

CHARTER FOR THE CITY OF McEWEN, TENNESSEE¹

CHAPTER NO. 669

Senate Bill No. 993

(By Saunders)

AN ACT to create a Municipal Corporation to be known and designated as the Board of Mayor and Aldermen of McEwen and to define its duties, rights and obligations and to repeal all laws and parts of laws in conflict with the provision of this Act.

TABLE OF CONTENTS

<u>SECTION</u>	<u>PAGE</u>
1. Incorporation; name; and boundaries.	C-3
2. General corporate powers	C-4
3. Board of mayor and aldermen: terms of office, number of aldermen, and date of election	C-4
4. Board of mayor and aldermen: wards and the election of candidates for aldermen, qualifications required of candidates, qualifications required of voters, date of elections, terms of office, regulations governing elections, oaths, and vacancies	C-4
5. Board of mayor and aldermen: rules of legislative procedure and proceedings; powers to impeach or suspend its members, to levy taxes, to appoint a tax assessor; and compensation	C-5

¹Priv. Acts 1951, ch. 669, is the current basic charter act for the City of McEwen, Tennessee. The text of the basic charter act set out herein was last amended to reflect legislation passed in the 2022 session of the Tennessee General Assembly and is current with the laws from the 2023 Regular Session of the 113th 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.

<u>SECTION</u>	<u>PAGE</u>
6. Board of mayor and aldermen: powers to be exercised by ordinance	C-6
6(a). Board of mayor and aldermen: powers to be exercised by resolution	C-11
7. Adoption of bills, ordinances, and resolutions	C-11
8. Appointment and compensation of personnel	C-12
9. Mayor: powers and duties	C-15
10. Recorder: powers and duties	C-16
11. Recorder to serve as treasurer	C-17
12. City court	C-17
13. City police: extent of power and jurisdiction	C-19
14. City police: general duties	C-19
15. City police: power to make arrests	C-19
16. Levy and collection of amusement taxes; regulation of pool rooms	C-19
17. Regulation of motor vehicles in general and taxicabs	C-19
18. Superintendent of lights and waterworks: duties, qualifications, and compensation	C-20
19. Annual budget	C-20
20. Bids for public works projects	C-20
21. Tax levy and assessments	C-21
22. Building, zoning, and planning regulations; health inspector	C-21
23. Tenure and compensation of personnel	C-21

<u>SECTION</u>	<u>PAGE</u>
24. Recorder shall issue distress warrants to collect delinquent privilege taxes	C-22
25. Mayor: powers, duties, compensation, and oath of office	C-22
26. Vice-mayor	C-23
27. Repealed.	C-23
28. Recorder: duty to make out tax book.	C-23
29. Taxes: due date, delinquent date, and penalty and interest	C-23
30. Compensation of officers of the city	C-24
31. Tax levy date	C-24
32. Taxes shall be a lien	C-24
33. Bonds: regulations governing issuance	C-24
34. Enabling clause to supplement this act	C-26
35. Board of mayor and aldermen: power to issue warrants and notes.	C-26
36. Definitions	C-26
37. Repealing clause	C-26
38. Saving clause.	C-26
39. Effective date of act.	C-26

Section 1. There is hereby created a municipal corporation and body politic to be known as the "City of McEwen, Tennessee" and the boundaries of which municipal corporation shall be as comprised of the present boundaries of the municipal corporation heretofore known as the Board of Mayor & Aldermen of McEwen and/or the City of McEwen, Tennessee, as fixed by the present and all previous Charters and amendments thereto. [As replaced by Priv. Acts 1984, ch. 207, § 1]

Section 2. Be it further enacted, That said Corporation shall have perpetual succession, and the power to sue and be sued. It may purchase, sell, receive, hold, lease, mortgage, or dispose of property, real, personal or mixed, in fee simple or lessor estate, located within or without said City or State, to the same extent as natural persons, and it may condemn the same for Corporate purposes. It shall have powers that are now or may hereafter be granted to municipalities of the classification by the population as this municipality may have, that are general in their nature, under the Constitution and the laws of the State of Tennessee, and said general powers are in addition to any special powers hereby granted, and are not in derogation of any such special powers. And it may have a common seal which it may alter at pleasure.

Section 3. There shall be a Mayor of the City of McEwen, Tennessee whose term of office shall be for four (4) years and in addition there shall be elected five (5) Aldermen whose term of office shall also be for periods of four (4) years each. As hereinafter provided they shall be variously elected every four (4) years at regular City election to be held on the third Saturday in May. The Mayor and the five (5) Aldermen serving from time-to-time shall be known as the Board of Mayor Aldermen of the City of McEwen, Tennessee. [As replaced by Priv. Acts 1967, ch. 118, § 4, and Priv. Acts 1984, ch. 207, § 2]

Section 4. Be it further enacted, That the City of McEwen shall be divided into Four Wards. That part of the City lying South of the N. C. & St. L. Railroad and West of Main Street shall be Ward Number One. That part of the City lying South of the N. C. & St. L. Railroad and East of Main Street shall be Ward Number Two. That part of the City lying North of the N. C. & St. L. Railroad and West of Main Street shall be Ward Number Three. And that part of the City lying North of the N. C. & St. L. Railroad and East of Main Street shall be Ward Number Four. There shall be one Alderman elected from each of the Four Wards. The candidate from the First Ward receiving the majority of the votes in the general election shall represent that Ward in the municipal assembly and the same shall apply to the Second, Third and Fourth Wards.

There shall also be elected from the city at large an additional alderman, to be denominated an alderman at large, and the candidate receiving the majority of votes cast for this office shall be so designated, and shall represent the entire city. The office of alderman at large shall be filled for the first time in the May Election of 1953.

No person shall be elected to the office of Mayor or Aldermen who is not twenty-one years of age or over, and who has not been a resident of the City for at least one year immediately preceding the election at which such person is elected, within the territory included within the boundaries at the time of such election of such municipality. They shall be elected by the qualified voters who have been residents of said municipality, or who have owned in fee simple lands in municipality for at least six months next preceding said election and who are

residents of the State of Tennessee, and who if liable under the general laws of the State, have paid their poll tax.

Elections for the board of mayor and aldermen shall be held on the third Saturday in May every two (2) years, with offices to be filled according to the following schedule:

On the third Saturday in May, 1967 the mayor, the alderman from the fourth ward and the alderman-at-large shall be elected for terms of four (4) years and thereafter successors shall be elected every four (4) years. The aldermen from the first, second, and third wards shall be elected on the third Saturday in May, 1967 for terms of two (2) years. On the third Saturday in May, 1969, the aldermen from the first, second and third wards shall be elected for terms of four (4) years and thereafter successors shall be elected every four (4) years. Terms of office for the mayor and aldermen shall commence on second Tuesday in June following their election and shall continue for the term for which they are elected and until their successors are elected and qualified. The regulation and manner of holding elections for the board of mayor and aldermen shall be the same as for members of the general assembly. The City of McEwen shall pay the expenses of holding such elections.

The Mayor and Aldermen shall take the following oath before entering on the duties of their respective offices: "I do solemnly swear (or affirm) that I will support the Constitution and laws of the United States and the State of Tennessee, and the Ordinances and Resolutions of this municipality, and will faithfully discharge the duties of my office without fear or favor, alone for the public good 'So Help me God.'"

In case of vacancy in any of the said offices, the Aldermen shall fill such vacancy, in case of a tie vote for any candidate to said office, the existing Aldermen shall decide by an affirmative recorded vote which of said candidates shall serve. [As amended by Priv. Acts 1953, ch. 386, and Priv. Acts 1967, ch. 118, §§ 5 and 6]

Section 5. That the Board of Mayor and Aldermen in public assembly sessions, with a quorum present, either regular, special or called, shall exercise all expressly granted and implied powers under the Charter of the City of McEwen, Tennessee. Three votes shall be cast for any measure. In case of a tie the Mayor shall have the right to vote. Three Aldermen constitute a quorum; however, a small number may adjourn from time to time and compel the attendance of absent members.

The Board of Mayor and Aldermen shall have the authority:

- (1) To determine its rules of procedure and to provide for their enforcement.
- (2) To determine the places, date and hour of its meetings.
- (3) To adjourn or call meetings and prescribe how meetings shall be called.

(4) To impeach or remove or suspend any of its members by a motion, for crime or misdemeanor, grave misconduct, showing unfitness for public duty, public drunkenness, or permanent disability, upon written notice specifying the nature, time and place of the charge for trial. And its findings may be reviewed by the writ of supersedeas and certiorari in the Circuit Court. The officer removed or suspended remains out of office during such proceedings, unless the writ of supersedeas and adequate bond are granted and filed. The officer on trial shall not sit with the Aldermen during the trial.

(5) To confirm the appointments of the Mayor, to approve contracts, to fix wages, salaries and hours for work.

(6) To levy taxes and declare privileges and make assessments, fix a time when the same shall become due and delinquent, and provide for the collection of municipal taxes; and to do, carry on, execute, perform, create positions or offices, approve or reject, elect and confirm such measures and persons as may be for the general welfare of this municipality, and to exercise any other express or implied powers as are authorized by this act.

That the assessment of the property for taxes for corporation purposes shall be made by the Tax Assessor of the City of McEwen, Tennessee. Said Tax Assessor to be appointed by the Board of Mayor and Aldermen of McEwen, Tennessee who shall also fix the amount of compensation of such Tax Assessor. Said assessment shall be made and tax books prepared under the direction and supervision of said Board of Mayor and Aldermen of McEwen, Tennessee and when said books have been made out the same shall be turned over to the Recorder of the City of McEwen, Tennessee for collection. Said tax books shall be delivered by the Tax Assessor to the Recorder not later than November first of each year. The Mayor and each Alderman shall receive as compensation for their services rendered as such officers a sum as shall be fixed from time-to-time in any appropriation therefor adopted prior to the beginning of any fiscal year by the Board of Mayor and Aldermen and such compensation shall be paid at such intervals as the Board of Mayor and Aldermen from time-to-time may direct.

The Mayor shall receive as compensation for his services an amount not exceeding forty dollars (\$40.00) a month, to be fixed by a majority vote of the board of aldermen. Each alderman shall receive five dollars (\$5.00) for each regular meeting he attends. [As amended by Priv. Acts 1953, ch. 328; Priv. Acts 1967, ch. 118, § 1; and Priv. Acts 1984, ch. 207, §§ 3, 4, and 5]

Section 6. Be it further enacted, That the Mayor and Aldermen shall have authority by Ordinance:

(1) To levy and collect taxes for general, special or extraordinary purposes, to make assessments on all subjects or objects of taxation, property, real, personal or mixed, polls or privileges that may now or hereafter be taxable by the laws of the State, County or Municipal purposes, and to make such

classifications of the subjects and objects of taxation as may not be contrary to the law.

(2) To provide manner of assessing for taxation of the stock and capital of merchants employed in business other than realty, and to prescribe the periods of time to be considered in computing and determining the taxable value thereof.

(3) To make special assessments for local improvements for the construction of street paving, sidewalks, curbs, gutters, sewers, disposal sanitary plants, toilet connections, water mains or service connections, planting shade trees, removal of rubbish, street lighting, street sweeping, street sprinkling, street oiling, cleaning or rendering sanitary closets or toilets, and to fix liens to secure the payment thereof, and to provide a method for the collection of such assessments.

(4) To borrow money and to issue from time to time evidences of debt therefor bearing interest, for the purpose of providing funds in anticipation of revenues for ordinary and extraordinary purposes, and to fix the place of payment, and to issue evidences of indebtedness for refunding the same with like limitations upon interest, and maturity not more than one year from the date of their issuance, unless it shall be necessary to provide for the refunding of any such revenue securities at maturity, and to levy such amount of taxes as may be necessary to pay said evidences of indebtedness.

(5) To issue bonds from time to time to provide funds to erect and equip school buildings, municipal halls, houses of correction, fire halls, market places, hospitals, stables and garages or other public buildings for municipal purposes, to establish, erect, equip, and repair standpipes, waterworks, electric, gas, or other lighting plant or system, heating of sewer plant or system, for opening, widening, grading, construction of and paving roads or streets, alleys, public squares, highways, culverts, bridges, sidewalks, tunnels or underpasses, curbs, gutters, toilet connection, water main service, or connections, burial grounds, parks, or park improvements, and the building, erecting or maintaining an airport for passenger service for commercial uses, and for the purpose of purchasing lands upon which to build, maintain, or construct any of said systems, or refund any floating outstanding indebtedness evidenced by warrant or note. Authority under this Act is not exclusive, but is expressly provided that in addition to these powers this municipality may exercise similar powers granted under other of general Acts now in force or may hereafter be enacted.

(6) To license, tax and regulate all means of conveyance, such as automobiles, carriages, buggies, carts, cabs, taxicabs, wagons, drays and trucks; to fix the rates for carrying passengers or hauling property within the limits of this municipality, and designate routes for same.

(7) To appropriate the funds of the municipality for all lawful municipal purposes, to provide for the payment of the debts, expenses, and obligations of this corporation, and to that of which it is the successor, to fix the

salary or wages of any employees or officers of this municipality not fixed by this Charter.

(8) To appropriate annually for the needy poor of the municipality, and to regulate how it shall be dispensed.

(9) To open, alter, abolish, to widen or reduce the width, extend or shorten, establish, grade, pave, or otherwise improve, clean, maintain, or repair streets, highways, alleys, sidewalks, squares, city burying grounds, shade trees or park areas, or to have the same done; and to erect, establish, maintain or repair bridges, culverts, sewers, tunnels, curbs, gutters, water mains, surface connections, outlet connections, school buildings, or other public municipal buildings necessary for the purpose of this municipality, and to collect and dispose of drainage, sewerage, offal, ashes, garbage and refuse.

(10) To take and appropriate and condemn, either within or without the municipality for establishing, extending or widening streets, highways, avenues, sidewalks, tunnels, squares, alleys, promenades, parks or park areas, sewers, electric light or power, wire routes, light, power and heating plants, routes or system, markets, engine houses, plants, routes or systems, houses of correction, pest houses, schools, municipal plants for night oil or garbage, dump, waterworks or routes for water mains or surface pumping stations for the building, erecting and maintaining an airport, settling basin, or reservoir, or standpipes or other necessary appurtenances or places for said purposes enumerated and in accordance with the provision of Section 1981, 1982, 1983 and 1984 of Williams Annotated Code of Tennessee or the Acts from which said Sections are taken, and the damages for such taking shall be estimated for such property thus taken by the method provided by Section 1857 of said Annotated Code, or the Act from which said Section is taken.

(11) To make rules and regulations to secure the general health of the inhabitants, to prevent the spread or introduction of contagious or venereal diseases in the municipality, to make quarantine rules for such purposes and enforce the same within one mile of the corporate limits, to declare what constitutes nuisances against the health and safety of the inhabitants of the municipality, and to provide for the abatement of the same as far as one mile beyond the corporate limits; to define, prohibit, abate, suppress and prevent and regulate all acts, practices, conduct, business, occupations, callings, trades, uses of property and all other things whatsoever detrimental, or liable to be detrimental, to the health, morals, comforts, safety, convenience, or welfare of the inhabitants of the municipality, and to exercise general police powers to prevent and abate the same, and to prescribe limits within which business, occupations and practices are liable to become nuisances or detrimental to health, morals, the security, or general welfare of the people, may be lawfully established, conducted or maintained, and to provide for the abatement or cutting of weeds within the municipality, or the temporary or permanent closing of wells used by the public whenever the same are injurious to health, and for the removal of fixtures, walls, buildings, awnings or structures when the same

becomes dangerous or a menace to the health, security, or convenience of the inhabitants of this municipality.

(12) To prohibit or suppress gambling houses, disorderly houses, bawdy houses, obscene pictures and literature and the sale, manufacture or transportation of intoxicating liquors, and to confiscate and destroy gambling equipment, stills and intoxicating liquors.

(13) To regulate, prohibit or suppress shows, theatricals, exhibitions, amusements, junk dealers and pawn shops and all kinds of business to be conducted on Sunday.

(14) To regulate, prevent, or suppress any business which may be or become dangerous in causing or producing fires, to regulate, prohibit and suppress the sale of firearms, and the carrying of concealed weapons, to regulate, prohibit or suppress the use and sale of firecrackers, fireworks and toy pistols, or any other business of any kind which may be declared to be dangerous to the security of the inhabitants or property of this municipality.

(15) To regulate or prohibit the storage of explosives, combustibles, and inflammable material of every character, and the use of candles, lamps, oils, heating or firing apparatus or fires in any building, shop, stable or market, electric light or power or telephone wires.

(16) To regulate, tax, license, prohibit or suppress the keeping of hogs within the limits of this municipality and the going at large of all domestic animals and fowls within the City or upon the property of others; to impound the same, and to make rules and regulations for the redemption, sale or disposal of same on failure of owner to redeem them.

(17) To regulate the location, the bulk, occupancy, area, height, construction and materials of all buildings and structures, or buildings, structures and billboards, and to inspect all buildings, lands and places as to their condition for health, cleanliness and safety, and, when necessary prevent the use thereof, and require any alteration or change necessary to make them healthful, clean or safe; to compel the owners to provide fire escapes for the safety of occupants, to provide for the removal of any house, well or cistern or structure which may become dangerous or unhealthful to the inhabitants, after due notice, and to provide for a penalty for failure of the owner or agent or occupant to comply with the requirements, and to pay for any cost of its removal.

(18) To grant rights-of-way through the streets, avenues, squares, or over bridges, viaducts or highways of this municipality for the use of public or quasi-public utilities.

(19) To provide for the prevention of fires, and the organization and establishments of fire departments, equipment, houses or trucks and to build stations for same.

(20) To provide or establish a work house, either within or without the municipality, where any person convicted of offenses against the laws and Ordinances thereof who fail to secure the fine imposed upon them shall be committed and confined until such fine and cost shall be fully paid, or until a

pardon has been granted, or the fine remitted, or to contract with the County to keep such persons in the jail or workhouse of said County, and to provide by said contract and by Ordinance for the commitment for such persons to the workhouse or county jail so provided until such fine and cost shall be fully paid. To fix a penalty for the violation of any law or Ordinance of the City at a term of imprisonment not to exceed six (6) months and/or a fine not greater than One Thousand Dollars (\$1,000) and the cost of the cause for any one (1) offense.

(21) To create a Park Commissioner and a Board of Censors of moving pictures, shows and amusements and define their powers and duties.

(22) To acquire, construct, own, operate and maintain or sell, lease, mortgage, pledge, or otherwise dispose of public utilities for light, water or heat, or any estate or interest therein for service to the municipality, or its inhabitants, or any part thereof.

(23) To grant to any person or corporation franchises for public utilities, light, water, power or heat, to be furnished to the municipality or the inhabitants thereof, all necessary franchises. Franchises may be granted for a period of not more than thirty years, and upon the terms contained in the franchise agreement. The franchise may apply only to any territory within the corporate limits at the time of its grant, or that may be brought in at a later date.

(24) To make contracts with any person or corporation for public utilities and public service to be furnished to the municipality and the inhabitants therein, such power to make contracts shall embrace the power herein expressly conferred to make exclusive contracts, and when an exclusive contract is entered into it shall be exclusive not only against other persons, or corporations, but also against the municipality itself. Such contracts may be entered into for a period not exceeding twenty-five years. The Aldermen may prescribe in each contract entered into the right fares, charges, terms and regulations that may be made by the persons or corporation with whom the contract is made, and such contracts, may by their terms, apply to that territory within the limits of the municipality at the date of the contract, and as the corporate limits hereafter may be enlarged, and to the then streets and thoroughfares, or those that may hereafter be opened.

(25) To regulate the treatment of dumb animals and children and to provide for punishment of cruelty to the same.

(26) To take and hold property within or without the City and State on trusts, and to administer trusts for the public benefit.

(27) To call, regulate, provide for and control all municipal elections, as herein provided, and not contrary to law.

(28) To have and exercise all powers which now, or which may hereinafter be competent for this Act specifically to enumerate, as fully and as completely as though said powers were specifically enumerated therein.

(29) To provide for fines, forfeitures and penalties, for the breach of any ordinance of the City, and for the enforcement, recovery and appropriation of the

same, and to fix terms of confinement for the failure to pay any fine, penalty or forfeiture for the breach of any such Ordinance. No penalty shall exceed One Thousand Dollars (\$1,000) and the costs of the cause and no term of imprisonment shall be longer than six (6) months for the same offense. Either the municipality or the defendant may appeal to the Circuit Court, but the defendant, before an appeal is perfected, must give a solvent bond to cover fine and cost, forfeiture and penalty. And said appeal is to be made within forty-eight hours exclusive of Sundays or holidays.

(30) It shall not be necessary to swear out a warrant for the arrest of any person for the violation of any ordinance, but a warrant shall be issued before the case is called to trial stating the charge and the date thereof. The officer when making the arrest shall state what the charge is for which the arrest is being made.

(31) To fix the bonds for all officers and agents or employees of the City.

(32) To pass all ordinances necessary for the health, safety, convenience and general welfare of the inhabitants of the municipality, and to carry out to the fullest intent, the corporate purposes and meaning of this Act, as fully as if specifically authorized. All ordinances shall, when they become final, enrolled by the Recorder in an Ordinance Book.

(33) To take any action or adopt any Ordinance or exercise any power as may be conferred on any municipal corporation under the general municipal corporation laws of the State of Tennessee as now exist or as may be hereafter amended by the General Assembly of the State of Tennessee. [As amended by Priv. Acts 1984, ch. 207, §§ 6, 7, 8, 9, and 10]

Section 6(a). That the Board of Mayor and Aldermen shall have power to adopt resolutions,

(1) to authorize the expenditures and appropriations for all public improvements;

(2) to make public proclamations, protest and request to the Mayor or other officials for information pertaining to their respective duties;

(3) to make public proclamations, statements or protest for the information of the public pertaining to municipal purposes;

(4) to make contracts for the carrying on or execution of any public improvement;

(5) make contracts with any public carrier, the tracks and right-of-way which pass through this municipality and cross its streets, to hold harmless this municipality for grade crossing accidents;

(6) to carry into effect all the provisions of this Act, as required herein. [As renumbered and amended by Priv. Acts 1984, ch. 207, §§ 11, 12, and 13]

Section 7(a). Any Bill, Ordinance, or Resolution shall only be required to be read, considered and adopted on one (1) reading and notwithstanding any other provisions to the contrary any such Bill, Resolution or Ordinance may be

finally adopted on such reading when it shall have received an affirmative vote of not less than three (3) Aldermen or if the Aldermen be evenly divided the vote of two (2) Aldermen and the Mayor in the event of tie. A pass vote by any Alderman shall be considered a negative vote on the proposition thus being made.

(b) Any Bill, Ordinance or Resolution that has been introduced may be finally adopted on the same day and at the same meeting at which it shall have been introduced.

(c) Any Bill, Resolution or Ordinance finally adopted by the Board of Mayor and Aldermen before the same shall become effective shall be signed by the Mayor who shall either approve or disapprove the same within five (5) days, after the final action of the Board of Mayor and Aldermen. If the Mayor shall withhold approval or disapproval for more than such five (5) days, exclusive of Sundays and holidays, the Bill, Resolution or Ordinance shall become effective without the signature of the Mayor. In the event the Mayor shall return the Bill, Resolution or Ordinance disapproved then the Mayor shall state the reasons for such veto or disapproval. The Board of Aldermen may then consider such vetoed or disapproved Bill, Resolution, or Ordinance at its next regular or special meeting and may adopt such Bill, Resolution or Ordinance notwithstanding the veto of the Mayor provided the measure shall received at least four (4) affirmative votes of the Aldermen.

(d) No Bill, Resolution or Ordinance shall again be considered at the same or any adjourned meeting at which the same shall have been rejected.

(e) Upon all votes for the adoption or rejection of all Bills, Resolutions or Ordinances the vote shall be taken by ayes and nays and the names of those members of the Board of Mayor and Aldermen voting for and against the same shall be entered upon the minutes of the meeting.

(f) All Bills and Ordinances of the City of McEwen, Tennessee shall begin with the following enacting clause: "Be it enacted and ordained by the Board of Mayor and Aldermen of the City of McEwen, Tennessee" and all Resolutions shall begin with the following resolving clause: "Be it resolved by the Board of Mayor and Aldermen of the City of McEwen, Tennessee" and all such Bills, Ordinances, and Resolutions shall take effect from and after thirty (30) days from the date of their respective passages unless the Board of Mayor and Aldermen shall in such Bill, Ordinance or Resolution determine that the same shall take effect sooner. [As replaced by Priv. Acts 1984, ch. 207, § 14]

Section 8.

(a) The Mayor shall appoint from time to time, subject to approval and confirmation by the Aldermen, the following officers and their subordinate municipal employees who in all instances are to serve at the pleasure of the Board of Mayor and Aldermen and who may not be terminated or removed without approval by a majority of the Aldermen:

(1) A Chief of Police to be the chief law enforcement officer of the municipality charged to enforce the laws and ordinances of the municipality and the laws of the State of Tennessee; to make arrests of those committing violations thereof committed within the municipality; and to have operational command of the municipal police department and the subordinate police officers from time to time authorized by the Board of Mayor and Aldermen;

(2) A Fire Chief to be the chief fire suppression and prevention officer of the municipality under the laws and ordinances thereof and the laws of the State of Tennessee and to have operational command of the municipal fire department and the subordinate firemen from time to time authorized by the Board of Mayor and Aldermen;

(3) A City Recorder to be the chief clerical officer of the municipality to perform all those duties as provided in the charter of the municipality and in the ordinances thereof;

(4) A Superintendent of Water, Sewer and Public Works of the municipality to oversee the operation of such proprietary and governmental municipal functions as provided in the charter and by the ordinances of the City and immediate operational supervision of all subordinate employees as authorized by the Board of Mayor and Aldermen;

(5) A City Attorney to be the chief legal counsel of the municipality to attend to all legal affairs of the municipality and advise the Board of Mayor and Aldermen on legal matters and advise municipal officers affecting their duties and functions; and

(6) A City Manager to be the chief administrative and operating officer and business manager of the municipality with general oversight and supervision of all administrative affairs, operations and personnel management of all departments of the municipality and the employees thereof. The duties, powers and responsibilities include, but are not limited to, the following:

(i) To take executive direction from the Mayor and perform such duties from time to time as the Mayor delegates or directs;

(ii) To see that officers and employees of the municipality and the work and responsibilities of the officers, department heads and employees of the municipality are efficiently executed;

(iii) To prescribe the work and responsibilities of each department not inconsistent with applicable federal and state laws and regulations and ordinances of the municipality and give direction to all department heads in connection therewith;

(iv) To have access at all times to records and facilities of all departments;

(v) To investigate the work and operations of all departments and require all officers and department heads to submit such reports and records deemed necessary;

(vi) To attend all meetings of the Board of Mayor and Aldermen and those of all subordinate committees, boards, agencies and instrumentalities of the municipality;

(vii) To discuss and report municipal business, including constituent concerns, with the Board of Mayor and Aldermen;

(viii) To prepare and recommend annual budgets of revenues and expenditures and report on the fiscal impact on the municipal finances of proposed programs and sources of revenues and expenditures;

(ix) After consultation with department heads, to recommend to the Board of Mayor and Aldermen for approval of the hiring, transfer, demotion, discipline, discharge or termination of municipal employees;

(x) To take care and see to the prompt collection of all revenues due the municipality, both governmental and proprietary, and to see that all debts and obligations of the municipality are promptly paid from appropriations made therefor;

(xi) To make or authorize to be made municipal purchases observing procedures and requirements established by purchasing procedures and regulations in effect from time to time as approved by the Board of Mayor and Aldermen to include approval of purchasing orders authorizing officers and employees of the municipality to purchase or acquire goods or services on account of the municipality and to carry out procurement specifically authorized by the Board of Mayor and Aldermen;

(xii) To countersign with the Recorder all payable warrants and checks drawn on the municipal treasury in the absence or unavailability of the Mayor to do so or as delegated by the Mayor;

(xiii) To report to the Board of Mayor and Aldermen not less often than monthly on significant business activities and operations of the municipality and all departments and functions thereof; on accidents or injuries involving any municipal employee; on all incidents for which a claim for or against the municipality may result; and on matters of which the Board and Mayor and Aldermen may inquire; and

(xiv) To perform such other duties generally and

specifically authorized and directed by the Board of Mayor and Aldermen.

(b) The foregoing named principal officers may not be removed or discharged without the concurrence and approval of not less than a majority of the Aldermen. All final action on the removal or termination of a principal officer or subordinate employee must be approved by a majority of the Aldermen. Where the position of any principal officer becomes vacant, the Mayor shall have opportunity to recommend a person to fill such vacancy up to three (3) times, and after which no confirmation by a majority of the Aldermen has occurred, then such vacancy shall be filled by a person approved by a majority of the Aldermen concurring.

(c) Salaries and compensation of all principal officers and subordinate employees shall be determined by the Board of Mayor and Aldermen from time to time by authorizations and appropriations thereof. No principal officer nor employee of the municipality shall receive compensation from the municipal treasury in excess of an appropriation made therefor. [As replaced by Priv. Acts 1959, ch. 138, § 1; Priv. Acts 1967, ch. 118, § 2; Priv. Acts 1984, ch. 207, § 15, and Priv. Acts 2022, ch. 56, § 1]

Section 9. Be it further enacted, That there shall be a Mayor for the City of McEwen. The Mayor shall have the duties and powers of Mayor as provided in the municipal charter and by the ordinances and resolutions of the municipality and shall be the chief executive officer of the municipality. The Mayor shall serve without bond. The Board of Mayor and Aldermen shall annually elect one of the Aldermen to serve in the additional capacity as Vice-Mayor of the City of McEwen, Tennessee and in the case of the absence, disability, suspension or death of the Mayor, such Vice-Mayor shall perform the duties of the Mayor. The Mayor shall have the authority to suspend for cause any officer or employee of the municipality subject to review and final action by the Aldermen. He shall report his actions in writing to the Board within five days. He shall have access to all the books, records, offices and papers of every kind pertaining to the City's business, and require their proper and safe keeping. He may present to the Aldermen his recommendations of the needs of the municipality at any time he deems advisable.

He shall take all proper measures for the preservation of public order, suppression of riots and the preservation of peace, and he may call upon the Governor for military aid. He shall see that all agreements with the City are carried out or litigation taken for their enforcement. He shall have authority to call special meetings of the Aldermen, and consider any matter of welfare of the municipality.

The Mayor shall have the power of a Police Officer within the Corporate limits. He shall have power within one mile without the Corporate limits, to

preserve order, to make arrests, and enforce the sanitary and quarantine regulations. He shall have power to grant pardons or suspension or release of fines. He shall have the power to bid on property sold for City taxes or assessments. He shall have control over municipal improvements, municipal property, the servants, agents, works, services, and enterprises for the public welfare. He shall have exclusive power to make all expenditures within the budget after same have been appropriated, money appropriated for charity, and the payment for redemption or retirement of bonds that are not required to be specifically appropriated. He shall have power to determine the width, location and material and construction of sidewalks, gutters and curbs, subject to the approval of the Aldermen; and shall have charge of all other public works and improvements, and the administration of the City's business and affairs, as provided in this Act. He shall make and prepare estimates of all costs of works and improvements before making contracts and shall submit the same if the total cost thereof exceeds Twenty Five Hundred Dollars (\$2,500.00) to the Board of Mayor and Aldermen for approval.

All contracts of the City of McEwen, shall be executed in the name of the City of McEwen, signed by the Mayor, with the seal of the municipality attached thereto, and attested by the Recorder. No other officer or agent or employee of the City of McEwen shall, except as herein otherwise provided, have power to create any other liability on the municipality for the funds, the expenditures of which are entrusted in the Mayor. [As amended by Priv. Acts 1961, ch. 181, § 2, Priv. Acts 1984, ch. 207, §§ 16, 17, 18, and 19, and Priv. Acts 2022, ch. 56, §§ 2 and 3]

Section 10. The Recorder shall be required to give bond, signed by some indemnity insurance company or approved personal securities, to be approved by the Board of Mayor and Aldermen, payable to the City of McEwen to faithfully perform his duties to keep all records and books safely, and to handle an account for all money belonging to the municipality that may come into his hands, or for which he may be responsible. His duties shall be to act as a Recorder of the City, keep its records and minutes, to look after the publication of its Ordinances and advertisements where required, and to do such other duties pertaining and incident to the office as may be directed by the Mayor and Aldermen; he shall be accessible to the taxpayers and citizens during the business hours of the day; he shall keep the records of the City, its papers, its contracts, receive and transmit the necessary information for the operation of the City's enterprise, improvements and works to the proper officers of the City. He shall be Comptroller of the City, and see that its collections are properly entered, warrants issued, and the receipts delivered to taxpayers. He shall sign all warrants for any expense of the municipality, and such warrants shall be likewise signed by the Mayor before they shall be paid. He shall sign and attest such papers as he is, by Ordinance or Law, required to do. He shall give such information pertaining to the City's finances to the Mayor and Aldermen as he

is requested by the Mayor or by the Aldermen. He shall deposit the moneys and revenues coming into his hands belonging to the municipality in such depository as the Mayor and Aldermen shall direct.

At the direction of the Board of Mayor and Aldermen it shall be the duty of the Recorder to have the books, vouchers, invoices, and all supporting papers of the City, audited at least once annually, by such accountant or accountants as the Board of Mayor and Aldermen shall direct. The audit report shall conform to the requirements for audits of local governments by the Comptroller of the Treasury of the State of Tennessee, and shall contain such written comments and recommendations to the Board of Mayor and Aldermen concerning the handling of monies and the physical affairs of the City as may be advisable to such auditor. The audit shall be made for the preceding fiscal year as soon thereafter as may be reasonably possible. The said audit and the report thereof shall be made a part of the public records of the City and shall be available for inspection at all times by the public. [As amended by Priv. Acts 1959, ch. 138, § 2; Priv. Acts 1961, ch. 181, § 3; and Priv. Acts 1984, ch. 207, §§ 20, 21, 22, 23, and 24]

Section 11. Be it further enacted, That the Recorder shall be a Municipal Treasurer; that he shall receive and keep safely, all the funds of the City, and shall pay out same by warrants, signed by the Recorder and Mayor, and shall safely keep and account for same and turn over all balances to his successor in office. [As amended by Priv. Acts 1961, ch. 181, § 4, and Priv. Acts 1984, ch. 207, § 25]

Section 12(a). There is created a municipal court for the City of McEwen, Tennessee, to be known as the "Municipal Court of the City of McEwen, Tennessee." Such court shall be presided over by a City Judge who shall be elected as provided in this Section 12.

(b) The Municipal Court shall have power and jurisdiction:

(1) To hear, determine and punish violations of the penal ordinances of the municipality and on conviction thereof to impose fines not to exceed fifty dollars (\$50.00) for each such violation and to assess uniform costs and litigation taxes from time to time established by the Board of Mayor and Alderman and by general law.

(2) To hear, determine and punish violations of the criminal laws of the State of Tennessee for offenses occurring within the corporate limits of the municipality concurrent with the power and jurisdiction of the Court of General Sessions of Humphreys County, Tennessee.

(3) To issue all writs, orders, praeceptie, and other process commensurate with and in aid of its jurisdiction and in the case of violations of the municipal ordinances to issue the same in the name of the municipality and in the case of violations of the criminal laws to issue the same in the name of the State.

(4) To punish contumacious conduct in its presence and to punish those who otherwise willfully disobey its writs and orders as provided in the general laws for contempt of court.

(c) The City Judge shall hold sessions of the Municipal Court on such days and times necessary to promptly dispatch all business that comes before the Municipal Court. All sessions of the Municipal Court shall be held in the City Hall in McEwen, Tennessee, unless facilities therefor are from time to time otherwise provided by the Board of Mayor and Aldermen.

(d) The City Judge shall perform all clerical functions of the Municipal Court and is authorized to designate any other officer or employee of the City to assist in administration of such clerical duties. The City Judge shall keep and maintain dockets of all cases coming before the Municipal Court and shall enter thereon all cases and final dispositions thereof. All reports and remittances of fines, costs and litigation taxes required by law shall issue in the name of and on certification of the City Judge. The City Judge shall promptly transmit to the Clerk of the Circuit Court sitting at Waverly the original papers on all cases lawfully bound over for action by the Grand Jury or in those cases from which its judgments and orders are appealed.

(e) Appeals from final judgments and orders of the Municipal Court shall lie de novo to the Circuit Court sitting at Waverly as provided by the general laws for appeals from final judgments and orders of the General Sessions Court of Humphreys County, Tennessee.

(f) The City Judge shall be not less than thirty (30) years of age at time of election and shall be elected for a term of eight (8) years by the registered voters residing within the municipal corporation. Such elections shall be held at the time County General Elections are held for the election of State and county judges. The City Judge shall be licensed to practice law in the State of Tennessee and shall reside in Humphreys County, Tennessee at the time of election and continuously during incumbency. When the office of City Judge becomes vacant the Board of Mayor and Aldermen shall elect a qualified person to fill the position of City Judge to serve until the same is filled by the voters at the next biennial County General Election occurring after such vacancy exists.

(g) Compensation of the City Judge shall be determined by and paid in monthly installments from annual appropriations by the Board of Mayor and Aldermen; provided, however, such compensation shall not be increased or diminished during the term of the City Judge.

(h) Subject to appropriations made therefor by the Board of Mayor and Aldermen the City Judge may appoint one (1) or more judicial commissioners who shall be not less than twenty five (25) years of age and resident of Humphreys County, Tennessee, who shall be empowered to issue arrest warrants and criminal summonses upon finding of probable cause returnable to the Municipal Court; to set appearance bonds and recognizance for appearance by those charged before the Municipal Court; and to issue orders of mittimus committing those charged to the County Jail who shall be unable to make bond

or to otherwise secure their appearances. [As replaced by Priv. Acts 1959, ch. 138, § 3; Priv. Acts 1961, ch. 181; Priv. Acts 1984, ch. 207, § 26; and Priv. Acts 2010, ch. 76, § 1]

Section 13. The Chief of Police and the other policemen of the City shall have the power to execute within the city limits and for one (1) mile outside the city limits, all criminal and other processes issued by the Municipal Court and shall possess all of the common law and statutory powers of constables except for the service of civil process. [As replaced by Priv. Acts 1984, ch. 207, § 27]

Section 14. Be it further enacted, That it is hereby made the duty of the Chief of Police and other city policemen at all times of the day and night to preserve the peace, prevent crime, arrest offenders and enforce the ordinance and general laws, suppress riots, protect the rights of persons and property, guard the public health, remove nuisances, suppress disorderly houses, houses of ill fame, and gambling houses, and to assist, advise and protect strangers and travellers in public streets or other public places. [As amended by Priv. Acts 1984, ch. 207, § 28]

Section 15. Be it further enacted, That the Chief of Police and his assistants shall have the power and authority to immediately arrest, without warrant, and take into custody any person who shall commit, threaten, or attempt to commit in the presence of such officers, or within his view, any offense prohibited by Act of Legislature or by Ordinance of the Board of Mayor and Aldermen. But such member of the Police Force shall immediately after such arrest convey in person such offenders before the proper officers that they may be dealt with according to law with a speedy trial.

Section 16. Be it further enacted, That the Board of Mayor Aldermen shall by Ordinance, levy and collect a tax for the operation of any place of amusement, carnivals, circuses, picture shows, or any other kind of shows or plays, games, or other sports displays in any amount not exceeding Two Hundred Fifty (\$250.00) Dollars per annum, which tax shall be paid on annual basis, and which tax may be granted by ordinance so as to give consideration to the length of time such shows or displays may operate within the City.

To regulate or suppress the operation of pool rooms, define zones in which pool rooms may operate, and prescribe time of opening and closing of same and make any necessary rules and regulations to the operation of pool rooms that may be to the best interest of the City.

Section 17. Be it further enacted, That the Board of Mayor and Aldermen shall by Ordinance have authority to license, tax, and regulate automobiles, carriages, carts, wagons, dummy wagons, drays, trucks, and taxicabs and fix the rate to be charged for the carriage of persons and property within the city. And

shall have the right by Ordinance to require taxicab operators, before they can operate cabs in the City, to first apply to the Board of Mayor and Aldermen for a permit, which application may be sworn to and state the name of the applicant, his age, the name or names of his drivers, their ages, and shall further state that neither the applicant nor his drivers have been arrested and convicted in any court of any offense involving moral turpitude, violation of any liquor laws, or driving while intoxicated, within five years preceding the date of application; and no permit for the operation of a taxicab in the City of McEwen shall be granted by the Recorder until such application shall be considered by the Board of Mayor and Aldermen at regular meeting and signed by at least three Aldermen and the Mayor. And such applicants shall file at the same time as filing application for license or permits, a liability insurance policy covering each automobile or cab before any permit may be issued. And said applicant shall pay such fees or use-tax as may be imposed by Ordinance of the City for the use of its streets and privileges of operating thereon. [As amended by Priv. Acts 1984, ch. 207, § 29]

Section 18. Be it further enacted, That there shall be a Superintendent of the lights and waterworks, who shall devote such time necessary to the maintenance of and operation of the water and light system of the municipality, he shall be a resident of McEwen and his salary shall be fixed by the Board of Mayor and Aldermen.

Section 19. Be it further enacted, That the expense of the municipality for any one year, either ordinary or extraordinary shall not exceed the amount of revenue collected during the fiscal year immediately preceding the one for which said expenses are extended. The terms, "revenue collected" shall be understood to mean all moneys actually collected from all municipal sources--taxes, privileges, contracts or other revenues from sale of water, lights or property which has been brought into the Treasury of the municipality. This term does not include money derived from the sale of equipment or property owned by the municipality which had been purchased by it out of its revenues, funds derived from fire or other insurance, funds derived from recoveries or losses, or by improvements made by the municipality. These funds shall not be computed in estimating the annual expenses. But it shall be allowed for this municipality to embrace in its expenses for any one year, any revenue carried over from the expense account for any preceding years which had not been expended during these preceding years.

Section 20. Be it further enacted, That, should there be an expenditure necessary for any public improvement or other public purpose, and where that expenditure shall by an estimate, amounts to over Twenty-five Hundred Dollars (\$2,500.00), the Mayor shall advertise the same and let the work for which such expenditure is required, to the lowest and most competent bidder, however, the

Mayor may reject any and all bids for such work or improvement, and may in turn have such work or such improvement done by employees of the municipality. But no expenditure amounting to over Twenty-five Hundred Dollars (\$2,500.00) shall be made until authorized by Resolution of the Board of Mayor and Aldermen. [As amended by Priv. Acts 1984, ch. 207, § 30]

Section 21. The Board of Mayor and Aldermen shall have the power to levy during any one year for all corporate purposes an ad valorem tax on each One Hundred Dollars (\$100.00) of assessed valuation of the taxable real and personal property within the City. The assessed valuation shall be the same as that arrived at by the Assessor of Property of Humphreys County, Tennessee and turned over to the County Trustee. The Board of Mayor and Aldermen shall determine and levy by ordinance such ad valorem rate of tax each year. [As replaced by Priv. Acts 1967, ch. 118, § 3, and Priv. Acts 1984, ch. 207, § 31]

Section 22. The Board of Mayor and Aldermen shall have the power to regulate the construction, erection, repairing, remodeling, or addition to any and all buildings, either commercial or residential, that may be erected within the limits of the City, to define zones in which certain pipes, bulk, area, height, construction and materials may be constructed and the occupancy thereof, and to otherwise exercise the powers vested in municipalities by the State of Tennessee for comprehensive zoning and planning.

The mayor shall have power to appoint an inspector, who shall have power of inspection over all meats, beef, pork, fish, fowls and all other meats offered for sale in the City for food. And he or she shall have power to inspect milk, butter, lard, vegetables, and all other food sold in the City of McEwen, and may prohibit the same from being sold for human consumption. And the City of McEwen, may by its Board of Mayor and Aldermen establish and regulate markets and market places where such shall be sold. The compensation for such inspector shall be set by the Board of Mayor and Aldermen. [As amended by Priv. Acts 1984, ch. 207, § 32]

Section 23. Be it further enacted, That the salary or compensation for the services of the Chief of Police and his assistants, and the Superintendent of waterworks and lights and his assistants, and the City Recorder shall be fixed by the Board of Mayor and Aldermen, and that it may be increased or decreased as the nature of their duties and the time employed may demand. Any employee or officer of the City of McEwen, Tennessee shall serve at the pleasure of the Board of Mayor and Aldermen and any such employee or officer may be discharged at the pleasure of said Board. No employee or officer of the City shall have any vested or property right in or to employment with the City.

The salary of the City Recorder as may be set from time-to-time by the Board of Mayor and Aldermen shall be the exclusive compensation for such City Recorder and such officer shall not be entitled to the fees accruing to such office

for the issuance of permits, privileges or other fees incident to or as may be applicable thereto. The compensation of the Chief of Police and any policemen shall be as set by the Board of Mayor and Aldermen from time-to-time and shall be exclusive of all fees or commissions to which such officer might be entitled under my other law or Ordinance and any such fee or commission growing out of the duties of such police officer shall inure to the general fund of the City. The fines, fees, and costs levied and collected by the Municipal Court shall inure to the general fund of the City and not to the Judge thereof. [As amended by Priv. Acts 1984, ch. 207, §§ 33 and 34]

Section 24. It shall be the duty of, and the Recorder is hereby authorized to issue distress warrants for double the amount of the highest privilege tax required of any person, firm, or corporation, who shall enter upon or engage in any business in the City, the running or operation of which makes them liable to the payment of a privilege tax under the laws of the State or the Ordinances of the City, and who have not paid nor taken out licenses so required for the operation of said business, which distress warrants may be addressed to the Marshal of the City, or to a Constable or Sheriff of Humphreys County, and which shall command such Officer to levy the same on the property of the delinquent and to sell the same and apply the proceeds to the payment of said taxes, costs and penalties therein provided. And said Officer to whom said distress warrant comes shall execute the same at once on penalty of being liable therefor himself, on motion of the Recorder, for double the tax, costs and damages lost by his delay, in the Circuit Court. The said Officer shall sell said goods so levied upon after giving ten days notice of the time and place of said sale as required by law in execution sales by Sheriffs, and apply the proceeds to the payment of said taxes, costs and penalties. [As amended by Priv. Acts 1984, ch. 207, § 35]

Section 25. It shall be the duty of the Mayor to preside at all meetings of the Board of Mayor and Aldermen and to carefully examine the Resolutions, Bills and Ordinances passed by them and, should any of said Bills, Resolutions or Ordinances, in whole or in part, not meet with his approval, he shall return them as herein before provided with his written objectives thereto and stating his disapproval. The Mayor may veto part and approve part of any Bill or Ordinance, and that part that he approves shall go into effect at once, but the part vetoed shall not go into effect unless passed by two-thirds votes as provided above. The Mayor shall have power to make pro tempore appointments to fill vacancies caused by sickness, absence or other disability of any City Officer, and to suspend any City Officer or Officers for misconduct in office or neglect of duty, reporting his actions, with his reasons therefor, to the next meeting of the Board of Mayor and Aldermen by whom final action shall be taken; but he shall not have the power to fill vacancies or suspend members of the Board of Mayor and Aldermen. He may, whenever in his judgment the good of the City requires it,

cause special meetings of the Board of Mayor and Aldermen, and when so called he shall state the object for which it has been called, and the business of such meeting shall be restricted to the object or objects so stated, which message and call shall be entered on the Minutes of the special meeting. The Mayor may at any time call on the Recorder to present to the Board of Mayor and Aldermen a full and complete statement of the financial condition of the City. The Mayor shall have power to appoint such committees from the Board of Mayor and Aldermen as may be necessary for the efficient transaction of the public business and promotion of the public good of the municipality. The compensation of the Mayor shall be such an amount as the Board of Mayor and Aldermen may by Resolution or Ordinance adopt. The Mayor shall, before entering upon the duties of his office, take the oath as herein provided. He shall have the power and it is hereby made his duty to bid in for the City, at all tax and judicial sales, when the City is a party to all property sold, to the extent of the aggregate debt due the City. The Mayor may vote, and it shall be his duty to do so, in cases of tie votes among the Aldermen, and his vote shall decide the question. [As amended by priv. Acts 1984, ch. 207, §§ 36, 37, 38 and 39]

Section 26. The Vice-Mayor of the City shall succeed to and discharge the duties of the office of Mayor in the case of resignation, removal, death or the non-residence of the Mayor. In such event the Vice-Mayor shall serve the remainder of the unexpired term of the Mayor who has resigned, is removed, dies or vacates his office by reason of non-residence. The Board of Mayor and Aldermen shall elect some person to fill the unexpired aldermanic term of the Vice-Mayor and such person shall have the same qualifications as necessary to hold such office. [As replaced by Priv. Acts 1984, ch. 207, § 40]

Section 27. Repealed. (This section was repealed by Priv. Acts 1984, ch. 207, § 41.)

Section 28. Be it further enacted, That it is hereby made the duty of the Recorder of the City to make out the tax books of the City, and in so doing he shall use and be governed by the assessment made out by the County Tax Assessor or Equalizing Board and turned over to the County Trustee for collection for State and County purposes; and should any property subject to taxation not appear on the tax books of the City, the said Recorder shall assess the said property and collect the tax thereon, and report such taxes as picked-up taxes, and in the like manner the City Recorder may assess and collect poll taxes from all persons whose names do not appear on the tax books, as well as those that appear on the tax books, who are subject to payment of such tax.

Section 29. Be it further enacted, That the said tax books shall be made out by the first day of October of each year, on which day said taxes shall become due and payable, and the said Recorder shall proceed at once to collect

said taxes due the City for said year, and on the first day of March following the year for which said taxes are assessed, said taxes shall become delinquent and draw interest and penalty at the rate of one percent (1%) per month while delinquent and unpaid.

Section 30. The Board of Mayor and Aldermen shall by Resolution or Ordinance fix the salary or compensation of all officers of the City. [As replaced by Priv. Acts 1984, ch. 207, § 42]

Section 31. Be it further enacted, That the tax levy for the year 1951 be made by the Board of Mayor and Aldermen at their regular meeting in July, 1951, and that the annual tax levy thereafter shall be made at the regular meeting in July each year, or as soon thereafter as practical. Said taxes when levied shall have the force and effect given by the State laws relative to State taxes in the State of Tennessee.

Section 32. Be it further enacted, That the lien for taxes on real estate shall remain a lien until the taxes, penalties, and cost and attorney's fees are paid, whether a bill be filed to collect same or not. Any bill filed in equity may include any number of distinct pieces or tracts of land, the owners thereof being made defendants to the bill, and such cause shall not be subject to objection for misjoinder by reason of such distinct interest or because publication has not been made for delinquency. The law governing collection of such taxes shall be same as in case of the collection of State and County taxes.

Section 33. Be it further enacted, That,

(1) The Board of Mayor and Aldermen are hereby authorized to contract indebtedness on behalf of the City and upon the credit thereof, by issuing bonds of the City and disposing of them for the purpose of obtaining money for all public improvements that are legal and lawful under the general law, and for the purpose of constructing buildings that may be used in whole or in part for factories or industries that will be for the benefit of the residents and property owners of the City.

(2) That before any ordinance providing for the issuance of any bonds herein authorized shall be valid, a majority of the qualified voters of the municipality voting at any election on a special question of issuing such bonds, to be called by the Board of Mayor and Aldermen hereof, shall approve such bond issue. Provided, that this provision shall not apply to refunding bonds or funding any floating indebtedness now outstanding. Said election shall be advertised at least twenty-one days before same is held by publication three times, once a week for three consecutive weeks in some newspaper of general circulation in this municipality, the first of said publications to appear at least twenty-one days before the date of said election. Said election shall be held in same manner and by the same officials as the general municipal election. It

shall not be necessary to submit to the voters any other question than the maximum amount and the purpose or purposes of the bonds proposed to be issued. But it shall be the duty of the Board of Mayor and Aldermen of this municipality to enter upon its Minutes the result and returns of said referendum election; which entry shall be conclusive evidence of the result of such election; such bonds shall be the absolute, direct and general obligations of this municipality.

(3) That the principal and interest falling due before the proceeds of the first tax levy becomes available, of such bonds, shall be paid from the ordinary or general funds of the City, and in each year during the life of said bonds, the Board of Mayor and Aldermen hereof shall include in the annual tax levy, over and above all other taxes authorized by, and limited by law, a sum sufficient to meet the interest on such bonds, as it falls due, and the principal thereof at maturity.

(4) That the Board of Mayor and Aldermen may, in its discretion, provide that any holder of any bonds issued hereunder may register them in his name as to principal or interest or both, in the office of any Bank or Trust Company in any city of the United States designated for such purpose, by the Board of Mayor and Aldermen under such regulation and in such manner as the Board of Mayor and Aldermen may establish.

(5) That any bonds or securities redeemable or payable out of funds derived from special assessments for public improvements, or any bonds or other obligations issued for supplying this municipality with water, lights, heat, or power where the works for supplying same shall be owned or shall be controlled by such municipality shall not be included in the debt of this municipal Corporation within the limits of this Act, nor shall there be included in the debt of this Municipal Corporation, within the limits of this Act that any portion of any other bonds or special assessments for public improvements which have heretofore been levied and remain uncollected, and any such special assessments which the Board of Mayor and Aldermen of this municipality shall, by Ordinance or Resolution, assume will be levied, provided such special assessment so levied, or to be levied, are, or will be pledged to the payment of the bonds which are to be so excluded from the debt computation.

(6) Bonds sold under the provisions of this Act may be advertised in such papers and in such manner as shall be for the best interest of the municipality within the discretion of the Board of Mayor and Aldermen.

(7) This Act does not repeal, effect or modify or change any other special bond authorization Act heretofore passed and approved by the General Assembly of the State of Tennessee authorizing the issuance of any bonds of the City of McEwen, and is intended and designated as additional legislation thereto, and is to authorize this municipality to issue hereafter, as herein provided, such bonds to provide funds as hereinbefore designated. [As amended by Priv. Acts 1984, ch. 207, § 43]

Section 34. Be it further enacted, That whenever in this Act, any omissions are made in defining the duty or authority of any of the officers provided for herein and which is essential to properly carry out the object of this Act, the Board of Mayor and Aldermen are hereby granted authority to supply such omissions, and they are further given the power and authority to do any and every thing necessary to carry out the objects of this Act.

Section 35. That in addition to any other powers as herein provided, the Board of Mayor and Aldermen shall have the power to issue the interest bearing warrants or notes of the City for municipal purposes at any time and shall be empowered to provide sufficient tax levy for the payment of said warrants, notes and interest accruing thereon from time-to-time at such rate as may be determined by the Board of Mayor and Aldermen. [As replaced by Priv. Acts 1984, ch. 207, § 44]

Section 36. The words "City" or "Municipality" whenever used and wherever the same shall occur shall mean the City of McEwen, Tennessee, a municipal corporation, as created hereunder. Whenever used herein the term "Board of Mayor and Aldermen" or "Board" shall mean the Mayor and the Aldermen of the City of McEwen, Tennessee as provided herein and such Board shall be the governing legislative body thereof and of the municipal corporation. [As replaced by Priv. Acts 1984, ch. 207, § 45]

Section 37. Be it further enacted, That this Act is declared to be a complete system of municipal government, and no officer shall have or exercise any power or authority not conferred herein, anything in any former Acts pertaining thereto, and covering said municipality to the contrary notwithstanding.

Section 38. Be it further enacted, That all Acts or parts of Acts, general or special so far as they conflict or be inconsistent with this Act, be and the same are hereby repealed.

Section 39. Be it further enacted, That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: March 16, 1951.

Walter M. Haynes,
Speaker of the Senate.

McAllen Foutch,
Speaker of the House of Representatives.

Approved: March 16, 1951.

Gordon Browning,
Governor.

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

YEAR	CHAPTER	SUBJECT
1951	669	An act to incorporate the City of McEwen, Tennessee.
1953	328	An act to amend Priv. Acts 1951, ch. 669, § 5.
1953	386	An act to amend Priv. Acts 1951, ch. 669, § 4.
1959	138	An act to amend Priv. Acts 1951, ch. 669, §§ 8, 10, and 12.
1961	181	An act to amend Priv. Acts 1951, ch. 669, §§ 9, 10, and 1.
1967	118	An act to amend Priv. Acts 1951, ch. 669, § 3, 4, 5, 8, and 21.
1984	207	An act to amend Priv. Acts 1951, ch. 669, §§ 1, 2, 5--14, 17, 20--27, 30, 33, and 35--36.
2010	76	An act to amend Priv. Acts 1951, ch. 699, § 12.
2022	56	An act to amend Priv. Acts 1951, ch. 669, to replace § 8; and amend § 9.