

CHARTER FOR THE CITY OF LUTTRELL, TENNESSEE¹

CHAPTER NO. 94

House Bill No. 478

(By Stiner)

AN ACT to amend the charter of the Town of Luttrell, Tennessee.

TABLE OF CONTENTS

<u>SECTION</u>	<u>PAGE</u>
ARTICLE I	
1. Charter repealed, amendment, complete charter	C-3
2. Name	C-3
3. Boundaries	C-3
ARTICLE II	
1. Qualification of voters	C-5
2. Regulator city elections	C-5
3. Nominations	C-5
4. Certifications of results	C-5

¹Priv. Acts 1965, ch. 94, is the current basic charter act for the City of Luttrell, Tennessee. The text of the basic charter act set out herein includes all its amendments through the 2020 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.

SECTION

PAGE

ARTICLE III

1. Powers C-5

ARTICLE IV

1. Governing body C-8
2. Qualifications C-8
3. Term of office, compensation C-8
4. Oath C-9
5. Vice mayor C-9
6. Removal C-9
7. Vacancies C-9

ARTICLE V

1. Exercise of powers C-10
2. Meetings C-10
3. Procedure C-10
4. Ordinance adoption C-10
5. Form of action C-11

ARTICLE VI

1. Fiscal year C-11
2. Budget required C-11
3. Preparation of budget C-11
4. Proposed budget C-12
5. Public hearing on the budget C-12
6. Adoption of the budget C-12
7. Appropriations and tax levy C-12
8. Obligations and expenditures to be within appropriations C-12
9. Revenue anticipation borrowing C-12
10. Accounting and audits C-13

ARTICLE VII

1. Assessment of property C-13
2. Due and delinquent dates, penalties C-13
3. Collection C-13
4. Suit for taxes C-13
5. Merchants' ad valorem and privilege taxes C-13

SECTION

PAGE

ARTICLE VIII

1.	Supervisory duties of mayor	C-13
2.	Recorder	C-14
3.	Bonds	C-14
4.	Police	C-14
5.	Additional offices and personnel	C-14
6.	Compensation of officers and employees	C-14

ARTICLE IX

1.	City court	C-14
2.	Jurisdiction powers	C-15
3.	Docket, time of holding court	C-15
4.	Bail, fines and costs	C-15

ARTICLE X

1.	Corporate life continued	C-15
2.	Effective date	C-15
3.	Local approval	C-16

Be it enacted by the General Assembly of the State of Tennessee:

ARTICLE I

Section 1. Amendment. Complete charter. The charter of the Town of Luttrell, Tennessee, being Chapter 466, Private Acts of 1925, is amended to read as provided in this Act. This Act supersedes the existing charter and shall hereafter constitute the complete charter of the City.

Section 2. Name. The official name of the City shall be "City of Luttrell," and by this name it may sue and be sued; contract; acquire and hold property, real and personal, within or without its boundaries for all municipal purposes; and may exercise all the powers granted by this Act or the laws of the State of Tennessee.

Section 3. Boundaries. The boundaries of the City shall be as follows:

Beginning in Flat Creek in the Public Road near Cedar Ford Baptist Church; thence running with said creek to Mrs. Livia Tolivar's line; thence in

a straight line to Tazwell Pike; at or near A.N. Heiskell to a stake, corner of G.L. Peters and Lee Hubbs; thence with said pike to a public road known as the Mountain Road; thence running with the Mountain Road to the beginning. The following territory was annexed by ordinance effective May 3, 1964. Beginning at the intersection of Tennessee Highway 131 and 61 near Cedar Ford Baptist Church; thence southerly along the center-line of Highway 61 to a point 300 feet south of the south right-of-way line of Highway 131; thence southwesterly along a line 300 feet south of, and parallel to, the south right-of-way line of Highway 131 approximately 8,300 feet to a point 800 feet west of the west bank of Bradley Branch Creek; thence northerly along a line 800 feet west of, and parallel to, the west bank of said creek a distance of approximately 6,000 feet to a point due west of the point where Bradley Branch Creek crosses the Woods Road; thence northeasterly approximately 850 feet, on a line, to a point of turning of the Woods road, thence north approximately 315 feet to a point 300 feet north of the north margin of the Woods Road that leads in a northeasterly direction; thence northeasterly on a line 300 feet north of and parallel to, the north margin of the Woods Road approximately 5,900 feet to the south margin of Bear Hollow Road; thence northeasterly across Bear Hollow Road and continuing on a straight line a distance of approximately 4,600 feet to a point 700 feet west of the west right-of-way line of Highway 61; thence east approximately 200 feet to the Willis Burnett west property line; thence southerly with said property line to the southwest corner of said property; thence easterly with the south boundary of the Willis Burnett property to the west right-of-way line of Highway 61; thence northeasterly with said right-of-way line 200 feet; thence northeasterly on a line 200 feet west of, and parallel to, the west right-of-way line of Highway 61 approximately 2,300 feet to a point which is 100 feet south of the intersection of Highway 61 and Bull run Road; thence due east approximately 3,400 feet to a point 880 feet east of the east margin of Wallop Hollow Road; thence due south approximately 4,000 feet to the north right-of-way line of Highway 131 at a point which is 100 feet east of the east margin of an unnamed road leading northerly from Highway 131; thence south approximately 3,250 feet to the south right-of-way line of the Southern Railway Co.; thence southwestward with the south right-of-way line of said railway approximately 4,300 feet to a point which is 400 feet west and 200 feet north of the intersection of Jimtown Road and an unnamed road leading east from the present Town of Luttrell; thence easterly and thence southerly on a line 200 feet north of, and parallel to, the north margin of Jimtown Road approximately 10,200 feet to a point which is 400 feet east of the east right-of-way line of Highway 61; thence north 200 feet to the south margin of Jimtown Road; thence westward with the south margin of said Road to the east right-of-way line of Highway 61; thence west approximately 250 feet to a point that is 200 feet west of the west right-of-way line of said Highway; thence northerly on a line 200 feet west of, and parallel to, the west right-of-way line of Highway 61 approximately 3,200 feet to a point which is due west of the point of turning of said Highway; thence N 3,400' W approximately 3,500 feet

to a point 300 feet south of the south right-of-way line of Highway 131; thence northeastward on a line 300 feet south of, and parallel to, the south right-of-way line of Highway 131 approximately 2,600 feet to the center line of Highway 61; thence northerly along the center line of Highway 61 to the point of beginning.

ARTICLE II

Section 1. Qualification of Voters. Every person registered to vote under the laws of the State of Tennessee for officials of Union County, Tennessee, and the State of Tennessee shall be entitled to register and vote in all elections of the City of Luttrell if he has been a resident of the City of Luttrell for six months next preceding the day of the election, or if a non-resident of the City he is the owner of real property within the City assessed to him for taxation in value not less than one hundred dollars (\$100.00).

Section 2. Regular City Elections. An election shall be held on the first Thursday in June of 1965 for the election of a Mayor and five Councilmen, and thereafter a regular election shall be held on the first Thursday of June of odd numbered years.

Section 3. Nominations. Any eligible person shall have his name placed on the ballot as a candidate for the office he seeks upon filing with the commissioners of elections of Union County at least forty (40) days before the election a petition nominating him for that office personally signed by himself and by at least twenty-five (25) registered voters of the City.

Section 4. Certification of Results. The candidate receiving the highest number of votes cast for any office shall be declared elected. In the event of a tie vote for any office, the incumbent Council shall have until Thursday following the election to choose from the tied candidates and declare its choice. If the Council cannot make a choice before that day the tie vote shall be resolved by a coin toss on the Thursday following the election, a referee to be chosen by the tied candidates, and the result shall be recorded on the minutes of the Council at the next meeting.

ARTICLE III

Section 1. Powers. Subject to the limitations in this charter, the City shall have the power to:

- (1) Assess, levy, and collect taxes on all property and privileges taxable by law for state, county or city purposes.
- (2) Expend the money of the City for all lawful purposes.

(3) Acquire or receive and hold, maintain, improve, sell, lease, mortgage, pledge, or otherwise dispose of property, real or personal, and any estate or interest therein, for municipal purposes, within or without the City or State.

(4) Condemn property, real or personal or any easement, interest, or estate or use therein, either within or without the City for municipal purpose.

(5) Acquire, construct, own, operate, and maintain, or sell, lease, mortgage, pledge, or otherwise dispose of public utilities or any estate or interest therein within or without the City, provided that the City shall have no authority to cease to operate, sell, lease, abandon, or in any other way dispose of any public utility without the approval of two-thirds (2/3) of the number of qualified voters voting on the issue at any general or special election called at the request of the Council.

(6) Grant to any person, firm, association, or corporation exclusive or nonexclusive franchises for public utilities and public services to be furnished the City and those therein. Franchises may be granted for a period of twenty-five (25) years or less, but not longer. The Council may prescribe in each grant of a franchise, the rate, fares, charges, and regulations that may be made by the grantee of the franchise.

(7) Prescribe reasonable regulations regarding the construction, maintenance, equipment, operation and service of public utilities and compel from time to time reasonable extensions of facilities for such services, but nothing herein shall be construed to permit the alteration or impairment of any of the terms or provisions of any exclusive franchise granted or of any exclusive contract.

(8) Establish, open, relocate, vacate, alter, widen, extend, grade, improve, repair, construct, reconstruct, maintain, light, sprinkle, and clean public highways, streets, boulevards, parkways, sidewalks, alleys, parks, public grounds, and squares, wharves, bridges, viaducts, subways, tunnels, sewers, and drains and to regulate the use thereof.

(9) Construct, improve, reconstruct and reimprove by opening, extending, widening, grading, curbing, guttering, paving, graveling, macadamizing, draining, or otherwise improving any streets, highways, avenues, alleys or other public places, and to assess a portion of the cost of such improvements upon the property abutting upon or adjacent to such streets, highways or alleys under and as provided by chapters 11 and 12, title 6, T.C.A.

(10) Assess against abutting property the cost of removing from sidewalks all accumulations of snow, ice, and earth.

(11) Acquire, purchase, provide for, construct, regulate, and maintain and do all things relating to all market places, public buildings, bridges, sewers and other structures, works and improvements.

(12) Collect and dispose of drainage, sewage, offal, ashes, garbage and refuse, and to impose a charge for such service; or to license and regulate such collection and disposal.

(13) License and regulate all persons, firms, corporations, companies, and associations engaged in any business, occupation, calling, profession, or trade not prohibited by law.

(14) Impose a license tax upon any animal, thing, business, vocation, pursuit, privilege, or calling not prohibited by law.

(15) Define, prohibit, abate, suppress, prevent, and regulate all acts, practices, conduct, business, occupations, callings, trades, uses of property and all other things whatsoever detrimental, or liable to be detrimental, to the health, morals, comfort, safety, convenience, or welfare of the inhabitants of the City and impose a regulatory fee to defray the cost of regulation; and to exercise general police powers.

(16) Prescribe limits within which business occupations and practices liable to be nuisances or detrimental to the health, morals, security or general welfare of the people may lawfully be established, conducted or maintained.

(17) Make regulations to secure the general health of the inhabitants and to prevent, abate, and remove nuisances. The City shall have the power to abate and remove nuisances at the expense of the owner or owners, and the expense shall be secured by lien upon the property for which the expenditure is made, which lien may be collected in the same manner and concurrently with the collection of taxes, or enforced by suit in the chancery court.

(18) Regulate the location, bulk, occupancy, area, lot, location, height, construction and materials of all buildings and structures, and to inspect all buildings, lands and places as to their condition for health, cleanliness and safety, and when necessary, prevent the use thereof and require any alteration or changes necessary to make them healthful, clean, or safe; to prohibit, regulate or suppress, or provide for the destruction and removal of any building or other structure which may be or become dangerous or detrimental to the inhabitants or to the public.

(19) Provide for the prevention and extinction of fires when financially able.

(20) Provide police protection.

(21) Provide for the erection and maintenance of all buildings necessary for the use of the City, or to lease suitable buildings for the necessary use of the City.

(22) Provide and maintain, when financially able, charitable, educational, recreative, curative, corrective, detentive, or penal institutions, departments, functions, facilities, instrumentalities, conveniences, and services.

(23) Purchase or construct, maintain, and establish a workhouse, for the confinement and detention of any person convicted in the City Court of offenses against the laws and ordinances of the City who fails to secure the fine and costs imposed upon him, or to contract with the county to keep said persons in the workhouse of said county and to provide by said contract and by ordinance for the commitment of such persons to the workhouse so provided, until such fine and costs shall be fully paid.

(24) Enforce any ordinance, by means of fines, forfeiture, and penalties or by action or proceedings in any court of competent jurisdiction or by any one or more of such means and to impose costs; but no fine, forfeiture, or penalty for any single offense shall not exceed fifty dollars (\$50.00).

(25) Prohibit, suppress, regulate, and license the keeping or going at large of animals within the city; to impound the same in default of redemption to sell or kill the same. [As amended by Priv. Acts 1991, ch. 68, § 1]

ARTICLE IV.

Section 1. Governing Body. The governing body of the City shall consist of a Mayor and five Councilmen to be known officially as the City Council or Council.

Section 2. Qualifications. To be eligible for election and to continue in the office of Mayor or Councilman a person shall meet all of the following qualifications: (1) a registered voter in Union County and the City of Luttrell; (2) a resident of the City of Luttrell for six months next preceding the date of the election; and (3) the owner of real property within the City.

Section 3. Term of Office. Compensation. The Mayor and Councilmen shall take office at 12:00 noon the first day of July following their election, or if

the first day falls on Sunday, the second day of July. The term of office of the Mayor shall be two years. In the 1965 election the two Councilmen receiving the highest number of votes shall be elected for four years, and the remaining three Councilmen shall be elected for two years. Thereafter the successors to Councilmen whose terms expire shall be elected for a term of four years. The Mayor and Councilmen shall serve during their term of office and until their successors are elected and qualified.

Beginning June 6, 1985, the Mayor and Councilmen shall receive as compensation for their services, such compensation as shall be established by ordinance; provided, however, that the amount of such compensation shall be determined prior to the election in which the Mayor and Councilmen to receive such compensation were elected, and such compensation shall not be altered during such term of office. [As amended by Priv. Acts 1984, ch. 181, § 1]

Section 4. Oath. Before taking office the Mayor and Councilmen shall take the following oath before the Recorder or some official authorized to administer oaths: "I swear that I will support the Constitution of the United States and the Constitution of Tennessee, and that I will exercise all the powers of my office in conformity with the charter and ordinances of the City and the laws of the State of Tennessee, and that I will faithfully discharge the duties of the office to which I have been elected."

Section 5. Vice Mayor. A councilman shall be designated Vice Mayor by the Mayor and other Councilmen, the Mayor having a vote. He shall preside at the meetings in the absence of the Mayor and perform all the duties of the Mayor during the absence of the Mayor from the City.

Section 6. Removal. The Mayor or any Councilman may be removed from office for a misdemeanor in office, or for non-feasance, malfeasance or misfeasance in office by an affirmative vote of four (4) members of the Council, the Mayor having a vote except on the question of his own removal. Neither the Mayor nor a Councilman may be removed except upon specific charges being made against him, with notice and public hearing. He may appear at the hearing in person or by attorney and shall be permitted to introduce evidence and witnesses in his defense. The decision of the Council shall be final.

Section 7. Vacancies. The office of Mayor or Councilman shall be vacated by death; removal; resignation accepted by a majority of the other members of the Council, the Mayor having a vote; or failure to maintain any of the qualifications provided in Section 2 of this article. The Vice Mayor shall be Mayor for the unexpired term if a vacancy occurs in the office of Mayor, and his office of Councilman shall thereby be vacated. A vacancy in the office of

Councilman shall be filled for the unexpired term by a majority vote of the remaining members of the Council, the Mayor having a vote.

ARTICLE V.

Section 1. Exercise of Powers. The exercise of all powers granted in this charter or by general law to municipalities is vested in the City Council except as otherwise provided. The Council shall speak solely through its minutes or journal entries which shall be authenticated by the Mayor and Recorder after reading and approval.

Section 2. Meetings. Regular meetings of the Council shall be held at least once each month, the date, time and place to be fixed by ordinance, but the Council may provide for as many other regular meetings as deemed desirable. Unless changed by ordinance, regular meetings shall be held at 8:00 p.m. on the third Tuesday in each month. Special meetings may be called by the Mayor or three (3) Councilmen by written notice served by the Mayor or a Councilmen by written notice served by the Mayor or a Councilman or a policeman at least twelve (12) hours in advance of the meeting. The notice shall state the business to be considered, and business not embraced within the call shall not be considered unless all members of the Council are present. All meetings shall be open to the public.

Section 3. Procedure. The Mayor shall preside at all meetings. He shall have no vote except in event of a tie or except as otherwise provided in this Charter. Three (3) members of the Council shall be a quorum, but two members may adjourn a regular meeting to a later day. An affirmative vote of three (3) members of the Council shall be required for the passage of any ordinance, resolution or motion except adjournment to a later day. The record shall show by roll call how each member of the Council voted on every matter before it. The Council shall by ordinance or resolution establish its own rules of procedure not inconsistent with this charter, and such rules until amended or abolished shall be as binding upon the Council as though contained in this charter.

Section 4. Ordinance Adoption. All ordinances shall begin with the clause. Be it ordained by the City Council of the City of Luttrell, Tennessee, and shall be introduced in writing. Each ordinance shall be passed on two (2) separate days at regular, adjourned, or special meetings, and shall be read in its entirety before final passage. It shall not be necessary to copy ordinances in the minutes, but reference to them shall be made in the minutes by number and subject matter. After passage, each ordinance shall be authenticated by the Mayor and Recorder.

Section 5. Form of Action. Except as otherwise provided by general law or this charter, action by the Council shall be by ordinance when granting, renewing or extending public franchises; creating, abolishing or combining departments or offices; authorizing the borrowing of money; regulating the rate charged for its services by a public utility; fixing fees, service charges and utility rates; exercising the police power; levying taxes; providing a fine or other penalty or establishing a rule or regulation for violation of which a fine or other penalty is imposed. Any other legislative action may be by ordinance or resolution.

ARTICLE VI.

Section 1. Fiscal Year. Unless otherwise provided by ordinance the City shall operate on a fiscal year beginning July 1 and ending June 30.

Section 2. Budget Required. The adoption of an annual budget shall be prerequisite to the appropriation of money for municipal purposes and the levy of property taxes.

Section 3. Preparation of Budget. At least sixty (60) days before the beginning of the fiscal year the Council shall prepare the following information:

(1) Detailed estimates of all recommended expenditures for each department, board, office or other agency of the City.

(2) A statement of the bonded and other indebtedness of the City and the principal and interest on such, and other contract obligations that will be due in the next fiscal year.

(3) Detailed estimates of all anticipated revenues except property and merchants' ad valorem taxes in the next fiscal year, including, however, an estimate of taxes delinquent in the current or prior years which it is anticipated will be collected in the next fiscal year. Statement of estimated revenues shall also include all State funds which may be received by the City.

(4) A statement of the estimated balance or deficit at the end of the current fiscal year.

(5) A statement of the amount of property and merchants' ad valorem taxes which will be necessary to balance the budget, the total assessment of all taxable property in the City, including merchants' capital, and the proposed tax rate.

(6) A comparative statement of revenues and expenditures for the preceding fiscal year, and of estimated revenues and expenditures at the end of the current fiscal year, with the estimated revenues and expenditures for the next fiscal year, showing increases or decreases by departments.

(7) Such other information as the Council may by ordinance require.

Section 4. Proposed Budget. After the Council has studied the tentative budget and made modifications it deems necessary or desirable, it shall by motion recommend it as the proposed budget.

Section 5. Public Hearing on the Budget. A public hearing on the proposed budget shall be held before its final adoption, to be held at such time and place as the Council shall determine. Notice of such hearing shall be posted at two public places in the City at least ten (10) days in advance of the date of the hearing.

Section 6. Adoption of the Budget. After the public hearing the Council may make such modifications in the proposed budget as it considers necessary or desirable, and shall by resolution adopt it as the budget for the next fiscal year. The budget shall be finally adopted before the beginning of the next fiscal year.

Section 7. Appropriations and Tax Levy. After adoption of the budget the Council shall pass an appropriations and tax levy ordinance. Appropriations shall not exceed revenues estimated in the budget, and need not be in more detail than a lump sum for each department or office. The tax levy shall not exceed the amount necessary to balance the budget, and shall be levied by a single rate for the general fund, except as otherwise provided by law.

Section 8. Obligations and Expenditures to Be Within Appropriations. No obligation shall be created nor expenditure made from appropriated funds until it shall have been determined that an appropriation has been made for that purpose and that there is unexpended in the appropriation for that purpose an amount sufficient to meet the obligation or to make the expenditure.

Section 9. Revenue Anticipation Borrowing. The Council, for the sole purpose of meeting the necessary expenses within appropriations, is authorized to borrow money in an amount not to exceed fifty (50) per cent of total appropriations for the current fiscal year. Borrowing shall be upon negotiable notes signed by the Mayor and Vice Mayor, and shall pledge budgeted revenues only. Such notes shall mature during the current fiscal year and shall not be renewed.

Section 10. Accounting and Audits. There shall be installed and maintained adequate accounting records in accordance with generally accepted principles of municipal accounting. Constant and comprehensive budgetary control shall be maintained. An audit of the financial affairs of the City shall be made after the end of each fiscal year.

ARTICLE VII

Section 1. Assessment of Property. All property within the City not exempt by general law shall be assessed for taxation upon the same principles established in regard to state and county taxation. Property may be assessed by a City assessor as provided by general law, or the City may adopt assessments made by the county tax assessor. If county assessments are adopted by the City, the assessment book of the City shall be prepared from the county assessment books not later than September 1 of each year. The proper officer of the City shall have the same powers and duties to back assess property as the county trustee.

Section 2. Due and Delinquent Dates, Penalties. The Council may provide by ordinance the dates taxes shall be due and delinquent and the penalties and interest for delinquencies. If no such provision is made by ordinance, property taxes shall be due and delinquent on the same dates as county taxes and shall be subject to the same penalties and interest.

Section 3. Collection. The Council may provide for the collection of taxes by the county trustee or through officers of the City. In the collection of delinquent taxes the proper officer of the City shall have the same powers of the county trustee.

Section 4. Suit for Taxes. On December 31 of each year all taxes which have been delinquent more than one year shall be certified to a delinquent tax attorney who shall file suit for such tax as provided by general law.

Section 5. Merchants' Ad Valorem and Privilege Taxes. The proper officer of the City shall have all the powers of the county court clerk in the collection of merchants' ad valorem and privilege taxes of the City.

ARTICLE VIII.

Section 1. Supervisory Duties of Mayor. The Mayor shall have the duty of the general supervision of all personnel. He shall see that all laws and ordinances and the provisions of this charter are enforced, make recommendations to the Council and do all things necessary to protect the interests of the City. [As amended by Priv. Acts 2003, ch. 42]

Section 2. Recorder. A Recorder shall be appointed by the Council to serve at the will of the Council. He shall receive such compensation as shall be fixed by ordinance. The immediate responsibility for the administration of the financial affairs shall be that of the Recorder. He shall also have the following duties: (1) Act as clerk and secretary of the Council, and keep a record of all the proceedings of the Council, (2) have custody of all records, papers and documents and the bonds of all officers and employees, (3) prepare and maintain all tax records, (4) collect all taxes, fines, fees and other revenues, (5) receive and have custody of all funds and make all disbursements, (6) keep separate and apart from the general funds of the City all special funds required to be so kept by general law or ordinance, (7) install and maintain adequate accounting records, (8) maintain constant and comprehensive budgetary control, and prepare financial statements annually or more often if required by the Council, and (9) perform such other duties as may be provided by ordinance.

Section 3. Bonds. Before entering upon the discharge of his duties the Recorder shall execute a faithful performance bond in an amount not less than ten thousand dollars. All other officers and employees authorized to have custody of or to handle funds of the City shall give such bonds as the Council deems necessary. The cost of all bonds shall be an expense of the City.

Section 4. Police. The Council may appoint a chief of police and such other policemen as deemed necessary who shall serve at the will of the Council. It shall be the duty of the chief of police and members of the police force to enforce the ordinances of the City and the criminal laws of the state within the corporate boundaries, to execute and return all process, notices and legal orders of the Mayor and City Judge, to perform a general police duty and such other duties as may be provided by ordinance. In time of riot or other emergency the Mayor shall have power to summon any number of male inhabitants to assist the police, and the Council may by ordinance provide a fine for failure or refusal of any person to assist the police.

Section 5. Additional Offices and Personnel. The Council may by ordinance provide for such other officers and employees as they deem necessary for the proper administration of the City's affairs, and prescribe their duties.

Section 6. Compensation of Officers and Employees. The Council shall set by ordinance the compensation of all appointed officers and employees of the City.

ARTICLE IX.

Section 1. City Court. A city court for the City of Luttrell is hereby established. The City Court shall be presided over by a City Judge to be

appointed by, and to serve at the will of the City Council. The qualifications, compensation and other matters relating to the office of City Judge shall be provided by ordinance. The Recorder may be designated City Judge.

Section 2. Jurisdiction Powers. The Judge of the City Court shall have exclusive jurisdiction to try all offenses for the violation of the ordinances of the City. He shall have the power to levy fines, penalties and forfeitures not exceeding fifty dollars for each offense, and to impose such costs as the Council may by ordinance provide, to issue all necessary process, to administer oaths, and to punish for contempt by fine not exceeding ten dollars for disturbing the court in the discharge of its official duties. The City Judge shall also have concurrent jurisdiction with Justices of the Peace in cases involving violations of the criminal laws of the State.

Section 3. Docket Time of Holding Court. The City Judge shall keep a docket, and such other records as may be required by ordinance. The Council shall by ordinance fix the time for holding court, and provide such rules and regulations for the proper functioning of the court as deemed necessary.

Section 4. Bail, Fines and Costs. The bail of persons arrested and awaiting trial and persons appealing the decision of the judge shall be fixed by the judge and upon such security as in his discretion he deems necessary or as otherwise provided by ordinance. Fines and costs may be fixed and security determined as provided by ordinance. Upon failure to pay fines and costs or to furnish security, the judge shall commit the offender to the jail or workhouse until such fines and costs have been paid. For each day's confinement or work there shall be credited two dollars toward fines and costs, but in no instance shall continuous confinement be in excess of ninety-days.

ARTICLE X.

Section 1. Corporate Life Continued. The corporate life of the City of Luttrell is continued. The right, title and ownership of all property of the City and all its uncollected taxes, assessments, dues, fines, costs, claims, judgements, choses in action, and all its rights of every kind and character are not affected by this Act, nor shall it affect the liability of the City for all existing legal debts, contracts, bonds and obligations or other liabilities. All existing ordinances, resolutions or other actions of the Council not inconsistent with this Act shall remain in full force and effect until amended or repealed in the manner provided.

Section 2. Effective Date. This Act shall take effect from and after its passage, the public welfare requiring it.

Section 3. Local Approval. This Act shall not be applicable to the Town of Luttrell unless it be approved by a two-thirds vote of the Board of Mayor and Aldermen of the Town of Luttrell on or before July 1, 1965. The mayor shall certify the Board's approval or disapproval to the Secretary of State or inform him of the Board's failure to act within the time prescribed.

Passed: March 2, 1965.

William L. Berry,
Speaker of the House of Representatives

Jared Maddux,
Speaker of the Senate.

Approved: March 10, 1965

Frank G. Clement,
Governor.

This is to certify that according to the official records on file in this office, House Bill No. 478, which is Chapter No. 94 of the Private Acts of 1965, was properly ratified and approved and is therefore operative and in effect in accordance with its provisions.

Joe C. Carr,
Secretary of State.

ACTS COMPRISING THE CHARTER OF THE
CITY OF LUTTRELL, TENNESSEE

YEAR	CHAPTER	SUBJECT
1965	94	Repealed and replaced entire charter.
1984	181	Amended Article IV, § 3 relative to compensation of mayor and aldermen.
1991	68	Amended Article III, § 1 by deleting last sentence of paragraph (5) relative to general or special elections.
2003	42	Amended Article VIII, § 1 by deleting the words "immediate and" from the first sentence.