

## TITLE 1

### GENERAL ADMINISTRATION<sup>1</sup>

#### CHAPTER

1. MISCELLANEOUS.
2. BOARD OF COMMISSIONERS.
3. MAYOR.
4. RECORDER.
5. CITY CLERK.

#### CHAPTER 1

#### MISCELLANEOUS

#### SECTION

- 1-101. Definitions and rules of construction.
- 1-102. Committees.
- 1-103. Bonds required.
- 1-104. Duties of city officials.

**1-101. Definitions and rules of construction.** In the construction of this code and of all amendments, the following definitions and rules of construction shall be observed, unless inconsistent with the intent of the council or the context clearly requires a different meaning.

(1) "City." The words "the city," "this city," or "town" shall mean the City of Friendsville, in the County of Blount, in the State of Tennessee, except as otherwise provided.

(2) "Computation of time." The time within which an act is to be done shall be computed by excluding the first and including the last day; and if the last day be Sunday or a legal holiday, that shall be excluded, and the day next following shall be included.

(3) "County." The words "the county" or "this county" shall refer to Blount, County, Tennessee.

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<sup>1</sup>Charter references

See the charter index, the charter itself, and footnote references to the charter in the front of this code.

Municipal code references

Fire department: title 7.

Wastewater treatment: title 18.

Zoning: title 14.

(4) "Employee." The word "employee" shall mean all employees of the city other than elected officers.

(5) "Gender." Words importing the masculine gender shall include the feminine and the neuter unless the gender is clearly indicated or unless the context in which it is used would not otherwise permit such meaning.

(6) "Month." The word "month" shall mean a calendar month.

(7) "Number." Words used in the singular include the plural and the plural include the singular number.

(8) "Oath." The word "oath" shall be construed to include an affirmation which may be substituted for an oath, and in such case the words "swear" and "sworn" shall be equivalent to the words "affirm" or "affirmed."

(9) "And/or." "Or" may be read "and," and "and" may be read "or" if the sense required it.

(10) "Owner." The word "owner" as applied to buildings or land, shall include any part owner, joint owner, tenant in common, joint tenant or tenant by the entirety, of the whole or the part of such buildings or land.

(11) "Person." The word "person" shall include a corporation, firm, partnership, association, organization, and any other group acting as a unit, as well as an individual.

(12) "Personal property." Personal property includes every species of property except real property.

(13) "Policemen." Shall mean policeman, marshal, or city constable.

(14) "Preceding," "following." The words "preceding" and "following," shall mean next before and next after, respectively.

(15) "Property." The word "property" shall include real and personal property.

(16) "Real property." Real property shall include lands, tenements, and hereditaments.

(17) "Sidewalk." The word "sidewalk" shall mean any portion of the street between the curb line and the adjacent property line, intended primarily for the use of pedestrians.

(18) "Street." The word "street" shall mean and include any public way, road, highway, street, avenue, boulevard, parkway, alley, lane, viaduct, bridge and the approaches thereto within the city.

(19) "Tenant." The words "tenant" and "occupant," applied to a building or land, shall include any person who occupies the whole or part of such building or land, whether alone or with others.

(20) "Tense of verbs." Words "writing" and "written" shall include printing or any other mode of representing words and letters.

(21) "Year." The word "year" shall mean a calendar year, unless otherwise specified. (1952 Code, § 1-6)

**1-102. Committees.** The mayor with the approval of the council may appoint such committees of the council as may be needed from time to time. (1952 Code, § 2-8)

**1-103. Bonds required.** The city clerk, chief of police and any other official receiving and/or disbursing money shall give bond to insure faithful performance of duty and to pay over all monies coming into their possession properly belonging to the city. These bonds shall be as follows: city clerk \$2,000.00, chief of police \$\_\_\_\_\_. (1952 Code, § 2-9)

**1-104. Duties of city officials.** The officers of the city shall have such duties as may be designated by the city charter, required by general law, or assigned by the mayor and city council upon the passage of appropriate ordinances or resolutions. (1952 Code, § 2-11)

**CHAPTER 2****BOARD OF COMMISSIONERS<sup>1</sup>****SECTION**

1-201. Time and place of regular meetings.

1-202. General rules of order.

**1-201. Time and place of regular meetings.** The board of commissioners shall hold regular monthly meetings at 7:00 P.M. on the second Tuesday of each month and at such other hours or times as the chief executive may designate. (1952 Code, § 2-10)

**1-202. General rules of order.** The rules of order and parliamentary procedure contained in Robert's Rules of Order shall govern the transaction of business by and before the board of commissioners at its meetings. (1952 Code, § 2-13)

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<sup>1</sup>Charter references

Election and term of office: § 5.

Quorum: § 8.

Salaries: § 6.

**CHAPTER 3****MAYOR<sup>1</sup>****SECTION**

1-301. Oath of office.

1-302. Duties.

**1-301. Oath of office.** The mayor shall be sworn in by the outgoing mayor or by any person qualified to give the oath of office, which shall be as follows:

"I solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Tennessee and the charter of the city, and that I will faithfully execute and perform with fidelity the duties incumbent on me as mayor of the city to which office I have been elected and which I am about to assume, according to law and to the best of my skill and ability; that I will make all appointments that it becomes my duty to make without favor, partiality, or prejudice, and alone upon the grounds of qualification." (1952 Code, § 2-1)

**1-302. Duties.** The mayor shall have such duties as prescribed by the charter and such other duties as assigned by the council. He shall administer the oath of office to each of the commissioners, which oath shall be as follows:

"I do solemnly swear that I will support the Constitution of the United States, the Constitution of the State of Tennessee and the charter of the city; and that, as a member of the council, I will, in all elections, vote without favor, partiality, or prejudice; and that I will not propose or assent to any ordinance, vote, or resolution which shall appear to be injurious to the people, or consent to any act or thing whatever that shall have a tendency to oppress or abridge the rights of the people, and declared by the charter of the city and the constitution of the state." (1952 Code, § 2-1)

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<sup>1</sup>Charter references  
Duties, etc.: §§ 13-15.

**CHAPTER 4****RECORDER<sup>1</sup>****SECTION**

1-401. Election; duties.

1-402. Oath of office.

**1-401. Election; duties.** There shall be a city recorder elected by the board of commissioners in the event the mayor declines to serve in this capacity. He shall serve as city judge and shall have such duties as are assigned by charter and by the board of commissioners. (1952 Code, § 2-1.1)

**1-402. Oath of office.** The city recorder shall take the following oath from the mayor:

"I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Tennessee, and the charter of the city, and that I will decide all cases that come before me for trial as recorder according to the law and evidence in the case, and that I will faithfully and impartially perform all the duties incumbent on me to the best of my skill and ability." (1952 Code, § 2-1.1)

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<sup>1</sup>Charter references  
Duties: §§ 21, 22.  
Salary: § 21.

**CHAPTER 5****CITY CLERK****SECTION**

1-501. Election; duties.

1-502. Oath of office.

**1-501. Election; duties.** There shall be a city clerk elected by the board of commissioners. He shall have such duties as are assigned by charter and the board of commissioners. (1952 Code, § 2-2)

**1-502. Oath of office.** The city clerk shall take the following oath from the mayor:

"I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Tennessee and the charter of the city, and I will faithfully and impartially perform all the duties incumbent on me to the best of my skill and ability." (1952 Code, § 2-2)