

CHARTER FOR THE CITY OF RIDGESIDE, TENNESSEE¹

CHAPTER NO. 615.

HOUSE BILL NO. 1191.

(By Hamilton Delegation)

AN ACT to incorporate the City of Ridgeside in Hamilton County, Tennessee, and to repeal Chapter 608, of the Private Acts of Tennessee, for the year 1925, entitled “An Act to incorporate the Ridgeside Taxing District in Hamilton County, with power to levy and collect taxes for general taxing district purposes, and for other purposes.”

TABLE OF CONTENTS

<u>SECTION</u>	<u>PAGE</u>
1. Charter repealed	C-2
2. Boundaries set out	C-2
3. Board of commissioners	C-4
4. Election of commissioners	C-4
5. Requirements for candidacy	C-5
6. City responsible for publishing ballots	C-5
7. Elections governed by state election law	C-6
8. Commissioners shall take oath	C-6
9. Powers and duties of board of commissioners	C-6
10. Tax rate	C-8
11. Board of commissioners vacancies and quorum	C-8
12. Ordinances	C-8
13. City treasurer to execute bond	C-9

¹Priv. Acts 1931, ch. 615, is the current basic charter act for the City of Ridgeside, Tennessee. The text of the basic charter act set out herein includes all its amendments through the 2017 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. 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.

<u>SECTION</u>	<u>PAGE</u>
14. Board of commissioners have power to conduct audit	C-9
15. Funds from taxing district	C-9
16. Control of streets and highways	C-9
17. Effective date	C-10

SECTION 1. Be it enacted by the General Assembly of the State of Tennessee, That Chapter 608, of the Private Acts of Tennessee for the year 1925, entitled as above set out in the caption hereof, be and the same hereby is repealed.

SEC. 2. Be it further enacted, That the inhabitants of the territory hereinafter defined, to-wit:

Beginning at the northeast corner of the junction of the Shallowford and Ridgeside Roads in the Second Civil District of said county; running thence in a northeasterly direction along the south line of the Shallowford Road as it meanders to the northeast corner of Shepherd Hills Addition No. 3; thence in a southeasterly direction along the northern boundary of Shepherd Hills Addition No. 3 to the northeast corner of said Addition; thence continuing said line in the same direction to the west line of Cleveland Pike or Tunnel Boulevard; thence southwesterly along the west line of the Cleveland Pike or Tunnel Boulevard to the southeast corner of Crescent Park Addition; thence northwesterly along the south line of Crescent Park Addition (offsetting 54.1 feet at a point 185 feet from the said southeast corner) to the southwest corner of said addition; thence northeasterly along the west boundary line of Crescent Park to the southeast corner of Shepherd Hills Addition No. 1; thence in northwesterly direction along the south boundary line of Shepherd Hills Addition No. 1 to Rowe Road; thence in a northeasterly direction along the east side of Rowe Road to a point 210 feet south of Ridgeside Road; thence in a northwesterly direction, parallel with the Ridgeside Road to the eastern boundary line of the City of Mission Ridge (now Chattanooga); thence along the eastern boundary line of the City of Mission Ridge (now Chattanooga) to the south line of Shallowford Road; thence along the south line of Shallowford Road to the point of beginning, be and the same hereby are constituted a municipal corporation, a body politic and corporate under the name and style of the City of Ridgeside, and by said name shall have perpetual succession; to have and use a common seal which it may alter at pleasure; may sue and be sued, plead and be impleaded in all courts of law and equity; and may purchase, receive and hold property, real and personal, and sell and dispose of same for the benefit of the corporation. Said municipal corporation shall succeed the Ridgeside Taxing District in all of its property rights and shall assume all of the outstanding obligations thereof.

Priv. Acts, 1941, ch. 326, § 1 did not specify placement of this amendment regarding corporate boundaries. It is being placed here to accommodate the subject and contents of this section.

1. Beginning at a point on the north boundary line of the present City of Ridgeside at the intersection of the southeast corner of the J. W. Gholston tract; thence eastwardly along the north line of the City of Ridgeside a distance of five hundred forty feet (540 feet), more or less, to the southwest corner of Arcadia Land Company's Addition; thence northwardly along the west line of the Arcadia Land Company's Addition nine hundred fifteen feet (915 feet), more or less, to the south boundary of the Shallow Ford Road; thence westwardly along the south boundary line of the Shallow Ford Road to the northeast corner of the J. W. Gholston Tract; thence southwardly along the east line of the J. W. Gholston tract to the point of beginning.

2. Beginning at the intersection of the north boundary line of the City of Chattanooga and the east boundary line of a sixty-foot (60-foot) Tunnel Boulevard; thence eastwardly along the north boundary line of the City of Chattanooga and one hundred fifty feet (150 feet) north of Ridgeside Road to the west boundary line of North Germantown Road; thence northwardly along the west boundary line of North Germantown Road to the south east corner of Arcadia Land Company's Addition; thence westwardly along the south boundary line of Arcadia Land Company's Addition a distance of four hundred ten feet (410 feet), more or less, to the east boundary line of a sixty-foot (60-foot) Tunnel Boulevard; thence southwestwardly along the east line of the Tunnel Boulevard to the point of beginning.

3. Beginning on the west line of Tunnel Boulevard at the intersection of the northeast corner of Lot Twenty-three (23), Norwood Subdivision, and Lot A of Crescent Park Subdivision; thence westwardly along the north boundary line of Lot Twenty-three (23), Norwood Subdivision, a distance of two hundred feet (200 feet), more or less, to the intersection of the southwest corner of Lot One (1), Crescent Park Subdivision, and the northwest corner of Lot Twenty-three (23), Norwood Subdivision, thence fifty-four and five tenths feet (54.5) along the west boundary line of Lot Twenty-three (23) Norwood Subdivision, to the southwest corner of said lot; thence eastwardly along the south line of said Lot Twenty-three (23), Norwood Subdivision, to the Tunnel Boulevard; thence northwardly along the west boundary line of the Tunnel Boulevard to the point of beginning.

Priv. Acts, 1953, ch. 534, § 1 did not specify placement of this amendment regarding boundaries. It is being placed here to accommodate the subject and contents of this section.

Beginning at a stake corner in the north line of Shallowford Road just across the road from the intersection of Hilldale Drive and at the southeast

corner of the Negro Baptist Church property; thence along the southeastern line of said church property northeastwardly 300 feet to a stake corner; thence along the northeastern line of said church property westwardly 113 feet to a stake corner; thence northwardly along the fence line 272.7 feet to a stake corner; thence eastwardly along the Loomis 80 acre tract 575 feet to a stake corner in the back line of Lot 18 of said tract to a corner stake; thence southwardly a distance of 181 feet to the north line of the Shallowford Road; thence westwardly along the north line of the Shallowford Road, a distance of 640 feet to the point of beginning.

Priv. Acts 1965, ch. 39, § 2 did not specify placement of this amendment regarding corporate boundaries. It is being placed here to accommodate the subject and contents of this section.

Be it further enacted, That the corporate limits of the City of Ridgeside are contracted so as to remove and exclude therefrom all the people and territory within the following limits or boundaries, to wit:

Beginning at the intersection of the boundary line of the City of Chattanooga one hundred fifty feet (150) north of Ridgeside Road and the east boundary line of a sixty-foot (60) Tunnel Boulevard; thence eastwardly along the said boundary line of the City of Chattanooga and one hundred fifty feet (150 feet) north of Ridgeside Road to the west boundary line of North Germantown Road; thence northwardly along the west boundary line of North Germantown Road to the southeast corner of Arcadia Land Company's Addition; thence westwardly along the south boundary line of Arcadia Land Company's Addition a distance of four hundred ten feet (410 feet), more or less, to the east boundary line of a sixty-foot (60-foot) Tunnel Boulevard; thence southwestwardly along the east line of the Tunnel Boulevard to the point of beginning. [As amended by Priv. Acts 1941, ch. 326, § 1; Priv. Acts 1953, ch. 534, § 1 and Priv. Acts 1965, ch. 39, § 2]

SEC. 3. Be it further enacted, That the officers of said municipality shall consist of three Commissioners and a Treasurer, to be elected as hereinafter set forth. Said Commissioners and their successors in office shall constitute, and they are hereby declared to be a Board of Commissioners of said City of Ridgeside. The first Board of Commissioners of said City of Ridgeside shall be Paul W. Shepherd, Joseph W. Thompson and Percy B. Shepherd, and they shall serve until April 1, 1933, and until the election and qualification of their successors.

SEC. 4. Be it further enacted, That on the first Tuesday after the first Monday in November, 1966, same being the date of the State general election, and every four years thereafter the Commissioners of Election of Hamilton County, Tennessee, shall hold an election of the qualified voters of said city at

large, at which there shall be elected three Commissioners of said city whose terms of office shall begin on the first day of December following the date of election and continue for four (4) years and until their successors are elected and qualified.

No person shall be eligible to the Office of Commissioner unless he shall have been for at least one year next before his election a citizen of Tennessee and a resident of said city, nor unless, at the time of his qualification, he is a bona fide free holder in said city and shall have been a bona fide free holder in said city for at least one year next before his qualification.

The Commissioners of Election of said county shall give not less than forty-five (45) days' notice of the election by publication of such election notice in a newspaper published in Hamilton County, Tennessee. [As deleted and replaced by Priv. Acts 1965, ch. 20, § 2]

SECTION 5. Be it further enacted, That the name of any candidate shall be included on the ballot or voting machine when a written petition signed by at least ten (10) qualified voters of said city shall so request and when said petition shall be filed with the Commissioners of Election of said county at least forty (40) days prior to said election.

Said petition shall be accompanied by a statement over the signature of the candidate mentioned in said petition of his willingness to become a candidate for the position mentioned in said petition and that he has the qualifications for the office prescribed by the Charter of the City of Ridgeside, and requests that his name be included on the ballot or voting machine for said election.

Upon the expiration of the time for filing qualifying petitions, and not less than ten (10) days prior to the election, the Commissioners of Election of said county shall cause to be published in a newspaper published in Hamilton County, Tennessee, the names of the persons that will appear on the ballot or voting machine for said election, and will also cause to be published in like manner such other notices of said elections as may be provided by the general election laws of the State of Tennessee for municipal elections. [As deleted and replaced by Priv. Acts 1965, ch. 20, § 2]

SECTION 6. The said Commissioners of Election shall cause the election to be held, the votes counted, canvassed, and certified, as required by law in cases of regular municipal elections.

The said County Board of Election Commissioners shall also certify to the City of Ridgeside for payment of such expense as shall have been properly

incurred in holding said election, and said amount of expense shall be a charge against said city, and shall be paid by it in like manner as other miscellaneous expenses.

The above provisions of this Section shall also apply to the run-off elections, if any, hereinafter provided for.

In the event two (2) or more candidates fail of election because of a tie vote, a run-off election between such candidates shall be held on a date fixed by the Commissioners of Election of said county not more than sixty (60) days after the date of the election at which the tie vote occurred.

Not less than ten (10) days prior to said run-off election the Commissioners of Election of said county shall cause to be published in a newspaper published in Hamilton County, Tennessee, the names of the persons that will appear on the ballot or voting machine for said run-off election, and will also cause to be published in like manner such other notices of said run-off election as may be provided by the general election laws of the State of Tennessee for municipal elections.

The term of office of the candidate or candidates elected at said run-off election shall commence on the first day of the calendar month following the date of said run-off election and continue for the remainder of the four year term and until his or their successor or successors are elected and qualified. [As deleted and replaced by Priv. Acts 1965, ch. 20, § 2]

SEC. 7. Be it further enacted, That every act or deed, whether of commission or omission, be denounced by law as an offense in the case of regular State elections, is hereby declared to be a like offense in the case of any election held under this Act, and be punishable in like form and manner.

SEC. 8. Be it further enacted, That before entering upon the duties of their respective offices each Commissioner shall take and subscribe an oath, which shall be filed and kept in the office of the City Clerk to support the Constitution of the United States and the State of Tennessee and to obey the laws and the aim and to strive to maintain an honest and efficient city government, free from partisan dictation, and to perform the duties of his office to the best of his ability. This oath of office may be administered by any official within the State of Tennessee empowered by said State to administer oaths.

SEC. 9. Be it further enacted, That the Board of Commissioners, as provided for in Section 3 of this instrument, shall have and possess—and it and its members shall be subject to the provisions of this Act from and after the election and qualification of the first Board of Commissioners provided in this

Act—all the executive, administrative, legislative, and judicial powers usually possessed by municipalities under jurisdiction of the State of Tennessee, except the power to establish and maintain public schools, which function the corporation of the City of Ridgeside expressly leaves in the hands of the School Board of Hamilton County, Tennessee.

The Board of Commissioners—

- (1) Shall elect one of their members as City Treasurer.
- (2) Shall fix a tax rate, the proceeds of which shall be turned over to the City Treasurer. The tax rate shall be based upon the assessment for State and county taxes within the limits of the City of Ridgeside, and it shall be the duty of the County Trustee to collect said taxes, in the same manner and time, and for the same compensation, as county taxes are collected, and turn the same over to the City Treasurer.
- (3) Shall pass all necessary city ordinances and provide for the enforcement of same.
- (4) The City Treasurer shall issue his check for the expenditure of any and all funds, which shall not be valid unless countersigned by the Chairman of the Board.
- (5) Shall hold regular meetings for the transaction of business on the third Tuesday in April, July, October and January of each year. The Commissioners shall have power to call a meeting of the Board of Commissioners by giving five days' notice in any daily paper published in Chattanooga.
- (6) The Commissioners shall serve without pay.
- (7) Shall have the power to submit bond issues to a vote of the bona fide freeholders of the city upon three (3) successive publications in some daily newspaper published in Hamilton County, Tennessee.
- (8) Shall have power to make regulations to prevent the introduction of contagious diseases in the city; to make quarantine laws for the purpose, and enforce the same within the corporate limits of the city.
- (9) To make regulations to secure the general health of the inhabitants, and to declare, prevent, and remove nuisances.
- (10) To provide the city with water, by waterworks or otherwise, within or beyond the boundaries of the city.
- (11) To erect, establish and keep in repair, bridges, culverts, sewers and gutters.
- (12) To provide for lighting the streets, highways, and public buildings.
- (13) To provide for the erection of all buildings necessary for the use of the city.
- (14) To provide for the prevention and extinguishing of fire.
- (15) To organize and establish fire companies; to regulate restrain and prohibit the erection of buildings with a view to safeguarding the city from fire;

to regulate and prevent the carrying on of manufactures dangerous in causing or producing fires.

(16) To exercise sufficient police power for the protection of the health, lives, and property of the inhabitants of said city, to the end of enforcing same, to impose by ordinance, fines, forfeitures, and penalties for the breach thereof, which fines, penalties and forfeitures shall be recoverable before any Justice of the Peace of Hamilton County. Such Justice of the Peace shall have authority to issue process, either summons or *capias*, render judgement, issue execution, demand bail or commit to the workhouse of said Hamilton County; but the defendant in any such judgement shall have the right of appeal therefrom to the Circuit Court of Hamilton County, upon giving bonds for double the amount of such fines, penalties or forfeitures and costs.

To pass all ordinances not contrary to the Constitution and the laws of the State which may be necessary to carry out the full intent and meaning of this Act, and to accomplish the object of the city's incorporation. [As amended by Priv. Acts 1974, ch. 220, § 1; Priv. Acts 2000, ch. 106, § 1; and Priv. Acts 2017, ch. 5, § 1]

SEC. 10. Be it further enacted, That commencing with the year 1931, an annual tax at the rate of 45c for each \$100.00 of valuation is hereby levied upon all the property, real and personal, within said City of Ridgeside subject to taxation, and the valuation of said property for such taxes to be the same as taxed thereon for State and county valuation. Said tax for the year 1931 shall be a lien upon said property from and after the passage of this Act, and for succeeding years shall be a lien on and after the 10th day of January of each year; provided that if the rate of taxation imposed by this Act shall be in excess of the needs of said City of Ridgeside to carry out the purpose of this Act, the Board of Commissioners may suspend the collection of so much thereof as may not be so needed.

SEC. 11. Be it further enacted, That vacancies in the said Board of Commissioners shall be filled by the Board for the unexpired term, a majority of the members-elect concurring, but only at a regular meeting. Two members of said Board shall constitute a quorum, but a smaller number may adjourn from day to day. The attendance of members may be enforced by rules or ordinances with appropriate fines. The affirmative votes of two members shall be necessary to adopt any motion, resolution, or ordinance, or to pass any measure, unless a greater number is provided for in this Act.

SEC. 12. Be it further enacted, That said Board of Commissioners shall have the power to pass ordinances for the levying and collection of taxes, for the government of the city, for the imposition of fines for the violation of ordinances. But no ordinance shall be valid unless passed on two (2) separate readings after an opportunity for free discussion thereof. No ordinance shall be valid if passed

on the first and final reading on the same day, and no ordinance granting any kind of franchise shall be passed outside of a regular meeting. Nor shall any ordinance granting a franchise be valid unless published in full at least five (5) days before final passage, in some daily newspaper published in Hamilton County, Tennessee. The style or introductory clause of all ordinances shall be "Be it ordained by the Board of Commissioners of the City of Ridgeside." Every ordinance upon final passage on second reading shall be signed in open meeting by the Chairman of the Board, and at least one other Commissioner, and shall thereupon be delivered to the City Clerk, whose duty it shall be to copy it in a book to be kept for that purpose, together with the signature of said Chairman and Commissioners. If the Chairman of the Board shall disapprove of any ordinance or resolution the Chairman shall specify his objection thereto in writing by the next regular meeting of the Board of Commissioners. Such ordinance or resolution so disapproved or vetoed by the Chairman shall not be valid unless passed over said veto by a majority vote, but in all such cases the Chairman of the Board shall not be deprived of the right to vote as a member of said Board by reason of veto. [As replaced by Priv. Acts 2017, ch. 5, § 2]

SEC. 13. Be it further enacted, That the Board of Commissioners shall not be required to execute or file any official bond; but the City Treasurer chosen under this Act shall be required to execute and file with the City Clerk a bond, the amount of which shall be fixed by the Commissioners, for the faithful performance of his duties. Said bond shall be made by some duly recognized bonding company with the authority to do business in the State of Tennessee, and the cost thereof shall be paid by the City of Ridgeside.

SEC. 14. Be it further enacted, That the Board of Commissioners shall have the power and authority at the city's expense to have an audit made of all books and records of the City Treasurer at any time said Board of Commissioners may deem wise.

SEC. 15. Be it further enacted, That all funds and property of the City of Ridgeside Taxing District in the hands or coming into the hands of the Commissioners of the same shall be turned over to the Commissioners provided for in this Act.

SEC. 16. Be it further enacted, That said municipality shall have and exercise control over all streets and highways within its corporate limits. Beginning with and including the year 1931, no district road tax shall be levied by Hamilton county upon the property included within said corporate limits. Said municipality shall have the further power by ordinance to open, alter, abolish, widen, extend, establish, grade, pave or otherwise improve, clean and keep in repair, streets, alleys and sidewalks within its corporate limits.

SEC. 17. Be it further enacted, That this Act take effect from and after its passage, the public welfare requiring it.

Passed: June 25, 1931.

WALTER M. HAYNES,
Speaker of the House of Representatives

A. B. BROADBENT
Speaker of the Senate

Approved: June 29, 1931.

HENRY H. HORTON,
Governor

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

YEAR	CHAPTER	SUBJECT
1931	615	Repealed and replaced 1925 charter act.
1941	326	Amends § 2 relative to boundaries.
1953	534	Amends § 2 relative to boundaries.
1965	20	Repealed and replaced §§ 4, 5, and 6 relative to election of commissioners.
1965	39	Amended § 2 relative to boundaries.
1974	220	Amends § 9 relative to tax rate.
2000	106	Amends § 9 relative to tax rate.
2017	5	Replaced § 12 relative to passage of ordinances.