

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

## CHAPTER 336.

## HOUSE BILL NO. 1011.

AN ACT to incorporate the town of Saulsbury, in Hardeman County, Tennessee, and to define the rights, powers and liabilities of the same.

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<sup>1</sup>Priv. Acts 1901, ch. 336, is the current basic charter act for the Town of Saulsbury, Tennessee. The text of the basic charter act set out herein includes all its amendments through the 2020 session of the Tennessee General Assembly. Sections of the charter which have been amended contain at the end of those sections the citation to the official act or acts constituting the amendment or amendments. No other changes have been made to the charter except the addition of a table of contents to facilitate its use. A list of all the acts including the basic charter appears at the end of the charter.

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.

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SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That the town of Saulsbury, in Hardeman County, and the inhabitants thereof, are hereby constituted a body politic and corporate, under the name and style of the town of Saulsbury, and shall have perpetual succession, and by the corporate name may sue and be sued, contract and be contracted with; may grant, receive, purchase, and hold property, real and personal, and dispose of same for the benefit of the town, and have and use a common seal, and may own real estate outside of the corporate limits for the purpose of cemeteries and pest-houses.

SEC. 2. Be it further enacted, That the boundaries of said town of Saulsbury shall be as follows: Beginning at a sassafras tree on W.P. Bontan's north line, and runs north forty degrees east, seventeen chains and thirty links to a stake on M.J. Moor's north line; thence south seventy-two degrees, east twenty-two chains and sixty-eight links to the northeast corner of G.R. Lipscomb's garden; thence south fifty-three degrees, east twenty-seven chains to a stake; thence north eighty-six degrees east five chains to a stake in the creek bottom; thence south ten and one-half degrees, east crossing the Southern Railroad at seven chains, in all nine chains and sixty links to a red oak tree; thence south thirty-six and one-half degrees west, twenty-four chains and eighty-seven links to a red oak tree near a dwelling known as the "Craig House;" thence north eighty-one and one-half degrees, twenty-two chains and thirty-five links to a blackjack tree on F.M. Corgil's land; thence north eighty-two and one-half degrees west twenty-three chains and eight links to a stake in P.S. Clark's field; thence north thirty-two chains and thirty-two links to the beginning.

SEC. 3. BE IT FURTHER ENACTED, That the officers of the Town of Saulsbury, to be elected by the qualified voters of the Town, shall be a Mayor and five (5) Aldermen, and each of said officers shall be residents and qualified voters of said Town. [As amended by Priv. Acts 1977, ch. 27, § 1; and replaced by Priv. Acts 2016, ch. 30]

SEC. 4. Be it further enacted, The term of office for each of the said officers shall be four (4) years. Elections shall be held on the first Tuesday after the first Monday in November of 1992, and every four (4) years thereafter. [As amended by Priv. Acts 1977, ch. 27, § 2; and replaced by Priv. Acts 1991, ch. 33]

SEC. 5. Be it further enacted, That the Mayor and Aldermen, before entering upon the discharge of their respective duties, shall each take an oath before some person authorized by law to administer oaths, that they will honestly and faithfully discharge the duties of their offices without fear, favor, or partiality. The Board of Aldermen shall also at their first meeting elect from among their number, or from the residents of the Town, a Recorder, also a Treasurer, who shall each take the same oath as required of the Aldermen, and they shall each give bond in a sum as required by ordinance. The Board of Aldermen shall also at their first meeting elect one of their members to serve as Vice-Mayor who shall serve in the absence of the Mayor. The Mayor, Recorder, and Treasurer, before entering on the discharge of their duties, shall execute bond in the sum prescribed by ordinance. [As amended by Priv. Acts 1977, ch. 27, § 3]

SEC. 6. Be it further enacted, That the legislative powers of the Town of Saulsbury shall be vested in and exercised by the Board of Mayor and Aldermen, over whose meetings the Mayor shall preside, and cast the deciding vote when there is a tie. A majority of the Aldermen shall constitute a quorum for the transaction of business. In the absence of the Mayor, the Vice-Mayor shall preside over the meetings. Should the office of the Mayor become vacant, the Board shall elect someone not a member of the board to fill the unexpired term, and the Board of Mayor and Aldermen shall fill vacancies occurring in the Board and office of Recorder and Treasurer. [As amended by Priv. Acts 1977, ch. 27, § 4]

SEC. 7. Be it further enacted, That no one shall be eligible to any office of said town unless he is and has been a resident citizen of the town twelve months next preceding his election, and is otherwise a legal, qualified voter of said town.

SEC. 8. Be it further enacted, That the Board of Mayor and Aldermen shall judge of the qualification and election of all officers of the town, including the Mayor and Aldermen, and shall decide all contested elections, and form its action on these items; any part aggrieved may appeal to the Circuit Court. Said Board shall prescribe its own rules of procedure, and may punish its members, the Mayor by fine or suspension, for any misconduct in office. Two-thirds of the Aldermen voting to concur, may expel any member, including the Mayor; a less number than a majority of the Board can adjourn from day to day, and the Board shall hold its regular meetings at such times as it may determine, but not more than two stated meetings in each month. [As amended by Priv. Acts 1977, ch. 27, §§ 6 and 7]

SEC. 9. Be it further enacted, That the Mayor and Aldermen of said town of Saulsbury shall have power, by ordinance, within the corporate limits —

1. To levy and collect taxes upon all property, privileges and polls, taxable by law for State purposes, but in no case to exceed the State tax.
2. To appropriate money and provide for the payment of debts and expenses of the town.
3. To make and enforce quarantine laws to prevent the introduction and spread of contagious diseases.
4. To make and enforce regulations for the public health, and to prevent and remove nuisances.
5. To open, improve, or extend streets, sidewalks, alleys, and public squares.
6. To make and keep in repair bridges, culverts, sewers, gutters, etc.
7. To rent or erect buildings, either in or out of the corporation, for the use of the town.
8. To license, regulate, and tax privileges taxable by the State.
9. To suppress and prohibit houses of ill-frame, gambling, gambling houses, and the sale of intoxicating liquors, etc.
10. To provide for the prevention and extinguishment of fire, and organize fire companies, and regulate same. Also to establish, regulate, and prohibit the erection of wooden buildings in such fire limits.
11. To appoint a police chief and to regulate the police of the town, to impose fines, forfeitures, and penalties for breaches of any ordinance, and provide for collection of the same. The Town may contract these functions as may be provided by law.
12. To prevent and punish all persons for any breach of the peace, and for any noise or disturbances in the town.
13. To construct sidewalks, foot-pavements, etc., and to provide for charging the cost of making or improving the same, to the owners of the property in front of which it is to be made, and such expense shall be a lien on such property, to be enforced by any court of competent jurisdiction.
14. To pass all ordinances not contrary to the Constitution and laws of Tennessee, or of the United States, that may be necessary to carry into effect the grant of power herein, and to accomplish the object and purposes of the Act of Incorporation. [As amended by Priv. Acts 1977, ch. 27, § 8]

SEC. 10. Be it further enacted, That the police chief shall enforce the laws and ordinances of the Town, and for that purpose police authority is hereby given him. The police chief's compensation shall be fixed by ordinance. [As amended by Priv. Acts 1977, ch. 27, § 9]

SEC. 11. Be it further enacted, That the Recorder shall keep an accurate minutes of the proceedings of the Board. The Recorder shall issue all privilege taxes and keep a record of the same. The Recorder's compensation shall be fixed by ordinance. [As amended by Priv. Acts 1977, ch. 27, § 10]

SEC. 12. Be it further enacted, That every ordinance, of the Town of Saulsbury, before becoming law, shall be read on two (2) different days in open session before its adoption, and not less than one (1) week, seven (7) days, shall lapse between the first and second readings. All such ordinances shall be passed by a majority vote of the Board and shall be signed by the Mayor, unless it does not meet with his approval. He shall return the same to the next meeting of the Board with his written objections, and no law so vetoed shall go into effect unless, and until, it is again passed by a majority of the entire Board. To meet a public emergency affecting life, health to property, an emergency ordinance may be adopted on two (2) readings on separate days and become effective immediately, by the affirmative vote of the majority of the Board members present. The Emergency Ordinance shall contain a full statement of the fact creating the emergency, but any Emergency Ordinance shall be effective for only ninety (90) days. Appropriations, revenues, franchises, contracts, levy of taxes, borrowing money, or special privileges shall not be passed as Emergency Ordinances. [As amended by Priv. Acts 1977, ch. 27, § 11]

SEC. 13 Be it further enacted, That if the Mayor is sick or absent, or temporarily incompetent, the Vice-Mayor shall perform the duties of the Mayor. The Mayor shall fill all vacancies with the approval of the Board. When necessary, the Mayor shall increase the police force, and shall call special meetings of the Board, and shall state to the Board in writing the purpose of such meetings. He shall also enforce all ordinances and perform such other duties as may be prescribed by ordinances of the Town. [As amended by Priv. Acts 1977, ch. 27, § 12]

SEC. 14 Be it further enacted, That all persons shall be entitled to vote in the elections of said town of Saulsbury who are otherwise qualified to vote under the laws of Tennessee and, first, who shall have been actual bona fide residents of the town for six months next preceding the election; second, who are non-residents of the town, but residents of the State, and who are bona fide owners by absolute title, of real estate within the corporate limits of the town of Saulsbury.

SEC. 15. Be it further enacted, That the Board of Mayor and Aldermen may establish by ordinance compensation for said elected officials, but they shall not be increased or diminished during the term for which they are elected. [As amended by Priv. Acts 1977, ch. 27, § 13]

SEC. 16. Be it further enacted, That this Act is declared to be a public law, and may be read in evidence in all courts, without special proof of same.

SEC. 17. Be it further enacted, That as soon as the first Board of Mayor and Aldermen are elected and qualified under this Act, they shall demand,

receive, and receipt for, all money, books, accounts, and other property belonging to the old corporation of Saulsbury, at the time the Act abolishing the charter went into effect.

SEC. 18. Be it further enacted, That this Act take effect from and after its passage, the public welfare requiring it.

Passed: April 19, 1901.

E.B. WILSON,  
SPEAKER OF THE HOUSE OF REPRESENTATIVES.

NEWTON H. WHITE,  
SPEAKER OF THE SENATE.

Approved April 23, 1901.

BENTON McMILLIN,  
GOVERNOR.

ACTS COMPRISING THE CHARTER OF THE TOWN OF  
SAULSBURY, TENNESSEE

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| YEAR | CHAPTER | SUBJECT  |
|------|---------|--|
| 1901 | 336     | Basic charter act.   |
| 1977 | 27      | Amended §§ 3, 4, 5, 6, 8, 9, 10, 11, 12, 13, and 15 in their entirety.                       |
| 1977 | 120     | Amended the local approval clause in Priv. Acts 1977, ch. 27.                                |
| 1991 | 33      | Replaced § 4 relative to the terms of office and time of election of the mayor and aldermen. |
| 2016 | 30      | Replaced § 3 relative to officers.   |