

SENATE BILL 1528

By Stevens

AN ACT to amend Chapter 507 of the Private Acts of 1949; as amended by Chapter 336 of the Private Acts of 1961 and Chapter 200 of the Private Acts of 1992; and any other acts amendatory thereto, relative to the charter of the Town of McMoresville.

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

SECTION 1. Section 3 of Chapter 507 of the Private Acts of 1949, as amended by Chapter 336 of the Private Acts of 1961, and any other acts amendatory thereto, is amended by deleting the section and substituting instead the following:

Sec. 3. Be it further enacted, That the governing body of the Town of McMoresville shall be known and designated as the Board of Mayor and Aldermen of the Town of McMoresville, said governing body to consist of a Mayor and five (5) Aldermen, each of whom shall be a resident of the corporation for two (2) years prior to his or her election, at least twenty-five (25) years of age, and not convicted of any felony. That said Board of Mayor and Aldermen shall be elected for a period of four (4) years by the qualified voters of said corporation and shall serve until their successors are elected and qualified. The regular term of office of such Mayor and Aldermen shall begin on the Second Tuesday in January following the election.

The salaries of the Mayor and Aldermen shall be set by ordinance. No ordinance for an increase in salary shall have the effect of altering the salary of the Mayor and Aldermen prior to the end of the term of office to which such persons were selected. They shall also be reimbursed for actual and necessary expenses incurred in the conduct of their official duties.

SECTION 2. Section 4 of Chapter 507 of the Private Acts of 1949, and any other acts amendatory thereto, is amended by deleting the section and substituting instead the following:

Sec. 4.

(a) The election to fill the offices of the board of mayor and aldermen shall be held at the same time as the State General Election. The Mayor and Aldermen shall be sworn in during the first meeting of the Board of Mayor and Aldermen the following January.

(b) The Carroll County Election Commission shall call the election as herein authorized and the election shall be governed in the same manner as elections are held in other municipalities of Carroll County and the State of Tennessee.

(c) The expense of the election shall be borne by the Town of McMoresville, payable to the Carroll County Election Commission. The corporation shall use the same election officers and polling places as assigned for the State General Election.

(d) The Carroll County Election Commission shall place upon the ballots in the elections herein provided the names of those persons who, by petition signed by twenty-five (25) qualified voters of the corporation and filed with the election commission forty-five (45) days before the election, shall be designated as candidates for such office.

SECTION 3. Section 5 of Chapter 507 of the Private Acts of 1949, and any other acts amendatory thereto, is amended by deleting the section and substituting instead the following:

Sec. 5. Be it further enacted, That any person otherwise qualified to vote in any of the elections in Tennessee and who has been a resident of the corporation for thirty (30) days prior to the election, shall be entitled to vote in the election under the provisions of this Act; provided, however, that any person who is the owner of real estate within the corporate limits, but who is not a resident, may vote in the election mentioned

in this Charter, so long as such person is qualified to vote at his or her usual place of residence.

SECTION 4. Section 7 of Chapter 507 of the Private Acts of 1949, and any other acts amendatory thereto, is amended by deleting the section and substituting instead the following:

Sec. 7. Be it further enacted, That the Board of Mayor and Aldermen shall declare that a vacancy exists if the Mayor or an Alderman is convicted of a felony, is removed from office, fails to attend a required number of regular and special sessions, resigns, dies, or moves outside the corporate limits. The Board of Mayor and Aldermen shall, within a period of thirty (30) days from the date on which a vacancy was declared, appoint a qualified person to fill the vacancy for the remainder of the unexpired term or until the next regular Town election, whichever shall occur first.

SECTION 5. Section 8 of Chapter 507 of the Private Acts of 1949, and any other acts amendatory thereto, is amended by deleting the section and substituting instead the following:

Sec. 8. Deleted by 2019 amendment.

SECTION 6. Section 11 of Chapter 507 of the Private Acts of 1949, as amended by Chapter 336 of the Private Acts of 1961 and any other acts amendatory thereto, is amended by deleting the section and substituting instead the following:

Sec. 11. Be it further enacted, That the Board of Mayor and Aldermen shall appoint a Recorder whose duties shall be to collect taxes, keep the finances of said Town, and perform all such other duties as may be placed upon him or her by the Board of Mayor and Aldermen. The Board of Mayor and Aldermen shall, by ordinance, fix the compensation of the Recorder.

SECTION 7. Section 12 of Chapter 507 of the Private Acts of 1949, and any other acts amendatory thereto, is amended by deleting the section and substituting instead the following:

Sec. 12. Be it further enacted, That the Board of Mayor and Aldermen shall have power by ordinance:

(1) To preserve the health, quiet, peace, and good order of said town, including such quarantine regulations as occasion may require in accordance with Tennessee Code Annotated, Title 68, Chapter 5, Part 1.

(2) To declare what is a nuisance and to prevent and remove the same, in accordance with Tennessee Code Annotated, Title 29, Chapter 3.

(3) To levy and collect taxes on all property within the corporate limits taxable by the laws of the State of Tennessee subject to the limitations hereinafter expressed.

(4) To appropriate money and provide for the debts and operating expenses of the town.

(5) To suppress the sale of intoxicating liquors.

(6) To provide for the lighting of the town, public buildings, and other places and make contracts with persons or corporations for the lighting of the town.

(7) To pass laws controlling the speed limit within the town.

(8) To impose fines, forfeitures, and penalties for the breach of any ordinance adopted under this Act and to provide for their recovery and the arrest of any party or parties breaching said ordinances, and to provide for their fines for the violation thereof.

(9) To provide for a police force and to appoint the same.

(10) To pass all ordinances necessary for the health, peace, convenience, safety, and good order of the town, and for the suppressing and prohibition of any and all Acts and things made criminal by the laws of the State of Tennessee, and to provide a punishment of the breach of same.

SECTION 8. Section 13 of Chapter 507 of the Private Acts of 1949, as amended by Chapter 336 of the Private Acts of 1961 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 Board of Mayor and Aldermen shall have power to levy taxes on all real estate within the corporate limits on each one hundred dollars assessed valuation, which property assessment shall be taken from the rolls of the tax assessor of Carroll County, Tennessee.

SECTION 9. Section 14 of Chapter 507 of the Private Acts of 1949, and any other acts amendatory thereto, is amended by deleting the section and substituting instead the following:

Sec. 14. Deleted by 2019 amendment.

SECTION 10. 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 McLemoresville. Its approval or nonapproval shall be proclaimed by the presiding officer of the Town of McLemoresville 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.