

THE CHARTER OF THE CITY OF SPRINGFIELD, TENNESSEE<sup>1</sup>

PRIVATE ACTS, 1989

CHAPTER NO. 1

SENATE BILL NO. 51

By Haynes

Substituted for: House Bill No. 52

By Davidson

AN ACT To amend the Charter of Springfield, Tennessee, the same being Chapter 158, Acts of 1927, and all acts amendatory thereto.

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<sup>1</sup>Note that Chapter 1, Private Acts of 1989, contains the complete charter of the City of Springfield. This Act replaced the former city charter, Chapter 158, Private Acts of 1927. This is an unofficial compilation of the Charter of the City of Springfield, and it is current through the 2011 session of the Tennessee General Assembly.

A table of contents has been added by the compiler, however no other changes to the official text have been made.

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

SECTION 1. Charter amended. The Charter of the City of Springfield, Tennessee, the same being Chapter 158, Acts of 1927, and all acts amendatory thereto; is hereby amended in its entirety to read as follows:

ARTICLE I

CORPORATE CAPACITY

Section

1. Incorporation, name, and general powers.
2. Boundaries.

Section 1. Incorporation, name, and general powers. The municipality of Springfield, in the County of Robertson, and the inhabitants thereof, are hereby constituted a body politic and corporate by the style and name of "Springfield" and shall have perpetual succession by the corporate name; may sue and be sued, plead and be impleaded, grant, receive, purchase and hold real, mixed and personal property, dispose of the same for benefit of said municipality, and may have and use a corporate seal and change it at its pleasure.

Section 2. Boundaries. The boundaries of Springfield shall be as fixed by Chapter No. 158, Acts of 1927; all acts amendatory thereto; and as further amended pursuant to the general laws of the State of Tennessee.

## ARTICLE II

POWERS

## Section

## 1. Powers enumerated.

Section 1. Powers enumerated. Springfield shall have power:

(1) To assess, levy, and collect taxes for all general and special purposes on all subjects or objects of taxation, and privileges taxable by law for State, County or City purposes.

(2) To adopt such classifications of the subjects and objects of taxation as may not be contrary to law.

(3) To contract and be contracted with.

(4) To expend the money of the City for all lawful purposes.

(5) To acquire or receive and hold, maintain, improve, sell, lease, mortgage, pledge, or otherwise dispose of property, real or personal, and any estate, or interest therein, within or without the City or State.

(6) To condemn property, real or personal or any interest, or estate or use therein, either within or without the City, for present or future defined public use; to condemn property for easements for public uses including, but not limited to, public utilities, roadways and railway lines and spur tracks serving industrial parks or industrial buildings; such condemnations to be made and effected in accordance with the procedures and provisions as may be provided by general law.

(7) To take and hold property within or without the City or State upon trust; and to administer trusts for the public benefit.

(8) To acquire, construct, own, operate, and maintain, lease, mortgage, pledge, or otherwise dispose of public utilities or any estate or interest therein, or any other utility of service to the City, its inhabitants, or any part thereof; provided, however, that no public utility may be sold, leased, mortgaged, pledged, or otherwise disposed of unless such action be first approved by the residents of the City of Springfield in a referendum held pursuant to the general elections laws of the State of Tennessee.

(9) To grant to any person, firm, association, or corporation franchises for public utilities and public services to be furnished the City and those therein. Such power to grant franchises shall embrace the power hereby expressly conferred, to grant exclusive franchises, and whenever an exclusive franchise is granted, it shall be exclusive against any other person, firm, association, or corporation. Franchises may be granted for the period of twenty-five (25) years or less from the date of granting, but no longer. Such franchises may be renewable at the option of the board. The Board of Mayor and Aldermen may prescribe in each grant of a franchise, to public utilities not regulated by the Tennessee Public Service Commission, the rates, fares, charges, and regulations

that may be made by the grantee of the franchise. Franchises may by their terms apply to the territory within the corporate limits of the City at the date of the franchises, and as said corporate limits thereafter may be enlarged; and to the then existing streets, alleys, and other thoroughfares that thereafter may be opened.

(10) To make contracts with any person, firm, association or corporation, for public utilities and public services to be furnished the City and those therein. Such power to make contracts shall embrace the power, expressly conferred, to make exclusive contracts; and when an exclusive contract is entered into, it shall be exclusive against any other person, firm, association, or corporation. Such contracts may be entered into for the period of twenty-five (25) years or less from the date of execution, but not longer. The Board of Mayor and Aldermen may prescribe in each such contract entered into with public utilities not regulated by the Tennessee Public Service Commission, the rates, fares, charges, and regulations that may be made by the person, firm, association, or corporation with whom the contract is made. Such contracts may by their terms apply to the territory within the corporate limits of the City as the date of the contract, and as said corporate limits thereafter may be enlarged; and to the then existing streets, alleys, and thoroughfares and to any other streets, alleys, and other thoroughfares and to any other streets, alleys, and other thoroughfares that thereafter may be opened,

(11) To prescribe reasonable regulations regarding the construction, maintenance, equipment, operation and service utilities and compel, from time to time, reasonable extensions of facilities for such services.

(12) To provide for the acquisition, construction, building, operation, and maintenance inside or outside the city of: public ways, parks, public grounds, cemeteries, markets and market houses, public buildings, libraries, sewers, drains, sewage treatment plants, airports, hospitals, water works, docks, gas works, marinas, city forests, tree and shrub nurseries, heliports, terminals, parking garages and lots, industrial sites and buildings; charitable, educational, recreational, sporting, cultural, curative, corrective, detentional, penal, and medical institutions, agencies, and facilities; and any other public improvements; and to regulate the use thereof; and for such purposes property may be either acquired or taken pursuant to the laws of the State of Tennessee.

(13) To collect and dispose of drainage, sewage, offal, ashes, garbage and refuse, and to impose a compulsory service charge for such, or to license and regulate such collection and disposal.

(14) To license and regulate all persons, firms, corporations, companies, and associations engaged in any business, occupation, calling, profession, or trade not forbidden by law or inconsistent with State licensing procedures.

(15) To impose a license tax upon any animal, thing, business, vocation, pursuit, privilege, or calling not prohibited by law.

(16) To define, prohibit, abate, suppress, prevent, and regulate all acts, practices, conduct, business, occupations, callings, trades, uses of property and

all other things whatsoever detrimental, or liable to be detrimental, to the health, morals, comfort, safety, convenience, or welfare of the inhabitants of the City, and to exercise general police powers. Also, to prohibit, abate, suppress, prevent all acts, practices, conduct, business, uses of city property and all other things whatsoever detrimental to the welfare of the retail trades or businesses in the City of Springfield.

(17) To prescribe limits within which business occupations and practices liable to be nuisances or detrimental to the health, morals, security or general welfare of the people may lawfully be established, conducted or maintained.

(18) To inspect, test, measure, and weigh any article for consumption or use within the City, and to charge reasonable fees therefor; and to provide standards of weights, tests, and measures.

(19) To establish, regulate, license, and inspect weights and measures.

(20) To establish minimum standards for and to regulate building construction and repair, electrical wiring and equipment, gas installations and equipment, fixed mechanical equipment, plumbing, and housing, for the health, sanitation, cleanliness, safety and comfort of the inhabitants of the city, and to provide for the enforcement of such standards.

(21) To purchase or construct, maintain, and establish penal facilities for the confinement and detention of any person convicted in the City court of offenses against the laws and ordinances of the City who fails to secure the fine and costs imposed upon him, or to contract with the County to keep said persons in the facility of said County and to provide by said contract and by ordinance for the commitment of such persons to the facility so provided, until such fine shall be fully paid.

(22) To enforce any ordinance, by means of fines, forfeitures and penalties and to impose court costs.

(23) To establish schools, determine the necessary boards, officers, and teachers required therefor, and fix their compensation, to purchase or otherwise acquire land for school houses, playgrounds and other purposes connected with the schools; to purchase or erect all necessary buildings and to do all other acts necessary to establish, maintain, and operate a complete educational system within the City.

(24) To regulate, tax, license or suppress the keeping or going at large of animals within the City; to impound the same and in default of redemption to sell or humanely dispose of the same.

(25) To establish, maintain and operate civil service systems, group insurance plans, and retirement systems for City employees, and to appropriate, expend and use the money of the City therefor.

(26) Under the police power, to make all necessary and proper rules and regulations regarding the use and operation of taxicabs and contract carriers, and the operations thereof, within the corporate limits.

(27) To do all things necessary to provide the City sufficient and safe water; to provide for the regulation, construction and maintenance of water

works, settling basins, pumping stations, water pipes and mains and rights-of-way for the same, reservoirs, wells and all appurtenances, whether within or without the corporate limits of the City; to provide for rates and assessments for water service, and to provide and fix liens or penalties and withdrawal of service for refusal or failure of the party served to pay for same.

(28) To provide for the establishment and operation of all offices, boards, divisions and departments, not herein enumerated, which may be deemed necessary or expedient in the interest of the City and to abolish, reorganize, or revise the scope of responsibilities of any office, board, division or department.

(29) To provide for and establish a Planning Commission and a Board of Zoning Appeals pursuant to and consistent with the general law; and to invest such bodies with all the powers conferred by general law; and to act upon the plans, plats, decisions and recommendations made by such bodies, respectively as in the general law provided.

(30) To call, regulate, provide for and control all municipal elections not provided by general law or this Charter.

(31) To provide for the control of the growth of grass, weeds and vegetation and the accumulation of trash, rubbish and other deleterious or noxious matter upon any property within the City; to require the owner of those in possession of said property to keep the same free from the accumulation thereof; to charge such owner or those in possession of said property with cost of removal of same and to impress a lien upon such property to defray the costs thereof.

(32) To have and exercise all powers which now or hereafter it would be competent for this Charter specifically to enumerate, as fully and completely as though said powers were specifically enumerated herein.

(33) To impose such fees on persons or entities developing land within the service area of any city-owned utility within and without the corporate limits as the city deems appropriate to pay the cost of capital improvements and other expenses related to such developments including, but not limited to, improvements and expenses for street repair and construction, water and wastewater services and facilities, natural gas services and facilities, electric services and facilities, and other city-owned utility services and facilities, storm sewers and facilities, educational services and facilities, parks and recreational facilities, police protection, fire protection, garbage collection and disposal, and the providing of administrative services. [As amended by Priv. Acts 2001, ch. 11]

## ARTICLE III

ELECTIONS

## Section

1. Date of general city election.
2. General election laws apply.
3. Voter qualification requirements.
4. Election procedure.
5. Changes in ward boundaries.
6. Initial ward boundaries.

Section 1. Date of general city election. A general city election shall be held on the First Saturday of June in 2007 and in 2009. Beginning in 2010, a general city election shall be held on the First Tuesday after the First Monday in November of every even numbered year. [As replaced by Priv. Acts of 2006, ch.107]

Section 2. General election laws apply. All elections shall be conducted by the Commissioners of Elections of Robertson County in accordance with the general election laws and this Charter.

Section 3. Voter qualification requirements. Any person who has been a resident of Springfield for thirty days immediately preceding an election, or any nonresident who has owned taxable real property in the city for thirty days immediately preceding an election, and who is otherwise qualified to vote for members of the state legislature and has registered, shall be entitled to vote in city elections. These same qualifications shall apply to other city elections and referenda unless otherwise provided by law.

Section 4. Election procedure. At the city election to be held on the first Saturday of June 2007, the voters of the City of Springfield shall elect three (3) Aldermen representing Wards 1, 2, and 3. The Aldermen shall serve through November 30, 2010, or until their successors are elected and qualified. At the city election to be held on the first Saturday of June 2009, the voters of the City of Springfield shall elect three (3) Aldermen representing Wards 4, 5, and 6, and a Mayor to be elected at-large. The Mayor and Aldermen shall serve through November 30, 2012, or until their successors are elected and qualified.

At the general election to be held on the First Tuesday after the First Monday in November of 2010, and at the election held every four (4) years after that date, the voters of the City of Springfield shall elect three (3) Aldermen representing Wards 1, 2, and 3 who shall serve four (4) year terms of office. At the general election to be held on the First Tuesday after the First Monday in November of 2012, and at the election held every four (4) years after that date,

the voters of the City of Springfield shall elect three (3) Aldermen representing Wards 4, 5, and 6, and a Mayor to be elected at-large, who shall serve four (4) year terms of office. The terms of Mayor and each Aldermen shall begin on December 1 following the election at which the Mayor and Aldermen are elected. [As replaced by Priv. Acts of 2006, ch.107]

Section 5. Changes in ward boundaries. The Board of Mayor and Aldermen may from time to time by ordinance duly adopted alter the boundaries of the wards; however, the boundaries of any ward may not be changed within forty-five days preceding an election. The number of wards shall not be changed.

Section 6. Initial ward boundaries.<sup>1</sup> The initial six (6) ward boundaries shall be as follows:

#### Ward 1

Ward 1 shall consist of the area inside boundaries described as beginning at the intersection of the L&N railroad track and Richard Street, then following south along Richard Street to W. 18th Avenue, then east along W. 18th Avenue to Leota Street, then north along Leota Street to W. 18th Avenue, then east along W. 18th Avenue to Main Street, then north on Main Street to 16th Avenue, then east along 16th Avenue to Batts Boulevard, then following northwest on Batts Avenue to 15th Avenue, then east along 15th Avenue to Hill Street, then north along Hill Street to the L&N railroad track, then southeast along the railroad track to the Springfield city limit line, then following the city limit line generally north to Poplar Avenue, then west along Poplar Avenue to Smith Street, then north along Smith Street to 5th Avenue, then west along 5th Avenue to Josephine Street, then south along Josephine Street to 8th Avenue, then west along 8th Avenue to Memorial Boulevard, then south along Memorial Boulevard to E. 10th Avenue, then west along E. 10th Avenue to the L&N railroad track, then north along the railroad track to the point of origin.

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<sup>1</sup>Ward boundaries have been changed by Ord. #092-04, June 1992; and Ord. #01-37, Dec. 2001. See page C-APP-1 at the end of the charter for the current ward boundaries.

## Ward 2

Ward 2 shall consist of the area inside boundaries described as beginning at the intersection of state highway 49 and the Springfield city limit line, then following the city limits generally east then south to state highway 431 (South Main), then north along highway 431 (South Main) to W. 18th Avenue, then west along W. 18th Avenue to Leota Street, then south along Leota Street to W. 18th Avenue, then west along W. 18th Avenue to Richard Street, then north along Richard Street to the L&N railroad tracks, then northwest along the railroad tracks to state highway 49, then southwest along state highway 49 to the point of origin.

## Ward 3

Ward 3 shall consist of the area inside boundaries described as beginning at the intersection of state highway 431 (South Main) and the Springfield city limit line, then following state highway 431 north (South Main) to 16th Avenue, then east along 16th Avenue to Batts Boulevard, then southeast along Batts Boulevard, which becomes state highway 41, to Circle Drive, then south on Circle Drive to Sunset Drive, then east along Sunset Drive to Rudolph Drive, then generally south along Rudolph Drive to Woodmont Drive, then southeast along woodmont Drive to Hickory Drive, then south along Hickory Drive to its end, then directly south from the end of Hickory Drive to the Springfield city limit line, then following the city limit generally west and south to the point of origin.

## Ward 4

Ward 4 shall consist of the area inside boundaries described as beginning at the intersection of Hill Street and the L&N railroad track, then following south along Hill Street to E. 15th Avenue, then west along E. 15th Avenue to Batts Boulevard, then southeast along Batts Boulevard, which becomes state highway 41, to Circle Drive, then south on Circle Drive to Sunset Drive, then east along Sunset Drive to Rudolph Drive, then generally south along Rudolph Drive to Woodmont Drive, then southeast along Woodmont Drive to Hickory Drive, then south along Hickory Drive to its end, then directly south from the end of Hickory drive to the Springfield city limit line, then following the city limit generally east and north to the point where W. Hillcrest Drive, the city limit

line, and the L&N railroad track meet, then northwest along the railroad track to the point of origin.

#### Ward 5

Ward 5 shall consist of the area inside boundaries described as beginning at the intersection of 8th Avenue and Memorial Boulevard, then following north along Memorial Boulevard to E. 3rd Avenue, then west along E. 3rd Avenue to Walnut Street, then north along Walnut Street to W. 2nd Avenue, then west along W. 2nd Avenue to the Springfield city limit line, then following the city limit line generally north then east and south to Poplar Avenue, then west along Poplar Avenue to Smith Street, then north along Smith Street to 5th Avenue, then west along 5th Avenue to Josephine Street, then south along Josephine Street to 8th Avenue, then west along 8th Avenue to the point of origin.

#### Ward 6

Ward 6 shall consist of the area inside boundaries described as beginning at the intersection of 10th Avenue and Memorial Boulevard, then following north along Memorial Boulevard to E. 3rd Avenue, then west along E. 3rd Avenue to Walnut Street, then north along Walnut Street to W. 2nd Avenue, then west along W. 2nd Avenue to the Springfield city limit line, then following the city limit line generally south and west to state highway 49, then northeast along state highway 49 to the L&N railroad track then east along the railroad track to 10th Avenue then east along 10th Avenue to the point of origin.

## ARTICLE IV

BOARD OF MAYOR AND ALDERMEN

## Section

1. Composition.
2. Election of vice-mayor.
3. Qualifications for office.
4. Salaries.
5. Time and place of meetings.
6. The office of mayor.
7. Vacancies.
8. Oath of office.
9. Quorum, attendance, and adjournment.
10. Proceedings.
11. Removal of mayor or alderman from office.
12. Ordinance procedure.
13. Legislative action which must be exercised by ordinance.
14. Board of Mayor and Aldermen not to interfere, etc., with city manager in the appointment of officers and employees; Board of Mayor Aldermen to deal with administrative service solely through city manager.

Section 1. Composition. The governing body of Springfield shall consist of the Mayor and six Aldermen elected by the voters of Springfield pursuant to the provisions of this charter, and after the election of the Vice-Mayor as provided by this charter, shall be known as the Board of Mayor and Aldermen. As provided herein, the Mayor shall be elected from the city at-large and the Alderman shall be elected from their respective wards; and except for the initial election the term of office for the Mayor and Aldermen shall be four (4) years; and as herein provided their terms shall be staggered.

Section 2. Election of vice-mayor. The board of mayor and aldermen, at the first regular meeting in July, 1995, and at the first regular meeting in July after the general city election in every odd numbered year thereafter, shall elect one (1) of their members as vice-mayor to carry out the duties of mayor in his/her absence, for a term of two (2) years. If the office of mayor becomes vacant, the vice-mayor shall become mayor for the remainder of the unexpired term or until the next general election, whichever occurs first, at which time the voters shall elect a mayor to fill the unexpired term. If the vacancy occurs less than twenty (20) days before the latest time for filing nominating petitions for candidates in that election, the vice-mayor shall fill the vacancy until the end of the mayoral term. The board shall elect another of its members to the office of vice-mayor to serve the remainder of the unexpired two (2) year vice mayor's term. [As replaced by Priv. Acts 1994, ch. 172, § 1]

Section 3. Qualifications for office. The Mayor and Aldermen shall be qualified voters of the City and shall hold no other public office except as a Notary Public or member of the National Guard or Military Reserve. No person shall be eligible to the office of Mayor unless he shall have been for at least one (1) year next preceding his election a resident of Springfield. No person shall be eligible to the office of Alderman unless he shall have been for at least one (1) year next preceding his election a resident of the ward in which he seeks election. If the Mayor or an Alderman shall cease to possess any of these qualifications, or shall be convicted of any crime involving moral turpitude, his office shall immediately become vacant. No person shall become Mayor or Alderman who has been convicted of malfeasance in office, bribery, or other corrupt practice or crime.

Section 4. Salaries. The Board of Mayor and Alderman may set the annual salary of the Mayor and Aldermen by ordinance; provided, however, that until those salaries are so set, the salary of the Mayor shall be four hundred dollars (\$400.00) per month, and the salary of each Alderman shall be two hundred dollars (\$200.00) per month.<sup>1</sup> [As replaced by Priv. Acts 2000, ch. 84, § 1]

Section 5. Time and place of meetings. The Board of Mayor and Aldermen shall, by Ordinance, fix the time and place at which the regular meetings of the Board of Mayor and Aldermen shall be held. Until otherwise provided by Ordinance, the regular meeting of the board of mayor and aldermen shall be held at 7:30 p.m. on the third Tuesday of each month. When such day falls on a legal holiday, the meeting shall be on the next following day unless otherwise prescribed by the Board of Mayor and Aldermen. Whenever in the opinion of the Mayor or of any three (3) Aldermen, the welfare of the City demands it, the Recorder shall call a special meeting of the Board of Mayor and Aldermen. [As replaced by Priv. Acts 1991, ch. 172, § 2]

Section 6. The office of mayor. The Mayor shall preside at all meetings of the Board of Mayor and Aldermen at which he is present, and in his absence, the Vice-Mayor shall preside, and in the absence of the Mayor and Vice-Mayor, the Board of Mayor and Aldermen shall designate one of their number to preside. The Mayor shall be the ceremonial head of the City, and shall be the officer upon which process against the City may be served. He shall have a vote in Board of Mayor and Aldermen on all matters, but no veto power.

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<sup>1</sup>The annual salary of the Mayor and Aldermen are set out in Ord. #00-32, Jan. 2001, and shall become effective on July 1, 2003.

Section 7. Vacancies. Any vacancy in the office of alderman shall be filled by the remaining members of the board of mayor and aldermen, and the alderman so appointed shall be a qualified resident of the ward and shall serve for the remainder of the unexpired term or until the next municipal election, whichever occurs first, at which time voters of the ward shall fill the vacancy. If the vacancy occurs less than twenty (20) days before the latest time for filing nominating petitions for the candidates in that election, the appointed alderman shall serve until the end of the four (4) year aldermanic term. Provided, however, that only one (1) vacancy shall be filled by appointment made by the Board of Mayor and Aldermen; and, in the event of any additional vacancy after the first, the Board of Mayor and Aldermen shall forthwith, by Resolution, call upon the Election Commissioners for Robertson County to call a special election for the purpose of filling any such additional vacancy. The Election Commissioners for Robertson County, when thus called upon by the Board of Mayor and Aldermen, shall immediately call such special election and appoint the necessary officers therefor, and said special election shall be held in the same manner as provided in this Charter for general City elections. The Alderman elected at such special election so held shall hold office for the remainder of the unexpired term; provided, however, that the foregoing provisions with reference to filing any additional vacancy after the first by a special election shall not apply to any additional vacancy in the Board of Mayor and Aldermen occurring less than one hundred-eighty (180) days prior to any general City Election; and in the latter event, such additional vacancy occurring less than one hundred-eighty (180) days prior to any general City Election shall be filled by appointment made by the remaining members of the Board of Mayor and Aldermen, and the Mayor or Alderman so appointed shall serve until his successor elected at the next general election is qualified.

In the event of the occurrence of any vacancy in the Board of Mayor and Aldermen which may, under the provisions of this Section, be filled by appointment by the Mayor and remaining Aldermen, and such Mayor and remaining Aldermen shall fail or neglect to fill such vacancy within 20 days of its occurrence, it shall be the duty of the Election Commissioners of Robertson County, upon certification of such facts to them by any Alderman, to call and cause to be held, as hereinabove provided, a special election for the purpose of filling such vacancy, provided such certification be made to the Election Commissioners for Robertson County within sufficient time to permit the holding and completion of such special election at least 180 days prior to the next general City election. [As replaced by Priv. Acts 1994, ch. 172, § 3]

Section 8. Oath of office. The Mayor and Aldermen, before entering upon their duties, shall each take and subscribe and file with the Recorder an oath or affirmation that he will support the Constitution of the United States and of the State of Tennessee and the Charter and Ordinances of the City of Springfield, and that he will faithfully discharge the duties of his office.

Section 9. Quorum, attendance, and adjournment. A majority of all the members of said Board of Mayor and Aldermen shall constitute a quorum, but a smaller number may adjourn from day to day and may compel the attendance of the absentees in such manner and under such penalties as the Board of Mayor and Aldermen may provide.

A regular meeting at which a quorum is present may be adjourned by a majority vote, either from day to day or from time to time; but no such adjournment shall be taken to a date beyond the preceding the next regular meeting; and any adjourned meeting shall continue as a regular meeting throughout said adjournment.

Section 10. Proceedings. Said Board of Mayor and Aldermen may determine the rules of its proceedings, subject to this Charter. It shall have power to subpoena witnesses and order the production of books and papers relating to any subject within its jurisdiction; to call upon the Chief of Police to execute its process; and to arrest and punish by fine any person refusing to obey such subpoena or order. No fine for any one offense under this Section shall exceed fifty dollars or the maximum allowed by state law. Its presiding officer or the chairman of any committee may administer oaths to witnesses. It shall keep a journal of its proceedings, and the vote on every question shall be entered thereon.

Section 11. Removal of mayor or alderman from office. The Mayor or any Alderman may be removed from office by the Board of Mayor and Aldermen for crime or misdemeanor in office, for grave misconduct showing unfitness for public duty or for permanent disability, all other members of the Board of Mayor and Aldermen voting for said removal. The proceedings for such removal shall be upon specific charges in writing, which, with a notice stating the time and place of the hearing, shall be served on the accused or published at least seven (7) days prior to said hearing in a newspaper of general circulation in the City. The hearing shall be made public and the accused shall have the right to appear and defend in person and by counsel, and have process of the Board of Mayor and Aldermen to compel the attendance of witnesses in his behalf. Such vote shall be determined by yeas and nays and the names of the members voting for or against such removal shall be entered in the journal. Immediately upon the vote for removal the term of the accused shall expire and his official status, power and authority shall cease without further action. Any one removed hereunder shall have the right of appeal, within ten days, to the Circuit Court of Robertson County. Upon any such appeal being taken, the Recorder shall make and certify to the clerk of said Circuit Court a complete transcript of the entire removal proceedings. The Judge of said Court shall hear and determine the cause solely upon transcript record, and no additional evidence shall be introduced. The City or the accused, if either be dissatisfied with the decree of the Court, may appeal to the Supreme Court as in other cases.

Section 12. Ordinance procedure. All ordinances shall begin with the clause, "Be it ordained by the Board of Mayor and Aldermen of Springfield, Tennessee." An ordinance may be introduced by any member of the Board of Mayor and Aldermen. The body of ordinances may be omitted from the minutes on first and second readings, but reference therein shall be made to the ordinance by title and/or subject matter. Every ordinance shall be passed on three different days, at regular, special or adjourned meetings. Except in the ordinance adopting the budget, no material or substantial amendment may be made on final passage, unless such amendment be passed in the same manner as an amendment to an existing ordinance. Every ordinance shall be effective upon final passage unless by its terms the effective date is deferred. Every ordinance upon final passage shall be signed by the presiding officer of Board of Mayor and Aldermen, and shall be immediately taken charge of by the Recorder, and by him numbered, copied in an ordinance book and there authenticated by the signature of the Recorder, and filed and preserved in the Recorder's office.

Section 13. Legislative action which must be exercised by ordinance. Except as otherwise provided by general law or this Charter, legislative action of the Board of Mayor and Aldermen shall be by ordinance when granting, renewing or extending public franchises; creating, abolishing or combining departments or offices; authorizing the borrowing of money; exercising the police power; levying taxes; adopting the budget; providing a fine or other penalty or establishing a rule or regulation for violation of which a fine or other penalty is imposed; amending or repealing an existing ordinance; or regulating the rate charged for its services by a public utility; fixing fees, service charges and utility rates; except that:

- (a) natural gas rates may be adjusted by the Director of the City Gas Department to adjust for price changes in the market with a report explaining such rate change to the Board at its next regular meeting; and
- (b) electric rates which merely pass through changing rates charged by the supplier of electricity may be adjusted by the Director of the City Electric Department with a report explaining such rate change to the Board at its next regular meeting. [As replaced by Priv. Acts 2010, ch. 49]

Section 14. Board of Mayor and Aldermen not to interfere, etc., with city manager in the appointment of officers and employees; Board of Mayor Aldermen to deal with administrative service solely through city manager. The Board of Mayor and Aldermen nor any of its members shall dictate the appointment of any person to office or employment by the city manager, or in any manner interfere with him, or prevent him from exercising his own judgment in the appointment of officers and employees in the administrative service of the city. Except for the purpose of inquiry, the Board of Mayor and

Aldermen and its members shall deal with the administrative service of the city solely through the city manager, and neither the Board of Mayor and Aldermen nor any member thereof shall give orders to any of the subordinates of the city manager, either publicly or privately.

## ARTICLE V

### CITY MANAGER

#### Section

1. Appointment and removal of city manager.
2. Acting city manager.
3. Powers and duties.

Section 1. Appointment and removal of city manager. The Board of Mayor and Aldermen shall appoint and fix the salary of the city manager, who shall serve at the will of the Board of Mayor and Aldermen, provided, however, that he may not be removed within twelve (12) months from the date on which he assumed his duties, except for incompetence, malfeasance, misfeasance, or neglect of duty. In case of his removal within said period, he may demand written charges and a public hearing thereon before the Board of Mayor and Aldermen prior to the date on which his final removal shall take effect; but the decision and action of the Board of Mayor and Aldermen on such hearing shall be final, and pending such hearing, the Board of Mayor and Aldermen may suspend him from duty.

Section 2. Acting city manager. The Board of Mayor and Aldermen shall designate an administrative officer of the city as acting City Manager to serve during any temporary absence or disability of the Manager.

Section 3. Powers and duties. The City Manager shall be the chief administrative officer of the city; responsible to the Board of Mayor and Aldermen for the direction and administration of all offices, departments, and activities placed in his charge by this charter or the Board of Mayor and Aldermen. The powers and duties of the City Manager shall be:

(1) To appoint, remove or otherwise discipline all department heads and all subordinate officers and employees, all appointments to be made upon merit and fitness alone. He may authorize any administrative officer who is subject to his direction and supervision to exercise these powers with respect to subordinates in that officer's department or office.

(2) To see that all laws and ordinances, subject to enforcement by him or by officers subject to his direction, are

enforced, and upon knowledge or information of any violation thereof, to see that prosecutions are instituted.

(3) To attend all Board of Mayor and Aldermen meetings and to have the right to take part in any discussions, but not to vote.

(4) To prepare and submit an annual operating budget and an annual capital budget update to the Board of Mayor and Aldermen at the appropriate time.

(5) To submit to the Board of Mayor and Aldermen a complete report on the financial condition of each department of the city at the end of each month.

(6) To make such other reports on the activities of the city as the Board of Mayor and Aldermen may require or as he sees the need for and to make such recommendations as in his opinion, are necessary to improve the effectiveness and efficiency of the city's operations or as are needed for the overall good of the city.

(7) To act as purchasing agent for the city, purchasing all materials, supplies, and equipment needed by the city in accordance with state law and procedures established by the Board of Mayor and Aldermen.

(8) To perform other duties required by this Charter or the Board of Mayor and Aldermen.

## ARTICLE VI

### CITY RECORDER

#### Section

1. Appointment, compensation, and specific requirements, powers, and duties of office.
2. Shall keep minutes.
3. Shall be custodian of public records, bonds, etc.
4. Shall provide and certify copies of records, papers, etc.
5. Shall generally supervise and keep records of fiscal affairs.
6. Shall be treasurer.
7. Shall preside over city court.
8. Shall perform any other duties imposed.
9. Appointment of recorder pro tempore.

Section 1. Appointment, compensation, and specific requirements, powers, and duties of office. The Recorder shall be appointed by the City Manager and shall be the head of the department of finance. He shall receive a salary to be fixed by the Board of Mayor and Aldermen; give such bond to the City for not less than ten thousand dollars, as may be provided by ordinance.

He shall have a seat and a voice, but no vote, in the Board of Mayor and Aldermen. He shall by his signature and the City seal, attest all instruments signed in the name of the City and all official acts of the Mayor. He shall have power to administer oaths.

Section 2. Shall keep minutes. It shall be the duty of the Recorder to be present at all meetings of the Board of Mayor and Aldermen and to keep a full and accurate record of all business transacted by the same, to be preserved in permanent book form.

Section 3. Shall be custodian of public records, bonds, etc. The Recorder shall have custody of and preserve in his office, the City seal, the public records, original rolls of ordinances, ordinance books, minutes of the Board of Mayor and Aldermen, contracts, bonds, title deeds, certificates and papers, all official indemnity or security bonds (except his own bond, which shall be in the custody of the Mayor), and all other bonds, oaths and affirmations and all other records, papers and documents not required by this Charter or by ordinance to be deposited elsewhere, and register them by numbers, dates and contents, and keep an accurate and modern index thereof.

Section 4. Shall provide and certify copies of records, papers, etc. The Recorder shall provide, and, when required by any officer or person, certify copies of records, papers and documents in his office and charge therefor, for the use of the City, such fees as may be provided by ordinance; cause copies of ordinances to be printed, as may be directed by the Board of Mayor and Aldermen, and kept in his office for distribution.

Section 5. Shall generally supervise and keep records of fiscal affairs. The Recorder as the head of the department of finance, shall exercise a general supervision over the fiscal affairs of the City, and general accounting supervision over all the City's property, assets and claims, and the disposition thereof. He shall be the general accountant and internal auditor of the City; shall have custody of all papers, records and vouchers relating to the fiscal affairs of the City, and the records in his office shall show the financial operations and condition, property, assets, claims and liability of the City, all expenditures authorized and all contracts in which the City is interested.

Section 6. Shall be treasurer. The Recorder shall be the Treasurer of the City; as such it shall be his duty to collect, receive and receipt for the taxes and all monies, other revenues and bonds from all departments of the City, and the proceeds of its bond issues, and to disburse the same.

Section 7. Shall preside over city court. The Recorder shall also preside over the City court until a City Judge has been appointed and qualified as provided for in this Charter.

Section 8. Shall perform any other duties imposed. The Recorder shall also perform any other duties imposed upon him by this Charter or by ordinance.

Section 9. Appointment of recorder pro tempore. In event of the temporary absence or disability of the Recorder, the City Manager may by an instrument in writing appoint a Recorder pro tempore who shall have and exercise all the powers of the regular Recorder.

## ARTICLE VII

### CITY ATTORNEY

#### Section

1. Qualifications.
2. Appointment, duties, and compensation.

Section 1. Qualifications. The City Attorney shall be an attorney at law entitled to practice in the courts of the State of Tennessee.

Section 2. Appointment, duties, and compensation. The City Attorney shall be appointed by the Board of Mayor and Aldermen and shall direct the management of all litigation in which the City is a party, including the function of prosecuting attorney in the City Court; represent the City in all legal matters and proceedings in which the City is a party or interested, or in which any of its officers is officially interested; attend all meetings of the Board of Mayor and Aldermen; advise the Board of Mayor and Aldermen, and committees or members thereof, the City Manager, and the heads of all departments and divisions as to all legal questions affecting the City's interests; and approve as to form all contracts, deeds, bonds, ordinances, resolutions and other documents to be signed in the name of or made by or with the City. His compensation shall be as fixed by the Board of Mayor and Aldermen and he shall serve at the will of Board of Mayor and Aldermen.

## ARTICLE VIII

ADMINISTRATION

## Section

1. Departments, offices, and agencies generally.
2. Direction and supervision of departments, offices, and agencies.
3. Personnel rules.
4. Nepotism prohibited.
5. Officers, employees, etc., who handle money shall be bonded.
6. Oath of office required.

Section 1. Departments, offices, and agencies generally. The Board of Mayor and Aldermen may establish City departments, offices or agencies in addition to those created by this Charter, and may prescribe the functions of all departments, offices and agencies not inconsistent with this Charter. Departments, offices and agencies created by the Board of Mayor and Aldermen may be abolished or combined.

Section 2. Direction and supervision of departments, offices, and agencies. All Departments, Offices and Agencies under the direction and supervision of the Manager shall be administered by an officer appointed by and subject to the direction and supervision of the Manager. The Manager may serve as the head of one or more such departments, offices or agencies or may appoint one person as the head of two or more of them. No department shall have title to any real estate or other assets of the City of Springfield.

Section 3. Personnel rules. The Board of Mayor and Aldermen shall adopt personnel rules which shall include but not be limited to:

- (1) A Job classification plan;
- (2) A pay plan;
- (3) The hours of work, attendance regulations and provisions for sick and vacation leave;
- (4) A rule addressing conflict of interest of city employees in the performance of their duties.

The City Manager shall be granted the powers formerly held by the Personnel Board, with the present personnel rules being maintained until new personnel rules are approved within one (1) year from the approval of this charter.

Section 4. Nepotism prohibited. No relative of an elected city official shall be hired by the city. No relative of the city manager shall be hired or employed by the city. Relative is defined as a parent; foster parent; parent-in-law; child; spouse; brother; foster brother; sister; foster sister; grandparent;

grandchild; son-in-law; brother-in-law; daughter-in-law; sister-in-law; or any other family member who resides in the same household. No person who is a member of the immediate family of an employee shall be hired by the city. The immediate family is defined as the employee's spouse, children, father, mother, brother or sister who may or may not reside in the same household or any other family member who resides in the same household. No person who is a relative of an employee shall be employed by the city to work in the same department. [As amended by Priv. Acts 1991, ch. 122; and as replaced by Priv. Acts 1996, ch. 147]

Section 5. Officers, employees, etc., who handle money shall be bonded or have adequate employee dishonesty insurance coverage. The City Manager and every officer, agent and employee having duties embracing the receipt, disbursement, custody, or handling of money shall, before entering upon his or her duties, either execute a surety bond with a surety company authorized to do business in this State, as surety, or provide for employee dishonesty insurance coverage, including coverage for faithful performance, with an insurance provider authorized to do business in the State of Tennessee. The amount of all such bonds or employee dishonesty insurance coverage shall be prescribed by ordinance or this Charter. All such bonds or employee dishonesty insurance shall be subject to the approval of the Board of Mayor and Aldermen. The Board of Mayor and Aldermen may provide for blanket bonds or for employee dishonesty insurance coverage applicable to all employees on a per loss limit basis. The cost of all employee bonds or dishonesty insurance coverage shall be an expense of the City. [As replaced by Priv. Acts 2010, ch. 64, § 1]

Section 6. Oath of office required. The Manager and every appointive officer shall before taking office take and subscribe to the same oath of office required of the Mayor and Aldermen.

## ARTICLE IX

FINANCE

## Section

1. Fiscal year.
2. Annual departmental budgets required.
3. Manager required to prepare and submit annual budget and explanatory message.
4. Required content and organization of budget.
5. Amendments to budget, when budget must be adopted, and effect of adoption.
6. Supplemental appropriations.
7. Emergency appropriations.
8. Deficits.
9. Transfer of unencumbered appropriations.
10. Lapsing of appropriations.
11. Incurrence and discharge of obligations.
12. Borrowing.
13. Accounting records and audits.
14. Competitive bidding and purchasing procedures.

Section 1. Fiscal year. The fiscal year of the City shall be as prescribed by general law.

Section 2. Annual departmental budgets required. The adoption of an annual budget for each department shall be a prerequisite to the appropriation of money for municipal purposes and the levy of property taxes.

Section 3. Manager required to prepare and submit annual budget and explanatory message. At least 60 days before the beginning of the fiscal year the Manager shall prepare and submit to the Board of Mayor and Aldermen a budget for the ensuing fiscal year and an accompanying message. The Manager's message shall explain the budget both in fiscal terms and in term of work programs. It shall outline the proposed financial policies of the City for the ensuing fiscal year, describe the important features of the budget, indicate any major changes from the current year in financial policies, expenditures, and revenues together with the reasons for such changes, summarize the City's debt position and include such other material as the Manager deems desirable.

Section 4. Required content and organization of budget. The budget shall provide a complete financial plan of all City funds and activities for the ensuing fiscal year and, except as required by law or this Charter, shall be in such form

as the Manager deems desirable or the Board of Mayor and Aldermen may require.

Section 5. Amendments to budget, when budget must be adopted, and effect of adoption. After the first reading the Board of Mayor and Aldermen may adopt the budget with or without amendment, but no amendment shall decrease expenditures required by law for debt service. The budget shall be adopted for the ensuing fiscal year before the end of the current fiscal year. Adoption of the budget shall constitute appropriations of the amounts specified therein as expenditures from the funds indicated and shall constitute a levy of the property tax therein proposed.

Section 6. Supplemental appropriations. If during the fiscal year the Manager certifies that there are available for appropriation revenues in excess of those estimated in the budget, the Board of Mayor and Aldermen by ordinance may make supplemental appropriations for the year up to the amount of such excess.

Section 7. Emergency appropriations. Upon a declaration by the Board of Mayor and Aldermen that there exists a public emergency affecting life, health, property or the public peace, the Board of Mayor and Aldermen may make emergency appropriations by ordinance. To the extent that there are no available unappropriated revenues to meet such appropriations Board of Mayor and Aldermen is authorized to borrow funds sufficient to meet said emergency by issuing negotiable notes. Provision shall be made in the budget for the succeeding fiscal year for the payment of such notes.

Section 8. Deficits. If at any time during the fiscal year it appears probable to the Manager that the revenues available will be insufficient to meet the amount appropriated, he shall report to the Board of Mayor and Aldermen without delay, indicating the estimated amount of the deficit, any remedial action taken by him and his recommendations as to any other steps to be taken. The Board of Mayor and Aldermen shall then take such further action as it deems necessary to prevent or minimize any deficit and for that purpose it may by ordinance reduce appropriations.

Section 9. Transfer of unencumbered appropriations. At any time during the fiscal year the Manager may transfer part or all of any unencumbered appropriation balance among programs within a department, office or agency and, upon written request by the Manager, the Board of Mayor and Aldermen may by resolution transfer part or all of any unencumbered accumulated balances from one Department, Office, or Agency to another.

Section 10. Lapsing of appropriations. Every appropriation shall lapse at the end of the fiscal year to the extent that it has not been expended or encumbered.

Section 11. Incurrence and discharge of obligations. No payment shall be made or obligation incurred against any appropriation unless the Manager or an officer designated by him first certifies that an appropriation has been made for that purpose and that there is unexpended and unencumbered in the appropriation for that purpose an amount sufficient to meet the obligation or to make the expenditure. However, except where prohibited by law, nothing herein shall be construed to prevent the making or authorizing of payments or making of contracts for capital improvements to be financed wholly or partly by the issuance of bonds or to prevent the making of any contract or lease providing for payments beyond the end of the fiscal year.

Section 12. Borrowing. The Board of Mayor and Aldermen, for the sole purpose of meeting the necessary expenses within appropriations, is authorized to borrow money in the amount not to exceed 50 per cent of the anticipated revenues for the current fiscal year. Such notes shall mature during the current fiscal year and shall be paid from budgeted revenues.

Section 13. Accounting records and audits. There shall be installed and maintained adequate accounting records in accordance with generally accepted principles of municipal accounting. The same account titles shall be used throughout the accounting records, the budget and financial statements. Constant and comprehensive budgetary control shall be maintained. An audit of the financial affairs of the City shall be required by action of Board of Mayor and Aldermen and same be made after the end of each fiscal year by a public accountant skilled in such work. Any taxpayer may file a bill in chancery court to compel the Board of Mayor and Aldermen to have the audit made if such accountant has not been employed within one month after the end of the fiscal year.

Section 14. Competitive bidding and purchasing procedures. The City Manager shall be responsible for all city purchasing, but the City Manager may delegate this duty to any subordinate so appointed. Competitive prices for all purchases and public improvements shall be obtained whenever practicable and in accordance with regulations established by ordinance, and the purchases made from or the contract awarded to the lowest and best bidder. The city shall have the power to reject any and all bids. Public advertisement and sealed bids shall be required in all transactions involving the expenditure of ten thousand dollars (\$10,000.00) or more within one fiscal year; provided, that, in cases where the Board of Mayor and Aldermen indicates by formal unanimous resolution of those present at the meeting, based upon the written

recommendation of the City Manager, that it is clearly to the advantage of the city not to contract with competitive bidding, it may authorize noncompetitive contracts. Any exceptions to competitive bidding established by state law shall apply to purchases by the municipality including, but not limited to, those exceptions set forth in Tennessee Code Annotated, Section 6-56-304. Purchasing and contract procedures not prescribed by this charter or other law may be established by ordinance. [As replaced by Priv. Acts 1994, ch. 172, § 4; and Priv. Acts 2000, ch. 84, § 2]

## ARTICLE X

### TAXATION

#### Section

1. Assessment and levy.
2. Due and delinquent dates; penalties and interest.
3. Collection of delinquent taxes.
4. Publication of notice to taxpayers.
5. Statutory lien.

Section 1. Assessment and levy. All property within the City not exempt by general law shall be assessed for taxation upon the same principles established in regard to state and county taxation. Assessments made by the county tax assessor may be adopted by the City.

Section 2. Due and delinquent dates; penalties and interest. Property taxes shall be payable on and after October 1 in the year for which assessed and shall become delinquent on January 1 following. The Board of Mayor and Aldermen by ordinance shall fix penalties and interest on delinquent taxes.

Section 3. Collection of delinquent taxes. The City Board of Mayor and Aldermen may provide by ordinance for the collection of delinquent taxes by distress warrants issued and executed in accordance with general law. If not otherwise collected, the city attorney, or other attorney designated by the council, shall, at the Board of Mayor and Aldermen's direction, file suit for collection of all delinquent taxes not later than 18 months following date of delinquency.

Section 4. Publication of notice to taxpayers. In December of each year there shall be published once a week for two consecutive weeks a notice to taxpayers informing them the date after which penalties and interest on property taxes will be due.

Section 5. Statutory lien. All municipal taxes on real estate in Springfield, and all penalties and cost accruing thereon are hereby declared to be a lien on said real estate from and after December 31 after the year for which the same are assessed.

## ARTICLE XI

### CITY COURT

#### Section

1. Appointment, oath, compensation, and restrictions on office of city judge.
2. Absence or disability of city judge.
3. Duties and powers of city judge.
4. Imposition of bail, fines, costs, and sentences.
5. Maintenance of docket and other court rules.
6. Rehearings.
7. City judge to be exclusive judge of law and facts.

Section 1. Appointment, oath, compensation, and restrictions on office of city judge. A City Judge who shall constitute the City Court shall be appointed by the Board of Mayor and Aldermen for a term of two (2) years. He shall take the same oath required of the Mayor and Aldermen and shall be licensed to practice law in the State of Tennessee. He shall receive such compensation as may be provided by ordinance. The City Judge may be removed for cause by the Board of Mayor and Aldermen.

Section 2. Absence or disability of city judge. The Board of Mayor and Aldermen shall designate a qualified person to serve as interim judge in the absence or disability of the City Judge.

Section 3. Duties and powers of city judge. The City Judge shall try all persons charged with violation of the ordinances of the City. He shall have the power to levy fines, penalties and forfeitures not exceeding \$50, or maximum set by state law, for each offense and to impose such costs as the Board of Mayor and Aldermen may by ordinance provide, to issue all necessary process, to administer oaths, and to punish for contempt by fine.

Section 4. Imposition of bail, fines, costs, and sentences. The bail of persons arrested and awaiting trial and persons appealing the decision of the City Judge shall be fixed by the City Judge and upon such security as in his discretion he deems necessary or as otherwise provided by ordinance. Cash bail of persons arrested may be accepted at such times and by officials other than the City Judge as provided by ordinance, but no officer shall accept cash bail unless the person arrested shall be given a receipt which shall explain the nature of the

deposit. The receipt shall be in duplicate and a copy with the money deposited shall be filed with the City Judge. Fines and costs may be paid by installments to be fixed and security determined as provided by ordinance. Upon failure to pay fines or to furnish security, the City Judge shall commit the offender to the Jail or workhouse until such fines have been paid. For each day's confinement there shall be credited \$5.00 toward the fine.

Section 5. Maintenance of docket and other court rules. The City Judge shall keep a docket. The Board of Mayor and Aldermen may by ordinance require such other records, fix the time for holding court, and provide such other rules and regulations for the proper functioning of the court as deemed necessary.

Section 6. Rehearings. Whenever any person convicted of the violation of an ordinance of the City shall show to the satisfaction of the City Judge that new evidence of his innocence not available to him at the trial which evidence, if true, could result in acquittal, the City Judge may grant a rehearing if petitioned within nine days of the trial.

Section 7. City judge to be exclusive judge of law and facts. The City Judge shall be the exclusive Judge of the law and facts in every case before him, and no official or employee of the City shall attempt to influence his decision except through pertinent facts presented in court.

## ARTICLE XII

### MISCELLANEOUS AND TRANSITIONAL PROVISIONS

#### Section

1. Corporate existence; existing ordinances and resolutions.
2. Expiration of terms of elected officers.
3. Legal effect of this act.

Section 1. Corporate existence; existing ordinances and resolutions. The corporate existence of Springfield is continued. All existing ordinances, resolutions or other actions of the Commissioners of Springfield, Tennessee not inconsistent with this Charter shall remain in full force and effect until amended or repealed in the manner herein provided.

Section 2. Expiration of terms of elected officers. The Commissioners in office when this Act is ratified as herein provided in SECTION 4 shall continue in office, until July 1, 1989 when the first Board of Mayor and Aldermen is elected and qualified as herein provided.

Section 3. Legal effect of this act. This Act is declared to be a Public Act, and may be read in evidence in all courts of law and equity. All ordinances and resolutions and proceedings of the Board of Mayor and Aldermen created by this Charter may be proven by the seal of the City of Springfield, attested by the Recorder, and, when printed and published by the authority of said corporation and certified by the Recorder, shall be received in evidence in all courts and places without proof.

SECTION 2. Conflicting acts. All Acts and parts of Acts in conflict with this Act be and the same are hereby repealed from and after the effective date of this Act as hereinafter provided.

SECTION 3. Invalidity or unconstitutionality. If any Section or part of a Section of this Act shall be finally adjudged by a court of competent jurisdiction to be invalid or unconstitutional, the same shall not be held to invalidate or impair the validity, force or effect of any other Section or part of a Section of this Act, unless it clearly appears that such other Section or part of a Section is wholly or necessarily dependent for its operation upon the Section or part of a Section so held unconstitutional or invalid.

SECTION 4. Local approval required. This act shall have no effect unless it is approved by a majority of the number of qualified voters of the city voting in an election on the question of whether or not the act should be approved. The Commissioners of Election of Robertson County will hold said election on April 1, 1989. The ballots used in said election shall have printed on them the caption of this act and the voters shall vote for or against its approval. The votes cast on the question shall be canvassed and the results proclaimed by the county election commission and certified by it to the secretary of state as provided by law in the case of general elections. The qualifications of voters voting on the question shall be the same as those required for participation in general elections. All laws applicable to general elections except TCA 2-3-204 shall apply to the determination of the approval or rejection of this act.

SECTION 5. Effective date. For the purpose of approving or rejecting the provisions of this act, as provided in Section 4, it shall be effective upon becoming a law, but for all other purposes the provisions of this act shall take effect as herein provided, after it is approved as provided in Section 4.

PASSED February 15, 1989

s/John S. Wilder  
JOHN S. WILDER,  
SPEAKER OF THE SENATE

s/Ed Murray  
ED MURRAY, SPEAKER  
HOUSE OF REPRESENTATIVES

APPROVED THIS 16 DAY OF FEBRUARY, 1989.

s/Ned McWherter  
NED MCWHERTER, GOVERNOR

PRIVATE ACT COMPRISING THE CHARTER OF  
SPRINGFIELD, TENNESSEE

Year	Chapter	Subject
1927	158	Basic charter.
1927	183	Amended sections 1, 2, 3, 4, 6, and 7 of Priv. Acts 1927, ch. 158.
1927	361	Authorized the issuance of bonds up to \$100,000.00.
1929	8	Amended sections 5 and 7 of Priv. Acts 1927, ch. 158.
1929	82	Authorized the purchase or erect a city hall or municipal building.
1931	409	Authorized the issuance of bonds up to \$100,000.00 for school purposes.
1931	410	Authorized the issuance of bonds up to \$100,000.00 for purchasing a gas distribution system.
1931	411	Amended section 5 of Priv. Acts 1927, ch. 158.
1931	412	Amended section 2 of Priv. Acts 1927, ch. 158, by adding to the corporate boundaries.
1931	821	Amended section 2 of Priv. Acts 1927, ch. 158, by changing the corporate limits.
1937	59	Amended sections 8 and 14 of Priv. Acts 1927, ch. 158.

Year	Chapter	Subject
1937	482	Authorized the issuance of bonds up to \$125,000.00 for constructing a high school building.
1941	134	Authorized the issuance of bonds up to \$100,000.00 for industrial development.
1941	141	Amended section 6 of Priv. Acts 1927, ch. 158.
1943	31	Validated the issuance of revenue bonds to up \$25,000.00
1943	32	Amended Priv. Acts 1927, ch. 158, by providing supervision for the department of police.
1943	70	Amended section 33 of Priv. Acts 1927, ch. 158.
1945	90	Authorized the issuance of bonds up to \$100,000.00 for constructing a municipal auditorium and city hall.
1947	164	Validated the issuance of revenue bonds up to \$25,000.00.
1947	422	Authorized the issuance of bonds up to \$100,000.00 for school purposes.
1947	423	Authorized the issuance of bonds up to \$100,000.00 for a water works system.
1947	471	Authorized the issuance of bonds up to \$200,000.00 for a gas distribution system.
1947	697	Authorized city to lease and/or purchase all school property.

Year	Chapter	Subject
1947	830	Validated the issuance of revenue bonds up to \$25,000.00.
1949	559	Amended section 33, of Priv. Acts 1927, ch. 158 by raising the amount of warrants for emergency borrowing.
1949	560	Validated the issuance of gymnasium bonds up to \$55,000.00
1949	774	Authorized the issuance of negotiable, interest-bearing coupon bonds up to \$75,000.00.
1949	778	Amended section 2 of Priv. Acts 1927, ch. 158 by adding to the corporate limits.
1953	395	Amended section 2 of Priv. Acts 1927, ch. 158 by adding to the corporate limits.
1957	23	Amended section 33 of Priv. Acts 1949, ch. 559, by changing the amount of warrants for emergency borrowing.
1957	24	Amended section 29 of Priv. Acts 1927, ch. 158, by changing the salaries of the commissioners.
1965	62	Amended Priv. Acts 1927, ch. 158, by providing a parking board.
1965	208	Amended Priv. Acts 1927, ch. 158, by providing a parking board.
1967	37	Amended section 7 of Priv. Acts 1927, ch. 158.

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Year	Chapter	Subject
1969	92	Amended section 29 of Priv. Acts 1957, ch. 24, by changing the salaries of the commissioners.
1972	414	Amended Priv. Acts 1927, ch. 158, to provide a personnel merit system.
1974	327	Replaced section 23 of Priv. Acts 1927, ch. 158.
1982	230	Replaced section 23 of Priv. Acts 1974, ch. 327.
1983	76	Amended section 14 of Priv. Acts 1937, ch. 59.
1983	94	Amended section 24 of Priv. Acts 1927, ch. 158.
1987	8	Amended section 5, item 10 of Priv. Acts 1927, ch. 158.
1989	1	Replaced Priv. Acts 1927, ch. 158.
1991	122	Replaced article VIII, section 4 of Priv. Acts 1989, ch. 1.
1994	172	Replaced article IV, sections 2, 5, and 7 of Priv. Acts 1989, ch. 1. Also replaced article IX, section 14, of Priv. Acts 1989, ch. 1.
1996	147	Replaced article VIII, section 4 of Priv. Acts 1989, ch. 1.

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Year	Chapter	Subject
2000	84	Replaced article IV, section 4, salaries of board of mayor and aldermen; and replaced article IX, section 14, competitive bidding and purchasing procedures.
2001	11	Added subsection (33) to article II, section 1, powers enumerated.
2006	107	Replaced article III, section 1, date of general city election; and replaced article III, section 4, election procedures.
2010	49	Replaced article IV, section 13, legislative action which must be exercised by ordinance.
2010	64	Replaced article VIII, § 5, officers, employees, etc., who handle money to be bonded.

ORDINANCE 01-37

AN ORDINANCE ESTABLISHING WARD BOUNDARIES FOR THE CITY OF SPRINGFIELD, TENNESSEE AS SET FORTH IN EXHIBIT A ATTACHED

Whereas, Article IV, Section 1 of The Charter of the City of Springfield, Tennessee states that the governing body of Springfield shall consist of the Mayor and six Aldermen elected by the voters of Springfield, and that the Mayor shall be elected from the city at-large and the Aldermen shall be elected from their representative wards; and

Whereas, Article III, Section 5 of The Charter of the City of Springfield, Tennessee states that the Board of Mayor and Aldermen may from time to time by ordinance duly adopted alter the boundaries of the wards; and

Whereas, Article VII, Section 1 of the Tennessee Constitution requires that wards shall be apportioned at least every ten years based upon the most recent federal census; and

Whereas, there cannot be more than a ten percent deviation in population among wards and ward boundaries must be created without splitting census blocks.

Now, Therefore, Be It Ordained by the Board of Mayor and Aldermen of Springfield, Tennessee as follows:

Section 1. The ward boundaries of the City of Springfield are hereby established as set forth in "Exhibit A" attached.

Section 2. All ordinances, resolutions, and policies in conflict herewith shall be rescinded to the extend of the conflict only.

Passed 1<sup>st</sup> reading: October 16, 2001.

Passed 2<sup>nd</sup> reading: November 20, 2001.

Passed 3<sup>rd</sup> reading: December 18, 2001.

/s Dave Fisher  
Dave Fisher, Mayor

ATTEST:

/s Bobby C. Lehman  
Bobby C. Lehman, City Recorder

Exhibit A  
Ward Boundary Descriptions--October, 2001  
Based on the 2000 Census of Population

WARD 1

Ward 1 shall consist of the area inside boundaries described as beginning at the intersection of Richard Street and 15<sup>th</sup> Avenue West; thence, following east along 15<sup>th</sup> Avenue West to Cheatham Street; thence north along Cheatham Street to Central Avenue; thence east along Central Avenue to Batts Boulevard; thence north along Batts Boulevard to South Main Street; thence, north along South Main Street to 10<sup>th</sup> Avenue East, thence east along 10<sup>th</sup> Avenue East to Memorial Boulevard; thence north along Memorial Boulevard to 8<sup>th</sup> Avenue East; thence east along 8<sup>th</sup> Avenue East to Josephine Street; thence, north along Josephine Street to 5<sup>th</sup> Avenue East, then east along 5<sup>th</sup> Avenue E. to Smith Street; thence south along Smith Street to Poplar Avenue; thence, east along Poplar Avenue to the city limits, then south and east with the city limits to Bill Jones Industrial Drive; then south with Bill Jones Industrial Drive to a point in the old city limits, the same point being a corner of Census Block 1050, thence east with the line of CB 1050 and the old city limits to a corner, thence south with the east boundary of CB 1050 and the old city limits to the northeast corner of CB 1066, thence west with the north line of CB 1066 to Industrial Drive, thence south and east with Industrial Drive to its intersection with West Hillcrest Drive, thence south along West Hillcrest Drive to 17<sup>th</sup> Avenue East; thence northwest and westward along 17<sup>th</sup> Avenue E. to Martindale Drive; thence, south along Martindale Drive to Bluegrass Drive, then west along Bluegrass Drive to Meadowbrook Drive, thence south along Meadowbrook Drive to Memorial Boulevard; thence, west along Memorial Boulevard to Tom Austin Highway (Highway 431); thence south along Tom Austin Highway to 22<sup>nd</sup> Avenue E.; thence west along 22<sup>nd</sup> Avenue E. to 23<sup>rd</sup> Avenue E. then southwest along 23<sup>rd</sup> Avenue E. to South Main Street, then north along South Main Street to 21<sup>st</sup> Avenue E. then east along 21<sup>st</sup> Avenue E. to Blair Street, then south along Blair Street to 21<sup>st</sup> Avenue E., then east along 21<sup>st</sup> Avenue E. to Woodland St., then north along Woodland St. to 18<sup>th</sup> Avenue E., then east along 18 Avenue E. to Batts Boulevard, then north along Batts Boulevard to 17<sup>th</sup> Avenue E. then west along 17<sup>th</sup> Avenue E. to South Main Street, then south along South Main to 18<sup>th</sup> Avenue W., then west along 18<sup>th</sup> Avenue W. to Leota Street, then south along Leota Street to 18<sup>th</sup> Avenue W., then west along 18<sup>th</sup> Avenue W. to Richard St., then north along Richard Street to 15<sup>th</sup> Avenue West, the point of origin.

Ward 2

Ward 2 shall consist of the area inside boundaries described as beginning at the intersection of State Highway 49 W. and WDBL Road and the city limits line;

thence, following the city limits line generally south, then east, then north and east with the boundary of Census Block 3036 to a point in the city limits at the Bransford School property; thence, south with the city limits line. Census Block 3036, and the Bransford property to a corner of the city limits; thence, east to a corner of the city limits lying approximately 600 feet west of South Main Street; thence, southward with the city limits line roughly paralleling S. Main Street, crossing Lahr Road and ending at a corner of the city limits at R.A. Benton Lane and South Main Street; thence, north along South Main Street to 21<sup>st</sup> Avenue East; thence, east along 21<sup>st</sup> avenue E. to Blair Street; thence, south along Blair Street to 21<sup>st</sup> Avenue E.; thence, east along 21<sup>st</sup> Avenue E. to Woodland Street; thence, north along Woodland to 18<sup>th</sup> Avenue East, thence east on 18<sup>th</sup> Avenue E. to Batts Boulevard; thence, north along Batts Boulevard to 17<sup>th</sup> Avenue E.; thence, west along 17<sup>th</sup> Avenue E. to South Main Street; thence, south along South Main Street to 18<sup>th</sup> Avenue West; thence west along 18<sup>th</sup> Avenue West to Leota Street; thence, south along Leota Street to 18<sup>th</sup> Avenue West; thence, west along 18<sup>th</sup> Avenue W. to Richard Street; thence north along Richard Street to Central Avenue; thence, west along Central Avenue to State Highway 49 W.; thence, southwest along State Highway 49 W. to the point of beginning.

#### Ward 3

Ward 3 shall consist of the area inside boundaries described as beginning at the intersection of S Main St. and 23<sup>rd</sup> Ave. E.; thence, following along 23<sup>rd</sup> Ave. E. eastward to 22<sup>nd</sup> Ave. E; thence eastward along 22<sup>nd</sup> Ave. E to US Highway 431/ Tom Austin Hwy; thence, northeast along US 431/ Tom Austin Hwy to Memorial Blvd/US 41 Hwy; thence, southeast along Memorial Blvd/Us 41 Hwy to Driftwood Dr.; thence, southwest along Driftwood Dr. to Blackpatch Dr.; thence south along Blackpatch to the City Limits line (approximately 125 feet south of the new Southwest Connector Road); thence, following along the City Limits line, that roughly parallels the Southwest Connector, generally west and southwest to Old Hwy 431; thence, west along the City Limits to US 431 and the City Limits line; thence, north along US 431 with the city limits to South Main St.; thence, north along South Main St. to the point of origin.

#### Ward 4

Ward 4 shall consist of the area inside boundaries described as beginning at the intersection of Memorial Blvd. and Meadowbrook Drive; thence north along Meadowbrook Drive to Bluegrass Drive, then eastward along Bluegrass to Martindale Drive, then north on Martindale Drive to 17<sup>th</sup> Ave. E.; thence, generally east along 17<sup>th</sup> Ave E. to West Hillcrest Dr.; thence, northeast along West Hillcrest Dr. to Industrial Dr.; thence, east along Industrial Drive and Bill Jones Industrial Drive to Hillside Drive; thence, generally east along Hillside

Drive to its intersection with Roy Pitt Road; thence north along Hillside Drive to the City Limits line at Highway 76; thence east along the city limits line to a corner of the city limits, the same point being in the corner of Census Block 3026; thence, generally east and south along the city limits line and the northern boundary of Census Block 3026, encompassing Timberlake Subdivision to a corner; thence, southwest, and south crossing Roy Pitt Road to a corner in the city limits; thence, east along the north boundary of Census Block 3053 to Oakland Road; thence, south along Oakland Road and the city limits line to a corner of the city limits line and the Oakland Farms Subdivision; thence, east with the city limits and the Oakland Farms property to a corner; thence, north along the city limits line and the Oakland property line to a corner; thence, east along the northern boundary of Oakland Farms to a corner, thence, south with the city limits to the southeast corner of Oakland Farms; thence, west to a corner; thence, north to a corner; thence, west along the southern boundary of Census Block 3051 to a corner at Oakland Road; thence, south along Oakland Road to its intersection with Old Greenbrier Pike; thence, southeast along Old Greenbrier Pike approximately 900 feet to a corner of the city limits, then south with the city limits line to the northern ROW of the CSX Railroad; thence in a southeast direction with the railroad ROW and the Springfield City Limits approximately 12,300 feet to the Greenbrier City Limits; thence, with the Greenbrier and Springfield City Limits line crossing Highway 41 to a corner in the Springfield City Limits (same point being the southwest corner of Census Block 3016); thence, generally northwest with the Springfield City Limits in a zig zag fashion as it roughly parallels Highway 41, approximately 16,800 feet to the Stacy Springs Road; thence generally west, north, south and west with the city limits encompassing Chaucer Village and Quail Acres Subdivisions to a corner of the city limits at New Cut Road; thence, northward with New Cut Road and the city limits to the intersection of Driftwood Drive; thence northeast along Driftwood Drive to Memorial Blvd./U S 41; thence, northwest along Memorial Blvd. to the point of beginning.

#### WARD 5

Ward 5 shall consist of the area inside boundaries described as beginning at the intersection of 8<sup>th</sup> Avenue E. and South Main Street, then following north along South Main Street to 5<sup>th</sup> Avenue W., then west along 5<sup>th</sup> Avenue West to North Oak Street, then north along North Oak Street to 3<sup>rd</sup> Avenue West, then west along 3<sup>rd</sup> Avenue W. to North Garner Street, then north along North Garner Street to 2<sup>nd</sup> Avenue West, then east along 2<sup>nd</sup> Avenue W. to North Walnut Street, then north along North Walnut Street to north Main Street, then north along North Main Street to Sulphur Fork Creek, then west along Sulphur Fork Creek to the city limit line, then generally north along the city limit line to South Wallace Road, then west along South Wallace Road to a corner of the city limits (same point being the southwest corner of Census Block 1031); thence,

north along the city limits boundary and the western boundary Census 1031 to U.S. Highway 41 North; thence, east on US 41 North to the city limits; thence, north along the city limits line and Census Block 1001 to Old Highway 41, then east, south and east along the boundary of Census Block 1001 to Highway 161, then southeast along Highway 161 to US 431 North, then southeast along the city limits line to Quarry Road, then south across Quarry Road along the city limits to Blackwood Drive, then east along Blackwood Drive and the City Limits line to J Travis Price Park, then along property lines of J. Travis Price Park and the city limits line, encompassing J Travis Price Park, to Blackwood Drive, then west along Blackwood Drive to a corner of the city limits approximately 600 feet from Memorial Boulevard, then generally south and east along the city limits line and the fairgrounds property to a point in the city limits in the Indian Hills Subdivision property, then east with the city limits and the Indian Hills Subdivision property to a corner, then south with the city limits and the Indian Hills property and continuing southward to a point in the city limits approximately 300 feet from 5<sup>th</sup> Avenue East, then east to a point, then north, east, and south with the city limits around the John Johnston property, to a point in the ROW of Highway 49 East, then generally east with the city limits line, along Highway 49 E to a point in the City Limits approximately 450 feet east of its intersection with Highway 76 (Sulphur Fork Creek), then east and southeast around the Springfield High School property to a point in the city limits at Highway 76, then west with Highway 76 and south crossing Highway 76 with the city limits and Lake Road, and then paralleling lake road in a westerly direction to the northwest corner of the Wartrace Lake Subdivision, thence in a serpentine fashion southward with the city limits and the western boundary of the Wartrace lake subdivision and Wartrace Lake to a point at the south end of Wartrace Lake, then north and east with the lake shore and the city limit line and the Lakeside Estates Subdivision property to a point approximately 210 feet from Hillside Drive (said point being a corner of Census Block 3025), thence north with the city limits, parallel to Hillside Drive, to Highway 76, then east along highway 76 to Hillside Drive, thence south and west along Hillside Drive to Bill Jones Industrial Drive, thence, west to Industrial Drive; thence, west and north along Bill Jones Industrial Drive to Woodard Reed Road; thence, east along the northern boundary of Census Block 1066 to a point in the old city limits line, then north and east with the boundary to Bill Jones Industrial Drive; thence, west along the southern boundaries of Census Blocks 1056, 1053 and 1054 to Smith Street, then north along Smith Street to Highway 49 East/ 5<sup>th</sup> Avenue E., then west along 5<sup>th</sup> Avenue E. to Josephine Street, then south along Josephine Street to 8<sup>th</sup> Avenue E., then west along 8<sup>th</sup> Avenue E. to South Main Street and the point of origin.

## WARD 6

Ward 6 shall consist of the area inside boundaries described as beginning at the intersection of Memorial Boulevard and 10<sup>th</sup> Avenue E; thence, north along Memorial Boulevard to 8<sup>th</sup> Avenue E; then west on 8<sup>th</sup> Avenue E. to South Main Street, then north along South Main Street to 5<sup>th</sup> Avenue W., then west along 5<sup>th</sup> Avenue W, to north Oak Street, then north along North Oak Street to 3<sup>rd</sup> Avenue W. then west along 3<sup>rd</sup> Avenue W. to North Garner Street, then north along North Garner Street to 2<sup>nd</sup> Avenue W., then east along 2<sup>nd</sup> Avenue W. to north Walnut Street then north along North Walnut Street to North Main Street, then north along North Main Street to Sulphur Fork Creek, then west along Sulphur Fork Creek to the city limits line, then following the city limits line generally south and west to a corner of the city limits line (same point being the northwest corner of Census Block 1004), then south along the city limits line and the western boundary of Census Block 1004 to a corner in the city limits 300 feet north of Kinneys School Road, then generally northeast parallel to Kinneys School Road following Census Block 1004, Sulphur Fork Creek and the city limits to a corner of the city limits, which is also the northwest corner of Census Block 1022, thence south with the city limits, crossing Kinneys School Road, to a point in Kinneys Road, thence, south along the western boundary of Census Block 2013 and the city limits line, passing Green Hills Subdivision and the Fair Oaks Subdivision property to a point 500 feet north of New Chapel road, then following along the city limits line generally west and north to a point 600 feet from Lawrence Lane, (same point being the northeast corner of Census Block 2013), then following the city limits line and Lawrence Lane, west to the sewage treatment plant, then following the city limits line around the sewage treatment plant property to the south side of Lawrence Lane, then east along Lawrence Lane and the city limits line to a corner of the city limits south of Lawrence Lane in Census Block 2012, then south along the city limits line and the western boundary of Census Block 2012, crossing New Chapel Road to the southeast corner of Census Block 2023, then generally northeast, north, east and then south along the city limits line to Highway 49 W., then northeast along Highway 49 W. to Central Avenue, then east along Central Avenue to Richard Street, then south along Richard Street to 15<sup>th</sup> Avenue W., then east along 15<sup>th</sup> Avenue W. to Cheatham Street, then north along Cheatham Street to Central Avenue, then east along Central Avenue to Batts Boulevard, then north along Batts Boulevard to South Main Street, then north along South Main Street to 10<sup>th</sup> Avenue E, then east along 10<sup>th</sup> Avenue E. to Memorial Boulevard, the point of beginning.