

CHARTER OF THE CITY OF BELLS, TENNESSEE¹

CHAPTER NO. 80

HOUSE BILL NO. 1600

By Representative Ronnie Cole

and

Mr. Speaker Wilder

AN ACT to repeal Chapter 705, Private Acts of 1917; as amended by Chapter 477, Private Acts of 1919; Chapter 895 of the Private Acts of 1929; Chapter 421 of the Private Acts of 1931; Chapter 119 of the Private Acts of 1943; Chapter 216 of the Private Acts of 1976; Chapter 45 of the Private Acts of 1985; Chapter 195 of the Private Acts of 1986; and any other acts amendatory thereto; being the Charter of the City of Bells; and to enact a new Charter for the City of Bells.

TABLE OF CONTENTS

SECTION	PAGE
1. Incorporation and name	C-3
2. Definitions	C-3
3. Boundaries	C-3
4. Powers of city	C-3
5. Elections	C-6
6. Malfeasance or misfeasance in office	C-7
7. Board of mayor and aldermen - compensation, meetings, quorum	C-7

¹Priv. Acts 1993, ch. 80, is the current basic charter act for the City of Bells, 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 private acts including the basic charter appears at the end of the charter.

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

SECTION	PAGE
8. Mayor -- duties	C-7
9. Vice mayor	C-7
10. Vacancies in office	C-8
11. Duties of board of mayor and aldermen	C-8
12. Ordinances	C-8
13. Departments of city	C-9
14. Mayor -- powers	C-9
15. City recorder -- appointment, duties and powers	C-10
16. City attorney -- appointment, duties and powers	C-10
17. City judge -- appointment, duties and powers	C-10
18. Compensation of employees	C-11
19. Appointment, promotion, etc. of employees	C-11
20. Rules and regulations of board	C-12
21. Oath of office	C-12
22. Bond required	C-12
23. Employee solicitation, etc.	C-12
24. Employee malfeasance	C-12
25. Fiscal year	C-12
26. Mayor to submit budget annually	C-13
27. Adoption of budget	C-13
28. Expenditures	C-13
29. Contracts and agreements	C-13
30. Sale of city property	C-13
31. Bids on a contract	C-13
32. Property tax	C-14
33. Taxable property added to rolls	C-14
34. Tax levy	C-14
35. Tax due dates	C-14
36. Delinquent taxes	C-14
37. Collection of taxes	C-14
38. Authority to excuse taxes	C-14
39. Disbursement by city	C-14
40. Official depository for city funds	C-15
41. Board has power to contract with other municipalities	C-15
42. Adoption of general laws	C-15
43. Violation and penalty	C-15
44. Other acts repealed	C-15
45. Severability	C-15
46. Approval of governing body required	C-15
47. Effective date	C-16

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

SECTION 1. The City of Bells, Tennessee, shall continue as a body politic and corporate by the name and style of the City of Bells and this act shall constitute its complete charter. The City of Bells 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. 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 five (5) Aldermen elected as provided in this charter.

(d) "Inspector" 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. The boundaries of the city shall be as those fixed by Chapter 705 of the Private Acts of 1917, all acts amendatory thereto, and as altered by annexations inside pursuant to general law.

SECTION 4. The city shall have power:

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

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

(c) To levy and collect registration fees on motor vehicles operated within the city. 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 plants, airports, hospitals, water works, docks, gas works, marinas, forests, tree and shrub nurseries, 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 removed nuisances, including but not limited to 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 measurers 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 five hundred dollars (\$500) 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 provide for the maintenance of the public schools of the town and shall elect a board of education to consist of not more than seven (7) members, as provided by the general law of the state; the said board of education shall have and perform all functions as now provided by law and conferred on boards of education and municipalities by the general law of the state. The members of said board of education shall serve until their successors are elected and qualified and their terms of office shall be designated by the Mayor and Aldermen.

(t) 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. On the first Saturday in May, 2001, a nonpartisan, at-large General Municipal Election, open to all electors, shall be conducted by the county election commission to elect a mayor and five (5) aldermen for a term of four (4) years. The persons elected and qualified shall assume office at the first meeting of the Board of Mayor and Alderman after the election. The Mayor and Aldermen then so elected and qualified shall hold office until the next regular election which shall be four (4) years therefrom, and the regular election thereafter shall be on the first Saturday in May, every four (4) years after the first Saturday in May, 2001. All officers so elected shall hold their offices until their successors are elected and qualified. Any qualified voter, who is at least twenty-one (21) years of age and has been a resident of the City of Bells for at least two (2) years, may be qualified as a candidate for the position of Mayor or Alderman. [As amended by Priv. Acts 2000, ch. 100]

SECTION 6. Any person found to have given or promised to another any office, employment, money, benefit, or anything of value, by or on behalf of any candidate, shall be ineligible to hold an office or position of employment in the city government for a period of five (5) years.

SECTION 7.

(a) The Mayor and five (5) 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 in special session on written notice of the Mayor or any three (3) meet 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) Three (3) Aldermen and the Mayor 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.

SECTION 8. 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. He shall be the officer to accept process against the city, and shall perform other duties imposed by this charter and by ordinances not inconsistent with this charter.

SECTION 9. The Board of Mayor and Aldermen shall elect from its membership a Vice Mayor who shall serve in office until the municipal election in May, 2005. Thereafter, the Board of Mayor and Aldermen, at the first regular meeting following each quadrennial municipal election, shall elect from its

membership a Vice Mayor for a term of four (4) 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 or her vote and shall not have veto power unless he or she is serving the remainder of the Mayor's unexpired term. [As replaced by Priv. Acts 2003, ch. 27, § 1; and Priv. Acts 2003, ch. 54, § 1]

SECTION 10. The Board of Mayor and Aldermen shall declare that a vacancy exists if the Mayor or an Aldermen 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 him or her from discharging the duties of his or her office.

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 or until the next regular city 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 mayoral term.

The Board of Mayor and Aldermen shall, within a period of thirty (30) days from the date of which an aldermen's seat was declared vacant, appoint a qualified person to fill the vacancy for the remainder of the unexpired term or until the next regular city 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 aldermanic term. [As replaced by Priv. Acts 2003, ch. 27, § 2; and Priv. Acts 2003, ch. 54, § 2]

SECTION 11. 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 his 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. 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. Ordinances and 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 Bells:". Every ordinance must be approved on two (2) readings and there shall be no more than one reading on any one day. An ordinance may receive first reading upon its introduction. Ordinances shall take effect upon final reading, adoption and being signed by the Mayor unless a different effective date is designated in the ordinance.

All ordinances shall be signed by the Mayor before they shall become effective. The Mayor shall affix his approval or disapproval within five (5) days after adoption by the board. If the Mayor withholds his signature for five (5) days, exclusive of Sundays and holidays, the ordinance shall become effective for failure to veto. The Mayor shall state his reasons for vetoing an ordinance in writing and shall transmit his reasons and the ordinance back to the board for its action. The board may pass the ordinance over the veto by a two-thirds (2/3) vote of the full membership of the board.

SECTION 13. The city government shall be organized into such departments 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. The Mayor shall have the powers of a business manager; he shall have supervision and control of all the administrative affairs of the city; he shall be its chief executive. He 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. He shall present in writing or verbally to the board his recommendations of the needs of the city at any time he deems advisable.

The Mayor shall have control over all municipal improvements and property and he shall have the exclusive power to make all expenditures within the budget after the same have been appropriated by the board.

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

The Mayor shall appoint, subject to confirmation by the board, the City Recorder and any other employee who is designated a department head by ordinance.

He shall have authority to make appointments, promotions and transfers of employees; to make demotions and suspensions of officers and employees for cause; and may delegate such authority as he deems advisable. The Mayor may not remove an employee without approval of the board.

SECTION 15. The Mayor shall appoint, subject to confirmation by the board, a City Recorder, who shall serve for an indefinite term.

The recorder shall keep and preserve the city seal and all official records not required by law or ordinance to be filed elsewhere; attend all meetings of the board and maintain a journal showing the proceedings of all such meetings, the Aldermen present and absent, each motion considered, the title of each resolution and ordinance considered and the vote 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 the recorder or other person authorized by the board.

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

SECTION 17. A City Judge shall be appointed by the Mayor, subject to confirmation by the board. A person designated by the Mayor shall serve in the absence or incapacity of the judge. The Mayor may appoint himself final act as City Judge without compensation.

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 has to fine for

contempt. The sole compensation for serving as City Judge shall be a salary fixed by the board, and all fees for actions or cases in his court shall belong to the city and shall be paid into the City Treasury General Fund.

The bail of persons arrested and awaiting trial and persons appealing a decision of the City Judge shall be fixed by the City Judge, upon such security as in his discretion he deems necessary or as may otherwise be provided by ordinance. Cash bail of persons arrested may be accepted at such times and by officers or employees other than the 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 him.

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

SECTION 18. 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. 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 him, containing a clear statement of the grounds for such proposed action.

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

SECTION 21. Before a person takes any office in the city government, he shall subscribe to the following oath or affirmation, administered by the recorder or the Mayor: "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 Bells, and that I will faithfully discharge the duties of the office of _____."

SECTION 22. 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. 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, Aldermen, Members of Boards or Commissions, the City Attorney or the City Judge. No person shall directly or indirectly give, render or pay any money, service or other valuable consideration to any person for or on account of or in connection with employment by the city government. No person shall orally, by letter, or otherwise solicit or be in any manner concerned in soliciting any assessment, subscription or contribution from any employee of the city in connection with any city election. Any person who is found, acting by himself or with others, to have willfully or corruptly violated any provision of this section shall forfeit and vacate the office or position he holds and be ineligible to hold any office or position of employment in the city government for a period of five (5) years thereafter.

SECTION 24. 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. The fiscal year of the city government shall begin on July 1 of each year and shall end on the June 30 of the following calendar year.

SECTION 26. 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 and the Comptroller of the Treasury of the State of Tennessee.

SECTION 27. After the Mayor has presented the budget 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.

SECTION 28. 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 29. 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 30. The Mayor may sell city property which is obsolete, surplus or unusable subject to approval by the board. The proceeds of any sale will be placed into the fund from which the property was acquired or the general fund.

SECTION 31. Each bid on a contract for any public works or improvement exceeding five thousand dollars (\$5000) shall be accompanied by a cash or surety company bid bond in the amount of five percent (5%) of the amount of the bid. Before any contract in excess of five thousand dollars (\$5000) is awarded, the contractor shall give a bond for the faithful performance of the contract, with a surety company authorized to transact business in Tennessee, in an amount equal to one hundred percent (100%) of the contract price.

SECTION 32. All property subject to taxation shall be subject to the property tax levied by the city.

SECTION 33. 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 34. The board shall make a tax levy, expressed as a fixed rate per one hundred dollars (\$100) of assessed valuation, not later than ninety (90) days prior to the tax due date. In event of board's failure to do so, the prior year's tax rate shall continue in effect.

SECTION 35. 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 36. 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 like 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 37. 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 38. 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 39. All disbursements, except for any agency of the city administered by a board or commission, shall be made by checks signed by a person designated by the board and countersigned by the Mayor. The board may designate other officers to sign such checks in the absence or disability of the Mayor or other designated official.

SECTION 40. 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 41. In addition to other powers granted in this charter, the board shall have 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 42. Notwithstanding any provision of this charter, to the extent constitutionally and statutorily permitted 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 43. Any person who is found to have violated any provision of this charter, for which a penalty is not specifically otherwise provided herein, shall be guilty of a civil offense and shall be subject to a civil penalty of not more than five hundred dollars (\$500).

SECTION 44. When this Act becomes applicable as the charter of the City of Bells, Tennessee, the following acts are hereby repealed: Chapter 705, Private Acts of 1917; as amended by Chapter 477 of the Private Acts of 1919; Chapter 895 of the Private Acts of 1929; Chapter 421 of the Private Acts of 1931; Chapter 119 of the Private Acts of 1943; Chapter 216 of the Private Acts of 1976; Chapter 45 of the Private Acts of 1985; Chapter 195 of the Private Acts of 1986; and all other acts amendatory thereto.

SECTION 45. 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 46. To become applicable as the charter of the City of Bells, this Act must first be approved by a two-thirds (2/3) vote of the governing body, said vote to be taken not more than one hundred twenty (120) days after passage of this act. The Mayor shall, within ten (10) days thereafter, certify to the Secretary of State the results of said vote.

SECTION 47. For the purpose of approving or rejecting the provisions of this act, it shall take effect on 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: MAY 12, 1993

 s/Jimmy Naifeh
JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

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

APPROVED this 19th day of May 1993

 s/Ned McWherter
NED McWHERTER, GOVERNOR

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

YEAR	CHAPTER	SUBJECT
1993	80	Basic charter act.
2000	100	Amends § 5, term of office for mayor and aldermen.
2003	27	Replaces § 9, vice mayor; and § 10, vacancies in office.
2993	54	Replaces § 9, vice mayor; and § 10, vacancies in office.