

SENATE BILL 2918

By Stevens

AN ACT to amend Chapter 177 of the Acts of 1901; as amended by Chapter 213 of the Private Acts of 1925; Chapter 781 of the Private Acts of 1929; Chapter 329 of the Private Acts of 1931; Chapter 802 of the Private Acts of 1937; Chapter 130 of the Private Acts of 1981; Chapter 51 of the Private Acts of 1989; Chapter 44 of the Private Acts of 1993; Chapter 149 of the Private Acts of 1996; Chapter 13 of the Private Acts of 2003; and any other acts amendatory thereto, relative to the Charter of the Town of Sharon.

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

SECTION 1. Section 5 of Chapter 177 of the Private Acts of 1901, as amended by Chapter 13 of the Private Acts of 2003, and any other acts amendatory thereto, is amended by deleting the section and substituting instead the following:

SEC. 5. Be it further enacted, That the Board of Mayor and Aldermen shall appoint a Recorder and Treasurer and a Police Chief, and such other officers, agents and servants as may be deemed necessary and provided for by ordinance. Within six (6) months of the initial appointment, the Recorder and Treasurer and Police Chief shall establish and maintain a principal place of residence within Weakley County, Tennessee. The Recorder and Treasurer shall be one and the same person. The Board of Mayor and Aldermen shall prescribe the duties of both officers by ordinance.

SECTION 2. Section 8 of Chapter 177 of the Private Acts of 1901, as amended by Chapter 213 of the Private Acts of 1925, Chapter 44 of the Private Acts of 1993, and any other acts amendatory thereto, is amended by deleting the section and substituting instead the following:

SEC. 8. Be it further enacted, That at the first meeting of the Board of Mayor and Aldermen following an election, the Mayor and/or Aldermen elect shall be duly installed

in office. The Mayor, Aldermen, Recorder and Treasurer, and Police Chief shall each take an oath to execute their offices faithfully, and to support the Constitution of the United States and of the State of Tennessee.

SECTION 3. Section 13 of Chapter 177 of the Private Acts of 1901, and any other acts amendatory thereto, is amended by deleting the section and substituting instead the following:

SEC. 13. Be it further enacted, That the Recorder and Treasurer shall keep accurate minutes of all proceedings of the Board of Mayor and Aldermen in a suitable book, issue privilege license, collect taxes on same, collect all special taxes, and provide all tax books for the town. The Recorder and Treasurer shall assess all taxes according to the State laws regulating and governing the same. The Recorder and Treasurer shall safely keep all money belonging to the town, and pay out same only on the warrant of the Mayor, and give a quarterly statement to the Board of Mayor and Aldermen of the finances of the town.

SECTION 4. Section 14 of Chapter 177 of the Private Acts of 1901, and any other acts amendatory thereto, is amended by deleting the section and substituting instead the following:

SEC. 14 deleted by Private Act in 2020.

SECTION 5. Section 15 of Chapter 177 of the Private Acts of 1901, and any other acts amendatory thereto, is amended by deleting the section and substituting instead the following:

SEC. 15. Be it further enacted, That the Recorder and Treasurer shall give good bond in a sum not exceeding \$1,000, conditioned upon the faithful and proper accounting for of all moneys coming into the Recorder and Treasurer's possession by virtue of the respective office; and no officer shall become bondsman for another officer.

SECTION 6. Section 16 of Chapter 177 of the Private Acts of 1901, as amended by Chapter 802 of the Private Acts of 1937, Chapter 130 of the Private Acts of 1981, Chapter 51 of the Private Acts of 1989, and any other acts amendatory thereto, is amended by deleting the section and substituting instead the following:

SEC. 16. Be it further enacted, That the Mayor may receive as compensation for his services a sum not to exceed one hundred dollars (\$100.00) per month; each Alderman may receive as compensation for his services a sum not to exceed fifty dollars

(\$50.00) per month; and the compensation of the Mayor and Aldermen shall be without regard to the number of meetings held or conducted each month. The compensation of the Mayor and Aldermen shall be established by ordinance adopted prior to the election of the members of the Board of Mayor and Aldermen to which such ordinance applies. The Recorder and Treasurer and Police Chief shall receive such compensation or salary as may be fixed from time to time by the Board of Mayor and Aldermen.

SECTION 7. Section 17 of Chapter 177 of the Private Acts of 1901, as amended by Chapter 781 of the Private Acts of 1929, Chapter 329 of the Private Acts of 1931, and any other acts amendatory thereto, is amended by deleting subsections 16 and 17 and substituting instead the following:

16. Deleted by Private Act in 2020.

17. Deleted by Private Act in 2020.

SECTION 8. Section 18 of Chapter 177 of the Private Acts of 1901, as amended by Chapter 149 of the Private Acts of 1996, and any other acts amendatory thereto, is amended by deleting the section and substituting instead the following:

SEC. 18. Be it further enacted, That the Board of Mayor and Aldermen shall have full power to enforce collection of all taxes.

The Recorder and Treasurer of the Town of Sharon, with approval from the Board of Mayor and Aldermen, is authorized and empowered to settle and adjust with taxpayers all errors and double assessments of town taxes erroneously or illegally collected by the town and to direct the refunding of the same. Any claim for such refund by the town of taxes or revenue alleged to have been erroneously or illegally paid shall be filed with the Recorder and Treasurer, supported by proper proof, within one (1) year from the date this amendment becomes law or the date of payment of such taxes, whichever is later; otherwise the taxpayer shall not be entitled to refund and said claim for refund shall be barred.

SECTION 9. Section 20 of Chapter 177 of the Private Acts of 1901, and any other acts amendatory thereto, is amended by deleting the section and substituting instead the following:

SEC. 20. Be it further enacted, That if the Recorder and Treasurer and Police Chief of the Town of Sharon shall negligently and purposefully fail to collect, or having collected, fail to properly account for any funds coming in their possession, such officer shall be liable to be proceeded against by motion with five (5) days' notice, or by original suit in the Circuit Court of Weakley County, or any Court having jurisdiction over the person of such officer.

SECTION 10. This act shall have no effect unless it is approved by a two-thirds (2/3) majority vote of the legislative body of the Town of Sharon. Its approval or non-approval shall be proclaimed by the presiding officer of the legislative body and certified to the secretary of state.

SECTION 11. 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 10.