

CHARTER OF THE TOWN OF OLIVER SPRINGS, TENNESSEE<sup>1</sup>

CHAPTER NO. 13

SENATE BILL NO. 600

By Elkins

Substituted for: House Bill No. 448

By Henry (Roane)

AN ACT To revise the Charter of the Town of Oliver Springs and to amend Chapter 247 of the Acts of 1905 as amended by Chapter 431 of the Acts of 1909, Chapter 307 of the Private Acts of 1917, Chapter 412 of the Private Acts of 1921, Chapter 685 of the Private Acts of 1935, Chapter 296 of the Private Acts of 1961, Chapter 181 of the Private Acts of 1965, Chapters 84 and 180 of the Private Acts of 1967, and Chapter 3 of the Private Acts of 1979.

CHARTER TABLE OF CONTENTS

<u>SECTION</u>	<u>PAGE</u>
1. INCORPORATION, NAME, AND GENERAL POWERS . . . . .	C-3
2. BOUNDARIES . . . . .	C-4

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<sup>1</sup>Priv. Acts 1979, ch. 13, is the current basic charter act for the Town of Oliver Springs, Tennessee. The text of the basic charter act set out herein repeals and replaces the former charter, Priv. Acts 1905, ch. 247, as amended, and includes all amendments through the 2017 session of the Tennessee General Assembly. Sections of the current basic charter which have been amended contain at the end of those sections the citation to the official private act or acts constituting the amendment or amendments. No other changes have been made to the charter except the addition of a table of contents to facilitate its use. A list of all the private acts including the basic charter appears at the end of the charter.

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

<u>SECTION</u>	<u>PAGE</u>
3. OFFICERS--QUALIFICATIONS, TERMS, VACANCIES . . . . .	C-5
4. ELECTIONS; QUALIFICATIONS OF VOTERS; WARDS . . . . .	C-6
5. GENERAL ELECTION LAWS TO GOVERN . . . . .	C-13
6. CERTIFICATES OF ELECTION; FAILURE TO HOLD ELECTION AT REGULAR TIME . . . . .	C-13
7. QUORUM; OATHS OF OFFICE; RECALL OF OFFICERS; SPECIAL MEETINGS; INSTALLATION OF OFFICERS . . . . .	C-13
8. DELETED . . . . .	C-15
8a. ELECTION AND TERMS OF CONSTITUTIONAL CITY JUDGE - DUTIES, JURISDICTION AND ABSENCE OF CONSTITUTIONAL CITY JUDGE . . . . .	C-15
9. DELETED . . . . .	C-16
9a. FINANCE OFFICER - BOND AND DUTIES . . . . .	C-16
10. DELETED . . . . .	C-16
10a. CONSTITUTIONAL CITY JUDGE TO BE RECORDER; DUTIES AND BOND OF RECORDER . . . . .	C-17
11. COLLECTION OF DELINQUENT TAXES . . . . .	C-17
12. FAILURE OF RECORDER TO COLLECT TAXES OR TURN OVER MONEY . . . . .	C-17
13. DELETED . . . . .	C-17
14. DELETED . . . . .	C-17
14a. ELECTION, TERMS AND DUTIES OF CITY TREASURER; ELECTION, TERMS AND DUTIES OF CITY COURT CLERK . . . . .	C-18
15. CITY MANAGER . . . . .	C-19

<u>SECTION</u>	<u>PAGE</u>
16. APPOINTMENT AND QUALIFICATIONS OF THE CHIEF OF POLICE . . . . .	C-19
17. DUTIES OF CHIEF OF POLICE . . . . .	C-21
18. POLICE DEPARTMENT; BOND AND FINANCIAL STATEMENTS OF CHIEF OF POLICE . . . . .	C-21
19. FAILURE OF CHIEF OF POLICE TO COLLECT OR TURN OVER MONEY . . . . .	C-21
20. POWERS BY ORDINANCE . . . . .	C-22
21. TERM, QUALIFICATIONS, AND DUTIES OF MAYOR; VACANCIES; MAYOR'S VETO . . . . .	C-22
22. HOLDOVER OF OFFICIALS . . . . .	C-25
23. CONTINUANCE OF LEGAL OBLIGATIONS . . . . .	C-26
24. LOCAL APPROVAL . . . . .	C-26
25. EFFECTIVE DATE . . . . .	C-26

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

SECTION 1. The Charter of the Town of Oliver Springs, being Chapter 247 of the Acts of 1905 as amended by Chapter 431 of the Acts of 1909, Chapter 307 of the Private Acts of 1917, Chapter 412 of the Acts of 1921, Chapter 685 of the Private Acts of 1935, Chapter 296 of the Private Acts of 1961, Chapter 181 of the Private Acts of 1965 and Chapters 84 and 180 of the Private Acts of 1967, and Chapter 3 of the Private Acts of 1979 is amended in its entirety to read as follows:

Section 1. The Town of Oliver Springs and the inhabitants thereof, in the Counties of Roane, Anderson and Morgan, be, and they hereby are, constituted a body politic and corporate, under and by the name of the Mayor and Aldermen of the Town of Oliver Springs, and shall have perpetual succession by their corporate name; may sue and be sued, plead and be impleaded, grant, receive, purchase, and hold real, mixed, and personal property, or dispose of same for the benefit of said town, and may have the use of a common seal.

Section 2. The boundaries<sup>1</sup> of the Town of Oliver Springs shall be as follows:

Beginning at a point on Walden Ridge, elevation 1000 ft., said point being the intersection of Anderson, Morgan and Roane County lines; thence following the meanders of said ridge north eighty degrees east, about three hundred and fifty rods to a stake; thence south about one hundred poles to 500 ft. north of the Southern Railway track at the thirty-fifth mile post; thence eastward on a line 500 ft. north of and parallel to Spring Street (formerly Dutch Valley Rd.), 3,425 ft. to a point, said point being 450 ft. northeasterly from Mineral Springs Church; thence S. 45 degrees, 15' E., 7550 ft. crossing Spring Street (formerly Dutch Valley Rd.) and the Southern Railroad, to the intersection of Airport Road and the centerline of Poplar Creek; thence meandering with the centerline of Poplar Creek in a southerly direction to a point, west edge of Midway Drive (formerly old Highway 61); thence south 690.2 ft. with Edwin Kelley line and parallel with the west edge of Midway Drive (formerly old highway 61) to an iron pin; thence west 100 ft. to an iron pin; thence north 240 ft. more or less to an iron pin; thence west 249 ft. more or less crossing Tennessee highway 61 with the Danny Koerner line 100.0 ft. with the Wilburn Hensley line, 50 ft. with the Billy Seiber line and continuing 321.10 ft. with the Byrd Brown line to a point located at the centerline of Poplar Creek, 204 ft. downstream from the centerline of the new Tennessee Highway 61; thence meandering with the centerline of Poplar Creek in a southerly direction to a point where said creek intersects the Anderson and Roane County lines; thence meandering with the centerline of Poplar Creek westward and crossing Johnson Road to a point 300 feet west of the west right-of-way line of said Johnson Road; thence northerly along a line 300 feet west of and parallel to the west right-of-way line of Strutt Street, 4000 feet crossing the L & N Railroad to a point 300 feet north and 300 feet west of the intersection of Strutt Street and the Anderson and Roane County line; thence east 300 feet to the county line; thence north 17 degrees, 00' west 2,135 feet along the Anderson and Roane County line to a point of Intersection of Old City limits; thence north eighty-eight degrees about 825 feet to the line of E.A. Reed and Ellen Scott; thence with the same, forty-five degrees west about seventy-one poles to E.A. Reed and E.W. Scott corner of Rectors land; thence northwest with Rector, now Scott line to Indian Creek; thence the lands of the United States of America's boundary and the L & N Railroad company; thence with the United States of America's boundary and the railroad right-of-way line, south 67 degrees, 23' east, approximately 76 feet to a metal marker; thence westerly to the centerline of Indian Creek; thence southwest on a line 200 feet south of and parallel to the south margin of Kingston Avenue to a point 300 feet

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<sup>1</sup>The boundaries set forth here have been extended by annexation ordinances which are of record in the recorder's office.

east of the intersection of Kingston Avenue and Cemetery Road; thence southerly on a line 300 feet east of and parallel to the southeast margin of Cemetery Road to a point 300 feet east of the intersection of Butler Mill Road and Cemetery Road; thence 300 feet south of and parallel of Cemetery Road in a southwesterly direction to a west point 300 feet southeast of the southern railway right-of-way; thence to a point in the centerline of Tennessee Highway 61, 300 feet southwest of the intersection of Tennessee Highway 61 and Cemetery Road; thence north westward along the projection of a line 300 feet to a point on Walden Ridge with the Morgan and Roane County line; thence 4750 feet to a point; thence northerly 85 degrees along old southern railway to a point; thence 1125 feet northeast of and parallel to the Morgan and Roane County line; thence north 44 degrees, 00' west, 1,250 feet, elevation 1,140 feet; thence north 39 degrees, 45' east, 1300 feet to the centerline of the Anderson and Morgan County line and Indian Creek intersection; thence meandering along the centerline of Indian Creek in a southeastward direction 2,625 feet; thence northeastward along a line 300 feet north of and parallel to the north right-of-way line of Windrock Road, 850 feet to a point 300 feet north of the north margin of said road; thence due south crossing Windrock Road to a point 300 feet south of the south margin; thence southwestward along a line 300 feet south of Windrock Road margin 600 feet to the centerline of Indian Creek; thence with the meanders of Indian Creek, 1100 feet to a point 375 feet to the southeast right-of-way line of L & N Railroad; thence southwestwardly along the southeast right-of-way to the Anderson and Morgan County line; thence along the Anderson and Morgan County line, 630 feet to a point of Anderson, Roane and Morgan County lines point of beginning.

These boundaries are to include all original City limits of 1909; the area annexed by Ordinance 117, areas of TupPERTOWN, Kellytown, and Norwood, passed on final reading on May 7, 1964; Ordinance 731, Area of Arrowhead Park, passed on final reading on July 31, 1972; and Ordinance 506, Area on Tri-County Boulevard, passed on final reading on October 2, 1975.

Section 3. Officers - Qualifications, Terms and Vacancies. The officers of the Town of Oliver Springs shall be chosen by the people, and shall consist of a mayor and board of aldermen, constituting a town council and a city judge, each and all of whom shall be citizens and voters of such town, and each alderman shall also be a resident of the ward he represents for at least six (6) months before the election. The board of aldermen shall consist of six (6) aldermen, one (1) to be chosen by the qualified voters of the town from each of the six (6) wards for a term of four (4) years with one-half (1/2) of the seats to be elected every two (2) years. The mayor shall be elected for a term of four (4) years. Any alderman after his election moving from the town or ward for which he was elected shall thereby vacate his office. [As replaced by Priv. Acts 1991, ch. 64, § 1; and amended by Priv. Act 1994, ch. 137, § 5]

Section 4. Elections; Qualifications of Voters; Wards. The mayor and aldermen representing Ward One, Ward Two and Ward Four whose terms of office expire in June of 2013 shall have their terms of office extended until the state general election to be held on the first Tuesday after the first Monday in November, 2014. The aldermen representing Ward Three, Ward Five and Ward Six whose terms of office expire in June of 2015 shall have their terms of office extended until the state general election to be held on the first Tuesday after the first Monday in November, 2016. All elections thereafter for the Town of Oliver Springs shall be held according to the statutes governing state and county elections in Roane County, and the election commissioners of Roane County shall hold an election every two (2) years for the Town of Oliver Springs. Each voter shall be entitled to vote for one (1) candidate for mayor and one (1) candidate of alderman for each ward. The newly elected officers of the town shall take offices at 7:00 p.m. on the first Thursday in November, after the election results have been certified and shall hold office for four (4) years, or until their successors are elected and qualified.

(a) A person shall be qualified to vote for State and county officers and shall have resided for six months next preceding the election within the town limits.

(b) A voter's residence is hereby defined as the place in which he or she habitually sleeps.

The Town shall be divided into six (6) wards as follows:

**WARD ONE:**

Begin at the center of East Tri-County Boulevard (Tennessee Highway 61 and 62) in the Corporate Limits Line; Thence, westerly and then northwesterly along the center of East Tri-County Boulevard to the intersection of extended center of Midway Drive; Thence, in a northerly direction along the center of Midway Drive extended and continue along the center of Midway Drive and crossing Poplar Creek and continue in a northerly and then northwesterly direction to the intersection of Midway Drive with Sycamore Lane; Thence, in a northerly and then westerly direction with the center of Sycamore Lane to the intersection of Sycamore Lane with Airport Road; Thence, with the center of Airport Road in a northeasterly direction to the intersection of Airport Road with the CSX Railroad; Thence, with the center line of the CSX Railroad in an easterly direction to the Corporate Limits Line at Poplar Creek; Thence with the Corporate Limits Line in a southerly direction along the center of Poplar Creek as it flows downstream to the intersection of the common property line of Parcel 31.02 with Parcel 31.00 on Anderson County Tax Map 98-E; Thence, with the Corporate Limits Line in a southeasterly direction along the property line of (and including within) Parcel 31.00, Parcel 30.00 and Parcel 29.00 and then

along said line extended to the center of East Tri-County Boulevard at the point of Beginning.

WARD TWO:

Begin at the center of East Tri-County Boulevard (Tennessee Highway 61 and 62) at the intersection of Edmonds Drive; Thence, with the center of Edmonds Drive in a northeasterly direction to the intersection of Edmonds Drive with (West) Foxed Circle; Thence, with the center of Foxed Circle in a northerly, then easterly and then southerly direction to the intersection of (East) Foxed Circle with Edmonds Drive; Thence, with the center of Edmonds Drive in a northeasterly direction to the intersection of Edmonds Drive with Oliver Drive; Thence, with the center of Oliver Drive in a southeasterly direction to the intersection of Oliver Drive with Norwood Drive; Thence, with the center of Norwood Drive in a northerly, then easterly, then southerly direction to the intersection of Norwood Drive with Airport Road; Thence, with the center of Airport Road in a southwesterly direction, crossing the CSX Railroad to the intersection of Airport Road with Sycamore Lane; Thence, with the center of Sycamore Lane in an easterly, then southerly direction to the intersection of Sycamore Lane with Midway Drive; Thence, with the center of Midway Drive in a southeasterly direction, crossing Poplar Creek and continue with the center of intersection at the center of East Tri-County Boulevard; Thence, with the center of East Tri-County Boulevard in a northwesterly direction to the intersection of Edmonds Drive at the point of Beginning.

WARD THREE:

Begin at the center of Main Street at the intersection of Spring Street; Thence, with the center of Main Street in a northerly direction, crossing the Norfolk-Southern Railroad to the intersection of Main Street with Central Avenue; thence, with center of Central Avenue in a westerly direction to the intersection of Central Avenue with Winter Gap Avenue; Thence, with the center of Winter Gap Avenue in a northerly direction to the intersection of Winter Gap Avenue with West Tri-County Boulevard and also being the intersection of Tennessee Highway 61 with Tennessee Highway 62; Thence, in a northerly direction to a point in the center of Hen Valley Road (abandoned) at the easterly end of old bridge (abandoned) across Geise Creek; Thence, with the center of (abandoned) Hen Valley Road, crossing Geise Creek and continue in a southwesterly direction with the center of Hen Valley Road to the intersection of Hen Valley Road with Wiley Street; Thence, with the center of Wiley Street in a southeasterly direction to the intersection of Wiley Street with West Tri-County Boulevard (Tennessee Highway 61); Thence, with the center of West Tri-County Boulevard in a southwesterly direction to the intersection of West Tri-County Boulevard with Kelly Road; Thence, with the center of Kelly Road in a

northwesterly direction to the intersection of Kelly Road with Pride Road; hence, with the center of Pride Road in a northerly direction to the intersection of Pride Road with Hen Valley Road; Thence with the center of Hen Valley Road in a southwesterly direction to a point where said road makes a sharp turn; Thence, in a westerly direction approximately along an abandoned portion of Hen Valley Road to the Corporate Limits Line; Thence, with the Corporate Limits Line defined as being offset three hundred (300) feet westerly from and parallel with the center of Cemetery Road as extended and in a northwesterly direction to a point on Walden Ridge in the Morgan and Roane County line; Thence, with the Corporate Limits Line and being along the Morgan and Roane County Line and also being a property line of (leaving without) Coal Creek Mining and Manufacturing Company in a northeasterly direction to a corner of Coal Creek Mining and Manufacturing Company in the said Roane and Morgan County Line located at approximately seven hundred (700) feet westerly from the (abandoned) Hen Valley Road Bridge over Geise Creek; Thence, with the Corporate Limits Line in a northerly direction along property line(s) of (leaving without) Coal Creek Mining and Manufacturing Company with (including within) Parcel 3, Group "A" as shown on Roane County Tax Map 1-D and that portion of same not shown on but situated within Morgan County Tax Map 133, to a corner of same near the abandoned railroad line formerly leading to Big Mountain; Thence, with the Corporate Limits Line and being along property line(s) of Coal Creek Mining and Manufacturing Company, in a northerly direction, crossing Winter Gap Avenue (Tennessee Highway 62) and continuing to a property corner; Thence, with the Corporate Limits Line and being along property line of Coal Creek Mining and Manufacturing Company, in an easterly direction to a point where said line intersects the westerly margin of Lookout Avenue; Thence, with the Corporate Limits Line along the westerly margin of (and including within) Lookout Avenue in a northerly direction to a point in a property line of Coal Creek Mining and Manufacturing Company; Thence, with the Corporate Limits Line and being along lines of Coal Creek Mining and Manufacturing Company in a northwesterly direction to a corner and continue in a northerly direction, crossing the Morgan and Anderson County Line to a point where said Coal Creek Mining and Manufacturing Company property line crosses the center of Indian Creek; Thence, with the Corporate Limits Line as it meanders with the center of Indian Creek as it flows downstream in a southeasterly direction to a point three hundred (300) feet north of the northerly margin of Windrock Road; Thence, with the Corporate Limits Line in an easterly direction along a line of three hundred (300) foot offset from the northerly margin of Windrock Road to a point where said line intersects a Coal Creek Mining and Manufacturing Company property line; Thence, with the Corporate Limits Line and being along a property line of (leaving without) Coal Creek Mining and Manufacturing Company in a southeasterly direction to a corner in a line of Parcel 4 on Anderson County Tax Map 92; Thence, with the Corporate Limits Line and being along lines of (including within) Parcel 4 on Anderson



County Tax Map 92 as follows: (1) in a northeasterly direction to a corner; (2) in a southeasterly direction crossing Poplar Creek and continuing to a corner in an abandoned portion of Old Frost Bottom Road; (3) in a southwesterly, then southerly and then easterly direction along said abandoned roadway and property line to a corner; (4) in a westerly direction, crossing Poplar Creek to a corner; (5) in a southerly direction to a corner; (6) in an easterly direction, crossing Poplar Creek to a corner on the easterly bank of Poplar Creek; (7) in a southerly direction along the east bank of Poplar Creek to a point where said line intersects the center of Spring Street; Thence, along the center of Spring Street in a westerly direction, crossing the Norfolk-Southern Railroad and continue westerly to the intersection of Spring Street with Main Street at the point of beginning.

#### WARD FOUR:

Being at the center line of East Tri-County Boulevard (Tennessee Highway 61 and 62) intersection with Edmonds Drive; Thence, with the center of East Tri-County Boulevard in a northwesterly direction to the intersection of the center of Main Street as extended; Thence, with the center of Main Street as extended and continue in a northwesterly direction with the center of Main Street to the intersection of Main Street with Spring Street; Thence, with the center of Spring Street in a easterly direction, crossing the Norfolk-Southern Railroad and continue in an easterly direction with the center of Spring Street to the Corporate Limits Line at the easterly bank of Poplar Creek and being a point in a line of Parcel 4 on Anderson County Tax Map 92; Thence, with the Corporate Limits Line along lines of (including within) Parcel 4 on Anderson County Tax Map 92 as follows: (1) in a southerly direction along the easterly bank of Poplar Creek to a point where same intersects the northerly right of way line for Norfolk-Southern Railroad; (2) in a westerly direction along the northerly right of way line for Norfolk-Southern Railroad to a point where the center of Poplar Creek crosses; Thence, with the Corporate Limits Line along the center of Poplar Creek as it flows downstream in a southerly direction for a distance of one thousand four hundred fifty (1450) feet to a point; Thence, with the Corporate Limits Line in a westerly direction to a corner of Jack D. Walls (industrial tract) with C.H. Smith, et. al. (Osland residential tract); Thence, with the Corporate Limits Line, south 45deg 15min East to a point at the bridge for Airport Road crossing Poplar Creek; Thence, with the Corporate Limits Line along the center of Poplar Creek as it flows downstream in a southerly direction to a point where the center of Poplar Creek crosses the center of CSX Railroad; Thence, with the center line of the CSX Railroad in an westerly direction to the intersection of CSX Railroad with Airport Road; Thence, with the center of Airport Road in a northeasterly direction to the intersection of Airport Road with Norwood Drive; Thence, with the center of Norwood Drive in a northerly, then westerly and then southerly direction to the intersection of Norwood Drive

with Oliver Drive; Thence, with the center of Oliver Drive in a northwesterly direction to the intersection of Oliver Drive with Edmonds Drive; Thence, with the center line of Edmonds Drive in a southwesterly direction to the intersection of Edmonds Drive with (East) Foxwood Circle; Thence, with the center of Foxwood Circle in a northerly, then westerly and then southerly direction to the intersection of (West) Foxwood Circle with Edmonds Drive; Thence, with the center of Edmonds Drive in a southwesterly direction to the intersection of Edmonds Drive with East Tri-County Boulevard at the point of beginning.

#### WARD 5:

Begin at the center of Main Street intersection with Central Avenue; Thence, with the center Main Street in a southerly direction, crossing the Norfolk-Southern Railroad and continue with the center of Main Street and with same as extended to the intersection of the center of East Tri-County Boulevard; Thence, with the center of East Tri-County Boulevard in a southeasterly direction to a point in the Corporate Limits Line; Thence, with the Corporate Limits Line as follows: (1) in a southeasterly direction to a point at the intersection of the southerly right of way line for East Tri-County Boulevard (Tennessee Highway 61 and 62) with the southwesterly margin of Mahoney Road; (2) along the southwesterly margin of Mahoney Road to a point where Mahoney Road makes a sharp turn; (3) along the northwesterly margin of Mahoney Road to the corner of parcel 60.00 with Parcel 59.00 on Anderson County Tax Map 98; Thence, with the Corporate Limits Line along the boundary line of (and including within) parcel 60.00, Parcel 60.01, Parcel 59.02, Parcel 34.00, Parcel 34.01, Parcel 34.02, Parcel 59.01 and Parcel 59.05 and extended to the center of Poplar Creek; Thence, with the Corporate Limits Line along the center of Poplar Creek as it flows downstream, crossing Strutt Street and crossing the Anderson and Roane County Line and continuing with the center of Poplar Creek to a point where same crosses a line offset three hundred (300) feet westerly from the westerly right of way line for Strutt Street; Thence, with the Corporate Limits Line being along a line offset three hundred (300) feet westerly from and parallel and/or concentric with the westerly right of way line for Strutt Street in northerly direction to a point where same intersects a line offset two hundred (200) feet south of and parallel with the center line of CSX Railroad; Thence, with the Corporate Limits Line being along a line offset two hundred (200) feet to the south from the center line for CSX Railroad in a westerly direction to intersection with the westerly property line for Parcel 2 on Roane County Tax Map 5; Thence, with the Corporate Limits Line and being along the westerly property line for Parcel 2 on Roane County Tax Map 5 in a northerly direction, crossing CSX Railroad to a point where said line as extended intersects the northerly right of way line for CSX Railroad; Thence, with the Corporate Limits Line along the northerly right of way line for CSX Railroad in an easterly direction to corner of revised Parcel 35.00 on Roane

County Tax Map 2; Thence, with the Corporate Limits Line along the westerly property line of (and including within) revised Parcel 35.00 on Roane County Tax Map 2 in a northerly direction to a corner; Thence, with the Corporate Limits Line along a property line of revised Parcel 35.00 on Roane County Tax Map 2 in an easterly direction to a corner in the westerly margin of Strutt Street; Thence, with the Corporate Limits Line along the westerly right of way line for strutt Street in a northerly direction to a point in line of Parcel 34.00 on Roane County Tax Map 2; Thence, with the Corporate Limits Line along a property line of (and including within) Parcel 34.00 in a westerly direction to a corner of same; Thence, with the Corporate Limits Line along property lines of (and including within) Parcel 34.00, Parcel 33.00 and Parcel 31.00 on Roane County Tax Map 2 to a corner in a line of Parcel 27.00; Thence, with the Corporate Limits Line around (and including within) Parcel 27.00 on Roane County Tax Map 2 (Benjamin Apartments) as follows: (1) in a westerly direction to a corner; (2) in a northerly direction to a corner; (3) in an easterly direction to a point where the property line of said Parcel 27.00 intersects the Roane and Anderson County Line; Thence, with the Corporate Limits Line, the same being along the Roane and Anderson County Line in a northerly direction to a point where the said county line intersects the southeasterly line of Scott's Addition; Thence, with the Corporate Limits Line along the southeasterly boundary line of Scott's Addition in a southwesterly direction to a point where the center of Wright Place as extended to the southeast would intersect the said southeasterly line of Scott's Addition; Thence, along the extended center of Wright Place, crossing through the Elementary School Tract and continuing along the center of Wright Place in a northwesterly direction to the intersection of Wright Place with Kingston Avenue; Thence, with the center of Kingston Avenue in a northeasterly direction to the intersection of Kingston Avenue with Central Avenue; Thence, along the center of Central Avenue in an easterly direction to the intersection of Central Avenue with Main Street at the point of beginning.

#### WARD 6:

Begin at the intersection of Kingston Avenue with Central Avenue; Thence, with the center of Kingston Avenue in a southwesterly direction to the intersection of Wright Place; Thence, with the center of Wright Place and continue with the center of Wright Place as extended, crossing through the Elementary School tract in a southeasterly direction to the Corporate Limits at the southeasterly line of Scott's Addition; Thence, with the Corporate Limits Line along the southeasterly line of Scott's Addition in a southwesterly direction to a corner of (and including within) Parcel 55.00 on Roane County Tax Map 2; Thence, with the Corporate Limits Line along a property line between (and including within) Parcel 55.00 with and around (leaving without) Parcel 56.00 on Roane County Tax Map 1 in a generally westerly direction, crossing the CSX

Railroad to a point in the westerly right of way line for same; Thence, with the Corporate Limits Line along the westerly right of way line for CSX Railroad in a southerly direction to the south boundary line for Arrowhead Park; Thence, with the Corporate Limits Line along the southerly boundary for Arrowhead Park in a westerly direction to a point in the westerly boundary for Arrowhead Park being near and along the relocated channel for Indian Creek; Thence, with the Corporate Limits Line being along the westerly boundary for Arrowhead Park and near and along Indian Creek in an upstream and northerly direction to a point two hundred (200) feet southerly from the southerly right of way line for Kingston Avenue (Old Harriman Highway); Thence, with the Corporate Limits Line in a southwesterly direction to the southerly property corner of (and including within) Parcel 61.00 on Roane County Tax Map 1; Thence, with the Corporate Limits Line around (and including within) Parcel 64.00 on Roane County Tax Map 1 in a southeasterly and then westerly direction to a corner in the easterly right of way line for Kingston Avenue (Old Harriman Highway); Thence, with the Corporate Limits Line being the last line extended across Kingston Avenue and continue in a westerly direction to a point in the easterly property line of Parcel 63.00 and/or Parcel 65.00 on Roane County Tax Map 1; Thence, with the Corporate Limits Line easterly property line of (and including within) Parcel 63.00 and Parcel 65.00 on Roane County Tax Map 1, in a southerly direction to a corner; Thence, with the Corporate Limits Line along the southerly property line of (and including within) Parcel 65.00 on Roane County Tax Map 1 to a corner in an easterly property line of Parcel 39.00 on Roane County Tax Map 1; Thence, with the Corporate Limits Line along the easterly property line (and including within) Parcel 39.00 and Parcel 38.00 on Roane County Tax Map 1 and along the same line extended in a southerly direction to a point in the center of West Road; Thence, with the Corporate Limits Line along the center of West Road to a point located at three hundred (300) feet southerly from the center of Cemetery Road; Thence, with the Corporate Limits Line along a line three hundred (300) feet offset to the south and west from and parallel and/or concentric with the center of Cemetery Road as follows: (1) in a southwesterly direction; (2) in a northwesterly direction; (3) in a westerly direction to the intersection with the easterly property line of Parcel 27.01 on Roane County Tax Map 1; Thence, with the Corporate Limits Line in a northerly direction with the easterly property line of (leaving without) Parcel 27.01 on Roane County Tax Map 1 to the southerly right of way line for Norfolk-Southern Railroad; Thence, with the Corporate Limits Line in a westerly direction to intersection with a line three hundred (300) feet offset to the south and west from and parallel and/or concentric with the center of Cemetery Road as follows: (1) in a westerly direction crossing the Norfolk-Southern Railroad; (2) in a northwesterly direction, crossing West Tri-County Boulevard (Tennessee Highway 61) and continuing on in a northwesterly direction to a point in an abandoned portion of old Hen Valley Road; Thence, in a northeasterly direction along the approximate center of abandoned portion of

old Hen Valley Road to a point in Hen Valley Road at a sharp turn in same; Thence, with the center of Hen Valley Road in a northeasterly direction to the intersection of Hen Valley Road with Pride Road; Thence, with the center of Pride Road in a southwesterly direction to the intersection of Pride Road with Kelly Road; Thence, with the center of Kelly Road in a southeasterly direction to the intersection of Kelly Road with West Tri-County Boulevard; Thence, with the center of West Tri-County Boulevard in a northeasterly direction to the intersection of West Tri-County Boulevard with Wiley Street; Thence, with the center of Wiley Street in a northwesterly direction to the intersection of Wiley Street with Hen Valley Road; Thence, with the center of Hen Valley Road in a northeasterly direction, and continuing on with the center of an abandoned portion of Hen Valley Road, crossing Geise Creek to a point on the easterly end of abandoned bridge; Thence, in a southeasterly direction to a point at the intersection of West Tri-County Boulevard with the center of Winter Gap Avenue (also intersection of Tennessee Highway 61 with Tennessee Highway 62); Thence, along the Center of Winter Gap Avenue, in a southeasterly direction to the intersection of Winter Gap Avenue with Central Avenue; Thence, with the center of Central Avenue in an easterly direction to the intersection of Central Avenue with Kingston Avenue at the point of beginning.

All officials of the Town of Oliver Springs on the effective date of the act shall remain in office until their successors are elected and qualified. Any vacancy in the offices shall be filled in such a manner as provided by this act and the charter for the Town of Oliver Springs. [As amended by Priv. Acts 1991, ch. 64, § 2, and Priv. Acts 1995, ch. 14; replaced by Priv. Acts 1996, ch. 143; and amended by Priv. Acts 2012, ch. 78, § 1]

Section 5. The Judges and Clerks holding the election shall be sworn and qualified according to the general election laws of the State, and such election shall be conducted in all respects as all the various State and county elections by virtue of the election laws of the State and Roane County.

Section 6. The candidate for Mayor receiving the highest number of votes, and the candidate for Alderman receiving the highest number of votes in each ward shall be declared elected. It shall be the duty of the Election Commissioners of Roane County holding such election to make out and deliver to the recorder a certificate of the election within three (3) days after their election, which certificate shall be produced at the first meeting of the Board, and a minute thereof shall be made upon the records of the town, and if the Election Commissioners fail to hold such election at the time herein mentioned, it shall be their duty to hold it as soon thereafter as may be, after giving the regular notice.

Section 7. A majority of the Town Council (Four Aldermen or Mayor and Three Aldermen) shall be a quorum to do business, except no action will be

passed without three (3) affirmative votes, and if the Mayor or any of the Aldermen or any officer should die, resign, or move away, the vacancy shall be filled by the Council at its next meeting, or as soon thereafter as may be, and the person or persons so elected shall perform the same duty and be vested with the same powers and privileges as the person whose place they are appointed to fill, and upon like conditions; and the Mayor and Aldermen and all officers shall respectively take an oath before entering upon the duties of their office before some person competent to administer an oath, to execute the same faithfully and impartially, and the Mayor and Aldermen shall also take an oath to support the Constitution of the United States and the Constitution of the State of Tennessee. Any official of the town elected or appointed to fill a vacancy under this charter may be removed from office by the voters qualified to vote for a successor to such incumbent. The procedure to effect the removal of the incumbent shall be as follows: A petition, signed by qualified voters equal in number to at least sixty-six percent (66%) of the total votes cast in the last regular city election, demanding the recall of the person sought to be removed, shall be filed with the county election commission, and notice given by the commission of such filing by publication at least once in a newspaper of general circulation in Roane County. The signatures to the petition need not be appended to one (1) paper, but each signer shall sign his name and shall thereon, after his name, the date of signing and his place of residence by street, or by the other customary designation. To each petition paper there shall be attached a sworn affidavit by the circulator thereof stating the number of signers thereto, that the signature thereon is the genuine signature of the person whose name it purports to be, and that it was made in the presence of the affiant.

Such petition shall be filed with the county election commission, which shall, within fifteen (15) days, canvass the signatures thereon to determine the sufficiency thereof. A separate petition shall be filed for each person sought to be removed. The county election commission shall attach to such petition its certificate showing the result of the examination.

The election commission shall then call an election to be held within forty-five (45) days from the date the petition is filed, at which voters shall vote "for recall" or "against recall" of the official against whom the petition is directed. Voters qualified to vote in city elections generally shall be eligible to vote on the issue of recall. If sixty-six percent (66%) of the voters voting in the election vote "for recall" the person named shall be declared removed from office and the office declared vacant. An election to fill the vacancy shall be called by the county election commission and held within forty-five (45) days of the recall election. Costs of holding the recall election and the election of a successor shall be paid by the city.

Two-thirds (2/3) of Board of Aldermen may call a special meeting if the Mayor refuses to call a meeting. Two-thirds (2/3) of the Board shall sign a petition requesting a meeting, then the Chief of Police shall notify other

members of the Board of the meeting. Only the business specified on the petition can be acted upon at any special meeting.

After every city election the regular time for the installation of the elected officials will be at 7:00 p.m. on the first Thursday in November after the election results have been certified. [As amended by Priv. Acts 2012, ch. 78, § 2]

Section 8. [This section was deleted by Priv. Acts 1994, ch. 137, § 2.]

Section 8a.<sup>1</sup> Election and Terms of Constitutional City Judge - Duties, Jurisdiction and Absence of Constitutional City Judge. (a) The City Judge shall be elected by the qualified voters of the town of Oliver Springs, shall be thirty (30) years of age, and shall before election have been a resident of Tennessee for five (5) years, and a resident of the town for one (1) year. The term of service of the City Judge shall be eight (8) years. The first City Judge shall be Joseph Henry Van Hook, and he may serve until the next regular August General Election. At such election, a person shall be elected to serve any unexpired term. All subsequent elections for the office of City Judge pursuant to this act shall be held in accordance with Article 7, Section 5 of the Tennessee Constitution.

(b)(1) If the City Judge fails to attend, cannot preside at any pending case, for any reason cannot hold court or finds it necessary to be absent from holding court, such judge may designate in writing, to be filed with the clerk of the court, a name of a special City Judge to hold court. Such person shall be a person who has the qualifications of the City Judge, shall take the same oath and shall have the same authority as a regular City Judge.

(2) If the City Judge fails to designate a special City Judge to hold court in absence, then the mayor shall act as City Judge and shall have full powers of the City Judge. If the City Judge dies or resigns during such judge's term of office, the town council shall elect the replacement City Judge, who shall serve the unexpired term of the previous City Judge, according to law.

(c) The salary of the elected City Judge shall be set by ordinance, shall be neither increased nor decreased during such judge's term of office, and shall be paid monthly from the general fund of the town. Provided however, the City Judge shall also serve as City Recorder pursuant to Section 10 of this charter, and shall be compensated for the duties as City Recorder as set out in Section 10.

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<sup>1</sup>Priv. Acts 1994, ch. 137, § 1 replaced a § 8a. It was obviously the intent of Priv. Acts 1994, ch. 137, § 1 to add a § 8a.

(d) The City Judge shall be vested with concurrent jurisdiction with courts of general sessions for violations of criminal laws, and shall try all offenses against the peace and dignity of the town of Oliver Springs.

(e) The City Judge shall also have jurisdiction in and over all cases arising under the state laws and ordinances of the Town of Oliver Springs and all cases relative to the violation of such laws and ordinances and offenses against the state or the town of Oliver Springs.

(f) The City Judge shall have the power and authority to impose fines, costs and forfeitures, and to punish by fine, violations of ordinances and to enforce the collection of all such fines, costs and forfeitures. The City Judge may suspend with or without condition, fines and costs imposed for violation of any ordinance.

(g) If an appeal is taken from any fine imposed by the City Judge for violation of any ordinance to the circuit or criminal court of Roane County, the person appealing shall give bond and security for the payment of all fines and costs as set out by the judgment of the court; provided, however, that upon proper documentation of ability to pay the fine and costs on appeal, and upon approval by the City Judge, an appeal may be prosecuted on pauper's oath. [As added by Priv. Acts 1994, ch. 137, § 1]

Section 9. [This section was deleted by Priv. Acts 1994, ch. 137, § 6.]

Section 9a.<sup>1</sup> (a) The Finance Officer shall give bond in the sum of the amount set by city council payable to the State of Tennessee for the use of the Town of Oliver Springs, conditioned that such Finance Officer will faithfully collect and account for all taxes and other money due the town. The Finance Officer shall prepare the property tax books and shall collect all taxes and money due the town, except such taxes and money collected by the recorder. The Finance Officer shall take care of and keep account of all funds of whatever nature, and shall keep such books as the town council may direct and shall do and perform all the duties that the town council shall by ordinance direct. Such Finance Officer shall be governed by all the laws of this state which govern and set out the duties and powers of tax collectors, and county trustees, in collecting taxes for the state and county, in so far as such laws may be applicable to the Town of Oliver Springs.

(b) The Finance Officer shall make an annual report to the town council showing in detail the receipts and disbursement of all money for the twelve (12) months preceding the date of the report. [As added by Priv. Acts 1994, ch. 137, § 7]

Section 10. [This section was deleted by Priv. Acts 1994, ch. 137, § 8(c).]

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<sup>1</sup>Priv. Acts 1994, ch 137, § 7 said to replace § 9a, however there wasn't a § 9a in the charter. So, it was obviously the intent of this act to add a § 9a.



Section 10a. Constitutional City Judge To Be City Recorder; Duties and Bond of Recorder. (a) The City Judge shall be and shall serve as the recorder for the Town of Oliver Springs. The recorder shall keep accurate minutes of all the proceedings of the town council and shall pay all money collected for the town to the Finance Officer. Before entering upon the discharge of his duties, the recorder shall enter into bond with good security and in such amount as may be fixed by the council, conditioned upon faithful discharge of his duties, and upon diligent collection and faithful accounting for all money that shall or ought to come into his hands for fines, forfeitures or other moneys due such town, and which ought to be by law collected and paid over by him and such bond shall be made payable to Oliver Springs or its treasurer for the use and benefit of such town.

(b) The salary of the City Recorder shall not be diminished during his term of office, but may be increased from time to time, as council may see fit, with cost-of-living benefits, fringe benefits and other compensation as is customarily, usually and reasonably given to the other city employees.

(c) Section 10 of the charter of the Town of Oliver Springs is amended by deleting the existing section as of the first Thursday in June, 1995. [As added by Priv. Acts. 1994, ch. 137, § 8]

Section 11. When any tax or duty shall be levied or imposed upon such corporation upon any real estate lying within the Town of Oliver Springs, and the owner or owners, occupier or occupiers thereof shall not pay the same, and the Chief of Police shall make return of that fact, under oath, that the owner or owners have no personal property within such town upon which to distrain for such tax or duty, it shall be the duty of the Recorder by and with the advice and with the consent of the Council, to take such steps for the collection of such tax or duties as are or may be provided for by the laws of the State.

Section 12. If the Recorder shall fail to collect, or after collecting fail or refuse to turn over any money received for the town, the Recorder shall be liable to be proceeded against by motion or suit at common law in the Circuit Court of Roane County, or in any other court having jurisdiction of the person of the Recorder and it shall be the duty of such court to render up judgment against such delinquent officer and his sureties for the moneys so received, or that ought to have been collected in the name of Oliver Springs for the use of such corporation; provided, that if the proceedings be by motion, such officer shall have five days' notice thereof.

Section 13. [This section was deleted by Priv. Acts 1994, ch. 137, § 2.]

Section 14. [This section was deleted by Priv. Acts 1994, ch. 137, § 3(f).]

Section 14a. Election, Terms and Duties of City Treasurer; Election, Terms and Duties of City Court Clerk. (a) There shall be elected an individual who shall serve as the Finance Officer and the City Court Clerk. The individual holding the office of Finance Officer and City Court Clerk shall have all the qualifications necessary for a member of the board of mayor and aldermen; provided however, should the Constitution or the law require any other qualifications for the office of City Court Clerk, those qualifications shall also be met.

(b) The term of office of the Finance Officer/City Court Clerk shall be four (4) years. The first Finance Officer/City Court Clerk shall be Mark Ruffner, and he may serve until the next regular August General Election. At such election, a person shall be elected to serve as Finance Officer/City Court Clerk. All subsequent elections for Finance Officer/City Court Clerk pursuant to this act shall be held in accordance with Article 7, Section 5 of the Tennessee Constitution.

(c) The City Court Clerk shall keep the court docket and may issue city warrants in the absence of the City Judge.

(d) The Finance Officer/City Court Clerk's salary shall be set by ordinance, and shall not be decreased during his term of office, but may be increased from time to times, as the town council may see fit, and may include cost-of-living benefits, fringe benefits, and other compensation as is customarily, usually, and reasonably given to the other city employees.

(d) With the approval of the town council, the City Court Clerk may appoint one (1) or more deputy City Court Clerks, at a salary and compensation, which may include various fringe benefits, as may be determined by the town council. The duties of the Finance Officer shall be as set out in Section 9 of this charter.

(e) Section 8 of the Chapter 247 of 1905, as amended by Chapter 181 of the Private Acts of 1965, Chapter 46 of the Private Acts of 1991, and any other act amendatory thereto, as such provision relates to the office of City Treasurer, is deleted, effective upon the first Thursday in June, 1995.

(f) Section 14 of Chapter 13 of the Private Acts of 1979, and any other act amendatory thereto, is amended by deleting the section in its entirety. Upon the effective date of this charter amendment, the Finance Officer/City Court Clerk shall take office and serve until the next regular judicial election held in accordance with Article 7, Section 5, of the Tennessee Constitution.

(g) Notwithstanding any provision in this charter, or any ordinance by the town of Oliver Springs, the same person may serve as the city treasurer whose term will expire in the first Thursday in June of 1995, and the consolidated Finance Officer/City Court Clerk, whose office is created by this charter amendment. [As added by Priv. Acts 1994, ch. 137, § 3]

Section 15. (a) City Manager. The Town Council shall appoint a chief administrative officer of the town who shall be entitled City Manager. The City Manager shall be selected on the basis of training, experience, and other professional qualifications for the office and without regard to political preference or place of residence at the time of appointment.

Should the City Manager be unable to perform the duties of the office for thirty (30) consecutive days due to illness or disability, the Town Council may appoint a person to assume the office during the period of the City Manager's absence.

The City Manager shall be responsible to the Town Council for the administration of the following departments: Fire, Library, Parks and Recreation, Public Works, and Water, and for carrying out the policies adopted by the Town Council. Except for the purpose of inquiry, the Town Council and its members shall deal with the employees of the Fire, Library, Parks and Recreation, Public Works, and Water Departments solely through the City Manager.

The City Manager shall supervise the administrative affairs of the departments under his authority. The City Manager shall be charged with the preservation of health and the safety of persons and properties, and the enforcement of ordinances, and franchises, and the development and utilization of the Town resources. The City Manager shall make reports and recommendations to the Mayor and Council, and may take part in discussion of all matters coming before Town Council, but shall not have the right to vote. The City Manager shall be responsible for the purchasing of departments under his authority, shall be in charge of the management of town property and equipment utilized by departments under his authority, and shall have charge of the general administration of the financial affairs of the departments under his authority. He shall prepare a town budget as required by law to be submitted to the Town Council for approval.

The administrative organization of the Town shall be divided into departments as necessary to provide for general government, Finance, Health, Welfare, Police, Recreation, Fire, Library, Public Works, and other municipal services. These departments, with the exception of the Finance and Police Departments, shall be organized under the authority of and report directly to the City Manager, and such organization approved by the Town Council.

The City Manager shall develop and manage the personnel system for the departments under his authority so as to employ those persons best qualified to perform the functions of the Town. The City Manager shall have the power to hire, train, supervise, transfer, promote, demote, suspend, or terminate any town employee under his authority. All new hires are to be confirmed by Town Council prior to being hired by the City Manager. The City Manager may authorize the heads of departments to advertise openings, solicit applications and resumes, interview applicants, and bring final recommendations to him or her for approval. The City Manager may establish positions within the

departments as deemed necessary. The City Manager may develop job descriptions and a system of job classifications for positions, and may delegate this authority to heads of departments. The City Manager may combine, or may personally hold any position under his authority and may delegate any duties. The City Manager shall develop and annually review a comprehensive pay plan which shall be submitted to the Town Council for adoption. The compensation of specific employees, except as otherwise provided, shall be set by the City Manager and shall be in accordance with the comprehensive pay plan and within the limits of budget appropriations set by Town Council.

The City Manager shall serve at the pleasure, and under the general supervision of, the Mayor. Disciplinary action may be taken by the Mayor against the City Manager under the same rules governing all town employees, up to and including termination. Termination of the City Manager may be appealed to the Town Council within thirty (30) days.

(b) Fire Department. There is hereby established a Fire Department administered by a Fire Chief, under the authority of the City Manager. The City Manager shall appoint the Fire Chief, after confirmation from the Town Council, who shall serve at the will and pleasure of the City Manager. The Fire Chief shall be appointed based on educational and experiential qualifications.

(c) Library. There is hereby established a Library Department administered by a Librarian, under the authority of the City Manager. The City Manager shall appoint the Librarian, after confirmation from the Town Council, who shall serve at the will and pleasure of the City Manager. The Librarian shall be appointed based on educational and experiential qualifications.

(d) Parks and Recreation Department. There is hereby established a Parks and Recreation Department administered by a Parks and Recreations Director, under the authority of the City Manager. The City Manager shall appoint the Parks and Recreation Director, after confirmation from the Town Council, who shall serve at the will and pleasure of the City Manager. The Parks and Recreations Director shall be appointed based on educational and experiential qualifications.

(e) Public Works Department. There is hereby established a Public Works Department administered by a Public Works Director. The City Manager shall appoint the Public Works Director, after confirmation from the Town Council, who shall serve at the will and pleasure of the City Manager. The Public Works Director shall be appointed based on educational and experiential qualifications.

(f) Water Department. There is hereby established a Water Department administered by a Water Director. The City Manager shall appoint the Water Director, after confirmation from the Town Council, who shall serve at the will and pleasure of the City Manager. The Water Director shall be appointed based on educational and experiential qualifications. [As added by Priv. Acts 2009, ch. 22, § 1]

Section 16. The Town Council shall select and appoint a Chief of Police. The Chief of Police shall be a person, especially qualified for the duties incumbent upon him and shall hold office for an indefinite term.

The Chief of Police shall serve under the day to day supervision, and at the will and pleasure of the Mayor. The Chief of Police retains the right to appeal termination to the Town Council at the next regularly scheduled meeting. [As renumbered and replaced by Priv. Acts 2009, ch. 22, § 2]

Section 17. It shall be the duty of the Chief of Police to serve legal process of the town, and it shall be his duty to rigidly enforce the same, for which purpose police authority is hereby given him, which he may exercise without warrant in hand, and perform such other duties as the town council may by ordinance impose upon him. He shall have power to execute state warrants and other process which constables generally have within the town limits. He shall be Chief of any police organized within the corporation, and shall have the same power, right, and authority to execute all civil process within the limits of the Town of Oliver Springs as is now vested in sheriffs and constables under the laws of Tennessee, and shall be entitled to the same fees and commissions for executing such process as is now allowed by law to sheriffs and constables. These fees shall be returned to Treasurer in lieu of salary paid by Town of Oliver Springs. [As renumbered by Priv. Acts 2009, ch. 22, § 1]

Section 18. The Town Council shall establish a Police Department for the town of Oliver Springs. The Chief of Police has the authority to hire, fire, transfer, promote and demote employees of the town under his authority. All new hires are to be confirmed by the Town Council prior to being hired by the Chief of Police. All Police Department employees serve at will, and retain the right to appeal termination to the Town Council within thirty (30) days. Except for the purpose of inquiry, the Town Council and its members shall deal with the employees of the Police Department solely through the Chief of Police.

Before entering upon the discharge of his duties the Chief of Police shall enter into bond with good security and in such amount as may be fixed by the council, conditioned upon faithful discharge of his duties, and upon diligent collection and faithful accounting for all money that shall or ought to come into his hands for fines, forfeitures, or other moneys due such town, and which ought to be by law collected and paid over by him, and the Chief of Police shall be liable for failing to collect money, to return process, or pay over money collected by process issued by the city judge. Such bond shall be made payable to Oliver Springs or its treasurer for the use and benefit of such town. The Chief of Police shall pay over to the recorder all sums of money by him received for the Town of Oliver Springs. He shall render quarterly, and as much oftener as the town may require, full and complete statements of the finances under his control. [As renumbered and amended by Priv. Acts 2009, ch. 22, § 3]

Section 19. If the Chief of Police of such town shall fail to collect, or after collecting fail or refuse to turn over any money received for such town, the Chief of Police shall be liable to be proceeded against by motion or suit at common law in the Circuit Court of Roane County, or in any other court having jurisdiction of the person of the Chief of Police, and it shall be the duty of such court to render up judgment against such delinquent officer and his sureties for the moneys so received, or that ought to have been collected in the name of Oliver Springs for the use of such corporation; provided, that if the proceedings be by motion, such officer shall have five (5) days' notice thereof. [As renumbered by Priv. Acts 2009, ch. 22, § 1]

Section 20. The town council shall have, by ordinance, the following powers and duties:

(1) To assess property taxes; to levy and collect by proper officers taxes upon all real and personal property, privileges, and all property taxed by State and County.

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

(3) To open, alter, widen, abolish, extend, establish, grade, pave, or otherwise improve, clean, and keep in repair streets, highway, alleys, and sidewalks, or to have the same done; also to erect, establish, and keep in repair bridges. Power to regulate traffic on streets.

(4) To provide for the erection of all buildings necessary for the use of the town.

(5) To license, tax, or regulate everything or person licensed, taxed, or regulated by the state or county.

(6) To regulate or prohibit and suppress all disorderly houses or bawdy houses.

(7) To regulate the police of the town, impose fines, forfeitures, and penalties for the breach of any ordinance, and to provide for the recovery and appropriation of the same.

(8) To provide for the arrest and confinement until trial of all disorderly or riotous persons by day or by night; to authorize the arrest and detention of all suspicious persons found violating any ordinance of the town.

(9) To prevent or punish by pecuniary penalties or otherwise all breaches of the peace, noise, or disturbance, disorderly assemblage in any alley or street, house or place in the town by day or by night; to prevent and remove all encroachments into and upon all streets, sidewalks, and alleys established by law or ordinance.

(10) To prevent all obstructions of the sidewalk and provide for the construction and repair of all sidewalks, and for cleaning the same; to require the owners of property fronting on the public streets to erect sidewalks in accordance with such ordinance as the council may provide at the expense of the owners of the ground fronting the same.

(11) To regulate, tax, license, or suppress the keeping or going at large of all animals within the town, and in default of redemption in pursuance of ordinance to sell or dispose of same.

(12) To tax, regulate, or restrain theatricals or other public amusements, shows, or exhibitions within the corporate limits of such town; to restrain or prohibit horse-swapping upon the public streets; to restrain or prohibit gambling; to regulate the sale of intoxicating liquors, beer, ale, wine, or malt liquors; and to pass all or any by-laws not contrary to the constitutional laws of the state that may be necessary to carry out the provisions and full intent and meaning of the object of their corporation.

(13) To provide for the prevention and extinguishment of fires, and provide for the organization and maintenance of fire companies.

(14) To make regulations to prevent the introduction and spread of contagious diseases in the town, and to make quarantine laws for this purpose and enforce the same.

(15) To establish hospitals and regulations for the government of the same.

(16) To make regulations to secure the health of the inhabitants and to prevent and remove nuisances.

(17) To regulate all lights, stove pipes, flues in all houses, shops, stables, and other places.

(18) To license, regulate, and tax auctioneers, grocers, retailers, brokers, merchants, coffee houses, confectioners, hucksters, peddlers; livery, feed, and sale stables; keepers of jenny lind, billiard tables, ten pin alleys, flying jennies, and all other privileges taxable by the state.

(19) To erect a workhouse or calaboose for the safekeeping of persons convicted of the violation of any ordinance or by-law of such corporation who fail or refuse to pay or cause to be paid the fine and cost accruing thereon. The Mayor and Aldermen may provide by ordinance for their confinement in such workhouse or calaboose, and put them to work for the town within an inclosure or on the streets or other public works under proper guards, or secure them by ball and chain, at such wages as the Board may adopt by ordinance until such fine and cost are paid.

(20) Such corporation or Council may enter into an agreement with any county to be allowed to commit prisoners to jail in any county upon such terms as can be agreed upon.

(21) To prepare and have published a digest or compilation of all the ordinances and resolutions of a public nature in force within six (6) months after the passage of this act, and a like digest as often as may be deemed necessary.

(22) No member of the Town Council shall become a bondsman for any agent, officer, or servant of the town, nor to be interested, directly or indirectly, in any contract with the corporation.

(23) To judge of the qualifications, election of, and returns of its own members. To prescribe the rules for the determination of contested

elections, and to determine how vacancies are to be filled, and to determine all questions in case of ties in any election, and to prescribe rules for the government of the Board of Mayor and Aldermen.

(24) To provide for the recreation of the citizens of Oliver Springs and to expend money for that purpose.

(25) To elect an alderman as vice mayor who shall serve as such at the will of the Board of Mayor and Aldermen, and who shall have and exercise all the powers of the Mayor when the Mayor is absent or unable to act. The Vice Mayor can exercise his vote on Council when acting as Mayor.

(26) To pay each member of the Board of Mayor and Aldermen twenty dollars (\$20.00) and the Mayor twenty-five dollars (\$25.00) for each regular meeting of the Town Council not to exceed two meetings per month.

(27) The power to affix the salaries of all City employees, City Judge, and Treasurer as the City Council deems necessary.

(28) Power to adopt ordinances on one passage.

(29) The Town of Oliver Springs shall be divided into six (6) wards as follows:

#### WARD ONE:

Start City limit in Poplar Creek and Midway Drive East with Poplar Creek and city limit line to L & N Railroad; then center line of L & N Railroad to Airport Road; then to center line of Airport Road and Sycamore Lane; then with Sycamore Lane to center line of Midway Drive; then with Midway Drive to Poplar Creek the point of beginning.

#### WARD TWO:

Start City limit at Poplar Creek South with City limit lines to Tri-County Boulevard; then with the Tri-County Boulevard to Edmonds Drive with center line of Edmonds Drive to Oliver Drive; then Oliver Drive to Norwood Drive; then with Norwood Drive to a straight line perpendicular with end of First Norway Lane to First Norway Lane; then with First Norway Lane to Airport Road; then Airport Road to Sycamore Lane; then with Sycamore Lane to Midway Drive to point of beginning.

#### WARD THREE:

Starting City limit line on east at Southern Railroad line; then westwardly with City limit line to Hen Valley Road on west; then Hen Valley Road to Kelly Road; then with Kelly Road to Tri-County Boulevard; then Tri-County Boulevard to Waller Road; then Waller Road to Hen Valley Road; then Hen Valley Road to State Rt. 62; then State Rt. 62 to Southern Railroad; then to point of beginning.



**WARD FOUR:**

Beginning east at L & N Railroad City limit intersection; then along City limit line to Southern Railroad; then with Southern Railroad to Tri-County Boulevard; then Tri-County Boulevard to Hannah Drive; then Hannah Drive to Edmonds Drive; then Edmonds Drive to Oliver Drive to Norwood Drive; then Norwood Drive to a line perpendicular with end of First Norway Lane to First Norway Lane; then First Norway Lane to Airport Road to L & N Railroad; then L & N Railroad to point of beginning.

**WARD FIVE:**

Beginning at Tri-County Boulevard at east side of old City limit; then Tri-County Boulevard to Hannah Drive; then Hannah Drive to Tri-County Boulevard; then Tri-County Boulevard to city limit in east at Poplar Creek; then city limit west and north to intersection of L & N Railroad and Southern Railroad; then north east to Southern Railroad; then south east to Tri-County Boulevard and the beginning point.

**WARD SIX:**

Beginning at intersection of Southern Railroad and L & N Railroad; then with L & N Railroad to city limit line; then westward with city limit line to old Hen Valley Road; then with Hen Valley Road to Kelly Drive; then with Kelly Drive to Tri-County Boulevard; then Tri-County Boulevard to Waller Road; then Waller Road to Hen Valley Road; then Hen Valley to State Highway 62; then Highway 62 to point of beginning.

(30) To hear appeals of termination, and to overturn termination if the desire to do so is expressed by Town Council with a majority vote. All appeals must be made to Town Council within thirty (30) days of termination. [As amended by Priv. Acts 1994, ch. 137, § 4; and renumbered and amended by Priv. Acts 2009, ch. 22, § 4]

Section 21. Term, Qualifications, and Duties of Mayor; Vacancies; Mayor's Veto. Beginning in May 1993, The Mayor shall hold his office for four (4) years and until his successor is elected and qualified. In May, 1991, the Mayor shall be elected for a two (2) year term and shall serve for two (2) years and until his successor is elected and qualified. No person shall be elected Mayor who is not at the time of his election a citizen of the State of Tennessee, and has not been for six (6) months, and is not then a bona fide citizen and voter of such town. A vacancy in the office of Mayor shall be filled by the Board of Aldermen; the Mayor shall fill all vacancies arising in any office, except that of Aldermen, until the same shall be filled by the Town Council. It shall be the duty of the Mayor to preside at all meetings of the Council, to vote in the elections of all officers of the town and in all cases where it is a tie vote, all ordinances and resolutions shall be approved and signed by the Mayor on or

before the next meeting of the Council, and the Mayor shall have veto power, and if he shall refuse to approve any ordinance or resolution, he shall return the same to the Council at its next regular meeting with his reasons in writing for his refusal, and such ordinance or resolution shall not be valid unless the Council, by a two-thirds (2/3) vote of Board of Aldermen pass the same notwithstanding the Mayor's veto. But if the Mayor does not veto the same as provided, it shall be valid without his signature; the Mayor shall take care that all the ordinances of the town are enforced, respected, and observed within the town limits; shall call special sessions of the Council when he may deem it expedient, and perform all such other duties as the Town Council may, by ordinance or other wise impose upon him.

The Mayor shall have day-to-day supervisory authority over the City Manager and the Chief of Police, and shall have disciplinary authority over both positions, up to and including termination. [As amended by Priv. Acts 1991, ch. 22; and renumbered and amended by Priv. Acts 2009, ch. 22, § 5]

Section 22. All officials of the Town of Oliver Springs on the effective date of this act shall remain in office until their successors are elected and qualified. Any vacancy in such office shall be filled in such manner as is provided by this act. [As renumbered by Priv. Acts 2009, ch. 22, § 1]

Section 23. All the real and personal property and all legal claims, fines, and forfeitures belonging to the Town of Oliver Springs, the charter of which has been abolished by the Acts of General Assembly at its present session, shall hereafter belong to the Town of Oliver Springs hereby created, and all legal debts and demands existing against the Town of Oliver Springs when its charter was abolished shall be assumed and paid by the Town of Oliver Springs hereby incorporated. [As renumbered by Priv. Acts 2009, ch. 22, § 1]

Section 24. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the Town Council of the Town of Oliver Springs. Its approval or nonapproval shall be proclaimed by the presiding officer of the Town Council and certified by him to the Secretary of State. [As renumbered by Priv. Acts 2009, ch. 22, § 1]

Section 25. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 24. [As renumbered by Priv. Acts 2009, ch. 22, § 1]

PASSED: March 1, 1979

John S. Wilder,  
SPEAKER OF THE SENATE.

Ned R. McWherter,  
SPEAKER OF THE HOUSE OF REPRESENTATIVES.

APPROVED: March 12, 1979

Lamar Alexander,  
GOVERNOR.

This is to certify that according to the official records in this office, Senate Bill No. 600, which is Chapter No. 13 of the Private Acts of 1979, was properly ratified and approved and is therefore operative and in effect in accordance with its provisions.

Gentry Crowell,  
SECRETARY OF STATE.

PRIVATE ACTS COMPRISING THE CHARTER OF THE  
TOWN OF OLIVER SPRINGS, TENNESSEE

YEAR	CHAPTER	SUBJECT
1979	13	Basic charter act.
1991	22	Amended § 20 relative to terms of mayor.
1991	46	Replaced § 8 relative to city judge.
1991	64	Replaced § 3 relative to qualifications, terms, and vacancies of officers, and amended § 4 relative to elections.
1993	39	Not adopted.
1994	137	Replaced § 8a relative to constitutional city judge; § 10a relative to recorder; § 14a relative to treasurer and court clerk; amended § 2 relative to officers; § 19 relative to ordinance powers; deleted §§ 8, 9, and 13; and added § 9a relative to finance officer.
1995	14	Amended § 4 relative to wards.
1996	143	Replaced § 4, Elections; qualifications of voters; wards.
2009	22	Added new § 15, and renumbered §§ 15--24, replaced § 16, and amended §§ 18, 20 and 21.

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YEAR	CHAPTER	SUBJECT
2012	78	Amended § 4 relative to elections and § 7 relative to installation of officers.

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