

CHARTER OF THE CITY OF MOSCOW, TENNESSEE¹

CHAPTER NO. 77

HOUSE BILL NO. 1554

By Representative Walley

Substituted for: Senate Bill No. 1555

By Mr. Speaker Wilder

AN ACT to enact new charter provisions for the City of Moscow, to continue its corporate existence and to repeal the current charter, the same being Chapter 309 of the Acts of 1901, as amended by Chapter 221, of the Private Acts of 1949, as amended by Chapter 226 of the Private Acts of 1961, as amended by Chapter 84 of the Private Acts of 1971; as amended by Chapter 22 of the Private Acts of 1973; as amended by Chapter 55 of the Private Acts of 1975; as amended by Chapter 111 of the Private Acts of 1987, and any amendatory acts thereto.

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

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¹Priv. Acts 1991, ch. 77, is the current basic charter act for the City of Moscow, Tennessee. The text of the basic charter act set out herein includes all its amendments through the 2019 session of the Tennessee General Assembly. Sections of the charter which have been amended contain at the end of those sections the citation to the official private act or acts constituting the amendment or amendments. No other changes have been made to the charter except the addition of a table of contents to facilitate its use. A list of all the private acts including the basic charter appears at the end of the charter.

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SECTION 1. This act shall constitute the whole charter of the city of Moscow, repealing and replacing the present charter, the same being Chapter 84 of the Private Acts of 1971, as amended by Chapter 22 of the Private Acts of 1973; as amended by Chapter 55 of the Private Acts of 1975; as amended by Chapter 111 of Private Acts of 1987, and any amendatory acts thereto. The city of Moscow shall have perpetual succession, may sue and be sued, plead and be impleaded, in all the courts of law and equity, and in all action whatsoever, and may have and use a common seal and change it at pleasure.

SECTION 2. As used in this charter the following words and terms shall have the following meanings:

(a) "Alderman" shall mean a person elected to the office of alderman as provided in this charter.

(b) "At large" shall mean the entire city, as distinguished from representation by wards or other districts.

(c) "Board" and "Board of mayor and aldermen" shall mean the legislative body of the city, which shall be composed of the mayor and six (6) aldermen elected as provided in this charter, and any incumbent alderman until the expiration of their current terms of office.

(d) "City" shall mean the City of Moscow.

(e) "Elector" shall mean a qualified voter residing within the city.

(f) "Nonpartisan" shall mean the entire city, as distinguished from representation by wards or other districts.

(g) The masculine shall include the feminine and the singular shall include the plural and vice versa, except when the contrary intention is manifest.

SECTION 3. The boundaries of the city shall be those fixed by Chapter 309 of the Private Acts of 1901, all acts amendatory thereof, and annexations made pursuant to general law.

SECTION 4. The city shall have power:

(a) To assess property for taxation, and to levy and provide for the collection of taxes on all property subject to taxation.

(b) To levy and collect privilege taxes on businesses, privileges, occupations, trades, and professions, and to levy and collect any other kind of tax not prohibited to cities by the constitution or general law.

(c) To levy and collect registration fees on motor vehicles operated within the city.

(d) To appropriate and borrow money and to authorize the expenditure of money for any municipal purpose.

(e) To acquire land, including improvements thereon, easements, or limited property rights thereto, by purchase, gift, or condemnation, for public use, for present or future use of the city, to reserve industrial sites, to provide open spaces, to encourage proper development of the community, or for the general welfare of the community. Such acquisitions may be within or outside the city.

(f) To grant franchises or make contracts for public utilities and public services, not to exceed a period of twenty (20) years. Such franchises and contracts may provide for rates, fares, charges, regulations and standards and conditions of service, subject to regulation by the Tennessee Public Service Commission or other state or federal agency having jurisdiction in such matters.

(g) To provide for the acquisition, construction, building, operation, and maintenance of: public ways, parks, public grounds, cemeteries, markets and market houses, public buildings, libraries, sewers, drains, sewage treatment plants, airports, hospitals, waterworks, docks, gas works, marinas, city forests, tree and shrub nurseries, heliports, terminals, parking garages and lots, industrial sites and buildings, charitable, educational, recreational, sporting, cultural, curative, corrective, detentional, penal, and medical institutions, agencies, and facilities, and any other public improvements inside or outside the city, and to regulate the use thereof.

(h) To require property owners to repair and maintain in a safe condition the sidewalks adjoining their lots or lands, including removal of snow, debris or other materials.

(i) To make regulations to secure the general health of the inhabitants and to prevent, abate, and remove nuisances, including but not limited to old or dilapidated buildings which are so out of repair as to be unsafe, unsanitary or unsightly.

(j) To prescribe standards of health and sanitation and to provide for the enforcement of such standards.

(k) To provide for the collection and disposal of garbage, rubbish and refuse.

(l) To define, regulate, and prohibit any act, practice, conduct, or use of property that would be detrimental, or likely to be detrimental to the health, morals, safety, security, peace, or general welfare of inhabitants of the city.

(m) To establish minimum standards for and to regulate building construction and repair, electrical wiring and equipment, gas installations and equipment, fixed mechanical equipment, plumbing, and housing, for the health, sanitation, cleanliness, safety and comfort of the inhabitants of the city, and to provide for the enforcement of such standards.

(n) To regulate, license, and prohibit the keeping or running at large of animals and fowls, and to provide for the impoundment of same in violation of any ordinance or lawful order, and to provide for their disposition by sale, gift, or humane killing when not redeemed as provided by ordinance.

(o) To regulate and license vehicles operated for hire in the city, to limit the number of such vehicles, to license the operators thereof, to require public liability insurance on such vehicles, and to regulate and rent parking spaces in public ways for the use of such vehicles.

(p) To dispatch fire equipment within and without the corporate limits.

(q) To provide that the violation of any ordinance, rule, regulation, or order shall be punished by fine, penalty, or forfeiture not to exceed fifty dollars (\$50) and costs.

(r) To plan for the orderly development of the community, including economic, physical, educational and cultural aspects and to institute programs to effectuate such plans.

(s) To exercise and have all other powers, functions, rights, privileges and immunities granted by general law or necessary or desirable to promote or protect the safety, health, peace, security, good order, comfort, convenience, morals, and general welfare of the city and its inhabitants, and all implied powers necessary to carry into execution all powers granted in this charter as fully and completely as if such powers were fully enumerated herein. No enumeration of particular powers in this charter shall be held to be exclusive of others nor restrictive of general words and phrases granting powers, but shall be held to be in addition to such powers unless expressly prohibited to cities by the constitution or general laws of the state.

SECTION 5. On the first Tuesday after the first Monday in November of each even-numbered year, a nonpartisan, at-large, general municipal election shall be conducted by the county election commission. An elector who has been a resident of the city for at least two (2) years may be qualified as a candidate by a nomination petition submitted to the county commissioners of elections, signed by at least fifteen (15) electors. If an elector signs more than one (1) petition for mayor or more petitions than the number of aldermen to be elected, his signature shall be valid only on the petitions first filed equal to the number to be elected.

At the election to be held in 1996, a mayor and the three (3) candidates for aldermen receiving the highest number of votes shall be elected for four (4) year terms, and the three (3) candidates for aldermen receiving the next highest number of votes shall be elected for two (2) year terms. At elections thereafter, aldermen shall be elected for four (4) year terms to the end that aldermen shall serve staggered, four (4) year terms.

In all elections for mayor or for alderman, pluralities shall determine the candidates elected. In cases of a tie vote for mayor or alderman, the incumbent board of mayor and aldermen shall determine the winner.

The term of office for the mayor and for the aldermen shall begin at 7:30 P.M. on the date of the regular board meeting next following their election, and they shall serve until their successors have been elected and qualified. [As amended by Priv. Acts 1995, ch. 80, § 1]

SECTION 6. Giving or promising to any person or persons any office, employment, money, benefit, or anything of value, by or on behalf of any candidate, shall be deemed to be a violation of this charter, and any person convicted thereof shall be ineligible to hold an office or position of employment in the city government for a period of five (5) years.

SECTION 7. The mayor and six (6) aldermen shall compose the board of mayor and aldermen, in which is vested all corporate, legislative, and other powers of the city, except as otherwise provided in this charter.

The salary of the mayor and of the aldermen shall be fixed by the outgoing board by ordinance prior to the qualifying date for the upcoming election. The incoming board may not change the salaries fixed by the outgoing board for the term of their office. The mayor and aldermen shall be reimbursed for actual and necessary expenses incurred in the conduct of their official duties.

The board shall meet regularly at least once every month at a time to be established by ordinance. The board shall meet in special session on written notice of the mayor or any three (3) aldermen and served on the other members of the board personally at least twelve (12) hours in advance of the meeting. Only the business stated in the written call may be transacted at a special meeting.

A majority of the board shall constitute a quorum. Voting, except on procedural motions, shall be by roll call and the ayes and nays shall be recorded in the journal. The board may by ordinance adopt rules and bylaws to govern the conduct of its business, including procedures and penalties for compelling the attendance of absent members. The board may subpoena and examine witnesses and order the production of books and papers.

SECTION 8. The mayor shall preside at meetings of the board, and shall vote only in case of a tie, but shall have no veto power. He shall be recognized as the ceremonial head of the city. He shall be the officer to accept process against the city, and shall perform other duties imposed by this charter and by ordinances not inconsistent with this charter.

SECTION 9. The board, at the first regular meeting after the newly elected aldermen have taken office following each election, shall elect from its membership a vice-mayor for a term of two (2) years. The vice-mayor shall perform the duties of the mayor during his temporary absence or inability to act. In case of a vacancy in the office of mayor, the vice-mayor shall fill out the unexpired term, or until the next regular city election, whichever shall occur first. If the vice-mayor is filling out a term in the office of mayor, his position as an alderman shall become vacant and the board shall fill the vacancy as provided in Section 10. The board shall select another of their number to fill out the unexpired term of the vice-mayor. [As amended by Priv. Acts 1995, ch. 80, § 2]

SECTION 10. A vacancy shall exist if the mayor or an alderman resigns, dies, moves his residence from the city, is convicted of malfeasance or

misfeasance in office, a felony, a violation of this charter or election laws of the state, or a crime involving moral turpitude; fails to attend any meetings of the board for a period of ninety (90) days with no extenuating circumstances, or has been continuously disabled for a period of six (6) months so as to prevent him from discharging the duties of this office. The board shall by resolution declare a vacancy to exist for any of these reasons, and such finding shall be final.

Any person convicted of malfeasance or misfeasance in office, a felony, or a crime involving moral turpitude shall be prohibited from holding office or employment with the city for a period of ten (10) years thereafter.

The remaining aldermen shall appoint a qualified person to fill a vacancy in the office of alderman for the unexpired term, or until the next regular city election, whichever shall occur first. If the vacancy is not so filled within forty-five (45) days, the mayor shall appoint a qualified person to fill the vacancy.

At no time shall there be more than three (3) members of the board appointed to fill vacancies. If a vacancy occurs more than six (6) months prior to a regular election and while three (3) appointed members are on the board, a special election shall be held to elect an alderman to serve the unexpired term of the vacant office. [As amended by Priv. Acts 1995, ch. 80, § 3]

SECTION 11. The board shall act in all matters as a body, and no members shall seek individually to influence the official acts of the mayor or any other officer or employee of the city, or to direct or request the appointment of any person to, or his removal from, any office or position of employment, or to interfere in any way with the performance of duties by the mayor or any other officer or employee. The board shall deal with the various agencies, officers and employees of the city, solely through the mayor, and shall not give orders to any subordinates of the mayor, either publicly or privately. Nothing herein contained shall prevent the board from conducting such inquiries into the operation of the city government and the conduct of the city's affairs as it may deem necessary.

SECTION 12. The board shall designate a newspaper of general circulation in the city as the official city newspaper for publication of official notices.

SECTION 13. Any action of the board having a regulatory or penal effect, awarding franchises, or required to be done by ordinance under this charter or the general laws of the state, shall be done only by ordinance. Ordinances shall be in written form before being introduced, and a copy shall be furnished to each member of the board. The enacting clause of ordinances shall be "Be it ordained

by the board of mayor and aldermen of the City of Moscow": No ordinance shall be adopted unless approved by the affirmative vote of at least four (4) members of the board. Every ordinance must be approved on two (2) readings not less than one (1) week apart, at least one (1) of which must be a regular board meeting, and shall become effective upon final reading.

The board shall have the general and continuing ordinances of the city assembled into an official code of the city, a copy of which shall be kept currently up-to-date by the city recorder and shall be available to the public. After adoption of the official code all ordinances shall be adopted as additions to, deletions from, or amendments to the code.

The original copies of ordinances shall be filed and preserved by the city recorder.

SECTION 14. The city government shall be organized into a department of finance, police department, fire department, and department of public works and utilities, unless otherwise provided by ordinance. The board shall determine by ordinance the functions and duties of all departments and offices. The board by ordinance may establish, abolish, merge, or consolidate offices, positions of employment, departments, and agencies of the city, may provide that the same person shall fill any number of offices and positions of employment, and may transfer or change the functions and duties of offices, positions of employment, departments, and agencies of the city.

SECTION 15. The mayor shall be the executive head of the city government, responsible for the efficient and orderly administration of the affairs of the city. He shall be responsible for the enforcement of laws, rules and regulations, ordinances, and franchises of the city. He may conduct inquiries and investigations into the affairs of the city and shall have such other powers and duties as may be provided by ordinance not inconsistent with this charter.

SECTION 16. The mayor shall appoint a city recorder, who shall have the following powers and duties:

(a) To keep and preserve the city seal and all official records not required by law or ordinance to be filed elsewhere.

(b) To attend all meetings of the board and to maintain a journal showing the proceedings of all such meetings, the aldermen present and absent, each motion considered, the title of each resolution and ordinance considered, and the vote of each alderman on each question.

- (c) To prepare and certify copies of official records in his office.
- (d) To serve as head of the department of finance if appointed to this position by the mayor.
- (e) To perform such other duties as may be required by the board or by the mayor.
- (f) To perform administrative duties which may be delegated by the mayor.

SECTION 17. The board may appoint a city attorney. The city attorney shall be responsible for representing and defending the city in all litigation in which the city is a party; prosecuting cases in the city court; advising the board, mayor and other officers and employees of the city concerning legal aspects of their duties and responsibilities; approving as to form and legality all contracts, deeds, bonds, ordinances, and other official documents; and performing such other duties as may be prescribed by the board.

SECTION 18. A city judge may be appointed by the board to serve at the will of the board or for a term to be fixed by ordinance. He shall not be less than twenty-five (25) years of age. The mayor or other person designated by the board shall serve in the absence or incapacity of the city judge. At any time the office of city judge is left unfilled by the board, the mayor shall serve as city judge.

The jurisdiction of the city judge shall extend to the trial of all offenses against the ordinances of the city, and costs in such trials shall be fixed by ordinance. The city judge shall have power to levy fines, penalties, forfeitures and costs, to issue all necessary process, to administer oaths, and to maintain order including the power to fine for contempt. The sole compensation for serving as city judge shall be a salary fixed by the board, and all fees for actions or cases in his court shall belong to the city and shall be paid into the city treasury.

The bail of persons arrested and awaiting trial and persons appealing a decision of the city judge shall be fixed by the city judge, upon such security as in his discretion he deems necessary or as may otherwise be provided by ordinance. Cash bail of persons arrested may be accepted at such times and by officers or employees other than the city judge as provided by ordinance. Such ordinance shall require that the person arrested be given a receipt for cash bail which shall explain the nature of the deposit. The receipt shall be in triplicate: original to the depositor, duplicate and money to the city recorder and triplicate to the city judge within twenty-four (24) hours after the arrest.

Fines and costs may be paid by installment to be fixed and security determined as provided by ordinance. Receipts of the city court shall be deposited daily with the city recorder and the city judge shall make monthly reports thereof to the board.

The city judge shall keep a docket of all cases handled by him.

The city judge shall be exclusive judge of the law and the facts in every case before him, and no officer or employee of the city shall attempt to influence his decision except through pertinent facts presented in open court.

SECTION 19. Only the offices and positions of employment provided for in the annual budget, as approved by the board, shall be filled. In determining salaries, due consideration shall be given to duties, responsibilities, technical knowledge and skill required to satisfactorily perform the work, and availability of persons having the qualifications desired.

SECTION 20. The appointment and promotion of employees of the city shall be on a basis of merit, considering technical knowledge required to perform satisfactorily the work, experience in the particular or similar line of work, and administrative or supervisory qualifications. Unless otherwise provided by this charter, the mayor shall have authority to make appointments, promotions, and transfers and to make demotions, suspensions and removals of employees for reasonable cause, and may delegate such authority to department heads. Before removal, or suspension for more than fifteen (15) days, an employee shall be given a written notice of intention to suspend or remove him, containing a clear statement of the grounds for such proposed action and notification that he may appeal to the board of aldermen by filing, within ten (10) days, with the city recorder written notice of his intention to do so. After receipt of such notice the board shall set a time and place for public hearing on the matter, to be held within twenty (20) days thereafter. The votes of five (5) aldermen, excluding the mayor's vote, shall be required to override the suspension or removal, and the action of the board shall be final determination of the matter. A suspension may be with partial or entire loss of salary; but if the suspension is overruled by the board, any loss of salary, shall be paid to the employee.

SECTION 21. The board may adopt supplementary rules and regulations governing employment by the city, not inconsistent with the provisions of this charter.

SECTION 22. Before a person takes any office in the city government, he shall subscribe to the following oath or affirmation, administered by the mayor or the city recorder:

"I solemnly swear (or affirm) that I will support the Constitution and will obey the laws of the United States and the state of Tennessee, that I will, in all respects, observe the provisions of the charter and ordinances of the City of Moscow, and that I will faithfully discharge the duties of the office of _____".

SECTION 23. The mayor and every officer, agent, and employee of the city having duties embracing the receipt, disbursement, custody, or handling of money, and other officers and employees designated by the board, shall give a fidelity bond or faithful performance bond, as determined by the board, with some surety company authorized to do business in the state of Tennessee, in such amount as shall be prescribed by the board. All such bonds and sureties thereto shall be subject to approval by the board. The cost of such bonds shall be paid by the city. Such bonds shall be blanket bonds covering offices and positions to be bonded, and individual bonds may be secured only when blanket bonds are not obtainable.

SECTION 24. No employee of the city shall continue in the employment of the city after becoming a candidate for election to the Moscow Board of Mayor and Aldermen, but this provision shall not apply to the Mayor, Aldermen, Members of Boards or Commissions, the City Attorney, or the City Judge. No person shall directly or indirectly give, render, or pay any money, service, or other valuable consideration to any person for or on account of or in connection with employment by the city government. No person shall orally, by letter or otherwise solicit or be in any manner concerned in soliciting any assessment, subscription or contribution from any employee of the city in connection with any city election. An officer or employee of the city, other than the mayor or a member of the board, shall not make any contribution to the campaign funds of any candidate in any city election. Any person who by himself or with others willfully or corruptly violates any provision of this section shall be guilty of a misdemeanor, and upon conviction thereof he shall immediately forfeit and vacate the office or position he holds and be ineligible to hold any office or position of employment in the city government for a period of five (5) years thereafter. [As amended by Priv. Acts 1995, ch. 80, § 4]

SECTION 25. The fiscal year of the city government shall begin on the first day of July and shall end on the thirtieth day of June of the succeeding year.

SECTION 26. Not later than forty-five (45) days prior to the beginning of each fiscal year, the mayor shall submit to the board a proposed budget for the next fiscal year showing separately for the general fund, each utility and each other fund the following:

- (a) revenue and expenditures during the preceding year,
- (b) estimated revenue and expenditures for the current fiscal year, and
- (c) estimated revenue and recommended expenditures for the next fiscal year. A copy of the budget in full shall be filed with the city recorder for public inspection and a copy shall be furnished to each alderman.

SECTION 27. After receiving the mayor's proposed budget, the board shall fix a time and place for a public hearing thereon, and shall cause a public notice thereof and an announcement of where and when the full budget may be examined to be published one time in the official city newspaper, at least ten (10) days in advance of the date of the hearing. The public hearing shall be held before the board at the stated time and place, and all persons present shall be given a reasonable opportunity to be heard.

SECTION 28. Before the beginning of the ensuing fiscal year the board shall adopt a budget based on the mayor's proposal with such modifications as the board considers necessary or desirable. If emergency conditions prevent the adoption of a budget before the beginning of the new fiscal year, the appropriations for the last fiscal year shall become the appropriations for the new fiscal year. Any portion of an annual budget remaining unexpended and unencumbered at the close of a fiscal year shall lapse and be subject to appropriation for the following year. Any balance remaining in any fund other than the general fund at the end of a fiscal year may remain to the credit of such fund and be subject to further appropriation.

SECTION 29. The mayor shall be responsible for controlling expenditures of the various agencies of the city government to accomplish maximum efficiency and economy. No expenditures shall be made in excess of appropriations.

SECTION 30. All purchases shall be made by the purchasing agent appointed by the mayor, or by the mayor acting as purchasing agent. The purchasing agent may prescribe rules for emergency purchases to be made by department heads. The purchasing agent shall prepare standard specifications for supplies and equipment, after approval by the board of mayor and aldermen, dispose of surplus or worn out supplies and equipment, store and maintain records of materials and supplies, and maintain records of city property.

Purchases of more than five hundred dollars (\$500) shall require prior approval of the board.

SECTION 31. Any contact or agreement made in violation of the provisions of this charter or ordinances of the city shall be void and no expenditure shall be made thereunder. Every officer and employee who shall knowingly make or participate in any such contract or agreement, or authorize or make any expenditure thereunder, and their sureties of their official bonds, and every person who shall knowingly receive such a payment, shall be jointly and severally liable to the city for the full amount so paid or received. A violation of this section by any officer or employee shall be cause for his removal.

SECTION 32. The board of mayor and aldermen may sell city property which is obsolete, surplus or unusable, by sealed bids or at public auction.

SECTION 33. Within thirty (30) days after the beginning of each fiscal year the board shall employ an independent certified public accountant to make an audit of all financial records of the city for that year.

SECTION 34. Each bid on a contract for any public works or improvement shall be accompanied by a cash or surety company bid bond in the amount of five percent (5%) of the amount of the bid. Before any contract is awarded, the contractor shall give a bond for the faithful performance of the contract, with a surety company authorized to transact business in Tennessee, in an amount equal to one hundred percent (100%) of the contract price. The board may waive these requirements for contracts under five thousand dollars (\$5,000).

SECTION 35. All property subject to taxation shall be subject to the property tax levied by the city.

SECTION 36. The board shall make a tax levy, expressed as a fixed rate per one hundred dollars (\$100) of assessed valuation, not later than ninety (90) days prior to the tax due date. In event of the board's failure to do so, the prior year's tax rate shall continue in effect.

SECTION 37. The due date of property taxes shall be fixed by ordinance and provisions may be made for equal semi-annual installments. The city shall send tax bills to taxpayers, showing the assessed valuations, amounts of tax due, tax due dates, and information as to delinquency dates and penalties. Failure to send tax bills shall not, however, invalidate any tax penalty, or interest thereon. Property taxes which become delinquent shall be subject to penalty and interest as are fixed by ordinance. On and after the date when such taxes become delinquent, the tax records of the city shall have the force and effect of a judgment of a court of record.

SECTION 38. The board may provide by ordinance for the collection of delinquent taxes by distress warrants issued by the mayor for the sale of goods and chattels to be executed by any police officer of the city under the laws governing execution of such process, or by the county trustee as provided by general law, or by the city attorney acting in accordance with general laws providing for the collection of delinquent city or county taxes, by garnishment, by suits in chancery, or by any two (2) or more of the foregoing methods, or by the use of any other available legal processes and remedies.

SECTION 39. The city may contract with the county for the collection of city taxes and may provide for reasonable fees to be paid to the county for this service.

SECTION 40. No officer or employee of the city shall have the authority to excuse taxes, penalties, interest, special assessments, or other charges due the city, but errors may be corrected when authorized by the board.

SECTION 41. All disbursements except for any agency of the city administered by a board or commission, shall be made by checks signed by the city recorder and countersigned by the mayor. The board may designate other officers to sign such checks in the absence or disability of the mayor or city recorder.

SECTION 42. The board shall designate an official depository or depositories for deposit and safekeeping of funds of the city, with such collateral security as may be deemed necessary.

SECTION 43. Notwithstanding any provision of this charter, the board of mayor and aldermen may elect to operate under or adopt any general law or public act available to municipalities of the state in lieu of or in addition to provisions of this charter.

SECTION 44. The violation of any provision of this charter, for which a penalty is not specifically provided herein, is hereby declared to be a misdemeanor, and persons guilty of such violations shall be fined not more than fifty dollars (\$50).

SECTION 45. When this act becomes applicable as the charter of the City of Moscow, Tennessee, the following acts shall be repealed: Chapter 84 of the Private Acts of 1971; Chapter 22 of the Private Acts of 1973; Chapter 55 of the Private Acts of 1975; and Chapter 111 of the Private Acts of 1987.

SECTION 46. If any article, section, subsection, paragraph, sentence, or part of this charter shall be held to be invalid or unconstitutional, such validity

or unconstitutionality shall not affect or impair any other parts of this charter unless it clearly appears that such other parts are necessarily dependent upon the part or parts held to be invalid or unconstitutional. It is the legislative intent in enacting this charter that each article, section, subsection, paragraph, sentence, and part be enacted separately and independently of each other.

SECTION 47. To be applicable as the charter of the City of Moscow, this act must be approved by a two-thirds (2/3) vote of the governing body, said vote to be taken within sixty (60) days after passage of this act. The mayor shall within ten (10) days thereafter, certify to the Secretary of State the result of said vote.

SECTION 48. For the purpose of approving this act as provided in Section 47, it shall take effect on becoming a law, the public welfare requiring it. For all other purposes it shall be effective only upon being approved as provided in Section 47.

PASSED: April 25, 1991

s/Jimmy Naifeh
JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

s/John S. Wilder
JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 7th day of May 1991

s/Ned McWherter
NED McWHERTER, GOVERNOR

PRIVATE ACTS COMPRISING THE CHARTER OF THE CITY OF
MOSCOW, TENNESSEE

YEAR	CHAPTER	SUBJECT
1991	77	Basic Charter Act.
1995	80	Amends election and term of office for the mayor and aldermen.
