

CHARTER OF THE CITY OF TRENTON, TENNESSEE¹

CHAPTER 551.

House Bill No. 362.

A BILL to be entitled "An Act to incorporate the city of Trenton, in Gibson County, Tennessee."

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¹Priv. Acts 1903, Ch. 551, is the current basic charter act for the City of Trenton, Tennessee. The text of the basic charter act set out herein includes all its amendments through the 2008 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 private act or acts constituting the amendment or amendments. Several amendments to the charter do not expressly amend any specific sections of the charter. These have been added and arbitrarily designated by the compiler as sections 2A, 2B, 2C, 2D, 2E, 2F, and 2G. Where a section has been amended or added the citation of the official act or acts making such change is included at the end of the section.

The only acts which have not been included are those authorizing bond issues, one authorizing relief for certain delinquent tax payers for the years 1926 to 1933, one authorizing a referendum in 1949 to determine the will of the people on combining the offices of the mayor and recorder, and those providing for special assessments against abutting property for public improvements.

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 private 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 inhabitants of a certain territory¹ in the seventh civil district of Gibson County, Tennessee, to wit:

Beginning in the center of the river or canal bridge on Highway 45 W North of Trenton, Tennessee; runs with the South bank of the said canal North 52 degrees West 1050 feet to the mouth of Cane Creek; thence with the East bank of Cane Creek as follows: South 35 degrees East 100 feet; South 12 degrees East 100 feet; South 12 degrees West 100 feet; South 15 degrees West 100 feet to the mouth of Dickey's ditch; South 22 degrees West 200 feet South 30 degrees West 2000 feet South 60 degrees West 200 feet crossing G.M. and O. Railroad at 100 feet to the West margin of the said railroad right of way; thence South 51 degrees West 100 feet; thence South 32 degrees West 165 feet South 34 degrees West 290 feet South 16 degrees West 890 feet to the center of highway 104; thence with the East bank of Cane Creek South 11 degrees West 2300 feet; thence South 10 degrees West 3400 feet to Highway 54; thence South 4460 feet to a stake on the East bank of Cane Creek; thence East crossing the G. M. and O Railroad at 800 feet passing Westbrooks Southwest corner; runs thence with his South line and the South line of the Harlan Morris home and crossing highway 45W at 4140 feet, and continues East 4815 feet in all to a stake at the Ira B. Taylor, Jr., field 375 feet East of a survey of a new highway center line; thence parallel with said highway North 14 degrees East crossing the old Jackson road at 2250 feet in all 7240 feet to a stake at the Northwest corner of Price's barn; thence North four degrees West 3320 feet to the river canal; thence with the South bank of the said canal North 32 degrees West 4290 feet to highway 45W, the point of beginning, as surveyed by A. B. Wade March

¹The corporate boundaries as set out here have been extended by annexation ordinances of record in the recorder's office.

12, 1957, are hereby constituted a corporation and body politic by the name and style of "City of Trenton." [As amended by Acts 1907, ch. 532; Acts 1909, ch. 530; Priv. Acts 1945, ch. 184; Priv. Acts 1947, ch. 6; Priv. Acts 1953, ch. 556; and Priv. Acts 1957, ch. 343]

Section 2. Be it further enacted, That the city of Trenton shall have perpetual succession; the power to sue and be sued; to purchase, receive and hold property, real and personal, within said city; to purchase, receive and hold property, real and personal, beyond the limits of the city, to be used for the burial of the dead, the erection of water works, workhouses, house of correction and pesthouse; to sell, lease and dispose of such property for the benefit of the city and do all other acts touching the same as natural persons. It shall have a common seal and may change it.

Said City Council shall have power by ordinance within the city:

1. To levy and collect taxes upon all real and personal property, polls, and privileges taxable by the laws of the State, and, through the Finance Committee or a Special Committee of said Council, to equalize the taxes upon all real and personal property within the city limits as assessed under the laws of the State.

2. To appropriate money and provide for the payment of the debt and expenses of the city.

3. To make regulations to prevent the introduction of contagious diseases into the city, or to appoint a Board of Health or Health Officer for the purpose, who are empowered to enforce the same within one mile of the city limits.

4. To establish hospitals and make regulations for the government of the same.

5. To establish a system of free schools and maintain them by taxation, when such taxation shall have been ratified by a majority of the qualified voters of the city, and to regulate the said schools so as to avoid sectarian influence.

6. To make regulations to secure the general health of the inhabitants, and prevent and remove nuisances.

7. To provide the city with water works within or beyond the city limits.

8. To open, alter, abolish, widen, extend, establish, grade, pave, or otherwise improve, clean, keep in repair streets, alleys, and sidewalks, or to have the same done.

9. To erect, establish, and keep in repair bridges, culverts, sewers, and gutters.

10. To provide for lighting the streets.

11. To erect market houses, establish markets and regulate the same.

12. To provide for the erection of all buildings necessary for the use of the city.

13. To provide for the inclosing, improving, and regulating all public grounds belonging to the city in or out of the city limits.

14. To license, tax, and regulate every thing or person licensed, taxed, or regulated by the State or county.

15. To regulate or prohibit and suppress all disorderly houses and bawdy houses.

16. To provide for the prevention or extinguishment of fires; to organize and establish fire companies; to regulate, restrain, and prohibit the erection of wooden buildings in any part of the city; to regulate and prevent the carrying on of manufactures dangerous in causing or producing fires.

17. To regulate the storage of gunpowder, tar, pitch, rosin, salt petre, gun cotton, and all other combustible materials, and the use of lights, candles, and stovepipes in all stables, shops, and other places.

18. To establish standard weights and measures and regulate the weights and measures to be used in the city in all cases not otherwise provided for by law.

19. To provide for the inspection of lumber and other building material.

20. To provide for the inspection and weighing or measuring of everything not prohibited by State law.

21. To regulate the police of the city; to impose fines, forfeitures, and penalties for the breach of any ordinance, and to provide for the recovery and appropriation of the same; and to appoint an officer of the city, being the City Recorder, before whom such recovery may be had, not, however, to exclude the jurisdiction of the Justice of the Peace in said city in cases to be hereinafter provided for.

22. To provide for the arrest and confinement until trial of all disorderly or riotous persons within the city, by day or by night; to authorize the arrest and detention of all suspicious persons found violating any ordinance of the city.

23. To prevent and punish by pecuniary penalties or otherwise all breaches of the peace, noise, disturbances, or disorderly assemblies in any alley or street, house or place in the city, by day or night.

24. To prevent and recover all encroachments into and upon all streets, lanes, avenues, and alleys established by law or ordinance.

25. To remove all obstructions from the sidewalks, and to provide for the construction and repair of all sidewalks and curbstones, and for cleaning the same and of the gutters at the expense of the owners of the ground fronting thereto.

26. To pass all ordinances not contrary to the Constitution and laws of the State that may be necessary to carry out the provisions and full intent and meaning of the object of their incorporation.

27. To commit any person who may fail or refuse to pay any fine or costs imposed on him by any ordinance of said city to the jail or workhouse until such fine and cost be fully paid. Every person so committed to the jail or

workhouse shall be required to work for the city at such labor as his or her health and strength will permit, within or without said jail or workhouse, not exceeding ten hours each day; and for such work the persons so employed shall be allowed, exclusive of his board, a credit upon such fine and cost of fifty cents a day until the whole is discharged, when he shall be released.

28. To prepare and have published a digest of all the ordinances and resolutions of a public nature now in force within six months after the passage of this Act, and a like digest thereafter as often as may be needed. [As amended by Acts 1907, ch. 488, § 1]

Section 2A.¹ Be it enacted by the General Assembly of the State of Tennessee, That the city of Trenton, Tennessee, be, and the same is hereby, authorized and empowered to erect, construct, equip, own, maintain, and operate an electric lighting plant and system in said city for the purpose of lighting its streets and selling electricity and lights. [Priv. Acts 1911, ch. 154]

Section 2B.¹ Be it enacted by the General Assembly of the State of Tennessee, That in addition to the powers and privileges now conferred by Chapter 551 of the Acts of 1903 entitled "An Act to incorporate the City of Trenton, Gibson County, Tennessee," the city Council shall have the right and privilege to regulate the sale of fruits and the operation and running of fruit stores within the City of Trenton, and said City Council shall have the right to prescribe the terms and conditions under which such fruit may be sold and fruit stores run. And said City Council shall also have the power to require any fruit store operating within said city to pay a license fee of not exceeding \$100.00 per annum in addition to the license now charged by said city, and said license fee shall be payable by the year. [Priv. Acts 1925, ch. 745]

Section 2C.¹ Be it enacted by the General Assembly of the State of Tennessee, That the City of Trenton, a municipal corporation in Gibson County, Tennessee, be, and is, hereby authorized to issue certificates of convenience and necessity for the operation of buses, taxicabs and other motor vehicles within said City, and to regulate the use and control of the streets, thoroughfares and alleyways of said City for the preservation of its streets and the safety of the public, and to do and perform all other acts necessary. [Priv. Acts 1947, ch. 325]

¹This section number is unofficial. The provisions contained in this section, however, are official and were enacted by the state legislature for the city. They have arbitrarily been included in the charter at this place by the compiler to facilitate reference to them. For a reference to the official legislative act responsible for the provisions in this section, see the historical citation at the end.

Section 2D.¹ Be it enacted by the General Assembly of the State of Tennessee, That the City of Trenton, a Municipal Corporation in Gibson County, Tennessee, through its Mayor and Board of Aldermen composing the City Council, is hereby authorized and empowered to establish public service for the transportation of passengers for hire within, over, and upon the streets and thoroughfares of the City of Trenton, Tennessee, and to purchase, own or lease, for operation, motor buses; to establish and fix rates of fares to be charged for the service; to establish routes to be traveled, and to do any and all other things necessary for rendering said public service.

Be it further enacted, That the Mayor and Board of Aldermen, composing the City Council of the City of Trenton, Tennessee, are hereby authorized to make payment for the necessary equipment, including motor buses, for the operation of motor buses within the City of Trenton, Tennessee, and are hereby authorized to pay for the same out of any unexpended revenue of said City not otherwise pledged; it may levy a tax for said purposes, if necessary, and it is hereby granted authority to pledge the revenue to be derived from the operation of the same to the payment of the purchase price, the operation of the same, together with the upkeep thereof.

Be it further enacted, That the surplus revenue derived from the operation of said motor buses may be used and disposed of as may be provided by the Mayor and Board of Aldermen, composing the City Council of the City of Trenton, Tennessee. [Priv. Acts 1947, ch. 352]

Section 2E.¹ Be it enacted by the General Assembly of the State of Tennessee, That the City of Trenton, a Municipal Corporation in Gibson County, acting by and through its Mayor and Board of Aldermen, be, and is hereby authorized and empowered, in order to more effectively regulate and expedite the movements of traffic upon its public square, streets and thoroughfares, and to avoid congestion and promote safety, to purchase and install parking meters upon its said public square, and upon such streets and thoroughfares therein as may be designated by its said Mayor and Board of Aldermen; to fix the rate to be paid by the users thereof; and to do all other things necessary thereto by the enactment of proper resolution or ordinance therefor. [Priv. Acts 1947, ch. 781]

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Section 2F.¹ Be it enacted by the General Assembly of the State of Tennessee, (1) That the City of Trenton, a municipality in Gibson County, Tennessee, is hereby authorized, and the Charter of said City, being Chapter 551, of the Acts of 1903, is hereby amended so as to authorize the City of Trenton in its corporate capacity to levy a tax upon the sale of beer within the corporate limits of said municipality, the amount of said tax, the manner of collection, and the other details with regard thereto, to be as hereinafter set forth.

(2) Be it further enacted, That for the purpose of providing additional revenue for the City of Trenton, it is hereby authorized to levy a privilege tax of ten (10%) percent on the amount paid for beer sold at retail in said City. This privilege tax shall apply to sales made by wholesaler dealers in case lots to be consumed by the purchaser and all sales of beer except sales made by wholesalers to retailers of beer for resale.

(3) Be it further enacted, That the term "beer" as used in this Act shall include beer and all other beverages of like alcoholic content as defined by the provisions of Chapter No. 69, Public Acts of Tennessee for the year 1933 as amended by Chapter No. 170, Public Acts of Tennessee for the year 1935. The term "person" as used in this Act shall include individuals, partnerships, corporations and associations.

(4) Be it further enacted, That every person selling beer at retail shall collect from the purchaser thereof the tax imposed and hold same in a separate fund until paid to the City. Every such person shall, on or before the tenth (10th) day of each month after the effective date of this tax, make a return in duplicate, under oath, to the City Recorder, showing the amount of tax collected during the preceding calendar month, together with such other facts and information as the City Recorder may reasonably require for the verification of the tax due. Said return shall be made on a form provided by the City.

Every person making a return shall, at the time of making same, pay the amount of tax shown thereby to the City Recorder. If the tax imposed is not paid when due, there shall be added as a part of the tax interest a penalty of two (2%) percent per month from the time the tax becomes due until paid.

For the purpose of enforcing the payment of the tax due hereunder the City Recorder is hereby given, and may avail himself of the process of distraint provided in the case of other tax delinquencies.

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(5) Be it further enacted, That any person who shall neglect, fail or refuse to collect the tax herein levied upon all retail sales of beer made by him, his agents or employees shall be liable for the full amount of tax which should have been collected, and shall pay the tax himself.

The City Recorder is authorized, if not satisfied with the correctness of any return or payment hereunder, to make an investigation of the books and records of any person charged with the collection of the tax hereunder, and, upon discovery of any discrepancy in the return or payment, is authorized to make a deficiency assessment against such person.

Any person charged with the collection of the tax hereby levied shall make all his books and records available to the City Recorder, or his agents, at all reasonable times, and shall keep all invoices and records of sales and purchases of beer for a period of not less than two (2) years, unless sooner authorized to destroy them by the City Recorder.

(6) Be it further enacted, That said City may, by ordinance, make rules and regulations and impose penalties for the violation of the provisions of this Act and for the enforcement of the provisions hereof and for the collection of the tax herein levied. [Priv. Acts 1949, ch. 852, §§ 1--6]

Section 2G.¹ (1) In the interpretation of this Act, the following definitions of terms shall apply:

(a) Electric System. The Electric System of the City of Trenton, Tennessee, including all tangible and intangible property and resources of every kind and description used or held for use in the purchase, transmission, distribution and sale, but not the generation, of electric energy.

(b) Electric Operations. All activities associated with the establishment, development and administration of the Electric System, and the business of supplying electricity and associated services to the public, including without limitation, the generation, purchase and sale of electric energy and the purchase, use and consumption thereof by ultimate consumers.

(c) Net Plant Value. The depreciated original cost of the tangible property, as shown on the books of the Electric System including materials and supplies, used and held for use in the transmission and distribution of electric energy.

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(d) Tax Equivalent. The amount transferred to the general fund of the City of Trenton from the revenues of its Electric System as payments in lieu of taxes or other charges on the Electric System and electric operations.

(e) Fiscal Year. Twelve months beginning July 1 and ending June 30.

(2) Not later than thirty days after a tax equivalent is transferred to the general fund of the City, the Board of Mayor and Aldermen shall distribute to the County in which the City's Electric System is located the following amount:

Ten (10%) percent of said tax equivalent. After determining the respective shares, there shall be deducted from the County share, and not distributed, any taxes or other charges imposed in the fiscal year on the Electric System or electric operations by that County. [Priv. Acts 1969, ch. 176]

Section 3. (a) Be it further enacted, the Mayor and Board of Aldermen shall constitute the City Council. The Board of Aldermen, consisting of six (6) members, and the Mayor, shall be chosen by the qualified voters of the City to serve for a period of four (4) years. No person shall be eligible for the office of Mayor or Alderman unless such person is a resident and a qualified voter in the City of Trenton when such person is chosen. If after being elected such person moves from the City, the office shall thereby become vacant. The compensation for the office of Alderman of the City of Trenton shall be fixed at an amount between a range of two hundred dollars (\$200) per month and six hundred dollars (\$600) per month, which compensation shall be fixed in accordance with Section 6 of this charter.

(b) There shall be an election for the office of Mayor and all six (6) members of the Board of Aldermen on the third Saturday in August of 2007. Notwithstanding the provisions of subsection (a), all persons elected to office in the August 2007 election shall serve until their successors are elected and qualified and take office as provided in subsection (c). A run-off election shall be held on the fourth Saturday in September, 2007 in the event no candidate for Mayor receives a majority of the votes cast and in the event there is a tie for the sixth seat on the Board of Aldermen. "Majority" is defined as fifty percent (50%) of the votes cast plus one (1) vote. Those persons elected to office who are not in the run-off election shall take office on the first Saturday in October, 2007. If a run-off election is required, those persons elected in such run-off election shall take office at the first meeting of the City Council after the election is certified.

(c) Beginning in 2010, and every four (4) years thereafter, the election for Mayor and the Board of Aldermen shall be held on the first Tuesday after the first Monday in November, concurrent with the federal and state elections. The candidates for Mayor and Aldermen receiving at least fifty percent (50%) of the votes cast plus one (1) vote shall be deemed elected to office and shall take office on the second Tuesday in December following the election. In the event of a tie

vote for Mayor or for the sixth seat on the Board of Aldermen, the Mayor or Alderman shall be selected by the remaining members of the newly elected City Council. [As replaced by Priv. Acts 2001, ch. 64 § 1; and Priv. Acts 2007, ch. 21, § 1; and amended by Priv. Acts 2008, ch. 106, § 1]

Section 4. Be it further enacted, To vote in City elections, a voter shall meet the following qualifications:

(1) Must be qualified to vote for state and county officers; and

(2) Be a resident of the city, or be a bona fide owner of real estate within the City limits with an assessed value of at least fifty dollars (\$50). A voter's residence is hereby defined as the place at which the voter habitually sleeps. [As replaced by Priv. Acts 2001, ch. 64, § 2]

Section 5. Be it further enacted, a majority of the City Council shall constitute a quorum for the transaction of business. In the event that the Mayor, Marshal, Recorder, or other city officer should die, resign, or move out of the city limits, the vacancy shall be supplied by the City council at the next meeting, or as soon thereafter as may be, after giving ten days' notice thereof. In the event that one or more Aldermen should die, resign, or move out of the city limits (or if one or more Aldermen shall move out of the ward of which they are elected), the vacancy or vacancies shall be filled by that person or persons receiving the next highest number of votes among the unsuccessful candidates for Alderman in the last election prior to the occurrence of the vacancy. The Mayor and Aldermen, before entering upon the duties of office, shall take an oath to faithfully and impartially discharge the same, and the Mayor and Aldermen, in addition, shall take an oath to support the Constitution of the United States of America and State of Tennessee. No member of the City Council shall become a bondsman for any officer, servant or employee of the city.

In case of the inability of any officer of the city of Trenton, by reason of absence from the city or sickness or other cause, to discharge the duties of the office, the City Council may at any regular or called session elect a pro tem officer, who shall, during the disability of said officer, discharge all the duties and be clothed with all the powers of the officer whose place he is chosen by said Council to fill. He shall receive as compensation the pay of the official whose place he fills, unless otherwise ordered by the City Council. [As amended by Acts 1907, ch. 488, § 2; Priv. Acts 1947, ch. 187; and Priv. Acts 1986, ch. 173]

Section 6. Be it further enacted, The City Council shall at its first meeting following the election elect a City Treasurer, who shall be a member of the Council, and such other employees as may be deemed necessary, all of which employees shall be citizens of and voters in said city. The City Council shall fix the compensation of such employees, and prescribe their duties before their

selection. At its last meeting in July, the City Council shall fix the salaries of the Mayor and the Aldermen to be chosen for the next corporate four years at the next regular election, which compensation shall not be changed during their term of office. The City Council shall have power to impeach any officer, in accordance with Tennessee Code Annotated, Title 8, Chapter 47, Part 1, relative to removal of officers, or dismiss any employee for sufficient cause, two thirds ($\frac{2}{3}$) of said Council concurring. [As replaced by Priv. Acts 2001, ch. 64, § 3]

Section 7. Be it further enacted, The City Council shall have the power to pass all such ordinances as may be necessary to provide for the proper government and the general welfare of the city. Such ordinances are to be passed at two meetings by a majority vote.

Section 8. Be it further enacted, It shall be the duty of the Mayor to preside at all meetings of the council; to vote in the election of all officers of the city, and the selection of all other employees; to see that all the ordinances are enforced, respected and observed; to call special sessions of the council when deemed expedient; and perform such other duties as may by ordinance or otherwise be imposed upon him.¹ The Mayor shall be what is known as a full time paid Mayor rendering full time service to the City. He is to perform all of the duties required by law of full time mayors, including those prescribed by the charter of the City of Trenton, as amended, and those duties prescribed by proper ordinances of the city council, his term of office being for four years. The salary shall be fixed by the City Council at a yearly sum at a range between forty-five thousand dollars (\$45,000) and fifty-five thousand dollars (\$55,000), payable monthly, which salary shall be fixed in accordance with Section 6 of the Charter. The Marshall shall acquaint himself with the laws and ordinances of the city and enforce the same, for which purpose police power is hereby given to him. It shall be his duty to perform all duties imposed upon him by the City

¹Priv. Acts 1961, ch. 294, § 1, as subsequently amended, added the 2nd, 3rd, and 4th sentences of this section, providing for a full time mayor, subject to approval by the voters at a special election. Section 3 of the act provided: "That if the majority of the qualified voters vote in favor of the full time salaried Mayor, that the City Council prescribe the duties required and the work to be performed by proper ordinance and fix the salary within the limits mentioned not later than August 1, 1961, and which may be added to, modified or amended at any time the City Council so desires, so that prospective candidates may qualify for the regular City election, to be held on the last Saturday of September, 1961, and the term of office of the candidate, who is at that time elected shall commence on the second Saturday of October following the election." The voters approved the 1961 act and it has therefore been incorporated, as subsequently amended, in § 8.

Council. Power is hereby given to him to execute any State process within the city limits which a constable has power to execute. The Recorder shall keep an accurate minute of all the proceedings of the City Council in a book kept for that purpose; issue all privilege license, collect the taxes thereon, and all ad valorem taxes on merchants; also all taxes of every kind levied by the City Council, unless otherwise ordered by it, and such other taxes and charges as he may by ordinance be required to collect. He shall keep a proper ledger account of the same and render a proper itemized statement of the finances under his control to the City Council at the end of each quarter, and at such other times as it may require. He shall have supervision of the city cemetery, and at prices fixed by the City Council, sell grave lots, a record of which he shall keep; collect from parties purchasing grave lots and those taking out license of any kind the sum of one dollar for each lot sold or license issued, which he shall pay over and account for as required by law; make out the city tax book under the State law regulating and governing the Assessors of State and county taxes, which, after approval by the finance committee, he shall safely keep in his office and proceed to collect the taxes, have supervision over and care of the other property of the city, its papers, books and documents, unless otherwise provided by ordinance.

A municipal court is hereby established and granted both jurisdiction over all infractions of municipal ordinances of the City of Trenton, and concurrent jurisdiction with courts of general sessions in all cases of the violation of criminal laws committed within the corporate limits of the City of Trenton, including the jurisdiction to conduct preliminary examinations and bind over defendants to the grand jury for indictment. At the August General Election in 1998, and every eight (8) years thereafter, the qualified voters of the City of Trenton shall elect a person to the office of Judge of the Municipal Court of the City of Trenton. The Judge elected at such August Election shall take office on September 1, 1998 and shall serve a term of eight (8) years. The Municipal Judge of the City of Trenton shall be licensed to practice law in the State of Tennessee and shall meet all other qualifications imposed by Article VI, Section 4, of the Constitution of Tennessee for Judges of Inferior Courts. The judge may accept written waiver of indictment, presentment, grand jury investigation, jury trials and pleas of guilty entered into by the defendant, and upon such written waivers, the municipal court may try the case, enter judgment and prescribe punishment. If the defendant demands a jury trial, he shall be bound over to the action of the next grand jury of Gibson County, Tennessee.

When the defendant is brought before the municipal court upon arraignment or trial, the judge shall advise the defendant of his constitutional right to be represented by counsel, the right to be tried only upon presentment or indictment by a grand jury, the right to make a statement or waive such statement, and the right to a trial by jury.

All appeals shall be made to the circuit court where the case shall be tried de novo. The appeal must be prayed within ten (10) days from final judgment.

The judge of the municipal court shall adopt rules necessary for the efficient administration of this act.

The city recorder shall be the clerk of the municipal court and shall keep a criminal docket. The docket shall show the name of the defendant, the charge against him, and the disposition of the case.

The clerk shall keep a minute book in which shall be entered the action of the court, the name of the defendant, his arraignment upon the charges against him, his plea, whether he waived his right of trial by indictment, information or presentment, whether he waived his right to a jury trial and the judgment of the court or verdict of the jury.

Costs and fees shall be the same as provided under the provisions of Tennessee Code Annotated, title 8, for general sessions court clerks and other officials; provided, however, fees prescribed for district attorneys shall be those of the municipal attorney. All fees and costs shall be paid into the treasury of the municipality and all fines and forfeitures accruing under the provisions of this act shall be distributed as provided by law for general sessions courts. Any pension or retirement costs which are assessed shall be payable to the city, if the city court officers are participants in a retirement system wherein the city is obligated to make any contribution to the retirement fund.

The compensation for the Judge of the Municipal Court shall be fixed by the City Council, at a yearly sum not to exceed twenty thousand dollars (\$20,000), which compensation shall be fixed in accordance with Section 6 of the Charter. In addition, the judge shall be eligible to participate in the City of Trenton's health insurance plan.

The City Treasurer shall receive and receipt for all funds belonging to the city from the Marshal, the Recorder, the night police and other sources, and keep a proper account of the same in such book or books as the City Council may direct; make out and present quarterly a full and explicit account, statement and report of all the finances under his control, and also a complete financial statement of the city, which report the City Council may order published. He shall perform such other duties as the City Council may by ordinance provide.

The night policeman shall perform all such duties as the City Council may by ordinance impose upon him.

The Recorder, Marshal and night policeman shall collect such fees as Justices of the Peace and constables are authorized to receive for the issuance and service of process, the rendering of judgment and like service, and pay the same to the City Treasurer.

They shall pay to the City Treasurer all sums of money received for the said city, and shall render quarterly, or oftener, if the City Council require it, a full and complete statement of the finances under their control.

The other duties of the officers and employees of the city shall be such as the City Council may prescribe.

Before entering upon the discharge of their duties all officers whose duty it shall be to collect or receive money shall enter into a bond with good securities to be approved by the Mayor in open meeting of the City Council in double the supposed amount of money which should come into their hands as such officers (which amount shall be determined by the City Council), conditioned for the faithful performance of their duties and the diligent collection and faithful accounting for all moneys coming or which should come into their hands as such.

All of said bonds shall be made payable to the city of Trenton, and be copied by the Recorder in a book kept for that purpose.

When so copied the said bonds shall be filed and carefully preserved.

The City of Trenton, Tennessee, is hereby given the power and authority to fix by ordinance fees and costs to be charged against a person who is locked up in and incarcerated in the city jail, lock up, and place of safe-keeping. [As amended by Priv. Acts 1925, ch. 285, § 1; Priv. Acts 1931, ch. 88, §§ 1 and 3; Priv. Acts 1961, ch. 294, § 1; Priv. Acts 1969, ch. 71; Priv. Acts 1979, ch. 93; Priv. Acts 1981, ch. 95; Priv. Acts 1984, ch. 203; Priv. Acts 1987, ch. 67, §§ 4 and 5; Priv. Acts 1989, ch. 116; Priv. Acts 1991, ch. 30; Priv. Acts 1991, ch. 100; Priv. Acts 1995, ch. 107; Priv. Acts 1998, ch. 143, § 2; and Priv. Acts 1998, ch. 151]

Section 9. Be it further enacted, That the City of Trenton shall have the right to levy, assess and collect taxes upon all property, real and personal, situated within the corporate limits of the City of Trenton, Tennessee; that the taxes for said City shall be assessed as of January 10th of each year and shall become due and payable on the first day of October of each year. All taxes for municipal purposes not paid by March 1st of the succeeding year shall become delinquent on that date, and a penalty of five (5%) per cent of the amount of taxes due on said property shall, thereupon, accrue; and said delinquent taxes shall, on that date, commence to bear interest and an additional penalty of one (1%) per cent per month, accruing on the first day of each month thereafter until paid, shall accrue and be added, until the total penalty amounts to ten (10%) per cent of the original tax. The accrual of the penalty shall not affect the interest, which shall continue from March 1st until the tax, together with penalty and interest, has been paid. The Mayor and Board of Aldermen of the City of Trenton, Tennessee, may turn over to the City Attorney for collection, when it so desires, all delinquent taxes, and a suit or suits may be instituted by the City of Trenton, Tennessee, in any Court having jurisdiction thereof to recover such delinquent taxes, and all delinquent taxpayers for any one (1) year may be joined as defendants in one (1) suit. A certified list of the delinquent tax payers showing the names of those to whom the taxes were assessed and a description of the real and personal property on which taxes are delinquent, and the total amount of tax unpaid on said property shall be made and certified by the

Recorder of the City of Trenton, Tennessee, and which certified list shall be prima facie evidence that said taxes set forth and shown in said list as delinquent are delinquent, past due and unpaid. A lien shall exist on all property for the taxes levied and assessed against said property from and after January 10th of each year until the taxes, penalties, interest and fees shall have been paid, which lien shall cover all penalties, interest, attorney's fees and costs, as well as the original amount of tax. That when said delinquent taxes are turned over to the City Attorney for collection, an additional amount of ten (10%) percent of the delinquent tax, penalty and interest shall accrue, as attorney's fees, and if a suit or suit is filed for the collection of such delinquent taxes, penalties, interest and attorney's fees, an additional amount of Two and One-Half (\$2.50) Dollars for each delinquent shall accrue as attorney's fees for the filing and prosecution of said suit to collect the taxes and for the enforcement of the tax lien, which may be enforced by the sale of the property, and if sold, the same may be redeemed within two (2) years, as now provided by law. The City of Trenton shall have the right to have execution issued and levied upon any personal property of any delinquent and to have such personal property sold, as in execution sales, should it desire to do so, and the City of Trenton is hereby authorized to take any and all other necessary and desirable steps for the purpose of collecting such delinquent taxes, interest, penalties, fees and costs and enforcing the tax lien. [As amended by Priv. Acts 1925, ch. 285, § 2; Priv. Acts 1931, ch. 88, § 2; and replaced by Priv. Acts 1945, ch. 183, § 1]

Section 9A. The Board of Mayor and Aldermen of the City of Trenton may elect a City Tax Assessor to assess the taxes in said City for municipal purposes, who may be elected for such periods of time as is deemed necessary, and whose services may be terminated at any time, and whose compensation for services rendered shall be fixed by the Board of Mayor and Aldermen. The Board of Mayor and Aldermen may appoint a Board of Equalization, composed of three (3) members, not more than one (1) of whom may be a member of the Board of Mayor and Aldermen, and to fix the term of office and the compensation of such Equalization Board members. The duties of said Equalization Board shall be to examine the assessments of real and personal property within the corporate limits of the City of Trenton, which has been assessed for taxation, and said Board may reduce or increase the assessed valuation of such property within said corporate limits for the purpose of taxation; provided, however, that before the said Board increases the assessed value of any property, within the corporate limits of said City, as assessed by the City Tax Assessor, the owner of such property, if a resident of the City, shall be given reasonable written notice to appear and show cause why the assessment should not be increased; but if such property owner is a nonresident of the City of Trenton, then the notice shall be given such owner's agent or one of the occupants of the property, if the same be occupied, and if not occupied, and if the

owner has no agent, then such notice shall be published one time in a newspaper published in the City of Trenton. The said Board of Equalization shall meet on the first Monday in June of each year, and continue in session from day to day until its duties have been performed. The assessed valuation as assessed by the City Tax Assessor shall remain and be used by the City of Trenton on its tax records until and unless such assessed valuation is changed by said City Tax Assessor or the Equalization Board, and it shall apply for the year or years that such taxes are levied or assessed. [As added by Priv. Acts 1945, ch. 183, § 2]

Section 10. Be it further enacted, If any officer whose duty it shall be to collect and receive money belonging to the city, shall fail to collect or receive the same, or after collecting it, shall fail or refuse to pay over the same, or to properly disburse it as required by the laws and ordinances of said city, such officer shall be liable to be proceeded against by motion or suit in the Circuit Court of Gibson County, Tennessee, or in any other court having jurisdiction thereof.

Section 10A53. The City of Trenton, Tennessee shall have the right to maintain a fund known as "Cemetery Trust Fund" to be kept separate and apart from all other of its funds and accounts, and any person, firm or corporation desiring to provide for the regular annual and permanent upkeep and maintenance of any cemetery lot in the City of Trenton cemetery, known as "Oakland cemetery," may pay to the City of Trenton for said "Cemetery Trust Fund" a sum of money of \$100.00 or more, and which shall be invested by the City in safe, interest bearing securities approved by the governing body of said City, in the name of "City of Trenton Cemetery Trust Fund," the annual interest therefrom to be used solely and alone for the upkeep and maintenance dues of said cemetery lot for which such sum is paid. No funds shall be received for said purpose unless at the time it is tendered, the sum tendered is sufficient to produce, at the then current average, interest rate of United States Government securities or Government guaranteed investments, less one half of one percent, an annual interest income at least equal to the then yearly dues for the upkeep and maintenance of such cemetery lot. When this amount shall have been thus paid, the City of Trenton, Tennessee shall be obligated and agrees to maintain and upkeep such cemetery lot from year to year and perpetually. Said fund shall be invested as stated and not otherwise used, and interest accumulations thereon shall be used for no other purpose at any time. Any official of, or member of the governing body of the City of Trenton, who permits, votes for a transfer or removal of such fund or interest accumulations thereon from the "Cemetery Trust Fund" to any other fund or account of the City of Trenton, Tennessee, or its use for any other purpose than that intended by this Act, shall be personally liable therefor and subject to removal from office. If, on account of increased interest rates, or otherwise, the yearly interest is more than sufficient for the upkeep of such lot, the excess interest shall be and remain a

part of the Cemetery Trust Fund. Excess interest accumulations will also be invested, as herein provided, and used for no other purpose than cemetery upkeep. No funds paid to the City for this purpose can ever be withdrawn by the one so paying or any one else in his or her behalf, the said fund being hereby constituted an irrevocable and perpetual trust fund for said purposes stated. A permanent record will be kept by the City, showing the date and amount paid and the cemetery lot for the upkeep of which said fund is paid. [As added by Priv. Acts 1953, ch. 200]

Section 10B53. When any lot of land within the corporate limits of the City of Trenton, Tennessee abuts on a public street or alley and is also adjacent to a lot of land owned by another person, firm or corporation, and which is occupied, the owner of the first mentioned lot of land shall not leave thereon any rubbish, rubble and debris, including bricks and brick bats and any property that has been burned and rendered valueless, resulting from the destruction of any building thereon, for more than twenty days after such destruction, nor place or permit to be placed or leave on any such lot of land, or any lot of land within the corporate limits of the City of Trenton, Tennessee, materials of any character or kind, debris, rubble, rubbish, bricks and brick bats, and any old and abandoned motor driven or other vehicle, the storing, placing and presence of which on said lot of land affords a breeding place for rats, mice and insects, and no attractive nuisances or other things inviting to children, such as old motor driven vehicles or other vehicles, not in use, shall be stored or kept on such lot of land. In event this provision is violated, the Mayor and Board of Aldermen may so declare, and notify, in writing, the owner of the lot of land to remove all rubbish, rubble, debris, stored material of any character or kind, bricks and brick bats, burned property, and any other of said things therefrom, and unless the owner complies within ten days from the date of said written notice, the City of Trenton, Tennessee, its agents, servants and employees shall, thereafter, have the right and authority to enter and go upon said lot of land and remove any and all of said things therefrom, and place the same at some other location, either within or without the corporate limits of the City of Trenton, Tennessee. The City of Trenton, Tennessee shall not be liable for any loss or damage occasioned by, or resulting from such removal, unless the loss or damage was willfully and deliberately caused by the City of Trenton, Tennessee, its agents, servants and employees. The owner of said lot of land shall be liable to the City of Trenton, Tennessee for all removal cost incurred by it, and a judgment for which may be recovered by proceedings in any Court, having jurisdiction, and for the collection of which judgment execution may issue. If the City of Trenton rents a place for the things thus removed, the owner of said lot of land shall also be liable for all of such rent, and which may be recovered, as cost of the removal is recovered.

In addition to the rights and procedure, herein given the City of Trenton, Tennessee, the City of Trenton, Tennessee, shall have the right to

declare any lot of land maintained and kept contrary to the provisions herein a nuisance by action of its Mayor and Board of Aldermen, and may proceed to abate the same, as now provided for the abatement of nuisances, and in addition to these remedies, the City of Trenton, Tennessee is hereby given the legal right and authority to have these provisions enforced by a bill in Chancery Court against the owner of such lot of land thus kept and maintained, for a mandatory injunction, requiring the removal from the lot of land of said things by him. The rights hereby given the City of Trenton, Tennessee do not exclude any of those now existing, but are in addition thereto. [As added by Priv. Acts 1953, ch. 201]

Section 11. Be it further enacted, In all cases where there have been conveyed by any person or persons any roads, streets, alleys, lots, cemeteries or other property, to the former corporation of the town of Trenton, the city of Trenton or Mayor and Board of Aldermen of the city of Trenton, the same shall inure to the use of the city of Trenton which is hereby created and vest in it forever.

Section 12. Be it further enacted, The corporation hereby created, to wit: The City of Trenton, shall be liable for all the legal obligations of the former corporation, the Mayor and Board of Aldermen of the City of Trenton.

Section 13. Be it further enacted, The parties hereinafter named shall hold the offices of the city of Trenton until the second Saturday night in October, 1903, or until their successors are elected and qualified, to wit: J. M. Skiles, the office of Mayor; James L. Patton, the office of Recorder; James B. Jones, the office of Marshal; Will Cooper, the office of night policeman; J. Freed, the office of City Treasurer; J. Freed and J. E. Cursey, Aldermen from the First Ward; W. P. Deason and E. E. Benton, Aldermen from the Second Ward; Dr. T. J. Happel and W. W. Lain, Aldermen from the Third Ward.

Section 14. Be it further enacted, This Act take effect from and after 1 o'clock p.m., April 1, Anno Domini, 1903, the public welfare requiring it.

Passed February 12, 1903.

L. D. TYSON,
Speaker of the House of Representatives.

ED. T. SEAY,
Speaker of the Senate.

Approved March 13, 1903.

JAMES B. FRAZIER,
Governor.

PRIVATE ACTS COMPRISING THE CHARTER OF THE CITY OF
TRENTON, TENNESSEE

| YEAR | CHAPTER | SUBJECT |
|------|------------------|---|
| 1903 | 551 | Basic charter act. |
| 1903 | 589 ¹ | Authorized \$15,000 for electric light plant. |
| 1907 | 244 ¹ | Authorized \$60,000 bond issue. |
| 1907 | 488 | Amended §§ 2 relative to powers of city and 5 relative to quorum of council, etc. |
| 1907 | 532 | Amended § 1 of the charter relative to corporate limits. |
| 1909 | 530 | Amended § 1 of the charter relative to corporate limits. |
| 1911 | 138 ¹ | Authorized \$17,500 electric system bond issue. |
| 1911 | 154 | Authorized city electric system. (See § 2A in the charter.) |
| 1911 | 367 ¹ | Authorized \$22,000 electric system bond issue. |
| 1911 | 598 ¹ | Authorized \$10,000 paving bond issue. |
| 1915 | 73 ¹ | Authorized \$20,000 refunding bond issue. |
| 1915 | 106 | Amended § 3 relative to elections and § 6 relative to compensation of employees. |
| 1917 | 9 ¹ | Authorized \$50,000 school bond issue. |

¹This act, since of a temporary nature, has not been codified in the charter as set out herein.

| YEAR | CHAPTER | SUBJECT |
|------|------------------|--|
| 1917 | 257 ¹ | Authorized \$20,000 sewer bond issue. |
| 1921 | 208 ¹ | Authorized \$20,000 refunding bond issue. |
| 1921 | 294 ² | Amended abutting property law. |
| 1921 | 526 ¹ | Amended abutting property law. |
| 1921 | 622 ¹ | Authorized \$25,000 water and light bond issue. |
| 1921 | 861 ² | Amended abutting property law. |
| 1921 | 941 ² | Amended abutting property law. |
| 1925 | 285 | Amended § 8 relative to recorder and § 9 relative to taxes. |
| 1925 | 745 | Authorized regulation of sale of fruit. (See § 2B in the Charter.) |
| 1927 | 366 ¹ | Authorized \$10,000 school bond issue. |
| 1929 | 815 ¹ | Authorized \$15,000 gymnasium bond issue. |
| 1931 | 88 | Amended § 8 relative to recorder and § 9 relative to taxes. |
| 1935 | 186 ¹ | Authorized relief for certain delinquent taxpayers for the years 1926 to 1933. |

¹This act, since of a temporary nature, has not been codified in the charter as set out herein.

²This act has not been codified in the charter as set out herein because similar provisions are now in the general law of the state which is available to all municipalities.

| YEAR | CHAPTER | SUBJECT |
|------|------------------|---|
| 1935 | 401 ¹ | Authorized \$20,000 refunding bond issue. |
| 1935 | 402 ¹ | Authorized \$20,000 refunding bond issue. |
| 1937 | 315 ¹ | Authorized \$60,000 school bond issue. |
| 1937 | 316 ¹ | Authorized \$20,000 refunding bond issue. |
| 1939 | 183 ¹ | Authorized \$60,000 refunding bond issue. |
| 1941 | 137 ¹ | Authorized \$50,000 school refunding bond issue. |
| 1941 | 138 ¹ | Authorized \$25,000 refunding bond issue. |
| 1943 | 204 ¹ | Authorized \$25,000 refunding bond issue. |
| 1945 | 24 ¹ | Authorized \$200,000 school bond issue. |
| 1945 | 27 ¹ | Authorized \$150,000 industrial bond issue. |
| 1945 | 183 | Replaced § 9 relative to taxes and added § 9-A relative to tax assessor. |
| 1945 | 184 | Amended Acts 1909, ch. 530 (§ 1 of the charter relative to corporate boundaries). |
| 1947 | 6 | Amended § 1 of the charter relative to corporate limits. |
| 1947 | 7 ¹ | Authorized \$75,000 street, water, and sewer bond issue. |

¹This act, since of a temporary nature, has not been codified in the charter as set out herein.

| YEAR | CHAPTER | SUBJECT |
|------|------------------|---|
| 1947 | 187 | Amended §§ 3 relative to elections, § 5 relative to quorum of council, and § 6 relative to compensation of employees. |
| 1947 | 325 | Authorized regulation of buses, taxicabs, etc. (See § 2C in the Charter.) |
| 1947 | 352 | Authorized city bus system. (See § 2D in the Charter.) |
| 1947 | 620 ¹ | Authorized \$100,000 revenue bond issue. |
| 1947 | 781 | Authorized use of parking meters. (See § 2E in the Charter.) |
| 1949 | 629 ¹ | Authorized \$25,000 funding bond issue. |
| 1949 | 707 ¹ | Authorized referendum to determine will of people on combining offices of mayor and recorder. |
| 1949 | 852 | Authorized city beer tax. (See § 2F in the Charter.) |
| 1953 | 200 | Added § 10A53 relative to cemetery trust fund. |
| 1953 | 201 | Added § 10B53 relative to property to be kept clean. |
| 1953 | 556 | Amended § 1 of the charter relative to corporate boundaries. |
| 1957 | 151 ¹ | Authorized \$100,000 industrial bond issue. |

¹This act, since of a temporary nature, has not been codified in the charter as set out herein.

| YEAR | CHAPTER | SUBJECT |
|------|------------------|--|
| 1957 | 274 ¹ | Authorized \$75,000 funding bond issue. |
| 1957 | 343 | Amended § 1 of the charter relative to corporate boundaries. |
| 1959 | 290 ¹ | Authorized \$200,000 city hall bond issue. |
| 1959 | 291 ¹ | Authorized \$600,000 water and sewer bond issue. |
| 1961 | 251 | Replaced § 3 relative to elections. |
| 1961 | 294 | Amended § 8 relative to provide for a full time mayor subject to approval of the voters. |
| 1961 | 404 ¹ | Authorized \$45,000 refunding bond issue. |
| 1965 | 27 ¹ | Authorized \$100,000 school bond issue. |
| 1965 | 33 ¹ | Authorized \$125,000 industrial bond issue. |
| 1969 | 71 | Amended Priv. Acts 1961, ch. 294 (§ 8 of the charter.) |
| 1969 | 176 | Authorized distribution to county of certain payments in lieu of taxes on city electric system. (See § 2G in the Charter.) |
| 1979 | 93 | Amended § 8 relative to compensation of mayor. |
| 1981 | 95 | Amended § 8 relative to compensation of mayor. |

¹This act, since of a temporary nature, has not been codified in the charter as set out herein.

| YEAR | CHAPTER | SUBJECT |
|------|---------|--|
| 1984 | 203 | Amended § 8 relative to provide for a municipal court. |
| 1986 | 173 | Replaced § 5 relative to quorum of council. |
| 1987 | 40 | Repealed by Priv. Acts 1987, ch. 67, § 1. |
| 1987 | 67 | Repealed Priv. Acts 1987, ch. 40, and amended § 3 relative to quorum of council, § 6 relative to compensation of employees, and § 8 relative to mayor. |
| 1989 | 116 | Amended § 8 relative to compensation of mayor. |
| 1991 | 30 | Amended § 8 relative to compensation of mayor. |
| 1991 | 37 | Replaced by Priv. Acts 1991, ch. 100. |
| 1991 | 100 | Amended § 8 relative to compensation of mayor. |
| 1994 | 142 | Replaced § 3 relative to quorum of council. |
| 1995 | 107 | Amended § 8 relative to compensation of mayor. |
| 1998 | 142 | Amended § 3 relative to compensation of alderpersons. |
| 1998 | 143 | Amended § 6 relative to compensation of the judge, and § 8 relative to compensation of the judge. |
| 1998 | 148 | Amended § 3 by deleting subsections (b)(1) and (b)(2) and replacing with a new subsection (b) relative to election of board of aldermen by an at-large vote. |

| YEAR | CHAPTER | SUBJECT |
|------|---------|---|
| 1998 | 151 | Amended § 8 relative to compensation of mayor. |
| 2001 | 64 | Replaced § 3 relative to issues regarding elections and compensation of officials; § 4 relative to qualifications of voters; and § 6 relative to impeachment of officers, employees to be citizens and election of city officers. |
| 2007 | 21 | Replaced § 3. |
| 2008 | 106 | Amended § 3 relative to the number of votes required to elect the mayor and aldermen. |