



State of Tennessee

PRIVATE CHAPTER NO. 3

SENATE BILL NO. 1541

By Southerland

Substituted for: House Bill No. 1549

By Hawk

AN ACT to amend Chapter 563 of the Acts of 1903; as amended by Chapter 64 of the Acts of 1907; Chapter 647 of the Private Acts of 1911; Chapter 158 of the Private Acts of 1915; Chapter 170 of the Private Acts of 1915; Chapter 3 of the Private Acts of 1917; Chapter 397 of the Private Acts of 1919; Chapter 23 of the Private Acts of 1919; Chapter 231 of the Private Acts of 1919; Chapter 764 of the Private Acts of 1927; Chapter 232 of the Private Acts of 1941; Chapter 669 of the Private Acts of 1947; Chapter 154 of the Private Acts of 1947; Chapter 248 of the Private Acts of 1953; Chapter 264 of the Private Acts of 1955; Chapter 119 of the Private Acts of 1961; Chapter 181 of the Private Acts of 1996; Chapter 37 of the Private Acts of 2012 and Chapter 53 of the Private Acts of 2014; and any other acts amendatory thereto, relative to the Town of Greeneville.

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

SECTION 1. Chapter 563 of the Acts of 1903, as amended by Chapter 64 of the Acts of 1907, Chapter 647 of the Private Acts of 1911, Chapter 158 of the Private Acts of 1915, Chapter 170 of the Private Acts of 1915, Chapter 3 of the Private Acts of 1917, Chapter 397 of the Private Acts of 1919, Chapter 23 of the Private Acts of 1919, Chapter 231 of the Private Acts of 1919, Chapter 764 of the Private Acts of 1927, Chapter 232 of the Private Acts of 1941, Chapter 669 of the Private Acts of 1947, Chapter 154 of the Private Acts of 1947, Chapter 248 of the Private Acts of 1953, Chapter 264 of the Private Acts of 1955, Chapter 119 of the Private Acts of 1961, Chapter 181 of the Private Acts of 1996, Chapter 37 of the Private Acts of 2012, and Chapter 53 of the Private Acts of 2014, and any other acts amendatory thereto, is deleted and replaced by the following charter:

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SECTION 1: Incorporation; boundaries; name; and general powers

Section 1. The inhabitants of the territory heretofore incorporated under the name of the Town of Greeneville, situated in the Tenth Civil District of Greene County, said boundaries being established by Chapter 563 of the Private Acts of Tennessee of 1903 as amended from time to time and by subsequent annexations and de-annexations, be and they are hereby constituted a municipal corporation and body politic under the name of the "Town of Greeneville," and by the same name shall have perpetual succession, may sue and be sued, plead and be impleaded in all courts of law and equity, and in all actions whatsoever; may purchase, receive and hold property, real and personal within said boundaries and may sell, lease, or dispose of the same for the benefit of said town and may do all such other acts touching the same as natural persons. They shall have and use a common seal and change it at pleasure.

SECTION 2: Governing body; terms and qualification of members; vacancies; elections; administrative officers; wards

Section 2. The governing body of said Town of Greeneville shall be known as the City Council and shall consist of a Mayor, to be elected by the whole town, and four (4) Council Members elected in the manner as hereinafter set forth. No Council Member while in office shall qualify for election to the office of Mayor. No person shall be Mayor or Council Member unless he is a citizen of the State of Tennessee and county of Greene, and a bona fide resident within said Town of Greeneville. Further, each Council Member shall be resident of the ward from which he is elected and shall have resided within said ward for one (1) year before his election, and any Council Member removing from the ward from which he is elected after his election shall thereby vacate his office. The present Aldermen shall be known as Council Members from the date of the approval of this Act by the Board. Nothing in this Section 2 shall diminish or enlarge the rights, duties, and responsibilities of the Mayor or Aldermen; the intent of this Section 2 is simply to change the name of the governing body from the Board of Mayor and Aldermen to the City Council and the name of the office of Alderman to Council Member, to extend the terms of office from two (2) years to four (4)

years, and to clarify the right of the Mayor to vote as a tie-breaker in the filling of a vacancy in the office of Vice-Mayor or Council Member. All references to the Town's Board of Mayor and Aldermen in any organizational document, agreement, contract, memorandum of understanding, grant, resolution, ordinance or private act currently in effect shall be deemed to be a reference to the City Council.

The terms of office for Mayor and Council Member shall be four (4) years with terms beginning on September 1st and ending on August 31st. Provided, however, the present Mayor and Aldermen of said town shall continue in office as Mayor and Aldermen/Council Member, respectively, of said town until their respective terms of office expire, at which time their successors shall be elected. Provided further, however, the term of office for Council Members beginning September 2023 shall be a three-year term ending August 31, 2026. Thereafter, the Mayor and Council Members shall serve for four-year terms with elections held concurrently with the general elections in August.

The City Council shall elect a Vice-Mayor to fill the duties of Mayor should the Mayor be absent, incapacitated, or the Office of Mayor be vacated. The Office of Vice-Mayor shall be elected at the first regularly scheduled City Council meeting in September and the Vice-Mayor shall hold that office for a term coinciding with the Vice-Mayor's then remaining term as Council Member. Provided however, the existing Vice-Mayor shall remain Vice-Mayor for the term of his office as Council Member.

All vacancies in the office of the Mayor, Vice-Mayor, or Council Member shall be filled by the vote of the majority of the remaining Council Members. An election filling a vacancy shall be only for the unexpired term of the affected member. In the event of a tie vote with respect to a vacancy in the office of Vice-Mayor or Council Member, the Mayor shall be entitled to vote as a tiebreaker.

Said Town of Greeneville shall consist of only two (2) wards to be marked and divided by Church Street in said Town, the territory lying North of Church Street to constitute the First Ward, and the territory lying South of Church Street to constitute the Second Ward of said Town. The City Council shall review the ward districts within the calendar year after each decennial U.S. Census Bureau census results are released. The City Council by ordinance may from time to time change ward boundaries to maintain an approximate equal population within the two (2) ward districts.

SECTION 3: Qualifications for voting

Section 3. All persons owning real estate of a taxable value of one hundred dollars (\$100) or over within such corporation, all persons living therein and who have been residents thereof for six (6) months previous to said election, and all persons owning personal property of a taxable value of one hundred dollars (\$100) or over, taxable above exemptions in said corporation and who are entitled to vote for members of the General Assembly shall be entitled to vote in elections in said municipality.

SECTION 4: Powers and duties of the Mayor

Section 4. The Mayor shall preside at all meetings of the City Council and make such suggestions and give such instructions with reference to the action of such City Council as in his judgment will be most conducive to the interests of the town. The Mayor shall by written communication, lay before the City Council any information needed, and recommend such measures as he may deem expedient. The Mayor may call special meetings of the City Council, and when called he shall state the reason for convening them by message, and the action of the City Council shall be limited to said matter and that only. The Mayor shall make appointments to boards and commissions as authorized by law. The Mayor shall have the authority to countersign all checks and drafts drawn upon the treasury by the treasurer and shall sign all contracts which require his signature by law or as authorized or directed by the City Council. The Mayor shall have the veto power over any action of the City Council, giving his reasons therefore in writing, but the City Council may, by a three-fourths (3/4) affirmative vote of the entire City Council, pass the same over his veto; or if he fails to return the same on or before the next regular meeting of the City Council, he shall be deemed to have approved the same, and the same shall become a law without further action of the City Council, and every law, ordinance, resolution, or vote, except on question of adjournment, shall require the approval of the Mayor before it shall have effect, except as above provided. The Mayor shall have no vote in matters before the City Council except in the event of a tie vote by the Council Members, in which event the Mayor shall be entitled to vote as a tiebreaker.

SECTION 5: City Council

Section 5. The legislative and all other powers, except as otherwise provided by this Charter, are hereby delegated to and vested in the City Council, and the City Council may by ordinance or resolution not inconsistent with this Charter prescribe the manner in which any powers of the city

shall be exercised, provide all means necessary or proper therefor, and do all things needful within or without the city or state to protect the rights of the city.

SECTION 6: City manager appointment, duties, and removal

Section 6. The City Council shall appoint and fix the salary of a city manager, who shall serve at their will and pleasure. The city manager shall be appointed by virtue of experience or educational qualifications, or both.

In the temporary absence or disability of the city manager, the city manager shall appoint another city employee who shall serve as acting city manager. If and when the city manager's absence exceeds thirty (30) consecutive days, the City Council shall have the right to appoint another department head or another city employee as the acting city manager.

The city manager shall be the chief administrative officer of the town. The city manager shall be responsible to the City Council for the administration of all town affairs placed in his charge by or under this charter.

The city manager shall have the following duties:

- (1) To administer the business of the town and execute all contracts except as otherwise provided by this charter or by law;
- (2) To make recommendations to the City Council for improving the quality and quantity of public services to be rendered by the officers and employees to the inhabitants of the town;
- (3) To appoint and, when deemed necessary for the good of the service, discipline, suspend, or remove all city employees and appointive officers provided for by or under this charter, subject to the provisions of Chapter 179 of the Private Acts of 1953, as amended, "Civil Service", and in accordance with the personnel rules adopted by the City Council and not in conflict with this charter;
- (4) To direct and supervise the administration of all departments, offices, and agencies of the town, except as otherwise provided by this charter or by law;
- (5) To attend all City Council meetings and have the right to take part in discussion, but may not vote;
- (6) To see that all laws, provisions of this charter and acts of the City Council, subject to enforcement by the city manager or by officers subject to his direction and supervision, are faithfully executed;
- (7) To prepare and submit the annual budget and an annual capital budget update to the City Council at the appropriate time;
- (8) To submit to the City Council and make available to the public a complete report on the finances and administrative activities of the town as of the end of each month and at the end of the fiscal year;
- (9) To make such other reports as the City Council may require concerning the operations of city departments, offices, and agencies subject to the city manager's direction and supervision; and
- (10) To keep the City Council fully advised as to the financial condition and future needs of the town and make such recommendations to the City Council concerning the affairs of the town as he deems desirable.

The City Council and its members shall deal with the administrative services of the town only through the city manager, except for the purpose of inquiry, and neither the City Council nor any member thereof shall give orders or instructions to any subordinates of the city manager. The city manager shall take instructions from the City Council when they are sitting in a duly convened meeting of the City Council.

The city manager shall not be removed from office, other than for misconduct in office, during or within a period of thirty (30) days following the beginning of a new term of office next succeeding any general municipal election held in the town, at which election a new member of the City Council is elected, or when a new member is appointed. The purpose of this provision is to allow any newly elected or appointed member of the City Council to observe the actions and ability of the city manager in the performance of the powers and duties of his office. After the expiration of the

aforementioned thirty (30) day period, the city manager may be removed by a majority vote of the City Council.

SECTION 7: Miscellaneous powers of the Mayor and Council Members

Section 7. The City Council shall have the power by ordinance or by resolution within the municipality:

(1) To assess property located within said municipality and taxable thereby for taxation, and to levy and collect taxes, ad valorem, and privilege, for corporation purposes upon merchants, and all taxable privileges within said city and within one (1) mile thereof, and upon polls and property, real, personal, and mixed, located within the limits of said Town of Greeneville, all such property to be taxed only for legitimate and lawful municipal purposes, but such property, privileges, and polls shall be taxed for corporation purposes by said Town of Greeneville at not exceeding the rate and limit fixed and provided by said Chapter 563 of the Acts of 1903 and the general law;

(2) To appropriate money and provide for the payment of all debts and current expenses of the city;

(3) To make regulations necessary to preserve the health of the municipality; to prevent and remove nuisances within the same, and within one (1) mile of same; to prevent the introduction of contagious diseases in the same; to make quarantine laws and enforce them within ten (10) miles thereof; to establish and regulate hospitals; to regulate, prevent, or remove soap factories, slaughter pens, houses for curing green hides, and all houses of like character, and such other police powers as may be necessary for the general welfare;

(4) To establish a system of free schools for studies prescribed by the State; and in case of establishing schools of a higher grade or for normal school purposes, upon authority given by a vote of three-fourths (3/4) of qualified voters; to appropriate money for the purpose of building and furnishing jointly with Greene County, a high school building within the corporate limits of said town, to be used jointly by said Town of Greeneville and Greene County; and to retire from active service and to grant pensions to persons who have taught in the city schools for thirty-five (35) years or more continuously. Such pensions shall not exceed the compensation being received by such teachers at the date of their retirement. The Town of Greeneville, through its school authorities, is authorized to impose upon such pensioners such duties in connection with the administration of school laws as may be appropriate, including work of supervision, part-time teaching, and other duties;

(5) To regulate, license, and tax livery stables, auctions, groceries, saloons, tippling houses, beer gardens, and exchange offices, forwarding and commission agents, or owners who sell by sample, goods, wares, and merchandise, confectioners, brokers, insurance offices, hotel keepers, peddlers, hawkers, shows, circuses, menageries, theatres, and all other places of public amusement, all kinds of agencies for sale, transportation of freight and passengers, billiard tables, bowling alleys, and shooting galleries;

(6) To regulate, license, and tax drays, carts, hackneyed coaches, and other vehicles used therein, coachmen, hackmen, omnibusmen, city expressmen, cabmen, and regulate their charges;

(7) To establish and regulate fire companies, designate fire limits within which wooden buildings shall not be erected; to prevent the erection of and remove buildings dangerous to life; or other improvements; to regulate and prescribe the manner and order of building partition walls, parapet walls, partition fences; to regulate fireworks, the sweeping of chimneys, the use of light, construction of flues, the manner of using stovepipes in shops, kitchens, and other buildings, the keeping and storing of gunpowder and other combustible material and prevent the same from being stored within the municipality, or within one (1) mile of the limits of the same; and to use its firefighting equipment and personnel outside the corporate limits of the Town for the following purposes:

(a) To assist neighboring towns in an emergency or disaster;

(b) To protect schools and charitable institutions in the event of fire; and

(c) To protect industries and private residences within four (4) miles of the corporate limits of the Town of Greeneville in the event of fire;

Provided, however, all of the foregoing uses shall be limited to times when the firefighting equipment and personnel are not needed within the corporate limits of the Town

of Greeneville and can be so used outside the corporate limits without unduly imperiling property lying within the corporate limits;

(8) To regulate the laying of railroad tracks, the passage and speed of railroad cars, require all railroad companies to furnish such flagmen or watchmen at crossings and especially where there are sidings and switches, and where the public safety or convenience requires it;

(9) To establish and regulate pumps, wells, cisterns, hydrants and fire plugs, the laying of gas pipes, water pipes, and sewers, and to establish and regulate markets, to prevent regrating and forestalling; provided, nothing herein contained shall prevent the sale of any product of the farm or soil by the producer, or his immediate vendee, in any quantity or at any hour of the day at other places than the market house;

(10) To open, alter, abolish, widen, extend, establish, grade, pave, or otherwise improve, clear and keep in repair, streets, alleys, avenues, and sidewalks, and have the same done; and close up, transfer or sell any street, avenue, alley or easements, with consent of abutting property owners; have complete control over the streets, alleys, avenues, sidewalks, and easements, and compel occupants of private lots or alleys to keep the same free from all nuisances, and to notify owner or occupant to pull down or destroy any house when the public health demands it, or it is necessary to keep the municipality free from contagion, and on failure to do so it may do so at such owner or occupant's expense;

(11) To compel the owners of property upon any street, alley, or avenue within the municipality to grade and pave the sidewalks the whole extent of the front along the same; the same to be done according to the grade furnished by the municipal engineer. If the grade of said sidewalk is thereafter changed the expense and material damages occasioned thereby shall be paid by the city and not the owner;

(12) To provide for the erection and placing of electric lights and telephone poles and for lighting of streets and public buildings and elsewhere for strictly municipal purposes;

(13) To provide for the erection of all buildings and improvements necessary for municipal purposes;

(14) To provide the municipality with water by waterworks or otherwise within or beyond the boundaries thereof;

(15) To erect, establish, and keep in repair bridges, culverts, sewers, and gutters;

(16) To empower the Water and Light Commission of said Town, now charged with the operation and maintenance of both the water and sewerage systems of said Town, to combine the charge to customers for water service and sewerage service into one (1) bill, keeping separate in said bill the amount charged for water service and the amount charged for sewerage service; to establish by ordinance the time limit within which said bills may be paid by those receiving such services, and the time limit when if such persons have not paid said bills a penalty may attach, and if the bill is not paid, or either item of said bill is not paid, that either or both of said services may be discontinued, and fixing a charge for reconnecting said services, the legislative view being that the two (2) services are so related and each dependent on the other to the extent they in reality constitute one (1) service such that if any person receiving such service shall fail to pay either item of said bill, that is, for water service or sewerage service, upon failure so to do such failure shall justify and authorize the discontinuance of either or both services until the combined bill is paid in full together with such penalty as may have attached. Nothing herein shall be construed to affect the security of any of the bonds issued for which the revenue of either the water system or the sewerage system is now or may be pledged;

(17) To be paid from its water and sewer system revenues for each of its fiscal years an amount for payments in lieu of taxes on its water and sewer system and water and sewer operations which, in the judgment of the City Council, after consultation with the Water and Light Commission of the municipality, shall represent the fair share of the cost of government properly to be borne thereby, subject, however to the conditions and limitations set forth herein. The total amount so paid in lieu of taxes for each such fiscal year shall not exceed the amount to be paid during such fiscal year from general funds of the municipality as debt service on bonds, notes, or other obligations payable from revenues of the water and sewer system issued pursuant to the mandates of the State of Tennessee and the United States Government, Environmental Protection Agency. The amount to be paid from the municipality's general funds as debt service on said bonds, notes or other obligations shall be determined by the Water and Light Commission at least forty-five (45) days before the

commencement of each fiscal year and certified to the City Council. Amounts paid in lieu of taxes pursuant to the terms hereof shall be deemed and regarded as current expenses of operation of the water and sewer system, provided however, to the extent that revenues of said system are insufficient to pay current expenses of the system, including amounts in lieu of taxes, and debt service on all bonds enjoying a lien on said revenues prior to the lien on system revenues of any bonds being paid or to be paid from general funds of the municipality, the payment in lieu of taxes will not be made until revenues are sufficient to pay said expenses and prior lien bond debt service. The amounts to be paid for each fiscal year to the municipality shall be set forth in a resolution adopted by the City Council after receipt of the certification of the Water and Light Commission as hereinabove required. The amount so determined shall be paid from water and sewer revenues not later than any debt service payment date on which debt service will be payable from the municipality's general funds. In the event the amount of in lieu of tax payments determined prior to the start of any fiscal year exceeds or is less than debt service payable during any such fiscal year, the amounts paid during such fiscal year shall be reduced by the amount of the overage or increased by the amount of shortage;

(18) To establish, support, and regulate the police of the same;

(19) To provide for enclosing, improving, and regulating all public grounds belonging to the same within or without the limits thereof;

(20) To impose fines, forfeitures, and penalties for the breach of any ordinance and punish by imprisonment within or without workhouses, in default of payment of fines and costs; provided, the imprisonment shall not be longer than three (3) months and the expense of his conviction as fixed by law;

(21) To cause the arrest, detention, and trial of all vagrant and riotous persons, persons disorderly or drunk, and professional thieves and burglars, and punish said offenders by fine, imprisonment, and labor within or without a workhouse;

(22) To regulate, prohibit, and suppress all houses of ill fame, bawdy houses, and disorderly houses;

(23) To restrain, prohibit, and punish gaming;

(24) To determine its own rules of proceeding (and in proper mode, punish its members for disorderly behavior, and by a concurrence of two-thirds (2/3), expel a member), and to judge the qualifications of its own members, and to settle election cases;

(25) To regulate or suppress by force or otherwise, the going at large of dogs, hogs, and other animals, and to impound the same for a time fixed by ordinance, until the owner redeems the same by payment of fine and costs, and in default of redemption, sell or kill the same;

(26) To prevent and punish by pecuniary penalties, all breaches of the peace, noise, disturbance, all disorderly assemblages in any street, house, or place in the municipality, by day or night, or to enforce the payment of fines and costs through contempt proceedings in accordance with the general law;

(27) To remove all obstructions from the sidewalks and to provide for the construction and repair of all sidewalks and for cleaning the same at the expense of the owners or occupants of the ground fronting them;

(28) To have and exercise any and all additional or different statutory powers of a municipality incorporated under any general law of the State of Tennessee as enacted or amended from time to time;

(29) To have and exercise, without the necessity of the issuance of any bond, note, or other instrument of public indebtedness, any and all additional or different powers of municipalities issuing bonds or notes under the Local Government Public Obligations Act of 1986, as provided in Tennessee Code Annotated, Section 9-21-107; and

(30) To pass all laws and ordinances not contrary to the Constitution and laws of the State, necessary to carry out the full intent and meaning of this Act, and to accomplish the objects of their incorporation.

SECTION 8: City Judge

Section 8. The City Council of said Town shall appoint a City Judge.

SECTION 9: Execution of state warrants

Section 9. The corporate officers charged with the execution of process, civil or criminal, shall have power within said Town to execute State warrants and other process, as Constables have under the laws of the State.

SECTION 10: Publication of ordinances

Section 10. The City Council shall have prepared and published a digest of all the ordinances and resolutions of a public nature, once in every three (3) years, and publish as passed all ordinances, and also upon direction of three-fourths (3/4) of the City Council, messages, reports, and statements.

SECTION 11: Authority to purchase, hold, use, and dispose of property outside corporate limits

Section 11. The Town may purchase, receive and hold property both real and personal, beyond the limits of the Town, to be used for the erection of waterworks, the erection of sewage disposal plants; for garbage disposal; for schools; for recreation purposes, for airports, and any and all public purposes, and may sell, lease, or dispose of such property for the benefit of the city for said purposes and do all other acts in connection with same as natural persons.

SECTION 12: Compensation of officers, employees, Mayor and Council Members

Section 12. The compensation of all officers and employees, including the compensation of the Mayor and the Council Members, shall be fixed by ordinances approved by a majority of the City Council.

SECTION 13: Limitation on expenditures and debts; Recorder to make regular reports

Section 13. No order or ordinance of the City Council shall be made involving the expenditure of money or involving the creation or contraction of a debt against the corporation, unless money be actually in the city treasury to pay for same, or the same be within the amount of the current year's tax for such purposes, which shall be ascertained from the statement of the Recorder, who shall once a month at a regular meeting of the City Council, report the condition of the city finances as shown by the books, and whenever an appropriation is made, the Recorder shall retain and set apart for that specific purpose, an amount sufficient to satisfy the same, and the amount so set apart shall be used for no other purpose.

SECTION 14: Forbidden appropriations, expenditures, loans; borrowing in anticipation of taxes; issuance of bonds for public purposes

Section 14. The City Council shall not be authorized to subscribe for stock in any railroad company, or in any other corporation, or give or lend any money, aid, or credit to any person, firm, or corporation whatsoever, and the Town is hereby prohibited from employing or appropriating the moneys and taxes in any other manner than for purposes strictly municipal according to the provisions of this charter. But the Town of Greeneville may borrow money in anticipation of the collection of its current taxes, upon notes executed by the Town of Greeneville, signed by the Mayor and countersigned by the Recorder, and under the seal of the Town, such notes to bear such rate of interest not exceeding the legal rate in this State, and to run for such time as the City Council may, in their judgment, find proper and necessary to meet the emergencies of the situation. Said notes, principal, and interest, to be paid and to be payable out of the general funds of said Town of Greeneville, and the City Council is authorized to designate the place of payment of said notes as may be found desirable or necessary to their advantageous negotiation; provided, that no money shall be borrowed by said Town of Greeneville as herein authorized except for legitimate and lawful municipal purposes, and that the sum borrowed shall be in keeping with the debt policy adopted by the City Council and that the repayment of any sum or sums so borrowed as herein authorized the full faith and credit of the Town of Greeneville shall be irrevocably pledged and bound.

SECTION 15: Bonds

Section 15. The provisions of this charter authorizing the borrowing of money for legitimate and lawful municipal purposes and fixing the rate therefore, shall not interfere with the issuance of bonds for public purposes, and any bonds so issued by the Town for any public purposes shall not be considered as borrowed money within the purview and meaning of this charter.

SECTION 16: Maximum tax rate

Section 16. The Town of Greeneville may levy a tax not exceeding three dollars (\$3.00) on the one hundred dollars (\$100) of taxable property for all purposes, and no tax in excess of this shall be levied on taxable property of the municipality.

SECTION 17: Passage of ordinances

Section 17. Each ordinance enacted by the City Council shall be presented to said City Council on two (2) separate days and passed on the second presentation by a majority of the entire City Council by calling the "ayes" and "noes"; that on each presentation the caption of the ordinance shall be read or its substance stated, and upon request of any member of the City Council, or upon the request of any taxpayers of the Town an ordinance shall be read in full before final passage. No publication of an ordinance by the Town in a newspaper shall be made or required unless in the option of a majority of the City Council, publication is proper or necessary, and provided for in the body of such ordinance.

SECTION 18: Officers not to contract with town; officers not to be allowed extra pay

Section 18. No officer of the Town shall directly or indirectly be interested in any contract for work or purchase, or for any other purpose to which the city is a party, or speculate in her bonds or warrants or other evidences of indebtedness, nor in any contract shall any extra compensation be allowed, nor shall extra pay be granted to any officers, agents, or servants or allowances made for discharge of extra duties.

SECTION 19: Public property exempt from seizure, garnishment of funds

Section 19. The public property of the Town of every character and description used for strictly municipal purposes shall be exempt from seizure by attachment, execution, or other legal process; nor shall its funds in the hands of the Treasurer, or depository, be subject to garnishment or other legal process; provided, there shall be no priority, by pledge of property or taxes, given to creditors.

SECTION 20: Budget required for tax levy

Section 20. No levy of taxes shall be made by the Town, unless a budget of estimates, itemizing the amount required for each municipal purpose, is first made and reported, and no levy shall be valid unless the same is made and reported.

SECTION 21: Estimates to control appropriations

Section 21. No appropriation of moneys or revenues shall be made for any purpose contrary to the estimates.

SECTION 22: Warrants to show purpose for which issued

Section 22. Every warrant for the payment of money, drawn upon the treasury, shall show upon its face for what purpose it is issued.

SECTION 23: Recorder to make itemized reports

Section 23. The Recorder in his or her reports to the City Council, shall give an itemized statement of receipts and disbursements, and shall have no head of miscellanies or sundries; and no statement of accounts presented by him or her shall be approved by the City Council in violation of the provisions hereof.

SECTION 24: Individual liability of Mayor and Council Members

Section 24. The Mayor and each Council Member approving or voting for a contract involving the payment of money, or for an appropriation of money beyond the amount of taxes for the current year, and cash on hand, except as herein provided, shall be individually liable to the parties in interest.

SECTION 25: Jurisdiction to enforce laws and ordinances

Section 25. All necessary civil and criminal jurisdiction for the enforcement of the laws and ordinances passed by the City Council shall be and the same are hereby conferred upon the City Judge of said Town, who shall have the power to hear and determine all cases that may arise under such laws and ordinances in accordance with Tennessee Code Annotated, Title 16, Chapter 18, Part 3. In the absence of the City Judge, another qualified city judge may sit by interchange, who shall be entitled to compensation for such based upon a per diem amount established by the City Manager.

SECTION 26: Appeals to circuit court

Section 26. An appeal shall lie from the decision of the City Judge upon any cause heard and determined by the City Judge to the Circuit Court for Greene County; provided that the defendant shall file the same within thirty (30) days and give an appeal bond in the sum of two hundred fifty dollars (\$250) together with the then usual amount to cover court costs for cases filed with the Circuit Court with solvent sureties, and shall upon appeal be entitled to a trial de novo. And, if upon trial, the judgment of the City Judge is affirmed, the Circuit Judge shall give judgment against the defendant and his sureties for the fine and costs. No writ of certiorari and supersedeas shall be granted to remove any cause pending before the City Judge, except upon and for refusal to certify and send up the record upon appeal as aforesaid, when demanded.

SECTION 27: Collection of taxes, fines, forfeitures, and penalties

Section 27. The City Council may collect all taxes levied in said corporation and jurisdiction is vested in either the Mayor or Recorder to issue warrants, render judgments, issue executions, distress warrants, and such other process as may be necessary for the enforcement of fines, forfeitures, and penalties for the violation of the ordinance of said corporation or for the collection of its taxes.

SECTION 28: Status of prior ordinances

Section 28. All ordinances and resolutions heretofore enacted by the Board of Mayor and Aldermen in force on the date of Board of Mayor and Aldermen approval of this Act, shall be, and remain, in full force until altered, modified or repealed under this Act.

SECTION 29: Elections for the Water and Light Commission

Section 29. The Water and Light Commission of the Town of Greeneville shall henceforth be known as the Greeneville Water Commission and that elections for Commissioners of the Greeneville Water Commission shall be held concurrent with the election in August for staggered six-year terms. Each Greeneville Water Commissioner's term of office shall begin September 1 immediately following the election and end August 31. The current term of office for Greeneville Water Commissioners shall each be extended one (1) year to allow an even-year election cycle beginning in 2024. The provision of Section 3 of Chapter 247 of the Private Acts of 1911 requiring no more than two (2) Commissioners of any one political party is hereby repealed.

SECTION 30: Elections for the Greeneville Board of Education

Section 30. Elections for the Greeneville Board of Education shall be held concurrent with the election in August for a four-year term. Each school board member's term of office shall begin September 1 immediately following the election and end August 31. The current term of office of the school board members representing Ward One shall be extended until August 31, 2024, the current term of office of the school board members representing Ward Two shall be extended until August 31, 2026, and the current term of office for the at-large school board member shall remain unchanged so as to allow elections in an even year election cycle for Ward One and to encourage town-wide participation in each election cycle. As a result of the extension of the terms of board members, a primary election scheduled to be held in 2023 for the August election for the board of education is not required to be held.

SECTION 31: Terms not affected

Section 31. Nothing in Sections 28 or 29 of this charter shall be construed as reducing the term of the offices of the members of the Greeneville Water Commission or the members of the Greeneville Board of Education. Each such person shall continue to serve in the capacity and retain all powers and responsibilities of his office until the expiration of his respective current term, as extended, or until such person vacates office, whichever occurs first.

SECTION 32: No impairment of existing rights or obligations

Section 32. Nothing in this charter shall be construed to limit or impair any existing right or obligation of the Town of Greeneville.

SECTION 2. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of the Town of Greeneville. Its approval or nonapproval shall be proclaimed by the presiding officer of the Town and certified to the secretary of state.

SECTION 3. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 2.

SENATE BILL NO. 1541

PASSED: March 20, 2023



RANDY McNALLY
SPEAKER OF THE SENATE



CAMERON SEXTON, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 4th day of April 2023



BILL LEE, GOVERNOR