

CHARTER FOR THE CITY OF DUNLAP, TENNESSEE¹

CHAPTER NO. 396

SENATE BILL NO. 356

(By Mitchell.)

AN ACT to reincorporate the town of Dunlap in the County of Sequatchie, in the State of Tennessee, and to set up its boundaries, and to establish a school district therein and support the same; to define the powers of said corporation; to provide for the election of officers for said town and school district; to prescribe their duties and fix their compensation; to vest in said corporation right, title, and ownership of all of the property of the City of Dunlap as the same has heretofore existed under Chapter 369 of the Private Acts of 1927, and all of its uncollected taxes, assessments, dues, fines, costs, claims, judgments, choses in action; and all of its rights of every kind and character are hereby vested in said corporation created by this Act, and to repeal all laws in conflict herewith.

TABLE OF CONTENTS

<u>SECTION</u>	<u>PAGE</u>
Article I Incorporation	C-2
Article II Boundaries	C-3

¹Priv. Acts 1941, ch. 396, is the current basic charter act for the City of Dunlap, Tennessee. The text of the basic charter act set out herein includes all its amendments through the 2019 session of the Tennessee General Assembly. Sections of the charter which have been amended contain at the end of those sections the citation to the official act or acts constituting the amendment or amendments. No other changes have been made to the charter except the addition of a table of contents to facilitate its use. A list of all the acts including the basic charter appears at the end of the charter.

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

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

<u>SECTION</u>	<u>PAGE</u>
Article III Corporate Powers	C-4
Article IV Elections	C-9
Article V Board of Mayor and Commissioners	C-10
Article VI Ordinances	C-12
Article VII Mayor	C-13
Article VIII Officers and Employees	C-14
Article IX City Attorney	C-15
Article X Recorder and Taxation	C-15
Article XI Recorder as Finance Officer	C-17
Article XII Treasurer	C-18
Article XIII Taxation and Revenue	C-19
Article XIV License Taxes	C-20
Article XV Police Force	C-20
Article XVI City Court and Judge	C-21
Article XVII Advertisement for Public Works	C-24
Article XVIII Streets	C-24
Article XIX Business Regulations	C-24
Article XX Construction of this Act	C-24
Article XXI Effective Date for this Act	C-25

SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That the City of Dunlap, in Sequatchie County, Tennessee, be, and the same is, hereby incorporated under and by this Act.

SEC. 2. Be it further enacted, That the inhabitants of the City of Dunlap, County of Sequatchie, State of Tennessee, within the limits of the City of Dunlap as hereinafter described be, and they are, hereby constituted a body politic and corporate under the name and style of "City of Dunlap" and as such shall have perpetual succession, shall sue and be sued, implead and be impleaded in all courts of law and equity, and in all actions whatsoever; may, for municipal purposes, purchase, receive and hold property--real, personal and mixed--within or beyond the limits of the City of Dunlap; and may sell, lease, or dispose of such property for the benefit of the City; and do all other acts touching the same as may natural persons; may have and use a common seal, and may change it at pleasure; and exercise all the rights, powers, and privileges set forth in the succeeding Sections of this Act.

SEC. 3. Be it further enacted, That the right, title, and ownership of all the property of the City of Dunlap, as the same has heretofore existed under Chapter 369 of the Private Acts of 1927, State of Tennessee, and all of its uncollected taxes, assessments, dues, fines, costs, claims, judgments, choses in action, and all of its rights of every kind and character whatsoever shall immediately become and are hereby vested in the municipal corporation created by this Act; and that said corporation created by this Act be, and hereby is, burdened and charged with, and made liable for, all legal debts, contracts, bonds, and obligations of the old corporation which it succeeds, in the same manner and form, and to the same extent, as the old municipal corporation was under existing laws.

SEC. 4. Be if further enacted, That all laws, ordinances, and resolutions lawfully enacted by the City of Dunlap under any preceding charter or charters, and not inconsistent with this charter, shall be, and they do, remain in full force and effect under this charter until such time as the governing body of the City of Dunlap, created under and by this Act, shall elect to amend, modify or repeal the same.

ARTICLE II

BOUNDARIES

SECTION 1. Be if further enacted, That the boundaries of the said City of Dunlap hereby incorporated shall be as follows:

BEGINNING on a stake in the center of Coops Creek, it being the southeast corner of the City of Dunlap; thence north 15 degrees east with the east boundary line of said city, and continuing the same direction, until it strikes the line of J. H. Heard and B. R. Farmer; thence northeastwardly a direct line to the northeast corner of the high school lands; thence westwardly

with the said high school lands, a direct line, to the Hill Road; thence northwardly with said road to the center of the railroad of the Chattanooga Iron and Coal Corporation; thence southwardly with said railroad, passing the new washer to where the tram or dinkey road intersects with said railroad; thence with said tram or dinkey road to the old washer; thence south to the center of the creek known as Coops or Cane Creek; thence down said creek as it meanders to the BEGINNING.

SEC. 2. Be if further enacted, That the territory described and bounded in Section 1 of this article shall be divided into such wards as may now be prescribed by existing ordinances or as hereafter may be prescribed by ordinance or ordinances, enacted by the governing body of the said city created under and by this Act. [As amended by Priv. Acts 1977, ch. 11, § 1]

ARTICLE III

CORPORATE POWERS

SECTION 1. Be if further enacted, That said municipal corporation, in addition to the powers, right and authority vested in it by the preceding articles and sections, shall have the power by ordinance or ordinances:

(1) To assess as hereinafter provided, and to levy and collect taxes for all general and special purposes on all subjects or objects of taxation and privileges taxable by law for state, county or city purposes, but no privilege tax shall be levied or collected in excess of the amount now or hereafter fixed by the laws of the State so taxing such privileges for State purposes, and said city shall not have the power to exempt from taxation any property not exempt from State taxes.

(2) Classification in Taxation--To adopt such classification of the subjects and objects of taxation as may be deemed desirable and not contrary to law.

(3) To make special assessment for local improvements.

(4) To contract and be contracted with.

(5) To anticipate the annual revenue by borrowing money to meet the payments of interest on the bonded debt of the city, now or hereafter created, or other budgeted obligations, or other obligations of the said City of Dunlap; provided the amount borrowed in any one year shall not exceed 50 per centum of the annual tax levy for that year. And in case any moneys shall be borrowed under this power, the same shall be promptly repaid out of the tax collections for said year.

(6) To issue and exchange, sell, pledge, or in any manner dispose of negotiable or non-negotiable interest bearing or non-interest bearing refunding bonds, and fix the interest rate and maturity date thereof, to refinance or extend

any bonded indebtedness of the city, upon the credit of the city or solely upon the credit of income derived from any property used in connection with any public utility owned or operated by the city, or solely upon the credit of the proceeds of special assessments for local improvements, or upon any two or more of such credits.

(7) To issue and sell interest bearing or non-interest bearing bonds for any purpose permitted by this charter or permitted by the laws of the State of Tennessee, to fix the interest rate and maturity date of such bonds, and to issue the same upon the credit of the city, or solely upon the credit of income derived upon any property used in connection with any public utility owned or operated by the city, or solely upon the credit of the proceeds of special assessments for local improvements, or upon any two or more such credits, provided however, that no ordinance providing for the issuance of any such new bonds, except bonds issued under Sections 3408-3493 of the Code of Tennessee, shall be valid unless and until approved by a majority of the qualified voters of the said City of Dunlap voting at an election on the specific question of issuing such bonds to be called, advertised, and held in the same manner in which general municipal elections are required to be held under this Charter. In such election it shall not be necessary to submit to the voters any other question than the maximum amount, the maximum interest rate, and the purpose or purposes of the bonds proposed to be issued. No bonds shall be issued under this section in such an aggregate amount, including outstanding bonds, as will create or increase the total bonded indebtedness of the city more than 10% of the assessed valuation for the preceding year of the taxable property in said city; provided, however, that any bonds or securities redeemable and payable out of funds derived from special assessments for public improvements, or any bonds or other obligations issued for supplying such municipality and its inhabitants with water, artificial light, heat or power, where the works for supplying the same shall be owned and controlled by such municipality, shall not be included in the debt of said City within the limitations of this section.

(8) Money Expended. To expend the money of the City for all lawful purposes.

(9) Acquisition and Disposition of Property. To 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, within or without the city or state.

(10) Eminent Domain. To condemn property, real or personal, or any easement, interest, or estate, or use therein, either within or without the city, for present or public use; such condemnation to be made and effected in accordance with the terms and provisions of Sections 3109-3132 of the Code of Tennessee, or in such other manner as may be provided by law.

(11) Property Out of City--Administration of Trust. To take and hold property, within or without the city or State, upon trust; and to administer trust for the public benefit.

(12) Public Utilities. To acquire, construct, own, operate, and maintain or sell, lease, mortgage, pledge, or otherwise dispose of public utilities, or any estate or interest therein, or any other utility or service to the city, its inhabitants, or any part thereof.

(13) Public Utility Grants; Franchise, Regulations. To grant to any person, firm, association, or corporation, franchises for public utilities and public services, to be furnished the city and those therein and to grant rights-of-way through the city's streets, avenues, alleys, squares, ways and over the bridges and viaducts of the city for the use of public and quasi-public utilities; provided that no exclusive franchise shall be granted; provided further that such new franchise shall not destroy the terms of any existing franchise. Franchises may be granted for a period of twenty-five years or less, but not longer. Franchises may, by their terms, apply to the territory within the corporate limits of the city at the date of the franchises, and as said corporate limits thereafter may be enlarged; and to the then existing streets, alleys, and other thoroughfares that thereafter may be opened.

(14) Contracts for Public Utility Service. To make contracts with any person, firm, association or corporation for public utilities and public services to be furnished the city and those therein. Such contracts may be entered into for the period of twenty-five years or less, but not longer. The board of mayor and commissioners may prescribe in each such contract entered into, the rates, fares, charges and regulations that may be made by the person, firm, association, or corporation with whom the contract is made. Such contracts may, by their terms, apply to the territory within the corporate limits of the city at the date of the contract, and as said corporate limits thereafter may be enlarged; and to the then existing streets, alleys and thoroughfares and to any other streets, alleys and other thoroughfares that thereafter may be opened.

(15) Regulations of Public Utilities. To prescribe reasonable regulations regarding the construction, maintenance, equipment, operation, and service of public utilities, and compel from time to time reasonable extension of facilities of such services.

(16) Highways, Streets, Parks. To 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, bridges, viaducts, subways, tunnels, sewers and drains, within or without the corporate limits, and to regulate the use thereof within the corporate limits, and property may be taken and appropriated therefor under the provisions of the general law.

(17) Abutting Property Improvements. 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, or other public places within the corporate limits, 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, the General Laws of the State now or hereafter in effect.

(18) Sanitation Charged Against Abutting Property. To assess against abutting property within the corporate limits the cost of planting shade trees, removing from sidewalks all accumulations of snow, ice, and earth, cutting and removing obnoxious weeds and rubbish; the lighting of streets, the cleaning and rendering sanitary, or removing, abolishing, and prohibiting of closets and privies in such manner as may be provided by General Law or by ordinance of the Board of Mayor and Commissioners.

(19) Market Places, Public Buildings, Bridges, etc. To 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.

(20) Drainage, Sewage, Offal, etc. To collect and dispose of drainage, sewage, offal, ashes, garbage, and refuse by discharging same into streams and rivers or otherwise, or to license and regulate such collection and disposal.

(21) License Tax. To impose a license tax upon any animal, thing, business, vocation, pursuit, privilege, or calling not prohibited by law.

(22) Regulation of Business, Calling, etc. To 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 to exercise general police powers.

(23) Limit Occupations Liable to Become a Nuisance. To 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.

(24) Inspection, Weights and Measures. To inspect, test, measure, and weigh any article for consumption or use within the City and to charge reasonable fees therefore; and to provide standards of weights, tests, and measures.

(25) Same. To establish, regulate, license, and inspect weights and measures.

(26) Buildings Regulated and Inspected. To regulate and locate bulk occupancy, area, lot, location, height, constructions 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 use thereof and require any alterations or changes necessary to make them healthful, clean or safe.

(27) Charitable, Educational, and Corrective Institutions. To provide and maintain charitable, educational, recreative, curative, corrective, detentive or penal institutions, departments, functions, facilities, instrumentalities, conveniences, and services.

(28) Workhouse or City Jail. To 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 a fine and costs imposed upon him or her, or to contract with Sequatchie County to keep said persons in the workhouse or jail 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.

(29) Enforcement of Ordinances; Fines and Imprisonment. To enforce any ordinance, rule, or regulations, by means of fines, forfeiture, penalty and imprisonment or by action or proceedings in any court of competent jurisdiction or by any one or more of such means, and to impose costs as a part thereof, but no fine, forfeiture or penalty shall exceed fifty dollars and no imprisonment shall exceed ninety days.

(30) Schools. To establish schools, to purchase or otherwise acquire land for schoolhouses, playgrounds and other purposes connected with the schools; to purchase or erect all necessary buildings, and to do all other acts necessary to establish, maintain and operate a complete educational system within the City and through its Board of Education hereinafter provided for to determine the necessary school officers and teachers, and to fix their compensation. This section shall apply only in case the Board of Mayor and Commissioners deem it necessary.

(31) Animals Running at Large, to Suppress. To regulate, tax, license or suppress the keeping or going at large of animals within the City; to impound the same and in default of redemption to sell or kill the same.

(32) Bridges and Viaducts. To require and compel any steam, gasoline or electric railway company operating within said City and crossing with its lines any of the streets of the City to build, construct, and maintain all necessary bridges, viaducts and underpasses under and over the tracks of said railroad company wherever said track or tracks cross the public streets, alleys, ways, and thoroughfares of said City when in the judgment of the City Mayor and Commissioners such bridges, viaducts or underpasses should be built or constructed for the preservation or protection of the public using such streets, alleys, ways, and thoroughfares; and the entire cost of same to be paid and borne by such railroad or railroads.

(33) Particular Powers Enumerated Do Not Exclude Others When. The enumeration of particular powers in this charter is not exclusive of others, nor restrictive of general words or phrases granting powers, nor shall a grant or failure to grant power in this article impair a power granted in any other part of this charter. And whether powers, objects or purposes are expressed conjunctively or disjunctively, they shall be construed so as to permit the City to exercise freely any one or more such powers as to any one or more such objects or any one or more such purposes. [As amended by Priv. Acts 1972, ch. 302, § 1; and Priv. Acts 1977, ch. 11, §§ 2, 3, 4, 5, and 19]

ARTICLE IV

ELECTIONS

SECTION 1. Be it further enacted, That the elections of the Mayor and Commissioners under this charter shall be held under the same provisions of the State law under which elections are prescribed to be held for such officials as Sheriff or Trustee of said County, in all things except as to the time, date, and naming officers for holding the election thereof, upon legal notice of the same, published in a newspaper of the City or by printed posters posted in one or more public places and as provided by law.

The City Mayor and Commissioners shall have the right by appropriate ordinances to designate wards and precincts within the City, and the Election Mayor and Commissioners shall designate the voting places accordingly. [As amended by Priv. Acts 1972, ch. 302, § 1; and Priv. Acts 1977, ch. 11, § 19]

SEC. 2. Be it further enacted, That all candidates shall be eligible to have their names placed upon ballots, who have been residents of the City of Dunlap, Tennessee, for a period of twelve months next preceding the election, and must be residing within the limits of said corporation for six months next preceding the election, and shall be 21 years of age or over, and own real estate.

SEC. 3. Be it further enacted, That any election for Mayor and Commissioners or otherwise under this charter, all registered voters, otherwise legally qualified to vote in State and County elections, and who shall be for the 60 days next preceding the election bona fide residents of said City, shall be entitled to vote. [As amended by Priv. Acts 1972, ch. 302, § 1; and Priv. Acts 1977, ch. 11, § 19]

SEC. 4. Be it further enacted, That the terms of all City Mayor and Commissioners shall begin on the second Saturday of May, following the date of their election. [As amended by Priv. Acts 1972, ch. 302, § 1; and Priv. Acts 1977, ch. 11, § 19]

SECTION 5. Be it further enacted, that the mayor elected at the regular election in May 1973 shall hold office for a term of four (4) years or until his successor is elected and qualified; there shall be elected four (4) Mayor and Commissioners, the two candidates for the office of Commissioner receiving the greater number of votes shall hold office for four (4) years and until their successors are elected and qualified, the two candidates receiving the next highest number of votes shall serve until the next regular election and until their successors are elected and qualified; at the regular election in 1975, two Mayor and Commissioners shall be elected to serve a term of four (4) years or until their successors are elected and qualified; thereafter two Mayor and

Commissioners shall be elected every two (2) years to serve for four (4) years. Effective January 1, 2015, each Commission position shall be designated as seat A, seat B, seat C, and seat D. Any candidate for the Commission shall designate upon qualifying for election the particular designated seat which the candidate seeks. In the regular election, all voters in the City may vote for one (1) candidate for each designated seat. Seats A and B will be open for election on May 2, 2015. Seats C and D, along with the Mayoral Seat, will be open for election on May 6, 2017. The regular municipal election shall be held in the City of Dunlap on the first Saturday in May of each odd numbered year. [As amended by Priv. Acts 1972, ch. 302, § 1; repealed and added by Priv. Acts 1972, ch. 302, § 2; replaced by Priv. Acts 1977, ch. 11, § 6; and amended by Priv. Acts 1977, ch. 11, § 19; and Priv. Acts 2014, ch. 49]

SECTION 6. Be it further enacted, that at the first meeting after each election the Mayor and Commissioners, the Board shall elect a City Recorder and a Treasurer to serve at the will of the Board of Mayor and Commissioners. [As amended by Priv. Acts 1972, ch. 302, § 1; repealed by Priv. Acts 1972, ch. 302, § 3; added by Priv. Acts 1972, ch. 302, § 4; and replaced by Priv. Acts 1977, ch. 11, § 18]

SEC. 7. Be it further enacted, That no informalities in conducting any election held under this charter shall invalidate it if such election is conducted fairly and in substantial conformity with the requirements of this article.

ARTICLE V

BOARD OF MAYOR AND COMMISSIONERS

SECTION 1. Be it further enacted, that the Board of Mayor and Commissioners shall hold monthly meetings at such time and place as the Board of Mayor and Commissioners shall by ordinance designate. [As amended by Priv. Acts 1972, ch. 302, §§ 1 and 5; and replaced by Priv. Acts 1977, ch. 11, § 7]

SEC. 2. Be it further enacted, That any qualified voter of the City who owns real estate in said City shall be eligible for the office of Commissioner, provided that a failure to continue to reside in said City shall vacate his office.

SEC. 3. Be it further enacted, That no person shall become a Commissioner who shall have been convicted of malfeasance in office, bribery or other corrupt practice or crime or of violating any provisions of Section 3645 of the Code of Tennessee in reference to elections, and if any Commissioner shall be so convicted he shall forfeit his office.

SEC. 4 Be it further enacted, That the legislative and all other powers except as otherwise provided by this charter are delegated to and vested in the Board of Mayor and Commissioners; and the Board of Mayor and Commissioners may by ordinance or resolution not inconsistent with this charter prescribe the manner in which any powers of the City shall be exercised, provide all means necessary or proper therefor, and do all things needful within or without the City or State to protect the rights of the City. [As amended by Priv. Acts 1972, ch. 302, § 1; and Priv. Acts 1977, ch. 11, § 19]

SEC. 5 Be it further enacted, That the said board shall exercise its powers in session duly assembled, and no member or group of members thereof shall exercise or attempt to exercise the powers conferred upon the Board except through proceedings adopted at some regular or special session.

SEC. 6 Be it further enacted, That whenever, in the opinion of the Mayor, or any two Mayor and Commissioners, the welfare of the City demands it, the Mayor or the Recorder shall call special meetings of the Board of Mayor and Commissioners upon at least twelve hours' written notice to each Commissioner, Recorder, Mayor, and Treasurer served personally or left at his usual place of residence. Each call for a special meeting shall set forth the character of the business to be discussed at such meeting and no other business shall be considered at such meeting. [As amended by Priv. Acts 1972, ch. 302, § 1; and Priv. Acts 1977, ch. 11, § 19]

SEC. 7 Be it further enacted, That the Mayor shall preside at all meetings of the Board of Mayor and Commissioners. [As amended by Priv. Acts 1972, ch. 302, § 1; and Priv. Acts 1977, ch. 11, § 19]

SEC. 8 Be it further enacted, That when any vacancy in said Board shall occur, the Commission shall have the power to appoint and elect a successor to said vacancy until the next regular election.

SEC. 9 Be it further enacted, That at the first meeting of the Board and thereafter at the first meeting after a general city election, said Board shall choose from its membership a member to act in the absence, inability or failure to act of the Mayor.

SEC. 10 Be it further enacted, That such member shall act as Mayor during any temporary absence, inability or failure to act of the Mayor and whenever a vacancy occurs in the office of Mayor, such member shall become Mayor and hold office as such for the unexpired term.

SEC. 11. Be it further enacted, That a majority of all the members of said Board shall constitute a quorum, but a smaller number may adjourn from day

to day or from time to time and may compel the attendance of the absentees in such manner and under such penalties as the Board may provide. [As amended by Priv. Acts 1977, ch. 11, § 8]

SEC. 12. Be it further enacted, That said Board may determine the rules of its proceedings subject to this charter and may arrest and punish by fine or imprisonment or both any member or other person guilty of disorderly or contemptuous behavior in its presence. It shall have power and may delegate it to any committee to subpoena witnesses and order the production of books and papers relating to any subject within its jurisdiction; to call upon its officers, or the Chief of Police to execute its process and to arrest and punish by fine or imprisonment, or both, any person refusing to obey such subpoena or order.

SEC. 13. Be it further enacted, That all sessions of the Board shall be public and subject to change of plan in case of emergency.

SECTION 14. Be it further enacted, that each member of the Board of Mayor and Commissioners shall be compensated at an amount to be determined and set by the Board of Mayor and Commissioners. [As added by Priv. Acts 1969, ch. 108; amended by Priv. Acts 1972, ch. 302, § 1; replaced by Priv. Acts 1977, ch. 11, § 9; and amended by Priv. Acts 1983, ch. 131, § 2]

ARTICLE VI

ORDINANCES

SECTION 1. Be it further enacted, That all ordinances shall begin "Be it ordained by the City of Dunlap," as follows:

SEC. 2. Be it further enacted, That every ordinance shall be read three different days in open session before its adoption and not less than one week shall elapse between first and third readings, and any ordinance not so read shall be null and void.

An ordinance shall not take effect until fifteen days after its passage thereof except in case of an emergency ordinance. An emergency ordinance may become effective upon the day of its final passage provided it shall contain the statement that an emergency exists and shall specify with distinctness the facts and reasons constituting such emergency.

An unanimous vote of all members of the Board shall be required to pass an emergency ordinance.

SEC. 3. Be it further enacted, That in all cases under the preceding section, the vote shall be determined by yeas and nays, the names of the members voting for or against an ordinance shall be entered upon the journal.

SEC. 4. Be it further enacted, That every ordinance shall be immediately taken charge of by the Recorder and by him numbered, copied in an ordinance book, filed and preserved in his office.

SEC. 5. Be it further enacted, That all ordinances of a penal nature passed shall be published at least once in a newspaper of the City or by three printed posters posted in three public places in the City, and no ordinance shall be in force until it is so published.

ARTICLE VII

MAYOR

SECTION 1. That the Mayor shall be the chief executive officer of the city 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 city property, and shall employ, discharge, or suspend without compensation, all officers, agents, employees, workmen and servants with the exception of the recorder, chief of police, city field superintendent and treasurer who shall be employed and discharged by the Board of Mayor and Commissioners. Notwithstanding the foregoing, the actions of the Mayor as to employment, discharge, and suspension of all officers, agents, employees, workmen and servants shall be subject to being overridden by action of the Commission by three affirmative votes, the Mayor not voting.

That it shall be the duty of the Mayor to preside at all meetings of the Board of Mayor and Commissioners, and he shall have a vote on all questions and matters properly before the said Board, but no veto. 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 Commissioners until the same are filled by the Board or Mayor and Commissioners. He shall see that all the ordinances, acts and resolutions of the Board of Mayor and Commissioners 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 Commissioners may, by ordinance, prescribe penalties for a failure to obey such a call on the part of the Mayor. [As amended by Priv. Acts 1972, ch. 302, § 1; Priv. Acts 1977, ch. 11, § 19; and Priv. Acts 1983, ch. 131, § 3]

SEC. 2. Be it further enacted, That the Mayor shall have the power and it is hereby made his duty to perform all acts that may be required of him by any ordinance duly enacted by the Board of Mayor and Commissioners not in conflict with any of the provisions of this charter. [As amended by Priv. Acts 1972, ch. 302, § 1; and Priv. Acts 1977, ch. 11, § 19]

SEC. 3. Be it further enacted, That all legal process against the City shall be served upon the Mayor, City Treasurer or Recorder, and it shall be his duty forthwith to transmit the process to the City Attorney after writing thereon the time, place and manner of service.

SECTION 4. Repealed. [As added by Priv. Acts 1969, ch. 108; and repealed by Priv. Acts 1977, ch. 11, § 10]

ARTICLE VIII

OFFICERS AND EMPLOYEES

SECTION 1. Be it further enacted, That the said Board of Mayor and Commissioners shall fix the salary of compensation of the Recorder, Chief of Police, and City Attorney, or Attorney, as hereinafter provided. The Board of Mayor and Commissioners shall establish or make provisions in the appropriation ordinance for such other officers, agents and employees as may be necessary. All officers, agents and employees shall be appointed by the City Mayor and Commissioners and removed by them at any time. [As amended by Priv. Acts 1972, ch. 302, § 1; and Priv. Acts 1977, ch. 11, § 19]

SEC. 2. Be it further enacted, That every Commissioner, Officer, Agent holding a position with said City, shall, before entering upon his duties, take and subscribe and file with the Recorder an oath or affirmation that he has all the qualifications named in the charter for the office or employment he is about to assume, that he will support the Constitution of the United States and of this State, and the charter and ordinances of the City, and that he will faithfully discharge the duties of his office or employment.

SEC. 3. Be it further enacted, That the City Recorder, City Treasurer, Police Officer having duties embracing the receipt, disbursement, custody, or handling of money, shall, before entering upon his duties, execute a good and sufficient bond in such amount as shall be prescribed by ordinance of the Board of Mayor and Commissioners. Such bond shall be not less than five hundred dollars (\$500.00). All such bonds and sureties thereto shall be subject to the approval of the Board of Mayor and Commissioners. [As amended by Priv. Acts 1972, ch. 302, § 1; and Priv. Acts 1977, ch. 11, §§ 11 and 19]

SEC. 4. Be it further enacted, That at any time it appears to the Mayor, or Recorder, that the surety or sureties on any official bond are insufficient, the officer and employee shall be required to give additional bond, and if such officer or employee fails to give additional bond, within twenty (20) days after he shall have been notified, his office shall be vacant.

ARTICLE IX

CITY ATTORNEY

SECTION 1. Be it further enacted, That the Board of Mayor and Commissioners shall elect or employ a City Attorney, or it may elect or employ a firm of attorneys. Such attorney or attorneys shall be an attorney at law entitled to practice in the courts of the State; the employment of such attorney or attorneys may be terminated at any time by the Board of Mayor and Commissioners, and said attorney or attorneys may resign at any time. The City Attorney shall file and prosecute to conclusion suits for all back or delinquent taxes and special assessments certified or referred to such attorney by the City Recorder. The City Attorney shall be required to collect attorney's fees as provided for by State law, in the collection of delinquent taxes and special assessments, but the attorney's fees so collected on delinquent taxes, delinquent street paving accounts or other revenue due the City, shall be collected for the City of Dunlap, Tennessee; and any amount so collected shall be deposited in the general funds of the City, for the use and benefit of the City. Attorney's fees on such collections may be remitted at the discretion of the Board of Mayor and Commissioners. The City Attorney may attend all meetings of the Board of Mayor and Commissioners and advise the Board of Mayor and Commissioners as to all legal questions affecting the City's interest; and approve, as to form, all contracts, deeds, bonds, ordinances, resolutions, and other documents to be signed in the name of or made by or with the City. He shall prosecute on appeal all cases originating in the City Court. For foregoing services he shall receive compensation as prescribed by the City Mayor and Commissioners. [As amended by Priv. Acts 1972, ch. 302, § 1; and Priv. Acts 1977, ch. 11, § 19]

ARTICLE X

RECORDER AND TAXATION

SECTION 1. Be it further enacted, That it shall be the duty of the Recorder in each year, as soon as the assessment roll for the City is complete, to submit to the Board of Mayor and Commissioners a certified statement of the total amount of the valuation or assessment of the taxable property for the year

within the City limits (including public utility properties), together with a certified statement of the revenue derived by the City from privilege taxes, merchants' ad valorem taxes, fines and preceding fiscal year, and miscellaneous revenue. Upon the presentation of such statements by the Recorder, the Board of Mayor and Commissioners shall proceed by ordinance to make the proper levy to meet the expenses of the City for the current fiscal year. [As amended by Priv. Acts 1972, ch. 302, § 1; and Priv. Acts 1977, ch. 11, § 19]

SEC. 2. Be it further enacted, That it shall be the duty of the Recorder immediately after the levy of taxes by the Board of Mayor and Commissioners to cause said levy to be extended upon the said tax book prepared by the Recorder, in the same manner as upon the tax books in the hands of the County Trustee. [As amended by Priv. Acts 1972, ch. 302, § 1; and Priv. Acts 1977, ch. 11, § 19]

SEC. 3. Be it further enacted, That all taxes due the City, except privileges and merchants' ad valorem taxes, shall be due and payable as provided by ordinance. The Recorder shall be custodian of the tax books and shall be the tax collector of the City; provided, that the Board, by ordinance, may provide for one or more assistant tax collectors, who may be compensated either by salary, commission, or both, as the Board may determine.

Distress warrants may be issued for the collection of taxes, and any such distress warrant shall be executed by the police officer or any other peace officer of the City or County, by a levy upon and sale of goods and chattels under the same provisions as prescribed by law for the execution of such process by Justice of the Peace.

SEC. 4. Be it further enacted, That all municipal taxes on real estate in the City, and all penalties and costs accruing thereon, are hereby declared to be a lien on said realty, from and after such time as provided by ordinance, and to become superior to all other liens except the liens of the United States, State of Tennessee, and Sequatchie County, for taxes legally assessed thereon, with which it shall be a lien of equal dignity. No assessment shall be invalid because the size and dimensions of any tract, lot, or parcel of land shall not have been precisely named or the amount of the valuation or tax not correctly given, nor because the property has been assessed in the name of a person who did not own the same, nor because same was assessed to unknown owners, nor on account of any objection or informality merely technical, but all such assessments shall be good and valid. The Board of Mayor and Commissioners shall have power to correct any errors in the tax assessment upon a certificate filed by the Assessor or assessing body. [As amended by Priv. Acts 1972, ch. 302, § 1; and Priv. Acts 1977, ch. 11, § 19]

SEC. 5. Be it further enacted, That the Board of Mayor and Commissioners shall have the power to assess a penalty of one per centum upon all taxes remaining unpaid, and additional penalty of one per centum shall be added for each month thereafter for twelve months. [As amended by Priv. Acts 1972, ch. 302, § 1; and Priv. Acts 1977, ch. 11, § 19]

SEC. 6. Be it further enacted, That the Board of Mayor and Commissioners may by ordinance passed by a majority vote change the due date and delinquent date of all taxes, and may provide for the semi-annual payment of taxes and a discount for the prompt payment thereof. [As amended by Priv. Acts 1972, ch. 302, § 1; and Priv. Acts 1977, ch. 11, § 19]

SEC. 7. Be it further enacted, That the Recorder shall, under the provisions of the State law for the collection of delinquent taxes, certify to the City Attorney a list of all real estate upon which municipal taxes remain due and unpaid, or which is liable for sale for other taxes, and the same shall be sold in like manner and upon the same terms and conditions as real estate is sold for delinquent State and County taxes.

SEC. 8. Be it further enacted, That the Board of Mayor and Commissioners shall have the power, and is hereby given authority, to file bills in the Chancery Court in the name of the City for the collection of assessment and levies made for payment for improvements or service in said City. [As amended by Priv. Acts 1972, ch. 302, § 1; and Priv. Acts 1977, ch. 11, § 19]

ARTICLE XI

RECORDER AS FINANCE OFFICER

SECTION 1. Be it further enacted, That the City Recorder may be a member of the Board of Mayor and Commissioners or a non-member appointed or elected by the Mayor and Commissioners. The salary of the Recorder shall be fixed by the Board of Mayor and Commissioners. The Recorder shall execute bond as prescribed by the Board of Mayor and Commissioners. [As amended by Priv. Acts 1972, ch. 302, § 1; and Priv. Acts 1977, ch. 11, § 19]

SEC. 2. Be it further enacted, That it shall be the duty of the Recorder to be present at all meetings of the Board of Mayor and Commissioners and to keep a full and accurate record of all business transacted by the Board, which record shall be preserved in a permanent book form.

The recorder shall have custody of, and preserve in his office, the City seal, the public records, original rolls of ordinances, ordinance book, minutes of the Board of Mayor and Commissioners, contracts, bonds, title deeds, certificates and papers, oaths and affirmations and all other records, papers and

documents not required by this charter, or by ordinance, to be deposited elsewhere. And he shall register them by numbers, dates and contents. The bond of the Recorder shall be filed with the Mayor.

When required by any officer or citizen, the Recorder shall provide certified copies of records, papers and documents in his office and charge therefor, for the use of the City, such fees as may be provided by ordinance, and shall cause copies of ordinances to be printed as may be directed by the Board of Mayor and Commissioners, and may keep them in his office for distribution.

The Recorder, as the head of the Department of Finance, shall exercise general supervision over the physical affairs of the City and general accounting supervision over all of the City's property, assets and claims, and the disposition thereof. [As amended by Priv. Acts 1972, ch. 302, § 1; and Priv. Acts 1977, ch. 11, §§ 12 and 19]

ARTICLE XII

TREASURER

SECTION 1. Be it further enacted, That the Board of Mayor and Commissioners shall elect one of its members as Treasurer, or may elect a non-member of said Commission as Treasurer, same being designated as City Treasurer, and it shall be his duty to collect, receive, and receipt the City Recorder for the taxes and other revenue of the City, and all special assessments, the proceeds of its bond issues, and to disburse the same under the direction of the Mayor and Recorder. [As amended by Priv. Acts 1972, ch. 302, § 1; and Priv. Acts 1977, ch. 11, § 19]

SEC. 2. Be it further enacted, That said City Treasurer shall execute a bond as prescribed by the Board of Mayor and Commissioners. [As amended by Priv. Acts 1972, ch. 302, § 1; and Priv. Acts 1977, ch. 11, § 19]

SEC. 3. Be it further enacted, That, subject to the provisions of this article, vouchers shall be issued by the Treasurer, and all checks and payment of such vouchers shall be signed by two of the following individuals: Mayor, Vice-Mayor, Recorder, and Treasurer. In the event the same individual holds more than one of the foregoing offices, then two separate individuals holding said offices shall sign the same. [As amended by Priv. Acts 1983, ch. 131, § 4]

SEC. 4. Be it further enacted, That the City Treasurer shall be custodian of all sinking funds; depositories of the City funds shall be designated by Board of Mayor and Commissioners. In the event of the temporary absence or disability of the Treasurer, the Recorder may act as Treasurer pro tempore. [As amended by Priv. Acts 1972, ch. 302, § 1; and Priv. Acts 1977, ch. 11, § 19]

ARTICLE XIII

TAXATION AND REVENUE

SECTION 1. Be it further enacted, That all property, real, personal and mixed, subject to State, County and City taxes, and all privileges taxable by law, shall be taxed, and taxes thereon collected by the City for municipal purposes as hereinafter provided.

SEC. 2. Be it further enacted, That the ad valorem tax upon merchants, stocks, accounts, and equipment may be assessed and collected in like manner as State and County merchants' ad valorem tax is assessed upon the same property. It shall be the duty of the County Tax Assessor and the Tennessee Public Service Commission, to prepare a separate assessment book or roll showing real, personal and mixed property assessable by him (or it) lying within the limits of the City. [As amended by Priv. Acts 1977, ch. 11, § 13]

SEC. 3. Be it further enacted, That the Board of Mayor and Commissioners of the City shall have full power to levy and collect taxes as of January 1st of each and every year. [As amended by Priv. Acts 1972, ch. 302, § 1; and Priv. Acts 1977, ch. 11, §§ 14 and 19]

SEC. 4. Be it further enacted, That as soon as practicable, and each year after the assessment books for the State and County are complete, it shall be the duty of the Recorder to prepare, or cause to be prepared, from the said assessment books of the County and of the Tennessee Public Service Commission, to be made out for the County Trustee, embracing, however, only such property and persons as are liable for taxes within the City. Such tax books when certified to be true, correct and complete by the Recorder, shall be the assessment for taxes in said City for all municipal purposes; provided, that there may be an assessment by the Recorder at any time of any property subject to taxation found to have been omitted, and such assessment shall be duly noted and entered on the assessment books of the City. [As amended by Priv. Acts 1977, ch. 11, § 13]

SECTION 5. Be it further enacted, that the Board of Mayor and Commissioners shall elect or employ a city field superintendent. Such city field superintendent shall have responsibility for operation of various city departments as prescribed by the Mayor and/or the Board of Mayor and Commissioners. Said city field superintendent shall report from day to day to the Mayor and shall file a monthly report of operations to the Board of Mayor and Commissioners. Said city field superintendent shall comply with all the requirements of officers and employees of the city as set out in this article. [As added by Priv. Acts 1983, ch. 131, § 5]

ARTICLE XIV

LICENSE TAXES

SECTION 1. Be it further enacted, That license taxes may be imposed by ordinance upon any and all privileges, businesses, occupational vocations, pursuits or callings, or any class or classes thereof, now or hereafter subject to such taxation under the laws of Tennessee; and a separate license tax may be imposed for each place of business conducted or maintained by the same person, firm, or corporation.

The Recorder shall enforce the collection of merchants' taxes and all other license taxes, and for the purpose shall have and exercise the powers by law vested in, and follow the procedure and methods prescribed for, County Court Clerks.

ARTICLE XV

POLICE FORCE

SECTION 1. Be it further enacted, That the Board of Mayor and Commissioners shall appoint a Chief of Police and such other policemen as may be provided by ordinance.

It shall be the duty of the Chief of Police and the members of the police force to preserve order in the City, protect the inhabitants and property owners therein, from violence, crime, and all criminal acts, prevent the commission of crime, violations of law, and of the City ordinances, perform a general police duty, including serving of processes, notices, legal orders of the Mayor, City Attorney, and Recorder, and all other processes, notices, and order as in this charter or by ordinance may be provided. [As amended by Priv. Acts 1972, ch. 302, § 1; and Priv. Acts 1977, ch. 11, § 19]

SEC. 2. Be it further enacted, That in time of riot or other emergency, the Mayor or the Recorder shall have power to summon any number of male inhabitants to assist the police force.

Members of the police force, whenever necessary for the purpose of enforcing the ordinances of the City, shall procure the issuance of warrants, serve the same, and appear in the City courts as prosecutors, relieving complaining citizens, in so far as practical, of the burden of instituting cases involving the violation of City ordinances. But this section shall not be construed to relieve any person from the duty of appearing in court and testifying in any case.

SEC. 3. Be it further enacted, That the Chief of Police and other members of the police force shall receive salaries to be fixed by the Board of

Mayor and Commissioners, and they shall be relieved of their duties at any time the Board of Mayor and Commissioners deems it necessary and proper. [As amended by Priv. Acts 1972, ch. 302, § 1; and Priv. Acts 1977, ch. 11, § 19]

ARTICLE XVI

CITY COURT AND JUDGE

SECTION 1. Be it further enacted, That there be and hereby is established and constituted for said City of Dunlap, Tennessee, a City Court with jurisdiction to try all offenses for violation of the City ordinances and by-laws;

The City Court shall be presided over by a City Judge. The City Judge shall have jurisdiction in and over all cases for the violation of and all cases arising under the laws and ordinances of the city. In addition, the City Judge shall be vested with concurrent jurisdiction and authority with Courts of General Sessions of the county, as set forth in Title 40, in all cases of the violation of the criminal laws of the State of Tennessee within the limits of such municipality. [As amended by Priv. Acts 1984, ch. 167, § 1]

SEC. 2. Be it further enacted, that beginning with the regular municipal election to be held on the first Saturday in May 1989, and at intervals of eight (8) years thereafter, there shall be elected a city judge for such city court. Any person who has been a resident of the City of Dunlap, Tennessee, for a period of twelve (12) months next preceding the election, who has resided within the limits of such corporation for one (1) year next preceding the election, who is thirty (30) years of age or over, and who owns real estate within such city shall be eligible for the office of city judge, provided that a failure to continue to reside in such city shall vacate his office.

When any vacancy in the office of City Judge shall occur, the Board of Mayor and Commissioners shall have the power to appoint and elect a successor to said vacancy until the next regular election.

The City Judge shall take office on the second Saturday in May following the date of his election. He shall serve for a term of eight (8) years and until his successor is elected and qualified.

The compensation of the City Judge provided for therein shall be set by the Board of Mayor and City Commissioners, and shall not be increased or decreased during his term of office. [As amended by Priv. Acts 1972, ch. 302, § 1; replaced by Priv. Acts 1977, ch. 11, § 15; and amended by Priv. Acts 1989, ch. 4, §§ 1, 2, and 3]

SEC. 3. Be it further enacted, That the said Court shall have power and authority to impose fines, costs, and forfeitures; and to punish by fine and imprisonment, or both, for violation of City ordinances; to enforce and preserve

order in Court; to enforce the collection of all such fines, costs, and forfeitures; impose and, in default of the payment of good and sufficient security, given for the payment of such fines, costs and forfeiture imposed, shall have the power, and it shall be the duty of the Court to commit the offender to the workhouse, or to other place provided for such purpose, and to such labor as may be provided by ordinance, until such fine and costs, or forfeitures are fully paid, at the same rate and allowance per day as is prescribed by law in case of violations of the laws of the State and small offense cases. The City Judge shall have the exclusive right to remit or suspend, with or without condition, fines and costs imposed for violation of any ordinance or charter provision.

SEC. 4. Be it further enacted, That no person, officer, or employee whosoever, other than the City Judge, shall have the right or power, or be permitted to remit, in whole or in part, any fine or cost imposed by the City Judge, or to release any prisoner, whether awaiting trial or otherwise, except on the order of the City Judge, and any person violating this section shall be guilty of a misdemeanor punishable by a fine of not less than \$50.00 nor more than \$250.00, and shall forfeit his office; provided, that in case of emergency incident to illness or accident, prisoners may be released on order of the Mayor.

SEC. 5. Be it further enacted, That any person dissatisfied with the judgment of the Court in any case or cases heard and determined by the Court, may, within two entire days thereafter, Sundays excluded, appeal to the next law court at Dunlap, Sequatchie County, Tennessee, upon giving bond with good and sufficient security as provided by the said City Court for the successful prosecution of the appeal; provided, however, that in prosecutions for violations of City ordinances the bond shall not exceed \$250.00.

SEC. 6. Be it further enacted, That a warrant may be issued for each offender for each offense upon affidavit; provided, that it shall be unnecessary to issue warrants in case of violation of City ordinances except at the time of the trial of such offenses.

SEC. 7. Be it further enacted, That all fines imposed by the City Court for violation of City ordinances shall belong to and be paid into the treasury of the City; and any labor performed in the execution of a workhouse or prison sentence for such violation or violations shall be performed for the City under the direction of the Mayor, or, by official agreement, for the County through the County Workhouse.

SEC. 8. Be it further enacted, That the City Judge in all cases heard or determined by him for offenses against the corporate laws, ordinances, and violations of the criminal laws of the State of Tennessee within the limits of such municipality shall tax in the bill of costs the same amounts and for the same

items allowed in Courts of General Sessions for similar work. [As amended by Priv. Acts 1972, ch. 302, § 1; and Priv. Acts 1977, ch. 11, §§ 16 and 19; and replaced by Priv. Acts 1984, ch. 167, § 2]

SEC. 9. Be it further enacted, That the City Judge shall keep, or cause to be kept, a court docket or dockets embodying complete detailed records of all cases handled by him.

SECTION 10. Be it further enacted, that the City Court be presided over and held by the City Judge. Before entering upon the duties of his office, the City Judge shall take and subscribe to the oath provided for other City Officials. [As amended by Priv. Acts 1972, ch. 302, § 1; and replaced by Priv. Acts 1977, ch. 11, § 17]

SEC. 11. Be it further enacted, That in the event of the absence, incompetency, or other disability of the presiding officer of said Court, the City Mayor is hereby authorized and empowered to act in his stead, and while so acting he shall perform the same duties hereby bestowed and imposed upon the presiding officer of said Court. In the event said office shall become vacant for any cause, the Board of Mayor and Commissioners shall elect some suitable person to fill out the unexpired term. [As amended by Priv. Acts 1972, ch. 302, § 1; and Priv. Acts 1977, ch. 11, § 19]

SEC. 12. Be it further enacted, That the Chief of Police and all assistant policemen are hereby empowered and required to serve processes of any kind or character issued out of the City Court, and to serve processes in criminal matters issued by any Justice of the Peace within the City; also to serve any and all processes which may be issued by any court in Sequatchie County in any proceeding instituted for the enforcement of any City ordinance, or to punish for the violation thereof, or for the collection of any fines or forfeitures which may be incurred under the ordinances of the City.

SEC. 13. Be it further enacted, That subpoenas for witnesses issued from said City Court may be served in any County in this State by any executive officer thereof under the same rules governing like processes issuing from the courts of record in this case.

SEC. 14. Be it further enacted, That said City Judge shall also perform such other duties as may be imposed upon him by the Board of Mayor and Commissioners in connection with his office as City Judge, and he shall give bond in an amount fixed by the Board of Mayor and Commissioners conditioned to faithfully account for and pay to the City Treasurer all fines and costs collected by him. [As amended by Priv. Acts 1972, ch. 302, § 1; and Priv. Acts 1977, ch. 11, § 19]

ARTICLE XVII

ADVERTISEMENT FOR PUBLIC WORKS

SECTION 1. [Deleted.] [As amended by Priv. Acts 1972, ch. 302, § 1; Priv. Acts 1977, ch. 11, § 19; and Priv. Acts 1983, ch. 131, § 1; and deleted by Priv. Acts 2004, ch. 122]

ARTICLE XVIII

STREETS

SECTION 1. Be it further enacted, That all of the streets in the City of Dunlap shall be constructed and maintained by the Sequatchie County Highway Department; however, the Board of Mayor and Commissioners shall have the power by ordinance to regulate the speed of vehicles, parking, and zoning of such streets and sidewalks. [As amended by Priv. Acts 1972, ch. 302, § 1; and Priv. Acts 1977, ch. 11, § 19]

ARTICLE XIX

BUSINESS REGULATIONS

SECTION 1. Be it further enacted, That the Board of Mayor and Commissioners shall have all the powers to make ordinances declaring the zone districts, fix closing hours of pool rooms, bowling alleys, and other businesses or operations; to zone and regulate the selling of beer, and all other powers not herein designated but given to municipalities by State laws. [As amended by Priv. Acts 1972, ch. 302, § 1; and Priv. Acts 1977, ch. 11, § 19]

ARTICLE XX

CONSTRUCTION OF THIS ACT

SECTION 1. Be it further enacted, That this Act shall be construed to cover the entire field of the chartered powers, limitations, and restrictions of said City.

SEC. 2. Be it further enacted, That if any article, section, paragraph or provision of this Act be unconstitutional, such invalidity shall be construed not to affect the remainder of this Act, it being the legislative intent that this Act would have been enacted with such invalid portion omitted therefrom.

ARTICLE XXI

EFFECTIVE DATE FOR THIS ACT

SECTION 1. Be it further enacted, That all articles of this Act, and all sections thereof, shall be effective from and after passage of this Act, the public welfare requiring it.

Passed: February 7, 1941.

BLAN R. MAXWELL,
Speaker of the Senate.

JOHN ED O'DELL,
Speaker of the House of Representatives.

Approved: February 15, 1941.

PRENTICE COOPER,
Governor.

RELATED ACTS

	PAGE
Priv. Acts 1947, ch. 743, "Board of Mayor and Commissioners to have power to regulate and control the operation of taxicabs"	C-27

CHAPTER NO. 743

HOUSE BILL NO. 1170

(By Bryant of Sequatchie)

AN ACT to amend the Charter of the Town of Dunlap, Tennessee, and all Acts amendatory thereof.

SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That the Charter of the Town of Dunlap, Tennessee, and all Acts heretofore passed by the General Assembly of the State of Tennessee, amendatory thereof, be and the same are amended as hereinafter provided.

SEC. 2. Be it further enacted, That the Board of Mayor and Commissioners of the said Town of Dunlap, Tennessee, shall have the power, by ordinance, to regulate and control the operation of taxicabs in, upon and over the streets of said Town of Dunlap; provide and regulate for the parking of same upon the public streets of the said Town; and shall have the power to require the owner of any of said taxicabs, before operating such machine, to obtain a permit from said Town, and to give a bond or provide a policy of insurance to protect those injured by said taxicab in the operation thereof; and to make any and all other special regulations relative to the operation thereof which the safety of the public may require. [As amended by Priv. Acts 1972, ch. 302, § 1; and Priv. Acts 1977, ch. 11, § 19]

SEC. 3. Be it further enacted, That all laws and parts of laws inconsistent with the provisions hereof are hereby repealed.

SEC. 4. Be it further enacted, That this Act take effect on and after its passage, the public welfare requiring it.

Passed: March 12, 1947.

W. B. LEWALLEN,
Speaker of the House of Representatives.

GEORGE O. BENTON,
Speaker of the Senate.

Approved: March 14, 1947.

JIM MCCORD,
Governor.

ACTS COMPRISING THE CHARTER OF THE CITY OF
DUNLAP, TENNESSEE

YEAR	CHAPTER	SUBJECT
1941	396	Basic charter act.
1947	743	Related act giving the board of mayor and commissioners the power to regulate and control the operation of taxicabs.
1969	108	Adds § 14 to art. V, and § 4 to art. VII.
1972	302	Amends the entire charter by adding the words "Mayor and" before the word "Commissioners" wherever said word appears in the charter; repeals and adds § 5 of art. III; repeals and replaces § 6 of art. IV; and amends § 1 of art. V.
1977	11	Amends § 2 of art. II; § 1(7), (14), (22), and (30) of art. III; replaces § 5 of art. IV; and § 1 of art. V; amends § 11 of art. V; replaces § 14 of art. V; repeals § 4 of art. VII; amends § 3 of art. VIII; § 2 of art. XI; §§ 2, 3, and 4 of art. XIII; replaces § 2 of art. XVI; amends § 8 of art. XVI; replaces § 10 of art. XVI; and § 6 of art. IV; and amends the entire charter by inserting the words "Mayor and" before the word "Commissioners" wherever such word appears in the charter.
1983	131	Amends § 1 of art. XVII; § 14 of art. V; § 1 of art. VII; § 3 of art. XII; and adds § 5 to art XIII.
1984	167	Amends § 1 of art. XVI; and replaces § 8 of art. XVI.
1989	4	Amends § 2 of art. XVI.
2004	122	Deletes § 1 of art. XVII.
2014	49	Amends § 5 of art. IV.