

CHARTER OF THE CITY OF PURYEAR, TENNESSEE<sup>1</sup>

## CHAPTER NO. 222

## HOUSE BILL NO. 2846

By Representative Ridgeway

Substituted for: Senate Bill No. 2839

By Senator Springer

AN ACT to continue the corporate existence of the City of Puryear, Tennessee, providing a new charter for such corporation and to repeal Chapter 253 of the Acts of 1909, as amended by Chapter 277 of the Private Acts of 1943, Chapter 64 of the Private Acts of 1957, Chapter 351 of the Private Acts of 1959, Chapter 23 of the Private Acts of 1961, Chapter 72 of the Private Acts of 1963, Chapter 281 of the Private Acts of 1976, Chapter 121 of the Private Acts of 1979, Chapter 79 of the Private Acts of 1989, and any other acts amendatory thereto.

TABLE OF CONTENTS

SECTION	PAGE
1. Repeal of other acts and act constitutes city charter . . . . .	C-4
2. Definitions . . . . .	C-4
3. City boundaries . . . . .	C-5
4. Corporate powers . . . . .	C-5

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<sup>1</sup>Priv. Acts 1992, ch. 222, is the current basic charter act for the City of Puryear, Tennessee. The text of the basic charter act set out herein includes all its amendments through the 2020 session of the Tennessee General Assembly. Sections of the charter which have been amended contain at the end of those sections the citation to the official 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.

SECTION	PAGE
5. Municipal elections . . . . .	C-7
6. Restrictions on candidates . . . . .	C-8
7. Board of mayor and aldermen . . . . .	C-8
8. Mayor as presiding officer . . . . .	C-9
9. Vice-mayor . . . . .	C-9
10. Vacancy on board . . . . .	C-9
11. Restrictions on aldermen . . . . .	C-9
12. Ordinances . . . . .	C-10
13. Organization of city government . . . . .	C-10
14. Administrative duties of mayor . . . . .	C-10
15. City recorder . . . . .	C-11
16. City attorney . . . . .	C-11
17. City judge . . . . .	C-11
18. Officers and employees . . . . .	C-12
19. Personnel actions . . . . .	C-12
20. Personnel rules . . . . .	C-13
21. Oath of office . . . . .	C-13
22. Bonds . . . . .	C-13
23. Political activity . . . . .	C-13
24. Prohibited acts . . . . .	C-13
25. Fiscal year . . . . .	C-14

SECTION	PAGE
26. Annual budget . . . . .	C-14
27. Public hearing on budget . . . . .	C-14
28. Adoption of budget . . . . .	C-14
29. Control of expenditures . . . . .	C-14
30. Unauthorized contract or expenditure . . . . .	C-14
31. Sale of property . . . . .	C-15
32. Bonds on contracts . . . . .	C-15
33. Property taxes . . . . .	C-15
34. Omitted property . . . . .	C-15
35. Tax levy . . . . .	C-15
36. Tax due dates and tax bills . . . . .	C-15
37. Collectin of delinquent taxes . . . . .	C-15
38. County may collect taxes . . . . .	C-16
39. Taxes not to be excused . . . . .	C-16
40. Disbursement by check . . . . .	C-16
41. Official depository . . . . .	C-16
42. Cooperative agreements and contracts . . . . .	C-16
43. Other general laws . . . . .	C-16
44. Penalties . . . . .	C-16
45. Severability . . . . .	C-16

SECTION	PAGE
46. Local approval of act required . . . . .	C-17
47. Effective date . . . . .	C-17

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

SECTION 1. Repeal of Other Acts and Act Constitutes City Charter. Chapter 253 of the Private Acts of 1909, as amended by Chapter 277 of the Private Acts of 1943, Chapter 64 of the Private Acts of 1957, Chapter 351 of the Private Acts of 1959, Chapter 23 of the Private Acts of 1961, Chapter 72 of the Private Acts of 1963, Chapter 281 of the Private Acts of 1976, Chapter 121 of the Private Acts of 1979, Chapter 79 of the Private Acts of 1989, and any other acts amendatory thereto, are hereby repealed. The City of Puryear, Tennessee, shall continue as a body politic and corporate by the name and style of Puryear, Tennessee, and this act shall constitute its complete charter. The City of Puryear shall have perpetual succession, may sue and be sued, plead and be impleaded, in all the courts of law and equity, and in all actions whatsoever, and may have and use a common seal and change it at pleasure.

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

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

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

(c) "Board of mayor and aldermen" and "board" shall mean the legislative body of the city, which shall be composed of the mayor and four (4) aldermen elected as provided in this charter.

(d) "Elector" shall mean a qualified voter residing within the city or a qualified voter who has owned in fee simple lands within the city for a period of six (6) months preceding an election.

(e) "Nonpartisan" shall mean without any designation of candidates as members or candidates of any state or national political party or organization.

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

SECTION 3. City Boundaries. The boundaries of the city shall be those fixed by Chapter 253 of the Acts of 1909 and all amendments thereof, and annexations<sup>1</sup> made pursuant to general law.

SECTION 4. Corporate Powers. The city shall have power:

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

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

(c) To levy and collect registration fees on motor vehicles operated within the city. 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, for present or future use by the city, to reserve industrial sites, to provide open spaces, to encourage proper development of the community, or for the general welfare of the community. Such acquisitions may be within or outside the city.

(f) To grant franchises or make contracts for public utilities and public services, not to exceed a period of twenty-five (25) years. Such franchises and contracts may provide for rates, fares, charges, regulations, and standards and conditions of service, subject to regulation by the Tennessee Public Service Commission or other state or federal agency having jurisdiction in such matters.

(g) To provide for the acquisition, construction, building, operation, and maintenance of: public ways, parks, public grounds, cemeteries, markets and market houses, public buildings, libraries, sewers, drains, sewage treatment

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<sup>1</sup>The corporate boundaries as set out here have been further amended by annexation ordinances of record in the recorder's office.

plants, airports, hospitals, water works, docks, gas works, marinas, forests, heliports, terminals, parking garages and lots, industrial sites and buildings; charitable, educational, recreational, sporting, cultural, curative, corrective, detention, penal, and medical institutions, agencies, and facilities; and any other public improvements, inside or outside the city, 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 the inhabitants and to prevent, abate and remove nuisances, including but not limited to salvage and junkyards, old or dilapidated buildings which are so out of repair as to be unsafe, unsanitary or unsightly. The city 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 city.

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

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

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

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

(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, educational and cultural aspects, and to institute programs to effectuate such plans.

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

SECTION 5. Municipal Elections. On the first (1st) Saturday in May of 1993, a nonpartisan, at-large, general municipal election, open to all electors, shall be conducted by the Henry County Election Commission to elect a mayor, four (4) aldermen and a city recorder. The four (4) candidates for aldermen who receive the highest number of votes shall be declared elected and shall serve until after the election on the first (1st) Tuesday in November of 1996, and until after their successors to the office are elected and qualified. The candidates for mayor and city recorder receiving the highest number of votes shall serve until after the election of November, 1996, and until their successors to the office are elected and qualified.

Thereafter, elections shall be held on the first (1st) Tuesday in November, beginning in 1996, of even-numbered years. The candidates for mayor and city recorder receiving the highest number of votes shall be declared elected for a four (4) year term ending after the election in November, 2000, when their successor is declared elected and qualified. The two (2) candidates for aldermen receiving the highest number of votes shall be elected for a term of four (4) years for terms ending after the election of November, 2000, when their successors are declared elected and qualified. The two (2) candidates receiving the next highest number of votes shall be declared elected to a term of two (2) years ending after

the election of November, 1998, and after their successors are elected and qualified.

Thereafter, elections shall be held on the first (1st) Tuesday of November of each even-numbered year for those candidates qualifying for the office of the expired terms. Those elected and qualified shall serve a four (4) year term.

The term of office for all elected officials shall begin on the third (3rd) Tuesday in November of even-numbered years.

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

SECTION 7. Board of Mayor and Aldermen.

(a) The mayor and four (4) aldermen elected under this charter shall compose the board of mayor and aldermen in which is vested all corporate, legislative and other powers of the city, except as otherwise provided in this charter.

(b) The compensation of the mayor and aldermen shall be set by ordinance, but the salary of the mayor or any alderman shall not be changed during their term of office. The mayor and aldermen may be reimbursed for actual and necessary expenses incurred in the conduct of their official duties.

(c) 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 on written notice of the mayor or any three (3) aldermen and served on the other members of the board or as agreed upon by a duly adopted motion at a regular or special meeting. Only the business stated in the written call or stated at the meeting when the special meeting is called may be transacted at a special meeting.

(d) A majority of the aldermen, excluding any vacancies, shall constitute a quorum. The ayes and nays of all votes shall be recorded in the journal. The board may by ordinance adopt rules and bylaws to govern the conduct of its business, including procedures and penalties for compelling the attendance of absent members. The board may subpoena and examine witnesses and order the production of books and papers.



(e) Any person being a qualified voter residing within the city and owning property in fee simple for a period of twelve (12) months shall be qualified to fill the offices of mayor, alderman or recorder.

SECTION 8. Mayor as Presiding Officer. The mayor shall preside at meetings of the board, and shall not have a vote on any matters except in the case of a tie vote. He shall be recognized as the ceremonial head of the city. The mayor shall be the officer to accept process against the city, and shall perform other duties imposed by this charter and by ordinances not inconsistent with this charter.

SECTION 9. Vice-Mayor. There shall be a vice-mayor who shall be selected at the first meeting after each election by the board from among their number. The term of office of the vice-mayor shall be for a period of two (2) years. The vice-mayor shall perform the duties of the mayor during the mayor's temporary absence or disability to act. In case of a vacancy in the office of mayor, the vice-mayor shall fill out the unexpired term, or until the next regular city election, whichever shall occur first. If the vice-mayor is filling out a term in the office of mayor, the vice mayor's position as an alderman shall become vacant and the board shall fill the vacancy as provided in Section 10. The board shall select another of their number to fill out the unexpired term of the vice-mayor.

SECTION 10. Vacancy on Board. The board of mayor and aldermen shall declare that a vacancy exists if the mayor or an alderman resigns, dies, moves his or her residence from the city, is convicted of malfeasance or misfeasance in office, a felony, a violation of this charter or election laws of the state, or a crime Involving moral turpitude, fails to attend any meetings of the board for a period of ninety (90) days with no extenuating circumstances, or has been continuously disabled for a period of six (6) months so as to prevent such person from discharging the duties of the office.

The board of mayor and aldermen shall, within a period of thirty (30) days from the date on which a vacancy was declared, appoint a qualified person to fill the vacancy for the remainder of the unexpired term or until the next regular general election, whichever shall occur first. If the next regular city election occurs prior to the expiration of the term, a special election shall be held, at the same time as the regular city election, to fill the remainder of the unexpired term.

SECTION 11. Restrictions on Aldermen. The aldermen shall act on all matters as a body, and no member shall seek individually to influence the official acts of any officer or employee of the city, or to direct or request the appointment of any person to, or the removal from, any office or position of

employment, or to interfere in any way with the performance of duties by any officer or employee. The board shall deal with the various agencies, officers and employees of the city, solely through the mayor, and shall not give orders to any subordinates of the mayor, either publicly or privately. Nothing herein contained shall prevent the board from conducting such inquiries into the operation of the city government and the conduct of the city's affairs as it may deem necessary.

SECTION 12. Ordinances. 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 may be accomplished by resolutions or motions. Resolutions shall be in written form before being introduced. The enacting clause of ordinances shall be "Be it ordained by the Board of Mayor and Aldermen of the City of Puryear:". Every ordinance must be approved by a majority vote of the board. Ordinances shall take effect upon final reading and adoption, unless a different effective date is designated in the ordinance.

SECTION 13. Organization of City Government. The city government shall be organized into such department and offices as shall be provided by ordinance. The board shall determine by ordinance the functions and duties of all departments and offices. The board may establish, abolish, merge, or consolidate offices, positions of employment and departments; may provide that the same person shall fill any number of offices and positions of employment; and may transfer or change the functions and duties of offices, positions of employment and departments.

SECTION 14. Administrative Duties of Mayor. The mayor shall have the powers of a business manager and shall have supervision and control of all the administrative affairs of the city. The mayor shall be the chief executive and shall have access to all of the books, records, offices and papers of every kind pertaining to the city's business and require their proper and safekeeping. The mayor shall present in writing or verbally to the board the mayor's recommendations of the needs of the city at any time the mayor deems advisable.

The mayor shall take all proper measures for the preservation of public order and preservation of the peace and may call upon the governor for military aid.

The mayor shall appoint, subject to confirmation by the board, any employee who is designated a department head by ordinance.

The mayor shall have the authority to make appointments, promotions and transfers of employees, to make demotions, suspensions and removals of officers and employees for cause. This authority shall extend from the time of appointment, promotion, transfer, demotion, suspension or removal until the next regular board meeting and then be subject to confirmation by the board.

SECTION 15. City Recorder. The city recorder shall be elected by the electors of the city to serve a four (4) year term.

The recorder shall keep and preserve the city seal and all official records not required by law or ordinance to be filed elsewhere, to attend all meetings of the board and to maintain a journal showing the proceedings of all such meetings, the aldermen present and absent, each motion considered, the title of each resolution and ordinance considered, the vote on each question, and to prepare and certify copies of official records.

The recorder shall act as tax collector and issue receipts for taxes collected and enter on the tax books the payment of taxes on the date on which they are collected.

The recorder may act as treasurer and shall receive and keep safely all funds of the city and shall pay out the same upon warrants signed by the mayor and recorder.

SECTION 16. City Attorney. The mayor, subject to confirmation by the board, shall appoint a city attorney. The city attorney shall be responsible for advising the board and officers and employees concerning legal aspects of their duties and responsibilities, approving as to form and legality an contracts, deeds, bonds, ordinances, resolutions, motions and other official documents, and performing such other duties as may be prescribed by the board.

SECTION 17. City Judge. A city judge, who shall be a licensed attorney, shall be appointed by the mayor, subject to the confirmation of the board. A person designated by the mayor shall serve in the absence or incapacity of the judge.

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

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

Fines and costs may be paid by installments to be fixed and security determined as provided by ordinance. Upon willful failure to pay fines and costs or to furnish security, the city judge shall commit the offender to the appropriate facility for incarceration until such fines and costs have been paid at a daily rate of commutation fixed by ordinance, but no person shall be continuously confined in excess of sixty (60) days. Receipts of the city court shall be deposited with the recorder and the city judge shall make monthly reports thereof to the board.

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

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

SECTION 18. Officers and Employees. Only the offices and positions of employment provided for in the annual budget as approved by the board, shall be filled. In determining salaries, due consideration shall be given to duties, responsibilities, technical knowledge and skill required to satisfactorily perform the work, and availability of persons having the qualifications desired.

SECTION 19. Personnel Actions. The appointment and promotion of employees of the city shall be on a basis of merit, considering technical knowledge required to perform satisfactorily the work, experience in the particular or similar line of work, and administrative or supervisory qualifications.

Before removal, demotion, or suspension for more than ten (10) days, an employee shall be given a written notice of intention to suspend, remove, or demote such person, containing a clear statement of the grounds for such proposed action.

SECTION 20. Personnel Rules. The board may adopt supplementary rules and regulations governing employment by the city, not inconsistent with the provisions of this charter.

SECTION 21. Oath of Office. Before a person takes any office in the city government, such person shall subscribe to the following oath or affirmation, administered by the recorder, mayor or any other person authorized to administer oaths: "I solemnly swear (or affirm) that I will support the Constitution and will obey the laws of the United States and of the State of Tennessee, that I will, in all respects, observe the provisions of the charter and ordinances of the City of Puryear, and that I will faithfully discharge the duties of the office of \_\_\_\_\_."

SECTION 22. Bonds. The mayor and every officer, agent, and employee of the city having duties embracing the receipt, disbursement, custody, or handling of money, and other officers and employees designated by the board, shall give a fidelity bond or faithful performance bond, as determined by the board with some surety company authorized to do business in the State of Tennessee, in such amount as shall be prescribed by the board. All such bonds and sureties thereto shall be subject to approval by the board and the cost of such bonds shall be paid by the city.

SECTION 23. Political Activity. No employee of the city shall continue in the employment of the city after becoming a candidate for nomination or election to any city office, but this provision shall not apply to the mayor, members of boards or commissions, the city attorney or the city judge. Any present alderman must resign at the last board meeting prior to the city election after entering the election qualifying petition for the office of mayor at the Henry County Election Commission. No person shall directly or indirectly give, render or pay any money, service or other valuable consideration to any person for or on account of or in connection with employment by the city government. No person shall orally, by letter, or otherwise solicit or be in any manner concerned in soliciting any assessment, subscription or contribution from any employee of the city in connection with any city election. Any person who alone or with others willfully or corruptly violates any provision of this section shall be guilty of a misdemeanor and, upon conviction thereof, such person shall immediately forfeit and vacate the office or position such person holds and be ineligible to hold any office or position of employment in the city government for a period of five (5) years thereafter.

SECTION 24. Prohibited Acts. No officer or employee shall accept any free or preferred service, benefits or concessions from any person, company or firm regulated by or doing business with the city.

SECTION 25. Fiscal Year. The fiscal year of the city government shall begin on the first (1st) day of July and shall end on the thirtieth (30th) day of June of the succeeding year.

SECTION 26. Annual Budget. Prior to the beginning of each fiscal year, the mayor shall submit to the board a proposed budget for the next fiscal year, showing separately for the general fund, each utility, and each other fund the following: (a) revenue and expenditures during the preceding year, (b) estimated revenue and expenditures for the current fiscal year, (c) estimated revenue and recommended expenditures for the next fiscal year, and (d) any other information and data, such as work programs and unit costs, in justification of recommended expenditures that may be considered necessary by the mayor. A copy of the budget in full shall be filed with the recorder for public inspection and a copy shall be furnished to each alderman.

SECTION 27. Public Hearing on Budget. After receiving the mayor's proposed budget, the board shall fix a time and place for a public hearing thereon. A notice of the hearing shall be published one (1) time in a newspaper having general circulation in the city. The publication shall appear at least ten (10) days in advance of the date of the hearing.

SECTION 28. Adoption of Budget. After the public hearing, the board shall adopt the budget with such modifications as the board considers necessary or desirable. If emergency conditions prevent the adoption of a budget before the beginning of the new fiscal year, the appropriations of the last fiscal year shall become the appropriations for the new fiscal year. Amendments may be made to the original budget at any time during a current fiscal year using the same procedure as the original budget was adopted.

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

SECTION 30. Unauthorized Contract or Expenditure. Any contract or agreement made in violation of the provisions of this charter or ordinances of the city shall be void and no expenditure shall be made thereunder. Every officer and employee who shall knowingly make or participate in any such contract or agreement, or authorize or make any expenditure thereunder, and their sureties on their official bonds, and every person who shall knowingly receive such a payment, shall be jointly and severally liable to the city for the full amount so paid or received. A violation of this section by any officer or employee shall be cause for his removal.

SECTION 31. Sale of Property. The mayor may sell city property which is obsolete, surplus or unusable; provided, however, that any sale for more than five hundred dollars (\$500) or any sale of real estate shall be subject to approval by the board.

SECTION 32. Bonds on Contracts. Before any contract is awarded in excess of five thousand dollars (\$5,000), the contractor shall give a bond for the faithful performance of the contract, with a surety company authorized to transact business in Tennessee, in an amount equal to one hundred percent (100%) of the contract price.

SECTION 33. Property Taxes. All property subject to taxation shall be subject to the property tax levied by the city.

SECTION 34. Omitted Property. The city recorder shall add to the assessment rolls any taxable property that may have been omitted by the county assessor. Such property shall be appraised and assessed at the same ratio as other property of the same class located in the city.

SECTION 35. Tax Levy. The board shall make a tax levy, expressed as a fixed rate per one hundred dollars (\$100) of assessed valuation, not later than sixty (60) days prior to the tax due date. In the event of the board's failure to do so, the prior year's tax rate shall continue in effect.

SECTION 36. Tax Due Dates and Tax Bills. The due dates of property taxes shall be fixed by ordinance. The city shall send tax bills to taxpayers, showing the assessed valuations, amount of taxes due, tax due dates and information as to delinquency dates and tax, penalty or interest thereon. Property taxes which become delinquent shall be subject to penalty and interest which shall be fixed by ordinance. On and after the date when such taxes become delinquent, the tax records of the city shall have the force and effect of a judgment of a court of record.

SECTION 37. Collection of Delinquent Taxes. The board may provide by ordinance for the collection of delinquent taxes by distress warrants issued by the mayor for the sale of goods and chattels to be executed by any police officer of the city under the laws governing execution of such process from a justice of the peace, or by the county trustee as provided by general law, or by the city attorney acting in accordance with general laws providing for the collection of delinquent city or county taxes, by garnishment, by suits in chancery, or by any two (2) or more of the foregoing methods or by the use of any other available legal processes and remedies.

SECTION 38. County May Collect Taxes. The city may contract with the county for the collection of city taxes. The contract may provide for reasonable fees to be paid to the county for this service.

SECTION 39. Taxes Not To Be Excused. No officer or employee of the city shall have the authority to excuse taxes, penalties, interest, special assessments or other charges due the city, but errors may be corrected when authorized by the board.

SECTION 40. Disbursement by Check. All disbursements, except for any agency of the city administered by a board or commission, shall be made by checks signed by the city recorder. The board may designate other officers to sign such checks in the absence or disability of the city recorder.

SECTION 41. Official Depository. The board shall designate an official depository or depositories for deposit and safekeeping of funds of the city, with such collateral security as may be deemed necessary by the board.

SECTION 42. Cooperative Agreements and Contracts. In addition to other powers granted in this charter, the board shall have the power to contract and cooperate with any other municipality or other political subdivision of the state, or with an elective or appointive official thereof, or with any duly authorized agency of the federal or state government, for the exercise of any power or function which the city is authorized to undertake by this charter.

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

SECTION 44. Penalties. The violation of any provision of this charter, for which a penalty is not specifically provided herein, is hereby declared to be a misdemeanor, and persons guilty of such violations shall be fined not more than state law permits.

SECTION 45. Severability. If any article, section, subsection, paragraph, sentence, or part of h 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 46. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of the City of Puryear, such vote to be taken not more than one hundred twenty (120) days after passage of this act. Its approval or nonapproval shall be proclaimed by the presiding officer of the legislative body of the city of Puryear and certified to the Secretary of State within thirty (30) days.

SECTION 47. 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 46.

PASSED: APRIL 23, 1992

s/Jimmy Naifeh  
JIMMY NAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES

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

APPROVED this 5th day of May 1992

s/Ned McWherter  
NED McWHERTER, GOVERNOR

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

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YEAR	CHAPTER	SUBJECT
1992	222	Basic charter act.

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