

CHARTER FOR THE TOWN OF WARTRACE, TENNESSEE<sup>1</sup>

## CHAPTER NO. 98

## HOUSE BILL NO. 2997

By Representative Phillips

Substituted for: Senate Bill No. 3127

By Senator Womack

AN ACT to amend Chapter 214 of the Acts of 1903; as amended by Chapter 371 of the Private Acts of 1929; Chapter 365 of the Private Acts of 1933 and as rewritten by Chapter 7 of the Private Acts of 1969; and any other acts amendatory thereto, relative to the charter of the Town of Wartrace.

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<sup>1</sup>Priv. Acts 2000, ch. 98, is the current basic charter act for the Town of Wartrace, Tennessee. The text of the basic charter act set out herein includes all its amendments through the 2021 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 acts including the basic charter appears at the end of the charter.

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

SECTION 1. Chapter 214 of the Acts of 1903, as amended by Chapter 371 of the Private Acts of 1929, Chapter 365 of the Private Acts of 1933, and as rewritten by Chapter 7 of the Private Acts of 1969, being the charter of the Town of Wartrace, is amended by deleting such charter in its entirety, except for the section in which the stated boundaries of the Town are established, and by substituting Sections 2 through 25 of this Act to be the charter of the Town of Wartrace.

SECTION 2. INCORPORATION, NAME, GENERAL POWERS, AND CORPORATE LIMITS. The Town of Wartrace, in the County of Bedford, State of Tennessee, and the inhabitants thereof are hereby constituted and declared a body politic and corporate by the name and style of the Town of Wartrace, and by that name shall have perpetual succession, may sue and be sued, plead and be impleaded, in all courts of law and equity, may purchase, receive, and hold real estate for corporate purposes and may dispose of the same for the benefit of the Town and may have and use a common seal.

The boundaries of the Town shall be as described in Chapter 365 of the Private Acts of 1933, as amended, or enlarged through annexation or other acquisitions.<sup>1</sup>

**SECTION 3. BOARD OF MAYOR AND ALDERMEN; QUORUM, ABSENCE OF MAYOR, VACANCIES, TERMS OF OFFICE, ELECTION, QUALIFICATIONS OF MEMBERS.** The legislative and supervisory powers of the Town shall be vested in and exercised by a Board of Mayor and Aldermen, elected under the provisions of this Act, over whose meetings the Mayor shall preside. The Mayor or Mayor pro tem and three (3) Aldermen shall constitute a quorum for the transaction of all business, provided, that a number less than a quorum may adjourn from time to time.

If the Mayor shall be temporarily absent the Aldermen shall elect one (1) of their body to preside in his room and stead.

In the event of a vacancy in the office of Mayor resulting from death, removal, resignation, or otherwise the Board shall proceed at the first regular meeting after such vacancy to elect a Mayor who shall serve for the unexpired term, and if in supplying such vacancy the Board shall elect one of its own number, it shall then proceed to fill the vacancy caused by such election. Prolonged illness of the Mayor will not be considered as a vacancy in office.

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<sup>1</sup>The boundaries as described in Priv. Acts 1933, ch. 365 and as rewritten in Priv. Acts 1969, ch. 7 are as follows:

Beginning at the southwest corner in land of Mrs. A. L. Russell and Mrs. Annie Ray Gore at a stake 1800 feet west of the centerline of the L & N Railroad right-of-way at a point 2400 feet from the master marker located on said railroad right-of-way north of the crossing for State Highway No. 64 and slightly south of a line extended from Broad Street; thence southwardly along the centerline of said railroad to a point 3267 feet from the master marker (said point being on the boundary of the lands of B. M. Hogwood and Burtis V. Christian); thence eastwardly (along said boundary) 1271 feet to a stake; thence northeastwardly (along the boundary between Woodrow Floyd and Donald Floyd) 1485 feet to the Knob Creek Road; thence northwardly, perpendicular to the Knob Creek Road 240 feet (across the land of G. G. Osborne) to a stake; thence westwardly parallel to the Knob Creek Road, to a stake 1800 feet east of the L & N Railroad; thence northwardly parallel to said railroad 3640 feet to a stake; thence westwardly perpendicular to the railroad to a stone 50 feet from the center of the Wartrace Creek; thence southwardly to a stone in the center of Bridgeview Avenue 200 feet east of the east abutment of the bridge across Wartrace Creek; thence southwardly to the point of beginning.

In addition to the Mayor the Board shall be composed of five (5) Aldermen who shall be elected for four (4) year terms at a general election of the qualified voters of the Town. If at such election there should be a tie vote the same shall be decided by the elected members of the Board at their first regular meeting, a majority being present, between the candidates receiving the same number of votes.

In the event of a vacancy in the office of Aldermen resulting from death, removal, resignation, or otherwise, the Board of Mayor and Aldermen shall proceed at its first meeting after such vacancy to elect and Alderman to supply the vacancy.

Hereafter in the general election held for the election of Mayor and Aldermen each four (4) years, as provided in this Act, the Aldermen shall be elected by the qualified voters of the Town at large and not by wards.

No person shall be eligible to the office of Mayor or Aldermen unless he shall have been a resident citizen of the Town, or a part which has been annexed, for at least one (1) year next preceding such election. If the Mayor or any Aldermen shall cease to be a resident, he shall be deemed to have thereby vacated his office.

**SECTION 4. MAYOR AND ALDERMEN TO TAKE AN OATH.** The Mayor and Aldermen before entering upon the duties of their respective offices shall take an oath to honestly and faithfully discharge their duties to the best of their ability, without fear, partiality, favor, or affection and to defend the Town in all actions brought against the Town.

**SECTION 5. BOARD'S RULES OF PROCEEDING; DISCIPLINE OF BOARD MEMBERS; MAYOR'S SUBPOENA POWER; MEETINGS OF THE BOARD.** The Board shall prescribe its own rules of procedure, including the punishment of its members for non-attendance, and shall enforce the same. Punishment for disorderly conduct shall be enforced in the manner provided in Section 12, subsection (a).

The Board of Mayor and Aldermen shall hold its meetings at such time as it may determine but shall not hold more than one (1) regular stated meeting per month.

**SECTION 6. COMPENSATION OF THE MAYOR, ALDERMEN, AND APPOINTIVE OFFICERS.** The salary of the Mayor, Aldermen, and all appointive officers shall be fixed by ordinance of the Board of Mayor and Aldermen. No ordinance fixing or raising the salary of the Mayor or Aldermen shall take effect until after the next regular election for Mayor and Aldermen.

**SECTION 7. POWERS OF THE BOARD ENUMERATED.** The Board of Mayor and Aldermen is hereby empowered to:

- (1) Assess, levy and collect taxes for all general and special purposes on all subjects or objects of taxation, and privileges taxable by law for state, county or municipal purposes;
- (2) Adopt classifications of the subjects and objects of taxation that are not contrary to law;
- (3) Make special assessments for local improvements;
- (4) Contract and be contracted with;
- (5) Incur debts by borrowing money or otherwise, and give any appropriate evidence thereof, in the manner hereinafter provided;
- (6) Issue and give, sell, pledge or in any manner dispose of, negotiable or nonnegotiable interest-bearing or noninterest-bearing bonds, warrants, promissory notes or orders of the municipality, upon the credit of the municipality or solely upon the credit of specific property owned by the municipality or solely upon the credit of income derived from any property used in connection with any public utility owned or operated by the municipality, or solely upon the credit of the proceeds of special assessments for local improvements, or upon any two (2) or more such credits;
- (7) Expend the money of the municipality for all lawful purposes;
- (8) Acquire or receive and hold, maintain, improve, sell, lease, mortgage, pledge or otherwise dispose of property, real, or personal, and any estate or interest therein, within or without the municipality or state;
- (9) Condemn property, real or personal, or any easement, interest, or estate or use therein, either within or without the municipality, for present or future public use; the condemnation shall be effected in accordance with the terms and provisions of Tennessee Code Annotated, Title 29, Chapter 16, or in any other manner provided by law;
- (10) Take and hold property within or without the municipality or state upon trust; and administer trusts for the public benefit;
- (11) Acquire, construct, own, operate, and maintain, or sell, lease, mortgage, pledge or otherwise dispose of public utilities or any estate or interest therein, or any other utility or service to the municipality, its inhabitants, or any part thereof, and, further, may issue debt for these purposes under the Local Government Public Obligations Act, Tennessee Code Annotated, Title 9, Chapter 21; provided, however, that with regard to telecommunications systems,

such powers must be exercised pursuant to and in compliance with the general laws of the State of Tennessee, including without limitation T.C.A. § 7-34-104 and Title 7, Chapter 52, Part 4 of the Tennessee Code Annotated as amended;

(12) Grant to any person, firm, association or corporation (including the municipality) franchises for public utilities and public services to be furnished the municipality and those therein. The power to grant franchises embraces the power to grant exclusive franchises. Whenever an exclusive franchise is granted, it shall be exclusive not only as against any other person, firm, association, or corporation, but also against the municipality itself. Franchises may be granted for a period of twenty-five (25) years or less, but not longer. The board may prescribe in each grant of a franchise, the rate, fares, charges and regulations that may be made by the grantee of the franchise in accordance with state and federal law. Franchises may by their terms apply to the territory within the corporate limits of the municipality at the date of the franchises, and as the corporate limits may be enlarged, and to the existing streets, alleys and thoroughfares that thereafter may be opened; provided, however, that with regard to telecommunications services and telecommunications services providers, this paragraph shall confer no more and no less power than is conferred by the general law of the State of Tennessee;

(13) Make contracts with any person, firm, association or corporation for public utilities, public services to be furnished the municipality and those therein. The power to make contracts embraces the power to make exclusive contracts. When an exclusive contract is entered into, it shall be exclusive against any other person, firm, association or corporation. These contracts may be entered into for a period of twenty-five (25) years or less, but not longer. The board may prescribe in each such contract entered into, the rates, fares, charges, and regulations that may be made by the person, firm, association or corporation with whom the contract is made. Such contracts may by their terms apply to the territory within the corporate limits of the municipality at the date of the contract, and as the corporate limits may be enlarged, and to the then existing streets, alleys and thoroughfares and to any other streets, alleys and other thoroughfares that thereafter may be opened; provided, however, that with regard to telecommunications services and telecommunications services providers, this paragraph shall confer no more and no less power than is conferred by the general law of the State of Tennessee;

(14) Prescribe reasonable regulations regarding the construction, maintenance, equipment, operation and service of public utilities, compel reasonable extensions of facilities for these services, and assess fees for the use of or impact upon these services. Nothing herein shall be construed to permit the alteration or impairment of any of the terms or provisions of any exclusive franchise granted or of any exclusive contact entered into under subdivisions

(12) and (13); provided, however, that with regard to telecommunications services and telecommunications services providers, this paragraph shall confer no more and no less power than is conferred by the general law of the State of Tennessee;

(15) Establish, open, relocate, vacate, alter, widen, extend, grade, improve, repair, construct, reconstruct, maintain, light, sprinkle and clean public highways, streets, boulevards, parkways, sidewalks, alleys, parks, public grounds, public facilities, libraries and squares, wharves, bridges, viaducts, subways, tunnels, sewers, and drains within or without the corporate limits, regulate their use within the corporate limits, assess fees for the use of or impact upon such property and facilities, and take and appropriate property therefor under the provisions of Tennessee Code Annotated, Sections 7-31-107 through 7-31-111 and Section 29-16-114, or any other manner provided by general law;

(16) Construct, improve, reconstruct and reimprove by opening, extending, widening, grading, curbing, guttering, paving, graveling, macadamizing, draining or otherwise improving any streets, highways, avenues, alleys or other public places within the corporate limits, and assess a portion of the cost of these improvements on the property abutting on or adjacent to these streets, highways, avenues or alleys under, and as provided by Tennessee Code Annotated, Title 7, Chapters 32 and 33;

Nothing in this subdivision may be construed to prohibit the Town of Wartrace from installing and maintaining a traffic control signal within its corporate limits, and such Town is expressly so authorized; provided, however, no device shall be installed to control traffic on a state highway without the approval of the Commissioner of Transportation.

(17) Assess against abutting property within the corporate limits the cost of planting shade trees, removing from sidewalks all accumulations of snow, ice, and earth, cutting and removing obnoxious weeds and rubbish, street lighting, street sweeping, street sprinkling, street flushing, and street oiling, the cleaning and rendering sanitary or removal, abolishing, and prohibiting of closets and privies, in such manner as may be provided by general law or by ordinance of the Board;

(18) Acquire, purchase, provide for, construct, regulate and maintain and do all things relating to all marketplaces, public buildings, bridges, sewers and other structures, works and improvements;

(19) Collect and dispose of drainage, sewage, ashes, garbage, refuse or other waste, or license and regulate their collection and disposal, and the cost



of collection, regulation, or disposal may be funded by taxation, special assessment to the property owner, user fees or other charges;

(20) License and regulate all persons, firms, corporations, companies and associations engaged in any business, occupation, calling, profession or trade not prohibited by law;

(21) Impose a license tax upon any animal, thing, business, vocation, pursuit, privilege or calling not prohibited by law;

(22) Define, prohibit, abate, suppress, prevent and regulate, as provided by law, all acts, practices, conduct, business, occupations, callings, trades, use of property and all other things whatsoever detrimental, or liable to be detrimental, to the health, morals, comfort, safety, convenience or welfare of the inhabitants of the Town, and exercise general police powers;

(23) Prescribe limits within which business occupations and practices liable to be nuisances or detrimental to the health, morals, security or general welfare of the people may lawfully be established, conducted or maintained;

(24) Inspect, test, measure and weigh any article for consumption or use within the Town, and charge reasonable fees therefor, and provide standards of weights, tests and measures;

(25) Regulate the location, bulk, occupancy, area, lot, location, height, construction and materials of all buildings and structures, and inspect all buildings, lands and places as to their condition for health, cleanliness and safety, and when necessary, prevent their use and require any alteration or changes necessary to make them healthful, clean or safe;

(26) Provide and maintain charitable, educational, recreative, curative, corrective, detentive, or penal institutions, departments, functions, facilities, instrumentalities, conveniences and services;

(27) Purchase or construct, maintain and establish a Town jail for the confinement and detention of any person convicted in the Town court of offenses against the laws and ordinances of the Town, or contract with the county to keep these persons in the workhouse of the county;

(28)

(A) Enforce any ordinance, rule or regulation by fines, forfeitures, and penalties, and by other actions or proceedings in any court of competent jurisdiction.

(B) Provide by ordinance for court costs;

(29) Establish schools, determine the necessary boards, officers and teachers required therefor, and fix their compensation, purchase or otherwise acquire land for or assess a fee for use of, or impact upon, schoolhouses, playgrounds and other purposes connected with the schools, purchase or erect all necessary buildings and do all other acts necessary to establish, maintain and operate a complete educational system within the Town;

(30) Regulate, tax, license or suppress the keeping or going at large of animals within the Town, impound them, and in default of redemption, sell or kill them;

(31) Call elections as herein provided;

(32) Have and exercise all powers that now or hereafter it would be competent for this charter specifically to enumerate, as fully and completely as though these powers were specifically enumerated.

**SECTION 8. MAYOR'S VETO POWER; PASSAGE OF ORDINANCES; MAYOR'S POWER TO APPOINT AND SUSPEND OFFICERS; SPECIAL BOARD MEETINGS; EXPENDITURE OF CORPORATE FUNDS.** It shall be the duty of the Mayor to carefully review all ordinances passed on second reading by the Board of Mayor and Aldermen before affixing his signature thereto. Should the ordinance not meet with his approval, he shall no later than the next regular meeting of the Board return the ordinance with his objections in writing, and no ordinance so vetoed shall go into effect unless the same shall be again passed by a majority of the entire Board. Should the Mayor fail to veto or sign the ordinance by the next regular meeting, the ordinance shall become effective without his signature.

Every ordinance of the Board shall be approved on two readings, except that ordinances vetoed by the Mayor may be read again and upon approval of the ordinance by a majority vote on third reading, it shall become final.

The Mayor may make temporary appointments to fill vacancies occasioned by sickness, absence, or disability of any appointive officer or employee and may likewise make temporary suspensions of any such officer or employee for misconduct or inefficiency, but he shall report such appointments or suspensions at the next regular meeting of the Board. The Board shall have the power to approve, annul, or modify such appointments or suspensions.

The Mayor may call special meetings of the Board of Mayor and Aldermen when, in his judgment, the good of the Town requires it. All of the Aldermen

shall be notified in writing of the purpose of any such called meeting, and the notice shall be spread upon the record of the proceedings of the Board. Only matters specified in the special call shall be considered at a special meeting.

The Mayor shall countersign all checks with the Treasurer withdrawing any funds from the Treasury. Funds may not be withdrawn from the Treasury without approval of the Board authorizing such payments. [As replaced by Priv. Acts 2007, ch. 38, § 1]

**SECTION 9. ELECTION DATES AND QUALIFICATIONS FOR VOTING.** The current terms of the Mayor and all Aldermen shall be extended from midnight on December 31, 2001 until midnight on December 31, 2002, or until their successors are elected and sworn into office, in order to implement four (4) year staggered terms for the Mayor and Aldermen. The general election held on the first (1<sup>st</sup>) Tuesday after the first (1<sup>st</sup>) Monday in November of even years shall be the general election for the election of the Mayor and Aldermen. At the general election of November 5, 2002, there shall be elected at large a Mayor and five (5) Aldermen. The candidate elected as Mayor shall serve a four (4) year term, and the two (2) aldermanic candidates receiving the largest number of votes shall be elected for four (4) year terms. The remaining aldermanic candidates shall be elected for two (2) year terms. Thereafter, all elected officers shall serve for four (4) year terms. Before taking office, the Mayor and Aldermen shall take an oath to faithfully discharge the duties of the office to which they are elected to the best of their ability, to obey the laws of the State of Tennessee, local ordinances of the Town of Wartrace, and to defend the Town against any actions brought against the Town. The oath of office shall be administered by any officer or official authorized by the State of Tennessee to administer oaths.

Persons residing in the Town who are entitled to vote for members of the General Assembly under the laws of the State shall be entitled to vote at such elections provided that non-residents of the Town of Wartrace who reside within Bedford County, Tennessee, who own real property within the Town of Wartrace, shall also be entitled to vote.

**SECTION 10. ELECTION PROCEDURES.** Elections held under this Act shall be held under the general laws of the State Tennessee.

**SECTION 11. TERM OF OFFICE OF THE MAYOR AND ALDERMEN.** Except as otherwise provided in Section 9 of this Act, the term of office of the Mayor and Aldermen elected at any general election held under this Act shall be for four (4) years or until the election and qualification of their successors.

SECTION 12. REMOVAL FROM OFFICE. (a) The Mayor and Aldermen may be removed from office in accordance with the ouster provisions of general law pursuant to Tennessee Code Annotated, Title 8, Chapter 47, Part 1. The provisions of Tennessee Code Annotated, Title 39, Chapter 16, Part 4, shall govern situations involving misconduct on the part of the Mayor or any Alderman or officer, including the punishment for such misconduct. "Misconduct" for the purposes of this section specifically includes receiving and benefit not otherwise authorized by this Act.

(b) An appointed officer of the Town may be removed from office for cause by a majority vote of the Board of Mayor and Aldermen. In all such cases, charges must be preferred in writing and a copy served on the alleged offender five (5) days before trial. Any officer so charged shall be allowed to make defense thereto either by himself or by counsel. In all such trials the Mayor shall preside. In the event of a judgement for removal by the Board of Mayor and Aldermen against an appointed officer of the Town, the person so removed may appeal such case to a court of competent jurisdiction.

SECTION 13. APPOINTMENT, TERM OF OFFICE, OATH AND BOND OF THE CITY TREASURER, RECORDER, FINANCE DIRECTOR, POLICEMEN, ETC. The Board of Mayor and Aldermen shall appoint a Town Treasurer who may also be appointed to serve as Recorder and Finance Director for the Town, and who shall serve at the pleasure of the Board of Mayor and Aldermen. The Board of Mayor and Aldermen shall appoint a police chief and such other appointed officials as may be necessary to properly carry on the business of the Town. They shall serve at the pleasure of the Board and shall, before entering upon the discharge of their duties, take the same oath of office as required for the Mayor and Aldermen. Any officer or employee handling funds of the Town, shall enter into a surety bond, as required by the State of Tennessee, prior to handling any funds of or for the Town, or obligating the Town, the minimum amount of such bond shall equal the largest amount of funds handled at any one time, the amount of which shall be determined by the Board of Mayor and Aldermen. The cost of the bond shall be a cost to the Town of Wartrace. The Town Recorder shall maintain executed bonds on file in the Recorder's office.

SECTION 14. OPERATION AND JURISDICTION OF THE TOWN COURT. The Board of Mayor and Aldermen, as provided by Tennessee Code Annotated, Section 16-18-101, shall by ordinance establish a Town Court and provide for the appointment of a Town judge.

SECTION 15. RECORDER TO KEEP BOARD'S MINUTES, OFFICERS' REPORTS, ETC., TO BE SPREAD ON BOARD'S MINUTES. (a) The Recorder shall keep the minutes of the meetings of the Board of Mayor and Aldermen,

and in his absence the Mayor, or his designee, shall keep the minutes. The Board's minutes shall be kept by the Recorder in a well bound book and he shall record all of the proceedings of the Board at special as well as regular meetings.

(b) The reports of the Mayor and Treasurer herein required to be made monthly or more often to the Board of Mayor and Aldermen shall be spread on the Board's minutes or attached thereto.

**SECTION 16. TREASURER'S RESPONSIBILITIES AS TO FINANCIAL REPORTS, DEPOSIT OF CORPORATE FUNDS AND ISSUANCE OF CHECKS.** The Treasurer shall make reports to the Board of Mayor and Aldermen monthly, or more often if required to do so by the Board, showing the amount of money received from each and all sources, the amount of money paid out, and the amount of money on hand unexpended or appropriated.

He shall deposit all moneys received and belonging to the Town in such bank or banks as may be designated by the Board of Mayor and Aldermen, and in no other, and such monies deposited under the authority of the Board of Mayor and Aldermen in such bank or banks will release him from responsibility as to its safekeeping. Such deposits shall be made in the name of the "Town of Wartrace" and only withdrawn upon checks issued by the Treasurer upon orders of the Board of Mayor and Aldermen signed by the Mayor.

**SECTION 17. POWERS AND DUTIES OF THE MAYOR.** The Mayor shall, under the direction and control of the Board of Mayor and Aldermen, have charge of the police, shall assign them to their duties, and shall inform and advise them from time to time of what is required of them. He may employ special officers at such times as he may deem necessary or proper, reporting such action to the next called or regular meeting of the Board.

The Mayor shall from time to time appoint from the members of the Board of Mayor and Aldermen such regular standing committees as he may deem advisable and necessary for carrying on the business of the corporation or as he may be required to do by a vote of the Board of Mayor and Aldermen. Such committees shall serve until the matter in hand has been completed or it shall have been discharged by the Mayor or the Board of Mayor and Aldermen.

The Mayor and the Board of Aldermen shall have no power to remit in whole or in part any fine or penalty imposed in the Town Court, or to suspend, or in any way interfere with the enforcement of the judgments of the Court.

The Mayor shall draw orders upon the Treasurer for all disbursements from the treasury for payment of maturing bonds and bond interest, salaries for authorized Town employees, and other disbursements authorized by the Board of Mayor and Aldermen.

The Mayor shall render a report at each monthly meeting to the Board of Mayor and Aldermen, or more often if required, of the number of orders so issued, for what purpose, and the amount of each order drawn upon the

Treasurer since the previous monthly report. He shall also show in such report any other funds from any source he may have received for the Town.

The Mayor, in case of a tie, may vote on any question, ordinance, or resolution coming before the Board of Mayor and Aldermen, except when action is being taken on any ordinance or resolution which has been vetoed by him.

The Mayor shall submit to the Board of Mayor and Aldermen at the beginning of each year a budget of expenditures contemplated and an estimate of the receipts covering such year.

**SECTION 18. AUTHORITY TO ASSESS AND LEVY TAXES AND TO BORROW ON CORPORATE NOTES.** The Board of Mayor and Aldermen may either provide for Town assessments or utilize county assessments on all property located inside the corporate limits and subject to taxation under the laws of the State for state or county purposes. The Board shall make an annual tax levy, expressed as a fixed rate per \$100 of assessed valuation. In event of the Board's failure to make such levy, the prior year's tax rate shall continue in effect.

The Board, for the sole purpose of meeting the necessary expenditures for the operation of the Town, is authorized to borrow money in an amount that can reasonably be expected to be repaid no later than the end of the current year. Such borrowing shall be upon negotiable notes, signed by the Mayor, bearing the lowest interest rate obtainable, and with maturity not to extend beyond the current fiscal year.

The Town may issue notes and bonds, in accordance with State law, to finance capital expenditures determined by the Board to be in the best interest of the Town of Wartrace.

**SECTION 19. COLLECTION OF TAXES; AUTHORITY FOR PENALTY AND INTEREST.** The Town, for the collection of its privilege and ad valorem taxes, is hereby vested with the same powers conferred by law for the collection of State and County taxes. Lands may be condemned and sold by a bill in Chancery Court for failure to pay corporation taxes due thereon, said taxes being declared a lien under this Act on said lands. For a failure to pay such corporation taxes such penalty and interest thereon shall accrue as are imposed under the laws of the State for nonpayment of State and County taxes, the same being provided for by ordinance duly enacted by the Board of Mayor and Aldermen. Such penalty and interest under said ordinance may be less but not greater than that provided under the State law.

**SECTION 20. APPROPRIATIONS LIMITED BY ESTIMATES OF REVENUE.** The Board of Mayor and Aldermen shall at the beginning of each fiscal year make estimates of the amount of taxes and monies to be received into the treasury from taxes and other sources for the ensuing year. No

appropriation or liability for any purpose whatever shall be made to exceed the amount to be received according to said estimate.

Said estimates should contain separate items showing the amount of revenue and monies for corporation purposes generally and a statement of the taxes levied especially for water and light bonds and interest, and for each and all purposes.

**SECTION 21. AUTHORITY OF POLICEMEN TO MAKE ARRESTS AND TAKE APPEARANCE BONDS.** Arrests for all violations of corporation ordinances committed within the limits of the Town may be made with or without warrants and may be made within one (1) mile of the boundaries of the corporation by any regularly appointed or special policeman.

Policeman shall do and perform such other duties as may be required of them under the ordinances of the Town.

**SECTION 22. EMINENT DOMAIN POWER.** The Board of Mayor and Aldermen shall have full power and authority to open and extend streets, alleys, and sidewalks for public purposes in such manner and form as now provided, or that may hereafter be provided, by law under the exercise of eminent domain, and shall pay such damages and compensation for property taken therefor as may be adjudicated in such proceedings.

**SECTION 23. BOND ISSUES RATIFIED.** All proceedings heretofore had by the Board of Mayor and Aldermen of Wartrace in issuing municipal bonds are hereby ratified, confirmed, and validated.

**SECTION 24. BOARD TO HAVE RESIDUARY POWERS AND DUTIES.** Any and all other acts and duties necessary for the proper management of the affairs and business of the Town, not herein specified or specifically conferred upon some officer of the Town, shall be exercised and performed by the Board of Mayor and Aldermen or as it directs.

**SECTION 25. CHARTER ACT DOES NOT AMEND ANY GENERAL LAW.** This Act does not amend, alter, repeal, or modify any general law of the State heretofore or which may hereafter be enacted pertaining to municipal corporations.

**SECTION 26.** This Act shall have no effect unless it is approved by a two-thirds (2/3) vote of the Legislative Body of the Town of Wartrace. Its approval or nonapproval shall be proclaimed by the presiding officer of the Legislative Body and certified to the Secretary of State.





ACTS COMPRISING THE CHARTER OF  
THE TOWN OF WARTRACE, TENNESSEE

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YEAR	CHAPTER	SUBJECT
2000	98	Basic Charter Act; replaced Priv. Acts 1969, ch. 7, except for boundaries as described in Priv. Acts 1933, ch. 365 and rewritten in Priv. Acts 1969, ch. 7.
2007	38	Replaced § 8 relative to passage of ordinances and powers of mayor.

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