that use the streets, roads, highways, alleys, or other public places within said town, and to generally regulate, control or prohibit the use of the streets, roads, highways, alleys, squares and other public ways in said town.

(22) To pass all laws and ordinances necessary to enforce the powers granted not inconsistent with the Constitution and laws of the United States and of the State of Tennessee.

(23) To, at the discretion of the governing body of said town, levy and collect a tax not exceeding five (5) cents on the One Hundred (\$100.00) Dollars worth of taxable property, annually for the purpose of advertising the commercial, social, agricultural, industrial points of interest, scenic, historical, educational and religious advantages of said municipal corporation.

(24) To issue interest bearing warrants for public improvements in said town, and to provide by ordinance a sinking fund and tax levy to pay the same.

(25) To license, tax, regulate and prohibit the possession, transportation, use or sale of intoxicating beverages, including whiskey, wine, ale or beer, within the town.

Section 4. Be it further enacted, That the Mayor and Board of Aldermen, by proper ordinance, may issue and sell the bonds of the town on the credit of the town, or solely upon the credit of specific property owned by the town, or solely upon the credit of income derived from any property used in connection with any public utilities owned or operated by the town, or upon any one or more credits for the purpose of furnishing any utility service to said town, or for the purpose of constructing therein any internal improvements, and said bonds may

be issued to make any public improvement within the town, and the authority contained in this charter shall not be a limitation or restriction upon the issuance of any bonds under any of the general laws of the State of Tennessee for the issuance of bonds by the municipality within the state, and the general laws of this charter shall be cumulative, whether said general laws are now in force or may hereinafter be enacted.

No bonds of the city, except bonds for paying, refunding or removing bonded indebtedness, and except bonds issued under the provision of Section 3408-3493 of the Code of Tennessee, and issued under any of the general laws of the State of Tennessee for the issuance of bonds by municipalities now in force or that may be hereinafter enacted provide to the contrary, shall be issued without the assent of a majority of those voters actually voting in an election called for that purpose.

The Mayor and Board of Aldermen may, by ordinance, call, provide for and regulate elections held respecting bond issues and may prescribe all forms, proceeding and other matters with respect to any such elections and the amounts, purposes, issue and disposition of bonds.

It shall not be necessary in the ordinance calling the election, in the notice of election, in the question submitted or on the ballot or in any of the matters preceding the said election, to state the amount of the bonds proposed to be issued for each purpose, but it shall be sufficient for the ordinance and notice of election to state the total amount of bonds proposed to be voted upon at the said election, and in general language, the purpose or purposes for which such total amount is to be used; and if a majority of the voters of the city voting at such election assent to the issuance of the amount of bonds then such amount may be issued, and such bonds, or the proceeds thereof, may from time to time, by ordinance adopted by the Mayor and Board of Aldermen, be appropriated in any amount or amounts to the purpose or purposes for which such total amount was voted.

Section 5. Be it further enacted, That the governing body of the Town of Enville shall be known and designated as the Mayor and Board of Aldermen of the Town of Enville. Said governing body shall consist of a mayor and five (5) aldermen, each of whom shall be householders and free holders, not less than twenty-one years of age, and shall have resided within the limits of the Town of Enville at least one year prior to their election, and for the purposes of putting this Act into effect, the persons hereinafter named shall be, and they are hereby constituted, the Mayor and Board of Aldermen of the Town of Enville and clothed with all the powers vested by law in such officials, and they shall discharge all the duties encumbered upon them as such officials from and after their induction into their office, as hereinafter provided for, and shall hold their

office until their successors are duly elected and qualified. The officials hereinbelow named shall, within five (5) days after the passage of this Act, take an oath before some person qualified to administer oaths within Chester County, Tennessee, said oath to be in conformity with the oath prescribed by statute for public officials, and all subsequent elected or employed officials shall take the same oath, which shall be filed with the recorder and entered on a journal upon which the minutes of the meeting of the Mayor and Board of Aldermen are entered, and in case of a vacancy caused by death, resignation, removal, or otherwise, of the Mayor or any member of the Board, the remaining members of the Board of Aldermen and the Mayor shall elect some qualified person, as hereinafter provided, to fill said vacancy, the person so elected to hold his office until the next legal election of the town officials, and for the purpose of putting this Act into effect immediately after its passage, the following named persons shall be and constitute the first Mayor and Board of Aldermen provided for in this Act, to-wit:

O. E. Conder—Mayor  
R. B. Johnson—Alderman  
K. T. Teuton—Alderman  
Q. A. Newman—Alderman  
J. H. Frazier—Alderman  
J. R. Patrick—Alderman

and the aforesaid officials and their successors in office shall be paid a sum not to exceed Two (\$2.00) Dollars each per month as compensation or salary for their services as such officials, the amount to be fixed by ordinance. Immediately after being sworn into office as such officials, the said Mayor and Board of Aldermen shall meet at once and organize and assume charge of the affairs of the municipality and shall proceed to employ a City Marshal and a Recorder, and such other officers as the Board shall deem necessary, each of which officials shall be employed by majority vote of the Aldermen of the town.

The Mayor shall not be permitted to cast a vote as a member of the Mayor and Board of Aldermen, except in the case of a tie, which he shall then be required to cast the deciding vote in all cases of such ties. It shall also become the duty of the said Board to fix by ordinance the salaries of all officials employed by them, and they are hereby constituted with power to discharge any such officials with or without cause when, in their judgement, such action appears to be to the best interest of the Town of Enville. The Mayor and Board of Aldermen shall meet the first Friday night of the following month after assuming office, and each first Friday night of each month thereafter, as a regular meeting of said Board. The time of the meeting to be fixed by ordinance.

Section 6. Be it further enacted, That the Mayor, hereinbefore appointed, by the provisions of this Act, and his successors in office, shall preside over all meetings of the Board.

It shall be the duty of the Mayor, by written communication, to lay before the Board any information coming to his attention which, in his judgement, demands consideration of said Board. He shall have the power to call special meetings of said board; also, whenever, in the opinion of three (3) members of the Board of Aldermen, the welfare of the town demands it, the Mayor or Recorder shall call a special meeting of the said Board of Aldermen upon written notice to each Alderman, such notice to be served by a member of the police force or left at the usual place of residence of the member.

Each call for a special meeting shall set forth the character of business to be transacted at such meeting, and not other business shall be considered at such meeting except by the unanimous consent of the Board. Provided, however, that a special meeting of the Board may be held at any time upon unanimous consent of the Mayor and Aldermen waiving call, notice and purpose of the meeting in writing.

The Recorder shall submit to the Board at each regular meeting a report of the financial condition of the municipality showing all receipts and disbursements made during the month and all obligations owing by the municipality, together with the balance of funds on hand.

A statement shall be ordered published by the Board annually in a newspaper in Chester County, Tennessee, which shall show the receipts and disbursements made during the prior fiscal year.

The Mayor shall have the power, and it shall be his duty to countersign all warrants, checks and other vouchers drawn by the Recorder against the funds of the town. All contracts executed in the name of the town shall be signed by the Mayor and attested by the Recorder when authorized by the Board of Aldermen.

The Mayor and Board of Aldermen shall have the power, and authority is hereby vested in them, to employ a city attorney whose duties are hereinafter set out, and whose salary shall be fixed by the Mayor and Board of Aldermen, and the said Board shall have the power and authority to employ additional counsel to assist said city attorney when, in their judgement, the exigencies of the case demand it.

The Mayor and Board of Aldermen shall also have the power, and authority is hereby vested in them, to employ special policemen to assist the

town marshal when, in their judgement, the exigencies demand such a system, compensation for such services to be fixed by the Board, the employment of such officers to be made in writing and entered of record on the minutes of the Board. The Mayor and Board of Aldermen may, by ordinance, establish a police department, with the town marshal as chief of police, and such policemen or patrolmen as may be determined by the Board.

The Mayor and Board of Aldermen shall also have the power, and authority is hereby vested in them, to, by ordinance, establish such departments to administer the affairs of the municipality as deemed by the Mayor and Board of Aldermen necessary, and to prescribe the duties of the department so created, and fix the salaries of the heads of the department and employees thereof. A member of the Board of Mayor and Aldermen may be designated as the head of such department, except the police department or recorder.

Section 7. Be it further enacted, That the Mayor and Board of Aldermen shall have the power and authority to compel, by ordinance, the owner of property on any street, alley or avenue, or any street, alley or avenue hereinafter laid out or constructed, within the corporate limits of the Town of Enville, to grade, construct, pave and repair the sidewalks and foot pavements the whole extent of the frontage of the property along the same, the same to be done according to the grade furnished and the specifications set out by a municipal authority, and if the owner of the property shall fail to comply with the provisions of law or ordinance, as may be duly enacted by the Mayor and Board of Aldermen, for grading, constructing and repairing of sidewalks and foot paths within such time and in such manner as may be prescribed thereby, then the Mayor and Board of Aldermen may contract with some suitable person or firm on the best terms that may be made for the grading, constructing, paving and repairing of such sidewalks and foot pavements, and pay for the same; the amount so paid and expended shall be a lien on the entire tract of land or lot adjacent to said street, alley or avenue over which said adjacent tract of land or lot said sidewalks or foot pavements are built, it being the intention of this Act to impress a lien on the entire tract or lot of land fronting on said street, alley or avenue without limiting said lien to the land actually taken for the erection of such sidewalks and/or foot pavements, and said lien may be forced by attachment in law or equity, and shall be recovered in the name of the Town of Enville before any court of competent jurisdiction, and said municipality shall not be liable for any damage to the owner of any such lot or parcel or land for the removal of any fence or other obstruction, not for the land, except when said sidewalks or foot pavement exceeds seven (7) feet in width; provided, however, that such land taken or used shall be for the use and benefit of the municipality or the Town of Enville.

(2) The Mayor and Aldermen shall have the power and authority to construct, improve, reconstruct, and reimprove, by opening, extending, widening, grading, curbing, guttering, paving, graveling, macadamizing, draining, or otherwise improving any streets, highways, avenues, alleys, squares, or other public places within the corporate limits and to assess a portion of the costs of such improvements upon the property abutting upon or adjacent to said streets, highways, alleys or other public places under and as provided by Sections 3408-3493 of the Code of Tennessee, or any general law of the state now or hereafter in force.

(3) Said Mayor and Board of Aldermen shall be, and they are hereby empowered and vested with the authority to impose, by ordinance, interest and penalties on all delinquent taxes, said interest and penalties to be in the same amount as now or may hereafter be imposed by law upon delinquent county taxes, and to provide by ordinance for the enforcement and collection of the same. The taxes payable to the town shall be due at the same time as county taxes, and become delinquent upon the same date as county taxes.

(4) Said Mayor and Board of Aldermen shall be, and they are hereby vested with full and complete power and authority to enact such ordinances and laws as shall be necessary to effectuate the powers vested by this charter in said municipality; provided, however, such laws and ordinances so enacted shall not be inconsistent with the laws of the State of Tennessee; and such Mayor and Board of Aldermen shall be, and they are hereby vested with full and complete power and authority to do all acts and perform all duties required to effectuate the power herein vested in said municipality, and which are not delegated to some other official by this Act, and to perform all duties and all acts imposed by law upon municipal, legislative bodies.

(5) The said Mayor and Board of Aldermen, in acting on any and all questions coming before the Board, including the enactment of all laws, resolutions and ordinances, the vote shall be taken by viva voce, on roll call, and the vote of each member thereof shall be recorded on each and every question, by entry in the journal in which the minutes of the meeting of the Board are kept.

(6) The Mayor and Board of Aldermen shall require all oaths of office to be in writing, and the same shall be filed with the Recorder and entered upon the journal of the minutes of the Board and become a part of the records of said Board.

(7) The Mayor and Board of Aldermen shall have the power, and the authority is hereby vested in them, to select one of the members of the Board of Aldermen as Vice-mayor, and his duties shall be to preside over the meetings in

the absence or inability of the Mayor to be present at any meeting, and also to act as Mayor in any capacity that this Act requires of the Mayor, but in no case shall the Vice-mayor sign any papers, contracts, warrants, or checks, unless the Mayor is out of the Town of Enville, and in that event, a majority of the Board of Aldermen, or the Recorder, may request the Vice-mayor to act as Mayor.

(8) In the absence or inability of the Mayor or Vice-mayor to be present at any meeting, it shall be the duty of the Board of Aldermen to elect one of their number to preside over such meeting.

Section 8. Be it further enacted, That the Mayor and Board of Aldermen shall, in the passing or enacting of all ordinances, observe the following:

Said ordinances shall be submitted and passed on two separate readings at regular or special meetings of the Board called for the purpose, the second reading to be not less than one week and not more than two weeks from and after the first reading or introduction of the ordinance; and at each reading, the ordinance, or ordinances, so submitted, shall receive the affirmative vote of a majority of the Board present, and be signed by the Mayor before the same shall become effective; and the Mayor shall sign all ordinances which have received the affirmative vote of a majority of the Board present within twenty-four hours after the time of the passage of the ordinance, and in the case of the inability of the Mayor to sign such ordinances, it shall become the duty of the Vice-mayor to sign the same. When an ordinance is introduced, it shall be the duty of the Recorder to note on said ordinance the name of the person introducing the same, the date of its first passage, and the date of its final passage, and the date approved by the mayor or Vice-mayor. Said ordinance may be divided into appropriate sections, shall be in brief, intelligible form, and shall, after passage, be recorded in a well-bound book or printed or type-written upon durable paper, and a copy thereof, whether printed or typewritten, as ordered by the Board and certified by the Recorder, shall be received in evidence by the courts of this state as competent evidence of the provisions of such ordinance.

All ordinances shall commence as follows: "Be it ordained by the Mayor and Board of Aldermen of the Town of Enville, Tennessee, as follows."

Section 9. Be it further enacted, That the Mayor and Board of Aldermen are hereby authorized and empowered to draft or embody the ordinances of the Town of Enville in the form of a Code, embracing all ordinances, to be known and designated the "Town Code." Said Town Code shall be made up on a loose leaf record approved by the Mayor or Vice-mayor in order that new ordinances passed from time to time may be inserted therein.

All ordinances of a general nature or imposing a penalty for the violation thereof shall be published in a newspaper circulated in said town, at least one time before the enforcement thereof.

Section 10. Be it further enacted, That a majority of all members of the Board shall constitute a quorum, but a smaller number may adjourn from day to day and may compel the attendance of the absentees in such manner and under such penalty as the Board may provide.

Section 11. Be it further enacted, That the Recorder, hereinbefore provided, shall be empowered as follows and impressed with the following duties:

(1) To issue all warrants for the arrest and apprehension of any and all violators of the criminal laws, misdemeanor ordinances and offenses against the municipality as prescribed by ordinance.

(2) To discharge all the duties imposed upon Justices of Peace and magistrates; exercise the duties and possess all the judicial powers of Justices of the Peace and magistrates as to criminal offenses committed in the corporate limits of the municipality.

(3) To preside over the city court.

(4) Said Recorder shall, before entering upon the duties of his office, enter into a fidelity bond issued by some bonding company licensed to do business in the State of Tennessee, the premium on said bond to be paid from the funds of the municipality, conditioned and in the amount to be determined by the Mayor and Board of Aldermen, but in no case to be less than Two Thousand (\$2,000.00) Dollars, said bond to be approved by and filed with the Mayor and entered of record on the minute book in the Recorder's office.

(5) Said Recorder shall also, before entering upon the duties of his office, take an oath before the Mayor for the faithful performance of his duties, which oath shall be filed with the Mayor and entered as heretofore provided.

(6) Said Recorder shall hold his office at the pleasure of the Board, and until his successor is employed and qualified.

(7) Said Recorder, or the Mayor, shall have power to impose and collect fines, penalties and forfeitures for violations of the city ordinances, and shall have and receive the fees allowed by law to Justices of the Peace in criminal cases, which fees shall be and become the property of the Town of Enville, and be accounted for by said Recorder or Mayor.

(8) Said Recorder, or in the event the Mayor acts, shall enter cases upon a docket kept for the purpose, showing the name of the defendant, the charge against the defendant, the judgement in the case, the costs of the case and whether collected, said docket to be similar to that prescribed by law for Justices of the Peace. The Recorder shall make a report of all fines and costs collected by him to the Mayor and Board of Aldermen at each monthly meeting.

(9) The Recorder shall, after receipts of the tax assessments, as hereinafter provided, copy the name of the property owners on a book to be known as the tax book, giving the true boundaries, valuation of the property and total amount of taxes due.

(10) The Recorder shall collect all taxes due the Town of Enville, and when delinquent all interest and penalties and issue his receipt therefor, and which receipts shall be consecutively numbered, and when issued, the number shall be entered opposite the name of the property owner paying the tax.

(11) The Recorder shall receive such compensation from the municipality as allowed by the Mayor and Board of Aldermen by proper ordinance.

(12) The Recorder shall perform such other duties and have such authority as may be conferred upon him by the Mayor and Board of Aldermen by ordinance duly enacted.

Section 12. Be it further enacted, That the Mayor and Board of Aldermen, by ordinance, shall appoint a board of three (3) members, who shall be property owners within the town, and who shall serve at the pleasure of the Board to assess all property within the corporate limits of the town for taxation. Said Board to be known as the Property Tax Assessment Board, and shall observe the rules and regulations laid down by the Mayor and Board of Aldermen, and the ordinance thereof, in the assessment and valuation of all property, and shall assess the property within said municipality at its fair cash value as of January 10<sup>th</sup> of each year, and as nearly as possible assess all property at a uniform valuation. The Board to complete its assessment and certify the same to the Recorder by and not later than the first day of August of each year. The assessment to be made in the same manner as the assessment levy and collection of taxes for state and county purposes, and all the laws relating to the assessment levy and collection of taxes by state and county officials shall apply to all the officials, agents and employees of the town.

Section 13. Be it further enacted, That the city attorney shall possess the following qualifications, and his duties shall be as follows:

(1) The city attorney shall be a regular licensed attorney at law, and qualified to practice law in all the courts of the State of Tennessee.

(2) It shall be his duty to represent the municipality in all suits in which the Town of Enville shall be engaged or concerned in any of the courts of the town or state.

(3) He shall give legal service and written opinions to any of the town officials on any and all legal matters concerning the Town of Enville when requested to do so by the Mayor or the Board of Aldermen, and shall attend all meetings of the Mayor and Board of Aldermen when requested to do so by the Mayor or any member of the Board.

(4) He shall, when requested by the Mayor or the Board of Aldermen, draft any and all ordinances, and when requested to do so, examine any and all ordinances considered by the Mayor and Board of Aldermen, and pass upon their validity and legality, and shall perform such other further legal services as are consistent with said office.

(5) The salary of the city attorney shall be fixed by the Mayor and the Board of Aldermen by ordinance, and the city attorney shall, in addition to his regular compensation, be paid such additional fees as his services may demand, and the Mayor and Board of Aldermen may within their discretion allow.

Section 14. Be it further enacted, That the first Justice of the Peace for said Town of Enville shall be J. A. Bishop, who shall hold office until the first Monday in September, 1954, and until his successor is elected and qualified, and he shall perform the duties of a Justice of the Peace representing said municipality, and his status and authority to act until the next regular election in 1954 shall be as full and complete as other Justices of the Peace of Chester County, Tennessee. At the regular election in August, 1954, when the other officials of the Town of Enville, Tennessee, are elected, there shall be elected a Justice of the Peace to serve until the first day of September, 1954, and thereafter the Justices of the Peace for said municipality shall be elected for a term of six years as are other Justices of the Peace in Chester County, Tennessee.

Section 15. Be it further enacted, That the Mayor and five (5) Aldermen, hereinbefore named and especially designated as the first Mayor and Aldermen of the Town of Enville, shall hold their offices, subject to the provisions hereinbefore set forth until the first Monday in September, 1954, or until their successors are duly elected and qualified.

Section 16. Be it further enacted, That the election commissioners of Chester County, Tennessee, shall open and legally hold an election after first giving notice thereof, in a newspaper published in Chester County, Tennessee, as provided by law. The first election shall be held within lawful hours and under all legal regulations and restrictions, as provided by law, on the first Tuesday in August, 1954, at which election there shall be elected a Mayor and five (5) Aldermen herein provided for; and every two years thereafter, on the first Tuesday in August, and in the manner aforesaid, there shall be held by the duly constituted election authorities of Chester County, Tennessee, an election for Mayor and five (5) Aldermen, who shall hold their offices for two years, and until their successors are duly elected and qualified. All legal, qualified voters living within the municipality, and who have so lived for six (6) months, and those who do not live within the corporate limits of the said municipality, but who own real estate or stock in any corporation, the situs of which is in the corporate limits of said municipality, at a value of One Hundred (\$100.00) Dollars, which is in the corporate limits of the said municipality shall be entitled to vote in the election of Mayor and Aldermen. Said Mayor and Board of Aldermen elected at the first election, as hereinbefore provided, and at all subsequent bi-annual elections thereof, shall qualify on or before the succeeding first Monday in September, at which time the newly elected Board shall meet and organize and begin the discharge of their duties.

Section 17. Be it further enacted, That the Mayor and Board of Aldermen shall have power to assess collect taxes due the corporation through either their own officials, or the county officials, each exercising such duties as may be prescribed by ordinance. The Mayor and Board of Aldermen shall, prior to October 1<sup>st</sup> of each year, by ordinance, fix the tax rate for said municipality.

Section 18. Be it further enacted, That the said town of Enville shall also have all powers that are now, or may hereafter be, granted to municipalities in the State of Tennessee that are general in their nature under the Constitution and laws of the State of Tennessee, and such general powers shall be in addition to any special powers hereby granted and are not in degradation of any such special powers in this charter contained, the enumeration of powers in this charter shall not be construed as a restriction of powers, but in the construction of this charter the same shall be given a broad construction so as to effectuate the purpose of this Act, and the Town of Enville shall possess all powers expressly given or by necessary implication needed to carry into effect this charter.

Section 19. Be it further enacted, That the territory adjoining said town may be added thereto and included in the corporate limits thereof as follows: Three citizen, resident freeholders in the territory proposed to be added and included in the corporate limits of said town shall sign a petition in writing

under their signatures, in which shall be described by metes and bounds the particular territory proposed to be added and included, and shall submit the same to the Mayor and Board of Aldermen of said town for consent and approval; and if said Board consents, and a majority of the citizens who are legally qualified voters in said territory consent, the said territory shall become part of said corporation, and to test or ascertain the will of the citizens of the territory, the Mayor and Board of Aldermen shall cause two lists to be prepared and circulated, one list to be signed by the parties desiring the territory to be annexed and included within the corporation, the other to be signed by those opposed to annexation. All persons shall be entitled to sign said lists who, at the time of signing, are qualified voters, and all persons who own property in the territory sought to be annexed, whether they be residents or not.

If a majority of the qualified voters within said territory consent thereto, then said Mayor and Board of Aldermen, by an ordinance duly enacted, which ordinance shall describe the territory being annexed, shall provide that said territory be included within the corporate limits of said town, and be subject to all the provisions of this charter.

Section 20. Be it further enacted, That whenever the word “town”, or the word “City” is used in this Act, it shall mean the “Town of Enville Tennessee”, and whenever the word “Board” or “Mayor and Board of Aldermen” is used in this Act, it shall mean the “Mayor and Board of Aldermen of the Town of Enville, Tennessee.”

Section 21. Be it further enacted, That if, for any reason, any section or parts of sections or clauses of this Act shall be held to be unconstitutional or invalid by any court of competent jurisdiction, that fact shall not invalidate any other part of this Act, and the Act shall be enforced and upheld with reference to all parts not held unconstitutional, it being the legislative intent that this Act would have been enacted with such invalid portion omitted therefrom.

Section 22. Be it further enacted, That all laws and parts of laws in conflict with this Act are hereby repealed.

Section 23. Be it further enacted, That this Act take effect from and after its passage, the public welfare requiring it.

Passed: January 14, 1953.

James L. Bomar,  
Speaker of the House of Representatives.

C-17

Jared Maddux,  
Speaker of the Senate.

Approved: January 14, 1953.

Gordon Browning,  
Governor.

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

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YEAR	CHAPTER	SUBJECT
1953	6	Basic charter act.

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