

CHARTER OF THE TOWN OF MAURY CITY, TENNESSEE<sup>1</sup>

PRIVATE CHAPTER NO. 107

HOUSE BILL NO. 1169

By Dills

Substituted for: Senate Bill No. 1177

By Thomas

AN ACT to amend Chapter 252 of the Private Acts of 1911 and all acts amendatory thereto, being the charter of the Town of Maury City, and to repeal all acts or parts of acts in conflict herewith.

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

SECTION 1. The Charter of the Town of Maury City, being Chapter 252 of the Private Acts of 1911, and all acts amendatory thereto, is amended to read as follows:

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<sup>1</sup>Maury City was incorporated in 1911 under Chapter 252, Private Acts of 1911. That charter has been amended several times (see table on page 20) but was completely revised to read as provided in Chapter 107, Private Acts of 1986. Therefore, the charter, as set out here, is Chapter 107, Private Acts of 1986. No changes have been made in that official act except that a table of contents has been added by the compiler to facilitate reference to the charter. The text of the basic charter act set out herein was last amended to reflect legislation passed in the 1986 session of the Tennessee General Assembly and is current with the laws from the 2023 Regular Session of the 113<sup>th</sup> Tennessee General Assembly.

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## ARTICLE I

## INCORPORATION, NAME AND BOUNDARIES

Section 1. Incorporation, Name, and General Powers. The Town of Maury City, in the county of Crockett and State of Tennessee, and the inhabitants thereof be and are hereby constituted a body politic and corporate under and by the name and style of the "Town of Maury City", and under that name they shall have perpetual succession; may sue and be sued; grant, receive, purchase, and hold real estate, mixed and personal property, or dispose of same for the use and benefit of said Town of Maury City; and may have and use a common seal and alter the same at pleasure.

Section 2. Governing Body. The governing body of the Town of Maury City as elected by the voters of the town shall consist of a Mayor and five (5) Aldermen in whom shall be vested all legislative powers outlined in this Charter and the Statutes of the State of Tennessee. The governing body of the Town of Maury City shall be known as the Board of Mayor and Aldermen.

Section 3. Boundaries. The boundaries of the Town shall be those fixed by Chapter 252, Private Acts of 1911, all Acts amendatory thereof, and annexations made pursuant to general law.

## ARTICLE II

## CORPORATE POWERS

Section 1. Powers. The Town 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 town. Such registration fees may be graduated according to the tonnage capacities, weight, or horsepower of motor vehicles.

(d) To appropriate and borrow money as authorized in this Charter, 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 by the town, to reserve industrial sites, to provide open spaces, to encourage proper development to the community, or for the general welfare of the community. Such acquisitions may be within or outside the town.

(f) To grant franchises or make contracts for public utilities and public services, not to exceed a period of 20 years. Such franchises and contracts may provide 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, public buildings, sewers, drains, sewage treatment plants, water works, industrial sites and buildings; and facilities; and any other public improvements; Inside or outside the town; and to regulate the use thereof; and for such purposes property may be either acquired or taken under applicable laws.

(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 material.

(i) To make regulations to secure the general health of all 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. The town shall have the power to abate and remove nuisances at the expense of the owner or owners, and the expense, including fines, penalties, and interest shall be secured by lien upon the property for which the expenditure is made.

(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. Charges may be imposed to cover the costs of such service which, if unpaid, shall be collectible in the same manner as taxes or other debts.

(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 town.

(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 town, and to provide for the enforcement of such standards.

(n) To provide regulations establishing standards of weights and measures and to enforce compliance with such standards.

(o) To regulate 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.

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

(q) To provide that the violation of any ordinance, rule, regulation, or order shall be punishable by fine, penalty or forfeiture not to exceed fifty dollars (\$50.00) and costs.

(r) To plan for the orderly development of the community, including economic, physical, education 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 town 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 in addition to such powers unless expressly prohibited to cities by the constitution or general laws of the state.

### ARTICLE III

#### ELECTIONS

Section 1. Date of General Town Election. A general Town election shall be held on the first Saturday in May in each odd-numbered year.

Section 2. General Election Laws Apply. All elections shall be conducted by the Commissioners of Elections of Crockett County in accordance with the general election laws of the state and this Charter.

Section 3. Voter Qualification Requirements. Any person residing within the corporate limits, or any person not residing within the corporate limits but having owned real property within the corporate limits of the Town of Maury City for a period of six (6) months prior to an election, shall be eligible to vote in Town elections provided he or she is properly registered in accordance with the applicable laws of the State of Tennessee.

### ARTICLE IV

#### BOARD OF MAYOR AND ALDERMEN

Section 1. Composition of Board. The Mayor and five Aldermen elected under this Charter and the preceding Charter shall compose the Board of Mayor and Aldermen, in which is vested all corporate, legislative, and other powers of the Town, except as otherwise provided in this Charter.

Section 2. Qualification for Office. Any qualified elector who is at least twenty-five (25) years of age and has been a resident of the town for at least one year shall be eligible to be qualified as a candidate for the office of Mayor or Alderman.

Section 3. Election of Mayor and Aldermen. Each elector shall be entitled to vote for one candidate for Mayor and five candidates for Alderman in each biennial election for a term of two years. In case of a tie vote for the office of Mayor or Alderman, the incumbent Board shall decide which of said candidates shall serve. The Mayor and each Alderman shall be eligible for re-election.

The terms of office of Mayor and Aldermen shall begin the first regular Town board meeting following their election, and they shall serve until their successors have been elected and qualified. No informality shall invalidate such an election, providing it is conducted fairly and in substantial conformity with the requirements of this Charter and the general election laws of the state.

Section 4. Restrictions on Candidates and Their Supporters. No employee of the town, other than the Mayor and Aldermen, shall continue in the employment of the town after becoming a candidate for election as Mayor or Alderman of the town. The giving or promising to any person or persons any office, employment, money, or benefit, by or on behalf of any candidate, shall be deemed to be a misdemeanor, and any person convicted thereof shall be ineligible to hold an office or position of employment in the Town government for a period of five years.

Section 5. Oath of Office. The Mayor and each Alderman shall, before entering upon the duties of their respective offices, take an oath before a person authorized to administer oaths in this state.

Section 6. Salaries.<sup>1</sup> The salary of the Mayor shall be two thousand dollars (\$2,000) per year. Each Alderman shall be paid ten dollars (\$10.00) per meeting, but the maximum amount shall not exceed twenty dollars (\$20.00) per month regardless of the number of meetings held in that particular month.

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<sup>1</sup>See Ordinance No. 96-03 (Nov. 25, 1996) of record in the office of the recorder which provides in section 1: "The salary of the mayor shall be \$4800.00 dollars per annum. The salary of the aldermen shall be \$480.00 dollars per annum. Said salaries shall be set prior to the beginning of the term of the members of the Board of Mayor and Aldermen and shall not be increased nor diminished during said term."

Notwithstanding the salary limits established in this section the Board of Mayor and Aldermen shall have the power, by ordinance passed at least one hundred and twenty (120) days prior to a regular biennial election, to increase the salaries for the Mayor and Aldermen; provided that no such increase in salary shall take effect until the completion of the biennial election following the passage of said ordinance.

The Board of Mayor and Aldermen shall also be reimbursed for actual and necessary expenses incurred in the conduct of their official duties.

Section 7. Meetings. The Board of Mayor and Aldermen shall meet regularly at least once every month at the times and places prescribed by ordinance. The Board shall meet in special session by notice of the Mayor or any three Aldermen and served on the other members of the Board personally at least 12 hours in advance of the meeting. Only the business stated in the written call may be transacted at a special meeting. The Board shall exercise its powers only in public meetings.

Section 8. Quorum. Any four (4) members of the Board of Mayor and Aldermen, 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 by-laws to govern the conduct of its business. The Board may subpoena and examine witnesses and order the production of books and papers, pertaining to internal operation of Town affairs and those of all boards and commissions created and appointed by the Board and/or Mayor.

Section 9. Mayor's Duties. The mayor shall preside at all meetings of the Board of Mayor and Aldermen and the Mayor shall have a vote only in case of a tie vote of the other members of the Board of Mayor and Aldermen. In the Mayor's absence, the Vice Mayor shall preside, and in the absence of the Mayor and Vice Mayor, the Board of Mayor and Aldermen may designate one of their number to preside, but both the Vice Mayor and designated Alderman shall retain their votes when presiding over the meeting. The Mayor shall have power to veto all ordinances adopted by the Board of Mayor and Aldermen. In case the Mayor shall refuse to approve an ordinance, he shall return same to the Board of Mayor and Aldermen at the next meeting and with his reasons stated in writing for his refusal, and said ordinance shall not be binding unless the Board of Mayor and Aldermen, by an affirmative vote of three members shall pass the same, the Mayor's vote notwithstanding. He shall be the officer to accept process against the town, and shall perform other duties imposed by this Charter and by ordinances not inconsistent with this Charter.

The Mayor shall be the administrative head of the town, responsible for the efficient and orderly administration of the ordinances of the town, policies

of the Board of Mayor and Aldermen and the laws of the State within the town limits. The Mayor shall make recommendations to the Board of Mayor and Aldermen as it concerns personnel appointments, promotions and transfers. He shall have the authority to make demotions, suspensions, and removals of employees for reasonable cause. He shall also, in case of an emergency, have the power to make special appointments of additional Town employees, and he shall provide a full explanation of the emergency and the action taken to the Board of Mayor and Aldermen at their next regular meeting.

Section 10. Vice-Mayor. The Board of Mayor and Aldermen, at the first regular meeting following each biennial election, shall elect from its membership a Vice-Mayor for a term of two years. The Vice-Mayor shall have and perform the same powers and duties of the Mayor during the Mayor's temporary absence or inability to act, except that the Vice-Mayor shall retain his vote and shall not have veto power unless he is serving the remainder of the Mayor's unexpired term.

Section 11. Vacancy in Office of Mayor or Alderman. A vacancy shall exist if the Mayor or an Alderman resigns, dies, moves his residence from the town, 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, or has been continuously disabled for a period of six (6) months so as to prevent him from discharging the duties of his office. The Board shall by resolution declare a vacancy to exist for any of these reasons, and such finding shall be final.

When a vacancy occurs in the office of Mayor, the Vice-Mayor shall immediately assume the office of Mayor for the remainder of the unexpired term.

When the Vice-Mayor assumes the office of Mayor, or if the Alderman serving as Vice-Mayor should vacate his office for any other reason, the Board of Mayor and Aldermen shall elect from its membership a Vice-Mayor to serve for the remainder of the unexpired term.

When a vacancy occurs in the office of Alderman, the Board of Mayor and Aldermen shall, within a period of thirty (30) days from the date the resolution is adopted declaring a vacancy in the office of Alderman, appoint a qualified person to fill the vacancy for the remainder of the unexpired term.

In the event the Board of Mayor and Aldermen fail to fill a vacancy in the office of Alderman within the thirty (30) day period, the Mayor shall request the Election Commission of Crockett County to call and cause to be held a special election for the purpose of filling the unexpired term of such vacancy, provided

such special election shall occur at least six (6) months prior to the next general town election.

Section 12. Town Legislation. 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. Other actions of the Board of Mayor and Aldermen may be accomplished by resolutions or motions. Ordinances and resolutions shall be furnished to each member of the Board at the meeting in which introduced. The enacting clause of ordinances shall be "Be it ordained by the Board of Mayor and Aldermen of the Town of Maury City". An affirmative vote of a majority of the Board of Mayor and Aldermen, present at the meeting shall be necessary for the passage of any ordinance, resolution or motion. Every ordinance must be read and approved on one reading, but before it becomes effective it shall be signed and approved by the Mayor and attested by the Town Recorder.

The Board shall have the general and continuing ordinances of the Town assembled into an official code of the Town, a copy of which shall be kept currently up to date by the Town Recorder and shall be available to the public.

## ARTICLE V

### TOWN RECORDER

Section 1. Appointment. The Town Recorder shall be appointed by the Board of Mayor and Aldermen to serve with compensation as provided by the Board of Mayor and Aldermen, and be bonded as provided by appropriate ordinance. The Recorder shall be appointed by virtue of experience and/or educational qualifications and shall serve at the will and pleasure of the Board of Mayor and Aldermen.

Section 2. Absence of the Recorder. In the temporary absence or disability of the Recorder another officer shall be temporarily designated by the Mayor and shall serve in his capacity for a period not to exceed thirty (30) days. Should the Recorder's absence exceed thirty (30) days, the Mayor's appointment shall be confirmed by the Board of Mayor and Aldermen or the Board shall appoint another officer or qualified person to serve in the Recorder's capacity for the remainder of the absence.

Section 3. Duties of the Recorder. The Town Recorder shall: (1) Exercise general supervision over the fiscal affairs of the town, and general accounting supervision over all the town's property, assets, and claims. He shall be the general accountant and auditor of the town. He shall have custody of all papers, records, and vouchers relating to the fiscal affairs of the town, and the records

in his office shall show the financial operations and conditions, property, assets, claims and liabilities of the town; all expenditures authorized and all contracts in which the town is interested. (2) The Town Recorder shall be the treasurer of the Town. As such, it shall be his duty to collect, receive, and receipt for the taxes and all other revenues and bonds of the Town, and the proceeds of its bond issues, and to disburse the same for operational expenses incurred by appropriations duly authorized by the Board of Mayor and Aldermen. (3) Keep full and accurate minutes of all meetings of the Board of Mayor and Aldermen. (4) Preserve and maintain the town's seal, public records, ordinances, resolutions, minutes, contracts, bonds, and all other records and documents of value to the town. All records and documents shall be maintained such that they are easily accessible and available. When necessary the Town Recorder shall provide certified copies of the Town documents for fees as established by ordinance. (5) Perform other such duties as required by the Board of Mayor and Aldermen not inconsistent with other provisions of this Charter.

## ARTICLE VI

### TOWN ATTORNEY

Section 1. Qualifications. The Town Attorney shall be an attorney-at-law entitled to practice in the courts of the State of Tennessee. The Town Attorney shall be appointed by the Board of Mayor and Aldermen, and shall direct management of all litigation in which the town is a party, including the function of prosecuting attorney in the Town Court; represent the town in all legal matters and proceedings in which the town is a party or interested; attend meetings of the Board of Mayor and Aldermen as requested; and advise the Board and committees and members thereof, the heads of all departments and divisions as to all legal questions affecting the town's interests; and when deemed necessary by the Board of Mayor and Aldermen to review and/or approve as to form, all documents, deeds, bonds, ordinances, resolutions, and other documents to be signed in the name of, or made by, or with, the town. His compensation shall be fixed by the Board of Mayor and Aldermen, and he shall serve at the will and pleasure of the Board.

## ARTICLE VII

### ADMINISTRATION

Section 1. Appointment of Officers. The Board of Mayor and Aldermen shall elect a Fire Chief and Public Works Director to serve at the will and pleasure of the Board, and under the direction and supervision of the Mayor with specific duties fixed by ordinance.

All officers shall be elected with due regard to their qualifications and fitness and for the good of public service, and without reference to race, age, color, creed, sex, or political party affiliation.

Section 2. Departments, Offices, and Agencies Generally. The Board of Mayor and Aldermen may establish town departments, offices or agencies in addition to those created by this Charter, and may prescribe the functions of all departments, offices and agencies not inconsistent with this Charter. Departments, offices, and agencies created by this Charter or the Board of Mayor and Aldermen may be abolished or combined by ordinance.

Section 3. Direction and Supervision of Departments, Offices, or Agencies. All departments, offices, and agencies under the direction of the Mayor shall be administered by qualified persons appointed by the Board of Mayor and Aldermen and subject to the direction and supervision of the Mayor. The Mayor may serve as the head of one or more such departments, offices or agencies.

Section 4. Personnel Rules. The Board of Mayor and Aldermen may adopt personnel rules which may include but not be limited to:

- (1) A job classification plan;
- (2) A pay plan;
- (3) The hours of work, attendance regulations and provisions for sick and vacation leave.

Section 5. Official Bonds. Every officer, agent, and employee having duties embracing the receipt, disbursement, custody, or handling of money shall, before entering upon his duties, execute a surety bond with some surety company authorized to do business in the State of Tennessee, as surety, in such amount as shall be prescribed by ordinance or this Charter. All such bonds and sureties shall be subject to the approval of the Board of Mayor and Aldermen, and the Board of Mayor and Aldermen may provide for blanket bonds. The cost of all bonds shall be an expense to the town.

## ARTICLE VIII

### FINANCE

Section 1. Fiscal Year. The fiscal year of the town shall begin on the first day of July and end on the last of day June.

Section 2. Annual Departmental Budgets Required. The adoption of an annual budget for all departments shall be a prerequisite to the appropriation of money for municipal purposes and the levy of property taxes.

Section 3. Mayor Required To Prepare And Submit Annual Budget And Explanatory Message. At least 30 days before the beginning of the fiscal year the Mayor shall prepare and submit to the Board of Mayor and Aldermen a budget for the ensuing fiscal year and an accompanying message. The Mayor's message shall explain the budget both in fiscal terms and in terms of work programs. It shall outline the proposed financial policies of the town for the ensuing fiscal year, describe the important features of the budget, indicate any major changes from the current year in financial policies, expenditures, and revenues together with the reasons for such changes, summarize the town's debt position and include such other material as the Mayor deems desirable.

Section 4. Required Content And Organization of Budget. The budget shall provide a complete financial plan of all town funds and activities for the ensuing fiscal year and shall be in such form as the Mayor deems desirable or the Board of Mayor and Aldermen may require.

Section 5. Amendments To Budget, When Budget Must Be Adopted, And Effect Of Adoption. The Board of Mayor and Aldermen may adopt the budget with or without amendment, but no amendment shall decrease expenditures required by law for debt service. The budget shall be adopted for the ensuing fiscal year before the end of the current fiscal year. Adoption of the budget shall constitute appropriations of the amounts specified therein as expenditures from the funds indicated and shall constitute a levy of the property tax therein proposed.

Section 6. Supplemental Appropriations. If during the fiscal year the Mayor certifies that there are available for appropriation revenues in excess of those estimated in the budget, the Board of Mayor and Aldermen may make supplemental appropriations for the year up to the amount of such excess.

Section 7. Deficits. If at any time during the fiscal year it appears probable to the Mayor that the revenues available will be insufficient to meet the amount appropriated, he shall report to the Board of Mayor and Aldermen without delay, indicating the estimated amount of the deficit, any remedial action taken by him and his recommendations as to any other steps to be taken. The Board of Mayor and Aldermen shall then take such further action as it deems necessary to prevent or minimize any deficit and for that purpose it may reduce appropriations.

Section 8. Transfer Of Unencumbered Appropriations. At any time during the fiscal year the Mayor may transfer part or all of any unencumbered appropriation balance among programs within a department, office or agency and, upon written request by the Mayor, the Board may transfer part or all of

any unencumbered appropriation balance from one department, office, or agency to another.

Section 9. Lapsing of Appropriations. Every appropriation shall lapse at the end of the fiscal year to the extent that it has not been expended or encumbered.

Section 10. Incurrence And Discharge Of Obligations. No payment shall be made or obligation incurred against any appropriation unless the Mayor or an officer designated by him first certifies that an appropriation has been made for that purpose and that there is unexpended and unencumbered in the appropriation for that purpose an amount sufficient to meet the obligation or to make the expenditure. However, except where prohibited by law, nothing herein shall be construed to prevent the making or authorizing of payments or making of contracts for capital improvements to be financed wholly or partly by the issuance of bonds or to prevent the making of any contract or lease providing for payments beyond the end of the fiscal year.

Section 11. Borrowing. The Board is authorized to borrow money in accordance to the provisions of state law.

Section 12. Accounting Records And Audits. There shall be installed and maintained adequate accounting records in accordance with generally accepted principles of municipal accounting. The same account titles shall be used throughout the accounting records, the budget and financial statements. Constant and comprehensive budgetary control shall be maintained. An audit of the financial affairs of the town shall be required by action of the Board and same be made after the end of each fiscal year by a public accountant skilled in such work.

Section 13. Competitive Bidding And Purchasing Procedures. Purchasing and bidding procedures shall be established by ordinance in accordance with state law.

## ARTICLE IX

### TAXATION

Section 1. Property Taxes. All property subject to taxation shall be subject to the property tax levied by the town. The town will use county assessments except for property assessed by the State Public Service Commission.

Section 2. Tax Levy. The Board of Mayor and Aldermen shall make a tax levy, expressed as a fixed rate per \$100 of assessed valuation, coincidental with the adoption of appropriations. In the event of the Board's failure to do so, the prior year's tax rate shall continue in effect.

Section 3. Due And Delinquent Dates; Penalties And Interest. Property taxes shall be payable on and after October 1 in the year for which assessed and shall become delinquent on March 1 following. The town's penalties and interest on delinquent taxes shall be the same as the penalties and interest of Crockett County. On and after the date when such taxes become delinquent the tax records of the town shall have the force and effect of a judgment and execution from a court of record.

Section 4. Institution Of Suits To Enforce Tax Liens. Before March 1 of the second year following the year for which assessed, the Town Recorder shall certify to the Town Attorney the list of all real estate upon which municipal taxes remain due and unpaid, or which is liable for sale for other taxes and assessments, and said Attorney shall proceed at once to file suits in the Chancery Court for the collection of said taxes, assessments, penalties and interest and enforcement of tax liens. Upon the filing of suit an additional penalty of ten percent shall accrue upon all delinquent taxes as attorney's fees. Suits may be filed, prosecuted and the land sold in the same manner as for the enforcement of tax liens for delinquent county taxes, or as otherwise provided by general law.

Section 5. Statutory Lien. All municipal taxes on real estate in the Town of Maury City, and all penalties and cost accruing thereon are hereby declared to be a lien on said real estate from and after January 1 of the year for which the same are assessed.

Section 6. Collection of Delinquent Personal Property Taxes. All personal property taxes delinquent for thirty (30) days may be collected by distress warrants and sale of personal property, and the delinquent tax list in the hands of the collector shall have the force and effect of a judgment and execution from a court of record.

## ARTICLE X

### TOWN COURT

Section 1. Appointment, Oath, Compensation, And Restrictions On Office Of Town Judge. A Town Judge who shall constitute the Town Court shall be appointed by the Board of Mayor and Aldermen to serve at the will of the Board or for a term to be fixed by ordinance. He shall take the same oath required of

the Mayor and Aldermen. He shall receive such compensation as may be provided by ordinance. Nothing herein is to be construed as prohibiting the Town Judge from also serving in other administrative duties under this Charter.

Section 2. Absence Or Disability Of Town Judge. The Board of Mayor and Aldermen shall designate a qualified person to serve in the absence or disability of the Town Judge.

Section 3. Term of Office Of Town Judge May Be Provided By Ordinance. In the event a term of office is provided by ordinance, there shall also be provided the conditions which will create a vacancy in the office, how the vacancy shall be filled, and such other matters as the Board deems necessary.

Section 4. Duties and Powers of Town Judge. The Town Judge shall try all persons charged with violation of the ordinances of the Town. He shall have the power to levy fines, penalties and forfeitures not exceeding \$50 for each offense and to impose such costs as the Board may by ordinance provide, to issue all necessary process, to administer oaths, and to punish for contempt by fine not exceeding \$10.

Section 5. Imposition of Bail, Fines, Costs, and Sentences. The bail of persons arrested and awaiting trial and persons appealing the decision of the Town Judge shall be fixed by the Town Judge and upon such security as in his discretion he deems necessary or as otherwise provided by ordinance. Cash bail of persons arrested may be accepted at such times and by officials other than the Town Judge as provided by ordinance, but no officer shall accept cash bail unless the person arrested is given a receipt which explains the nature of the deposit. The receipt shall be in duplicate and a copy with the money deposited shall be filed with the Town Judge. Fines and costs may be paid by installments to be fixed and security determined as provided by ordinance. Upon failure to pay fines or to furnish security, the Town Judge may commit the offender to the jail or workhouse until such fines have been paid. For each day's confinement he shall be credited \$5.00 toward the fine.

Section 6. Maintenance Of Docket And Other Court Rules. The Chief of Police shall keep a docket. The Board may by ordinance require such other records, fix the time for holding court, and provide such other rules and regulations for the proper functioning of the court as deemed necessary.

Section 7. Town Judge To Be Exclusive Judge Of Law And Facts. The Town Judge shall be the exclusive judge of the law and facts in every case before him, and no official or employee of the town shall attempt to influence his decision except through pertinent facts presented in court.

Section 8. Appeals. Appeals shall be in accordance with current state laws governing same.

## ARTICLE XI

### MISCELLANEOUS

Section 1. Severability. If any article, section, subsection, paragraph, sentence, or part of this Charter shall be held to be invalid or unconstitutional, such invalidity 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, or part be enacted separately and independently of each other.

Section 2. Gender. Wherever, in this Charter, "man, men, him, his" or their related pronouns may appear, either as words or as parts of words, they have been used for literary purposes and are meant in their generic sense (i.e., to include all humankind-both female and male sexes).

Section 3. The Corporate Existence Of The Town Of Maury City Is Continued. All existing ordinances, resolutions, or other actions of the Board of Mayor and Aldermen not inconsistent with this act shall remain in full force and effect until amended or repealed in the manner herein provided.

Section 4. Continuance in Office. Nothing in this Act shall be construed as having the effect of removing any incumbent from office or abridging the term of any official prior to the end of the term for which he was elected.

Section 5. Repeal. All or any part of Chapter 252 of the Private Acts of 1911, Chapter 230 and 290 of the Private Acts of 1913, Chapter 720 of the Private Acts of 1925, Chapter 529 of the Private Acts of 1931, Chapter 885 of the Private Acts of 1937, Chapter 394 of the Private Acts of 1945, Chapter 272 of the Private Acts of 1957, Chapter 202 of the Private Acts of 1963, Chapter 86 of the Private Acts of 1977, and Chapter 151 of the Private Acts of 1979, and all or any part of any other acts in conflict with this act are repealed.

Section 6. Applicability. This Act must be approved by a two-thirds vote of the governing body of the Town of Maury City, said vote to be taken within not more than 120 days after this Act becomes law in order to be applicable as the Charter of the Town of Maury City. The Mayor shall, within 10 days thereafter, certify to the Secretary of State the results of said vote.

Section 7. Effective Date. This Act shall take effect upon becoming a law, the public welfare requiring it, for purposes of approval or nonapproval as provided in Section 6. For purposes of being the new Charter for the Town of Maury City, it shall become effective as provided in Section 6.<sup>1</sup>

PASSED: January 29, 1986

s/Ned R. McWherter  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

s/John S. Wilder  
SPEAKER OF THE SENATE

APPROVED this 6th day of February, 1986

s/Lamar Alexander  
GOVERNOR

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<sup>1</sup>Chapter No. 107, Private Acts of 1986, the new Charter of the Town of Maury City, Tennessee, was approved by the governing body of the town on February 25, 1986, and the Secretary of State has been notified, all in accordance with Section 6.

Private Acts Comprising the Charter of the  
Town of Maury City, Tennessee

Year	Chapter	Subject
1911	252	Basic Charter act of the Town.
1913	230	Amends Section 1 of the Charter by changing the boundaries of the town.
1913	290	Creates special school district.
1925	720	\$10,000 sidewalk construction bond issue.
1931	529	Amended Sec. 18 of the Charter by providing for the appointment of a school board and school tax levy.
1937	885	\$15,000 school bond issue.
1945	394	Purports to amend Section 2 of the Charter by expanding the boundaries of the Town.
1957	339	\$130,000 wasteworks bond issue.
1957	272	Amends Secs. 5, 6, 9, 13, 17, 18, and 19 of the Charter.
1963	202	Amends Secs. 11, 12, 13, 14, and 15 of the Charter.
1972	86	Amends Secs. 5 and 19 of the Charter.
1979	151	(Rejected, disapproved, or not concurred in locally)
1986	107	Revises charter in its entirety.