Municipal Technical Advisory Service
INSTITUTE FOR PUBLIC SERVICE

8-12-16

cc: Robert Springer
Andy Wright

August 8, 2016

Phillip Craighead
Mayor
City of Lebanon
200 North Castle Heights Avenue
Lebanon, TN 37087

Dear Mayor Craighead:

Enclosed is your charter reflecting changes made by Private Acts 2016, Chapter No. 52. Please remove your charter in its entirety from each of your city's codebooks and replace with the enclosed document. You may also view an up-to-date copy of your charter on the MTAS web site at hhtp://www.mtas.utk.edu/public/charters.nsf.

Should you have any questions regarding this update, please let me know.

Thank you,

Sandy Selvage
Administrative Specialist

Enclosure

c: Gary Jaeckel, MTAS
Kelley Myers, MTAS

CHARTER OF THE CITY OF LEBANON, TENNESSEE

CHAPTER 644[1]

Senate Bill No. 1058
(By Mr. Adams, by request)

AN ACT entitled An Act to incorporate the Town of Lebanon, in the County of Wilson, State of Tennessee; to provide for the government and control thereof; and to provide for the ways and means for the conduct and administration of said corporation.

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[1]Chapter 644, private acts of 1911, is the present basic charter act of the City of Lebanon. As unofficially compiled and set out herein, it has had all of its general and permanent amendments through the 2016 session of the Tennessee General Assembly incorporated. Where a section of the charter has been amended, deleted, or added, a reference to the official act or acts making the change is placed in brackets at the end of the section. It will be noticed that chapter 685, private acts of 1929, replaced all of the original act except the first two sections. Chapter 208, private acts of 1980, which authorized a hotel occupancy privilege tax for the city but did not amend the charter has been set out separately at the end of the charter compilation.

Bond authorization acts and acts authorizing special assessments have not been incorporated herein but are listed, together with all the other acts passed for Lebanon since 1911, at the end of the charter.

No changes have been made in the charter as set out herein except that its amendments have been incorporated, unofficial section catchlines have been added, and an unofficial table of contents has been included to facilitate reference to the charter.

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Section 1. Incorporation, name, and general powers. Be it enacted by the General Assembly of the State of Tennessee, That the Town of Lebanon, in the County of Wilson, and the inhabitants thereof, are hereby constituted and declared a body politic and corporate by the name and style of Lebanon, Tennessee, and by that name shall have perpetual succession; shall sue and be sued; plead and be impleaded in all the courts of law and equity and in all actions whatsoever; may purchase, receive, and hold real estate, personal and mixed property, and sell, lease, convey, and dispose of the same for the benefit of said corporation; and may have and use a common seal and change it at pleasure.

Section 2. Corporate limits.[1] Be it further enacted, That the corporate limits of Lebanon, Tennessee, shall embrace the territory within the following boundaries, to wit:

Beginning on a concrete marker in the ground on the South side of the Coles Ferry Pike by a Cedar stump, near the Northeast corner of the Wilson County Fair Grounds, and run N. 26 degrees 34' E 917.0 feet to a point in a wire fence; thence S. 87 degrees 45' E. 800.0 feet to a concrete marker in the ground on the N. line of West Forest Avenue; thence S. 85 degrees E. 726.0 feet to the intersection of the center line of N. Cumberland Street with the North line of Forest Avenue; thence South 86 5/8 degrees East 500.0 feet to the Southwest corner of the Texas Boot Company's property; thence North 4 degrees 00' 387.2 feet to the Northwest corner of Texas Boot property; thence S. 87 degrees 20' E. 371.5 feet to the boot Company's northeast corner; thence S. 7 degrees 23' E. 399.8 feet to the center line of East Forest Avenue; thence S. 86 5/8 degrees E. 1578.7 feet to a point in the Hartsville Pike indicated by a concrete marker on the West side of said pike; thence S. 8 degrees E. 2224.2 feet to a point in the middle of the Rome Pike noted by a marker on the East side of said pike; thence S. 50 degrees E. 2106.1 feet to a point on the South edge of the Trousdale Ferry Pike at the North end of Stokes Lane marked by a concrete marker on the North edge of said pike; thence S. 3 degrees W. 1775.4 feet to a concrete marker; thence S. 40 degrees W. 614.5 feet to a concrete marker; thence S. 54 degrees W. 924.0 feet to a point in the center line of the Lebanon and Sparta pike noted by

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[1]The corporate limits as set forth here have been extended by the following annexation ordinances of record in the office of the commissioner of finance and revenue: 57-251; 57-252; 58-259; 59-261; 59-265; 61-290; 61-291; 62-293; 63-297; 63-298; 63-303; 65-318; 66-324; 66-325; 69-351; 69-353; 75-395; 75-396; 76-414; 76-415; 78-453; 79-457; 79-463; 79-464; 80-474; 81-477; 82-481; 82-486; 82-495; 84-503; 85-520; 85-521; 87-562; 87-565; 87-566; 87-573; 87-598; 88-613; 88-614; 88-634; 88-654; 88-656; 88-666; 88-669; 89-681; 89-683; 89-685; 89-686; 89-687; 89-699; 89-718; 89-719; 89-722; 89-731; 89-732; 90-771; 90-809; 91-855; 91-887; 92-925; 93-1037; 93-1089; 94-1168; 95-1261 (replaced by Ord. #95-1343); 95-1342; 95-1343; 95-1363; 96-1430; 96-1431; 96-1432; 96-1433; 96-1434; 96-1435; 96-1436; 96-1437; 96-1450; 96-1516; 97-1635; 97-1679; 97-1703; 97-1718; 98-1735; 98-1736; 98-1737; 98-1738; 98-1739; 98-1740; 98-1741; 98-1742; 98-1743; 98-1745; 98-1756; 98-1757; 98-1758; 98-1855; 99-1938; 99-1940; 99-1060; 99-2010; 99-2012; 99-2014; 99-2016; 99-2018; 01-2182; 01-2206, 01-2211, and 01-2213; 01-2283 and 01-2293; 01-2297 (De-annexation); 02-2392; 03-2500; 03-2525; 04-2591; 04-2633; 04-2648; 05-2706; 05-2708; 05-2718; 05-2730; 05-2779; 05-2795; 05-2820; 05-2829; 06-2873; 06-2892; 06-2895; 06-2917; 06-2930; 06-2932; 06-2972; 06-2988; 06-2990; 06-2992; 07-3088; 07-3089; 07-3100; 07-3118; 07-3131; 07-3148; 07-3151; 07-3172; 07-3174; 07-3211; 07-3232; 07-3250; 08-2299; 08-3285; 08-3318; 08-3459; 08-3464; 09-3539; 09-3603; 09-3619; 09-3643; 10-3645; 10-3662; 10-3722; 11-3817; 11-3845; 13-4347; 13-4461; 14-4801; 15-1886; and 15-1887.

a concrete marker on the West side of the pike; thence S. 58 degrees W. 1427.3 feet to a concrete marker at the South end of a stone fence on the North line of Knoxville Avenue; thence S. 62 degrees W. 566.9 feet to a concrete block in the ground at the northeast corner of the Gulf Red Cedar lot; thence S. 4 3/8 degrees W. 594.0 feet to a concrete marker at the Southeast corner of the Red Cedar lot; thence along the South line of the above mentioned lot N. 85 degrees W. 332.6 feet to a concrete marker; thence S. 6 degrees W. 535.9 feet to a concrete marker on the North side of the Cainsville Road; thence on the North line of the said road N. 79 degrees W. 330.0 feet; thence N. 73 degrees W. 345.2 feet to a concrete marker; thence N. 39 degrees W. 165.0 feet, thence N. 20 degrees W. 96.4 feet to the intersection of the East line of South College Street with the West line of Tott Street; thence S. 65 degrees W. 2672.3 feet to a concrete marker in the Cedar Grove Cemetery; thence N. 76 W. 108.9 feet to the center line of the Lebanon and Murfreesboro Pike indicated by a concrete marker on the East edge of the Pike; thence N. 43 degrees W. 2057.2 feet to the center line of Hobbs Avenue with concrete marker on the North side of Hobbs Avenue, thence N. 32 5/8 degrees W. 352.4 feet to a concrete marker 50 feet North of the center line of the former N.C. & St.L. Railway; thence parallel to said center line S. 76 3/8 degrees W. 720.7 feet to an iron pin in a wire fence; thence N. 5 3/4 degrees W. 622.4 feet to an iron pin in the junction of wire fences; thence N. 88 degrees W. 438.2 feet to a point in an orchard; thence N. 2 degrees E. 1543.1 feet passing over a concrete line marker at 125 feet and on to an iron pin on the West line of Castle Heights Avenue at the Northeast corner of C. C. Jenning's yard; thence N. 87 3/4 degrees W. 891.7 feet to an iron pin on the East edge of Crest Drive; thence N. 2 degrees E. 308.2 feet to an iron pin 9.2 feet southeast of the center of a Hackberry tree; thence N. 76 degrees 50' W 1855.9 feet to an iron pin at a corner fence post on the East side of Dawson Lane; thence N. 87 degrees W. 280.5 feet to an iron pin on the West side of Sloan Street 10 feet East of the center of Hackberry tree; thence N. 0 degrees 26' E. 687.7 feet to the North side of a Cedar corner post; thence N. 12 degrees E. 432.2 feet to an iron pin 9 feet South of the center of a Hackberry tree; thence N. 76 degrees W. 1028.9 feet passing over an iron pin 3 feet South of a square red top Cedar fence post on the East bank of Barton's Creek to the middle of the Creek; thence N. 70 degrees 44' W. 1598.4 feet to a point in the Firestone property about 350 feet South of the center line of Highway 70N; thence N. 5 degrees 27' E. 948.8 feet passing the Southwest corner of Lux Clock Company land at 394.5 feet to a point on their West line; thence N. 1 degree 44' W. 791.2 feet to the North property line of the Tennessee Central Railway; thence along their North line N. 76 degrees 17' E. 1869.4 feet; thence N. 78 degrees 47' E. 185.0 feet; thence N. 80 degrees 44' E. 158.9 feet; thence N. 85 degrees E. 192.8 feet; thence N. 89 degrees 45' E. 170.9 feet; thence S. 85 degrees E. 58.1 feet; thence S. 80 degrees E. 2269.2 feet; thence S. 74 degrees 48' E. 161.3 feet; thence S. 72 degrees 23' E. 165.9 feet; thence S. 70 degrees 19' E. 181.7 feet; thence S. 67 degrees 22' E. 153.5 feet; thence S. 62 degrees 47' E. 168.0 feet; thence S. 60 degrees E. 119.4 feet; thence S. 58 degrees 26' E. 1641.9 feet to a point on the North line of said railway;

thence leaving the railway N. 5 degrees E. 1251.7 feet with the West line of the Sewage Disposal plant; to a point in the middle of the Town Creek; thence up the creek S. 48 degrees E. 198.0 feet; thence S. 52 degrees E. 225.5 feet; thence S. 41 degrees E. 288.4 feet; thence S. 15 3/4 degrees E. 163.0 feet to a point in the middle of the Creek marked by an iron pin on the West bank 4 feet South of a marked Hackberry tree; thence leaving the creek N. 37 degrees E. 1152.4 feet to the beginning. [as amended by ch. 180, pr. acts of 1923; ch. 275, pr. acts of 1945; ch. 410, pr. acts of 1949; ch. 219, pr. acts of 1951; ch. 414, pr. acts of 1953; and replaced by ch. 254, pr. acts of 1955]

ARTICLE I

Section 1. City council vested with government; composition of council. That the Government of Lebanon, Tennessee, the legislative, judicial, and the executive branches thereof, together with all the business of every nature and kind pertaining to said corporation, shall be and is hereby vested, in accordance with the provisions and restriction of this Act, in a City Council which shall consist of a Mayor and one Alderman from each ward of the City,[1] the number of which and their geographic locations to be determined by the City Council by ordinance, and shall have the powers, perform the duties, receive the compensation, possess the qualifications, be elected and qualify at the time and in the way and manner hereinafter provided. [ch. 685, art. I, § 1, pr. acts of 1929; as replaced by Priv. Acts 2016, ch. 52, § 2]

Section 2. Platting, replatting, and subdividing property controlled. That the City Council shall have and exercise supervision of the platting, replatting, and subdividing of property within the corporate limits of said City of Lebanon and within a mile of its corporate limits, to the extent of controlling the layout and width of streets, provided for in said plats or subdivisions, so that they may be made to conform to connecting streets and highways. The Register of Deeds of Wilson County, Tennessee, shall not register any map or plat or subdivision of any land subdivided into more than three lots or parcels, or designating any lands for street purposes, lying within the corporate limits of the City of Lebanon, or within a mile of the nearest boundary thereof, unless such plat or map or subdivision shall bear the written approval of the Commissioner of Public Works of said City. Any Register of Deeds found guilty of violating this section shall pay a fine of not less than Fifty Dollars nor more

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[1]Reduced to four (4) by art. XII, § 2; however, the number of council members has been increased to six (6) based on ch. 60, pr. acts of 1985, which amended Art. III, § 1, of the charter.

than Five Hundred Dollars, and the registration of any unapproved plat, map, or subdivision shall have no legal effect. [ch. 685, art. I, § 2, pr. acts of 1929]

Section 3. Jurisdiction of City outside corporate limits; nuisances; service of process. Be it further enacted, That all ordinances now in force or hereafter enacted, of a moral, criminal, quasi-criminal, sanitary or penal nature shall apply to any and all surrounding territory within one mile of said corporate limits. The City Council may by ordinance determine what constitutes a nuisance within the City limits and within said above mentioned mile limit, and regulate or abate said nuisance therein and within said mile limit. The jurisdiction of the City, city court, and the police powers of the City shall include said one mile territory for the purpose of enforcing the above provisions and the police power shall be co-extensive with that of a sheriff or his deputies in the execution of any paper or process issued from said City court, or in the enforcing of any of the City ordinances. [ch. 685, art. I, § 3, pr. acts of 1929]

ARTICLE II

CORPORATE POWERS

Section 1. Enumeration of Miscellaneous Ordinance Powers. Be it further enacted, said corporation shall have full power by ordinance within the corporate limits:

(1) To levy, assess, and collect taxes upon all property, and on all subjects or objects of taxation, polls, and privileges, within said limits, taxable by law for state purposes, as allowed by state law and as approved by the city council.

(2) To acquire, own, construct, and maintain industrial factory buildings, to lease or sell same to persons, firms, or corporations, and for such purposes to make appropriations and borrow money for such acquisition and construction; provided further, that in the event said industrial building or buildings are leased, the same shall be leased for an annual rent sufficient to pay all interest on funds borrowed.

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

(4) Deleted.

(5) Deleted.

(6) To make special assessments for municipal improvements.

(7) Deleted.

(8) To appropriate money and provide for the payment of the debts of the City and to borrow money as allowed by state law.

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

(10) To issue, sell, and pledge, or in any manner dispose of, negotiable or non-negotiable interest bearing or non-interest bearing bonds, warrants, promissory notes or orders of the City, solely upon the credit of income derived from any property used in connection with any public utility owned or operated by the City, or solely upon the credit of the proceeds of special assessments for local improvements, or upon any two (2) or more such credits; and also issue, sell, pledge, or in any manner dispose of any other bonds when authorized by the state law.

(11) To acquire, 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, except such as may hereinafter be prohibited.

(12) To condemn property, real or personal, or any easement, interest, estate or use therein, either within or without the City, for present or future public use, such condemnation to be made and effected in accordance with the terms and provisions of the statutory law of the State of Tennessee.

(13) To take and hold property within or without the City or State upon trust for the public benefit, and for the benefit and improvement of the City Cemetery and/or privilege therein.

(14) To acquire, construct, own, operate, and maintain, or sell, lease, mortgage, pledge or otherwise dispose of public utilities or any estate or interest therein, or any other utility of service to the City, the inhabitants, or any part thereof, and further, may issue debt for these purposes under the Local Government Public Obligations Act of 1986, compiled in Tennessee Code Annotated, Title 9, Chapter 21.

(15) To grant to any person, firm, association, or corporation, franchise for public utilities and public services to be furnished to the City and the inhabitants thereof. Franchises may be granted for the period of twenty-five (25) years or less, but not longer. The board may prescribe, in each grant of a franchise, the rates, fares, charges and regulations that may be made by the grantee of the franchise in accordance with state and federal law. Franchises may by their terms apply to the territory within the corporate limits of the municipality at the date of the franchises, and as the corporate limits may be enlarged, and to the existing streets, alleys and thoroughfares that may be opened after the grant of the franchise.

(16) To make contracts, subject to conditions hereinafter provided, with any person, firm, association or corporation, for public utilities and public services to be furnished to the City and the inhabitants thereof. The power to make contracts embraces the power to make exclusive contracts. When an exclusive contract is entered into, it shall be exclusive against any other person, firm, association or corporation. These contracts may be entered into for a period of twenty-five (25) years or less, but not longer. The City Council may prescribe in each such contract entered into 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 municipality at the date of the contract, and as the corporate limits may be enlarged, and to the then existing streets, alleys and thoroughfares and to any other streets, alleys and other thoroughfares that may be opened after the grant of the contract.

(17) To establish, open, relocate, vacate, close or abandon, alter, widen, extend, grade, improve, repair, construct, re-construct, maintain, light, sprinkle and clean, public highways, streets, boulevards, parkways, sidewalks, alleys, parks, public ground and squares, bridges, viaducts, subways, tunnels, sewers, and drains within or without the corporate limits, and to regulate the use thereof within the corporate limits, assess fees for the use of or impact upon such property and facilities, and take and appropriate property therefor under Tennessee Code Annotated, §§ 7-31-107, 7-31-111, and 29-16-203, or any other manner provided by general laws.

(18) To construct, improve, re-construct, and re-improve, by opening, extending, widening, grading, curbing, guttering, paving, graveling, macadamizing, draining or otherwise improving any streets, highways, avenues, alleys or other public places within the corporate limits and to assess a portion of the cost of such improvements upon the property abutting upon or adjacent to such streets, highways, or alleys, under and as provided by Tennessee Code Annotated, title 7, chapters 32 and 33, and said City may, by ordinance or otherwise, prohibit anyone from occupying, encroaching or trespassing upon any of the public lands, buildings, parks, streets, roads and alleys, within said corporation, and remove anyone from same who may have occupied or encroached on same; provided, that if there is necessary litigation in collecting said assessments, and suit is brought, the Council may, by ordinance, assess the delinquent defendants with all expenses of collection, including a reasonable attorney's fee.

(19) To assess against abutting property within the corporate limits of the City the costs of planting shade trees, removing from sidewalks all accumulations of snow, ice, and earth, the removal of all encroachments into or upon any street, alley or other property of the City, and for the cutting and removing of obnoxious weeds and rubbish, street lighting, street sweeping, street sprinkling, street flushing, and street oiling, the cleaning and rendering sanitary or removing, abolishing and prohibiting of closets and privies, in such manner as may be provided by general law or by ordinance of the board. Also to regulate and prevent the running at large and tying and fastening of cattle, hogs, horses, mules, stock, and other animals of all kinds.

(20) To acquire, purchase, provide for, construct, regulate and maintain, and to do all things relating to all market places, public buildings, bridges, market houses, sewers and other structures, works and improvements.

(21) To collect and dispose of drainage, sewage, offal, ashes, garbage, refuse, or other waste or license and regulate their collection and disposal, and

the cost of collection, regulation or disposal may be funded by taxation, special assessment to the property owner, user fees or other charges.

(22) To license and regulate all persons, firms, and corporations, companies, and associations, engaged in any business, occupation, calling or profession or trade not forbidden by law.

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

(24) 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, and to make and enforce regulations to secure the general health of the citizens and to remove and prevent nuisances.

(25) To prescribe the 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.

(26) To inspect, test, measure and weigh, any article of consumption or use within the City, and to charge reasonable fees therefor, which fees are to go into the treasury of the City, and provide standards of weights, tests and measures in such manner as may be provided pursuant to Tennessee Code Annotated, Title 47, Chapter 26, Part 9.

(27) Deleted.

(28) To regulate the location, bulk, occupancy, area, lot, height, construction and materials, including plumbing and electrical wiring of all buildings and structures, and to inspect all buildings, lands, and places as to their condition for health, cleanliness and safety, and when necessary, prevent the use thereof and require any alterations or changes necessary to make them healthful, clean or safe.

(29) To provide, construct and maintain, or donate to, charitable, educational, recreational, curative, corrective, detentive, or penal institutions, departments, functions, facilities, instrumentalities, conveniences and services. To make regulations to prevent the introduction or spread of contagious or infectious diseases in the City; to make quarantine laws for that purpose, and to enforce the same to the distance of two (2) miles from the City; to create a Board of Health and a Health Department, and to establish, build, and regulate hospitals and pest houses.

(30) Deleted.

(31) To enforce any ordinance, rule or regulation by means of fines, forfeitures and penalties, or by action or proceedings in any court of competent jurisdiction, or by any one (1) or more of such means, and to provide by ordinance for court costs as provided in the Municipal Court Reform Act of 2004, compiled in Tennessee Code Annotated, Title 16, Chapter 18, Part 3.

(32) To establish schools, to the extent authorized pursuant to general law, determine the necessary boards, officers and teachers required therefor and fix their compensation, to purchase or otherwise acquire land for or to assess a fee for the use of, or impact upon, school houses, play grounds 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.

(33) To regulate, tax, license, require vaccination or suppress the keeping or running at large of animals within the City; to impound the same, and in default of redemption to sell or kill the same as permitted by state law.

(34) To provide the City with water and light by waterworks and light plants within or beyond the boundaries of the City.

(35) To erect, establish, open, close and remove bridges, sewers, gutters, hydrants and cisterns.

(36) To establish, support, and regulate a police system, and to appoint special police when, in the opinion of the Mayor, it is necessary.

(37) To provide for the enclosing, improving and regulating of the public grounds and buildings belonging to the City, within or without the corporate limits.

(38) To provide for the prevention and extinguishment of fires, to establish and equip a fire department, and to restrain or prohibit the erection of wooden or combustible buildings in any part of the City; to regulate and prevent the carrying on of any business dangerous in causing or producing fires; to regulate the storage of all combustible, inflammable or explosive materials, and the use of lights or fire in the City, or the cleansing, burning, and sweeping of chimneys or stove pipes and to regulate or prevent the discharging, firing, shooting, or carrying of guns, pistols and fireworks in the City.

(39) Deleted.

(40) To designate from time to time a depository in which all of the funds of the City shall be kept, and it shall be cause for removal from office for any City official, school commissioner, or sinking fund commissioner, to refuse to deposit the funds in such person's hands in the depository so designated.

(41) To provide by ordinance for the construction, maintenance, repair and replacement of bridges, approaches, tunnels, overpasses and underpasses or other conveniences over or under the tracks or railroads where the same cross any of the streets of said City, to insure the safety of the public traveling on said streets. The expenses of building, maintaining, repairing or replacing of such part of said bridges, tunnels, overpasses, underpasses or other conveniences over or under the right-of-way of said railroad shall be borne by the railroad companies, and the expenses of building, maintaining, repairing or replacing said approaches to said bridges, tunnels, overpasses, underpasses or other conveniences shall be borne by the City, and the City Council shall have the power and authority to prescribe by ordinance regulations touching the kind and character of bridges, approaches, tunnels, overpasses and underpasses and all

other conveniences over or under said tracks or railroads and the manner of maintaining same.

(42) To change the number of wards and the boundaries of same, when and as it may deem proper, and also to provide additional voting precincts in the City and may increase or decrease the number of same.

(43) To purchase fire equipment and to erect or purchase buildings for the housing of same, and to make all appropriations necessary for such purpose.

(44) Deleted.

(45) The City of Lebanon shall have the right of eminent domain for all municipal purposes named in this charter and to that end shall have the right to condemn property, the proceedings of condemnation to be governed by the general law of condemnation for the State of Tennessee.

(46) Deleted.

(47) To regulate by Ordinance the operation of taxicabs and buses within the corporate limits of the City, and to require a reasonable amount of liability insurance, to be carried on same, in some reputable insurance company, or require an approved Indemnity Bond in lieu of such insurance.

(48) To have and maintain a City Court which shall have all of the powers and jurisdiction set forth in the Tennessee Municipal Court Reform Act of 2004, compiled in Tennessee Code Annotated, Title 16, Chapter 18, Part 3.

(49) To implement by ordinance all necessary safety and building codes or other municipal codes which are necessary for the general welfare and safety of the citizens of the City, including but not limited to the cleanup and removal of all dilapidated or unsafe structures or buildings; and to provide measures for the required cleanup and/or removal of the unsafe or dilapidated buildings or structures which may exist within the city limits of the City, and said power shall include but not be limited to the enforcement of ordinances to remove at the owner's expense any and all condemned and/or dilapidated structures or buildings which have been found by the City Court to be a threat to the general welfare of the public, and the enforcement of said cleanup provisions may include the placement of a lien on the subject real property for any and all cleanup and litigation expenses that are involved in the enforcement of the subject ordinances or codes.

(50) To enter into inter-governmental agreements with the State of Tennessee, Wilson County, or any other municipality wherein said intergovernmental agreements have been found to be in the best interest of the City.

(51) To enter into and implement private sector-public sector contractual arrangements for the development of industrial or business property within the City, where the subject contractual agreements have been found to be in the best interest of the City.

(52) To adopt by ordinance any and all powers for municipalities which are found in the general law for the State of Tennessee.

(53) Notwithstanding any other provisions of this Charter to the contrary, to adopt the provisions of the Municipal Budget Law of 1982, compiled in Tennessee Code Annotated, Title 6, Chapter 56, Part 2. Upon adoption of the subject Municipal Budget Law of 1982 by a two-thirds (2/3) vote of the City Council, the provisions of said Budget Law shall dictate the budget requirements for the City.

(54) Notwithstanding any other provisions of this Charter to the contrary, the City may adopt by empowering ordinance the Municipal Purchasing Law of 1983, compiled in Tennessee Code Annotated, Title 6, Chapter 56, Part 3. Upon adoption of the Municipal Purchasing Law of 1983, by a two-thirds (2/3) vote of the City Council, the provisions of said law shall be controlling concerning the purchasing requirements for the City.

(55) Deleted.

(56) To call for elections as provided in this charter.

(57) To have and exercise all powers that now or hereafter it would be competent for this charter specifically to enumerate, as fully and completely as though these powers were specifically enumerated.

(58) To create a design review commission, which shall have the authority to develop general guidelines and to develop procedures for the approval of the guidelines for the exterior appearance of all nonresidential property, multiple family residential property, and any entrance to nonresidential developments within the municipality; provided, that the authority is subordinate to and in no way exceeds the authority delegated to a municipal planning commission pursuant to Tennessee Code Annotated, Title 13, Chapter 4. Any property owner affected by the guidelines may appeal a decision by the design review commission to the Lebanon Regional Planning Commission.

(59) To regulate the business of electricians and electrical work in the City, and to enforce efficiency of same, and to that end to pass all ordinances necessary to carry out and enforce the powers delegated.

(60) Notwithstanding any other law to the contrary, the City, its agencies or divisions thereof, may within or without the state engage in investigating, exploring, prospecting, drilling, and mining for and producing natural gas and oil and mineral by-products thereof, and construct the appropriate facilities to produce, save, take care of, maintain, treat and transport natural gas and oil and mineral by-products thereof, or to contract for same with any person, federal agency, municipality or public or private corporation. The City, its agencies, or divisions thereof, shall not be granted any additional powers of eminent domain to carry out this section.

(61) To remove from certain lots any trees, vines, grass, underbrush or the accumulation of debris, trash, litter, or garbage, or any combination of the preceding elements, if it is determined by the appropriate department or person as designated by the City Council that any owner of record of real property has created, maintained or permitted to be maintained on such property such

elements, so as to endanger the health, safety or welfare of other citizens or to encourage the infestation of rats and other harmful animals, at a cost in conformity with reasonable standards and the cost thereof assessed against the owner of the property, as provided and effected by Tennessee Code Annotated, Section 6-54-113.

(62) To purchase land and install therein roads and streets and water, sewer, electric and other utilities for the purpose of aiding in the construction and development therein of performance halls, auditoriums, theaters, or other entertainment facilities, and to issue their bonds or notes to finance in whole or in part the costs of such land and improvements, in accordance with and subject to the requirements of Tennessee Code Annotated, Title 9, Chapter 21, and Title 13, Chapter 16, and to exercise all the powers set forth therein as it relates to such construction and development.

(63) To establish, by ordinance, a special tax not to exceed two cents (2¢) on each One Hundred Dollars ($100.00) valuation of the annual tax aggregate, for the purpose of establishing and maintaining a fund for advertising the commercial, social, agricultural, industrial, scenic, historical, and educational advantages of the City's community, and any points of interest and attraction, and for such other purposes as the City Council, in its discretion, believes will increase the population, value of taxable property, and the general business prospects and the general welfare of the City, in accordance with and effected by Tennessee Code Annotated, Section 6-54-201. [ch. 685, art. II, § 1, pr. acts of 1929; as amended by ch. 1, pr. acts of 1929 (Extra Session); ch. 86, pr. acts of 1935; ch. 410, pr. acts of 1949; ch. 219, pr. acts of 1951; ch. 199, pr. acts of 1970; ch. 185, pr. acts of 1994, § 1; and ch. 61, pr. acts of 2005, § 1; and replaced by Priv. Acts 2016, ch. 52, § 3]

Section 2. Enumeration of powers not exclusive of others, etc. Be it further enacted, That the enumeration of particular powers in this charter is not exclusive of others, nor restrictive of general words or phrases granting powers, nor shall a grant or failure to grant powers in this charter, and whether powers, objects or purposes are expressed conjunctively or disjunctively, they shall be construed so as to permit the City to exercise freely any one or more of such powers as to any one or more of such objects for any one or more of such purposes. [ch. 685, art. II, § 2, pr. acts of 1929]

Section 3. Employee welfare plan. To pay for or contribute toward the cost of Employee Welfare plan, including but not limited to, group life insurance, hospitalization insurance, health and accident insurance and/or retirement insurance, in the discretion of the Mayor and Board of Aldermen of Lebanon, Tennessee. [as added by ch. 414, pr. acts of 1953]

ARTICLE III

LEGISLATIVE BODY

Section 1. City council; composition; qualifications of members; elections; terms of office; vacancies; oaths; contests. Be it further enacted, That the governing body of said municipality shall be known as the "City Council" and shall be composed of a Mayor and as many Aldermen as there are wards in the City, being freeholders or householders, and residents of the City of Lebanon who have resided in said City for twelve months next preceding their election, and who shall have complied with the registration laws of the State and are qualified to vote in the election in which they are candidates.

That the election commissioners of Wilson County, Tennessee, shall hold an election at the voting places in the City on the last Thursday in October, 1961, for the purpose of electing a Mayor and the same number of Aldermen as there are wards in the City. The Mayor and the two Aldermen elected with the highest number of votes shall hold office for four years, the two Aldermen elected with the next highest number of votes shall hold office for two years, and until their successors are elected and qualified. Thereafter elections shall be held on the same day every two years, for the election of two Aldermen or a Mayor and two Aldermen, as the case may be, when their terms of office expire, to hold office for four year terms and until their successors are elected and qualified. If an additional ward or wards are created, the City Council shall designate the terms of office of the first Alderman or Aldermen to be elected, whether for two or for four years, so that as nearly as possible an equal number of Aldermen shall continue to be elected every two years to serve for four year terms of office. The Mayor shall be elected by the qualified voters of the entire City.

The Election Commissioners shall deliver a certificate of election to the person so receiving a majority of the votes cast for the office of Mayor, and the election Commissioners shall deliver certificates of election to each of said persons so receiving the highest number of votes cast for the office of Alderman. The said certificates shall entitle the persons holding them to be inducted into office pending a contest as aforesaid. The term of office of persons elected in 1995, 1997 and thereafter shall expire thirty (30) days after the election of the successor to such office and persons so elected shall be installed into office thirty (30) days after their election day, whether by regular election or run-off election, but no later than the first Monday of January following said election, unless the same shall fall on Sunday, and then on the first day thereafter. In case of a vacancy in any of said offices, except the Mayor, the City Council shall fill the vacancy or vacancies for the unexpired term by a majority vote of the City Council. The persons elected shall before assuming the duties of their respective offices, take an oath or affirmation before the Mayor in office or some Justice of the Peace of Wilson County, Tennessee, that they will support the Constitution

of the United States and of the State of Tennessee and the charter and ordinances of the City, and to demean themselves in their official capacity faithfully, honestly and with due regard to the welfare of the City, to the best of their ability. In case of a contest the mode of procedure shall be determined by the City Council. In case no election is held at the time specified, the authorities empowered to hold same shall call another election upon at least ten days' notice; provided, the present Commissioners shall hold office until their successors are elected under this amendment of the charter. Where there is a tie vote in the election of a Mayor, the same shall be filled by immediate runoff election according to ordinance. When no candidate in the election of a Mayor receives a majority of the votes cast for the office of Mayor the City shall, according to ordinance, conduct within forty-five (45) days of the regular municipal election a runoff election between the two (2) candidates receiving the greatest number of votes cast. Any such ordinance shall be adopted not less than forty-five (45) days before the qualifying deadline for a regular municipal election. In case of a tie vote for Alderman in any one or more wards, the members of the City Council shall, upon being installed into office, or at the next regular meeting, proceed to elect an Alderman or Aldermen from the ward or wards in which the tie occurred.

Beginning with each Aldermanic election occurring after July 1, 1985, each Alderman shall be elected by the qualified voters of the ward he represents and each ward shall contain a population substantially equal to all other wards in the City.

Beginning with the election held in November 2008, the city elections shall be conducted on the first Tuesday after the first Monday in November of the even-numbered years, to coincide with the state and federal elections. In order to effectuate the change in election dates from October of odd-numbered years to November of even-numbered years, the term of office for officials elected at the October 2005 election shall be from the date of induction into office in accordance with Article III, Section 1, of the Lebanon City Charter and shall expire in accordance with Article III, Section 1, of the Lebanon City Charter for an election to be held in November of 2008, whether by regular election or runoff election. The term of office for officials elected at the October 2007 election shall be from the date of induction into office in accordance with Article III, Section 1, of the Lebanon City Charter and shall expire in accordance with Article III, Section 1, of the Lebanon City Charter for an election held in November of 2010, whether by regular election or runoff election. Beginning with the November 2008 election, elected Lebanon City officials shall serve a term of four (4) years. [ch. 685, art. III, § 1, pr. acts of 1929, as amended by ch. 1, pr. acts of 1929 (Extra Session); ch. 158, pr. acts of 1943; ch. 176, pr. acts of 1961; ch. 60, pr. acts of 1985, § 1; ch. 120, pr. acts of 1991, §§ 1, 2, 3; ch. 185, pr. acts of 1994, § 1; and ch. 60, pr. acts of 2005]

Section 2.[1] Elections and qualifications for voting. Be it further enacted, That the City Council shall have the power to call, regulate and provide for all municipal elections, including all elections respecting bond issues; that all elections held under this charter shall be held and supervised by the Election Commissioners of Wilson County, Tennessee, or such other person or persons as may be authorized to hold State and County elections. In any election under this charter all registered voters who are and have been for six months next preceding the election bona fide residents of the City, and who shall be qualified to vote for members of the General Assembly of the State of Tennessee, shall be entitled to vote. [ch. 685, art. III, § 3, pr. acts of 1929, as amended by ch. 435, pr. acts of 1951; and renumbered by Priv. Acts 2014, ch. 45, § 1]

Section 3. Disqualifications for office of Mayor or Alderman. Be it further enacted, That no person shall become Mayor or Alderman who shall have been convicted of malfeasance in office, bribery or other corrupt practice or crime. If the Mayor or any Alderman shall be convicted of any such offense, he shall forfeit his office. [ch. 685, art. III, § 4, pr. acts of 1929; and renumbered by Priv. Acts 2014, ch. 45, § 1]

Section 4. Salaries of Mayor and Aldermen; expense allowance for Mayor; Mayor to be full-time. Be it further enacted, that the annual salary of the Mayor and City Council shall be set by ordinance. The salary of the Mayor and City Council shall be the amounts as of the effective date of this act and shall continue until the expiration of the time to which each was elected.

The Mayor shall also be entitled, in addition to the annual salary to be reimbursed for such expenses as he may incur in promoting the interests and welfare of the City of Lebanon, Tennessee, subject to any limitation set by ordinance.

The Mayor shall devote full time to the duties and demands of the office, and, during his tenure, shall not hold any other position of employment. [ch. 685, art. II, § 5, pr. acts of 1929, as amended by ch. 410, pr. acts of 1949; ch. 176, pr. acts of 1961; ch. 61, pr. acts of 1985, § 1; ch. 120, pr. acts of 1991, § 4; and renumbered by Priv. Acts 2014, ch. 45, § 1]

Section 5. Legislative and residual powers vested in council; council to act only when in session. Be it further enacted, that the legislative and other powers, except as otherwise provided by this charter, are hereby delegated to and vested in the City Council and the City Council may, by ordinance or resolution, not inconsistent with this charter, prescribe the manner in which all powers of the City shall be exercised, provide all means necessary or proper

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[1]The original art. III, § 2 was deleted by Priv. Acts 2014, ch. 45, § 1. The remaining sections of art. III were renumbered.

therefor, and do all things needful within or without the City or State to protect the rights of the City. The City Council shall, by resolution, have the power to approve all contracts and agreements that would legally bind the City in some manner.

Additionally, the City Council shall have the power to adopt, by resolution, an organizational chart of City departments and personnel setting forth the different departments and their names, the different department heads and their respective titles, and the departmental subdivisions and personnel for which the respective department heads are responsible. Such organizational chart shall be presented by the Mayor and shall promote efficiency within the City's departmental structure.

The City Council shall exercise its powers in sessions duly assembled and no member nor group of members thereof shall exercise or attempt to exercise the powers conferred upon the City Council except through proceedings adopted at some regular or special session. [ch. 685, art. III, § 6, pr. acts of 1929; and renumbered by Priv. Acts 2014, ch. 45, § 1; as replaced by Priv. Acts 2016, ch. 52,§ 4]

Section 6. Regular and special meetings of the council. Be it further enacted, That the City Council shall, by ordinance, fix the time and place at which the regular meetings of said City Council shall be held at the first meeting of the City Council after January 1, 1930. Said meetings shall be at least once a month and any officer whose duty it is to attend shall draw no pay for said month he fails to attend except in case of sickness or other lawful excuse noted on the minutes of said meeting.

Whenever, in the opinion of the Mayor, or of any three Aldermen, the welfare of the City demands it, the Mayor, or the Commissioner of Finance and Revenue shall call a special meeting of the City Council upon at least twelve hours' written notice to each Alderman, the Commissioner of Finance and Revenue and the Commissioner of Public Works and the City Attorney, such notice to be served by a member of the police force or left at their usual places of residence. Each call for a special meeting shall set forth the character of the business to be transacted at such meeting, and no other business shall be considered at such meeting. [ch. 685, art. III, § 7, pr. acts of 1929; and renumbered by Priv. Acts 2014, ch. 45, § 1]

Section 7. Mayor to preside and have limited voting rights. Be it further enacted, That the Mayor shall preside at all meetings of the City Council and shall vote only in the event of a tie vote, except in the election of City officials, when he shall vote as other members of the City Council. [ch. 685, art. III, § 8, pr. acts of 1929; and renumbered by Priv. Acts 2014, ch. 45, § 1]

Section 8. Vacancies in City Council. Be it further enacted, That when any vacancy in the City Council shall occur, the said Council, as then composed,

shall elect a person qualified to fill the vacancy in the same manner as though he had been seated by election, except that when a vacancy shall occur in the office of Mayor, the vacancy shall be filled as provided in the following section. Should the Mayor cease to be a bona fide resident of the City at any time during his term of office, his office shall thereupon become vacant, and should any Alderman change his residence from the ward from which he was elected, his office shall thereupon become vacant. [ch. 685, art. III, § 9, pr. acts of 1929; and renumbered by Priv. Acts 2014, ch. 45, § 1]

Section 9. Mayor pro tem. Be it further enacted, That at the first meeting of the City Council after any City election for Mayor and/or Alderman and after said Mayor and/or Alderman shall have been installed, the City Council shall choose from its membership a Mayor Pro Tem, to act in the absence, inability or failure to act as the Mayor, and whenever a vacancy occurs in the office of Mayor for any reason including the inability of the Mayor to act because of a physical or mental condition or death, the Mayor Pro Tem shall become Mayor and hold the office of Mayor until the next scheduled City election at which time an election for Mayor shall occur to fill the unexpired term of the replaced Mayor so long as the Mayor Pro Tem filled the position of the Mayor more than ninety (90) days before the next City election. Otherwise the Mayor Pro Tem shall complete the unexpired term of the Mayor. However, if the Mayor Pro Tem notifies the City Council in writing that he or she is unable or refuses to accept the office of the Mayor, the City Council shall chose a council member to become Mayor. If the Mayor Pro Tem becomes Mayor and his or her office as Alderman shall become vacant, the vacancy shall be filled by the City Council as herein provided, unless the Mayor Pro Tem fills the position of Mayor on a temporary basis. The City Council shall set an adequate compensation for the Mayor Pro Tem during the time he or she serves temporarily as Mayor. If the Mayor becomes disabled and unable to fulfill the duties of the office, the City Council may conduct a hearing to determine if a vacancy in the office of Mayor by disability should be declared. Upon a finding by the preponderance of the evidence that a vacancy by disability should occur, the City Council may by proper ordinance declare the office of Mayor to be vacant and request the Mayor Pro Tem to become Mayor. If the person holding the office of Mayor Pro Tem declines to fill the position of Mayor by written notice to the City Council, the City Council by majority vote shall appoint from its membership a person to become Mayor until the next election for the City of Lebanon, so long as the vacancy in the office of Mayor occurs at least ninety (90) days before the next scheduled City election. Otherwise, the person appointed Mayor by the City Council shall complete the unexpired term of the Mayor. If the Mayor Pro Tem resigns or is unable to complete the term to which he or she was elected as Mayor Pro Tem, the City Council may by affirmative vote of the majority elect from their membership a person to complete the unexpired term of the Mayor Pro Tem.

The mayor pro tem, as requested by the city council, may meet once a month, or as otherwise deemed appropriate by the city council, with the city's commissioner of finance to review expenditure information and monitor the city's fiscal activities and payments which are occurring. Pursuant to meetings requested by the city council, at the regular city council meeting on the third Tuesday of each month following such meetings the agenda will provide for the mayor pro tem reporting to the council the current status of fiscal activities for the city as determined from the monthly meeting with the commissioner.

The commissioner and the commissioner's staff shall, during such monthly meetings with the mayor pro tem, review all city expenditures during the previous thirty (30) days and will make available all information requested by the mayor pro tem. The commissioner shall assist the mayor pro tem in the monthly review of the current fiscal activities and records and shall by written or oral report disclose the following information:

(1) Any information or points of concern about fiscal activities which may fall within the areas covered in the comptroller's audit report of July 2003 and subsequent audit reports by the comptroller, if any. The commissioner shall make written recommendations concerning any policy changes that are needed;

(2) All past expenditures (purchase order and purchasing card, or other form of expenditure) during the previous thirty (30) days concerning trips, food expenditures, public relations, advertising and golf activities or any other areas of spending that have previously been questioned by the comptroller's office in the July 2003 audit and subsequent audit reports by the comptroller;

(3) Any other accounting or purchasing information designated or chosen by the mayor pro tem via specific request or by random review; and

(4) Any expenditures, if any, by the city during the past thirty (30) days that are either not in the fiscal year budget previously approved by the city council or which have been adjusted by the accounting staff (i.e., the movement of funds from one budget account, surplus or otherwise, to another). The commissioner shall explain to the mayor pro tem, for later report review by the city council, the reason that the subject monies were spent or moved by adjustment from the fiscal year budget accounts previously approved by the city council.

Such monthly review meetings between the commissioner and/or the commissioner's staff and the mayor pro tem shall occur at a time convenient and may occur after five o'clock post meridian (5:00 p.m.) if so requested by the mayor pro tem. Other members of the city council shall be notified of the meeting time and place and members are encouraged to attend the review meetings.

The mayor pro tem and commissioner are encouraged to devise a review program, including random review of accounting information. [ch. 685, art. III,

§ 10, pr. acts of 1929; as amended by ch. 20, pr. acts of 1999, § 2; ch. 61, pr. acts of 2005, § 3; and ch. 93, § 1, pr. acts of 2008; and renumbered by Priv. Acts 2014, ch. 45, § 1]

Section 10. Quorum; authority of council to compel attendance. Be it further enacted, that a majority of all the members of the City Council shall constitute a quorum, but a smaller number may adjourn from day to day and may compel the attendance of absentees in such manner and under such penalty as the City Council may provide. [ch. 685, art. III, § 11, pr. acts of 1929; and renumbered by Priv. Acts 2014, ch. 45, § 1]

Section 11. Council's power to determine its rules of procedure, punish for contempt, subpoena witnesses, etc. Be it further enacted, That the City Council may determine the rules of their proceedings, subject to this charter, and may arrest and punish by fine any member or other person guilty of disorderly or contemptuous behavior in its presence. It shall have power, and may delegate it to any committee, to subpoena witnesses and order the production of books and papers relating to any subject within its jurisdiction; to call upon its officers or the policemen to execute its process, and may cause to be arrested and punished by fine any person refusing to obey such subpoena or order. No fine for any offense under this section shall exceed Fifty Dollars.

The presiding officer of the City Council or the Chairman of any committee may administer oaths to witnesses. The City Council shall keep minutes of its proceedings, to be recorded in a well bound book suitable for that purpose. [ch. 685, art. III, § 12, pr. acts of 1929; and renumbered by Priv. Acts 2014, ch. 45, § 1]

Section 12. Council sessions to be public. Be it further enacted, That all sessions of the City Council shall be public except when acting as a committee of the whole. [ch. 685, art. III, § 13, pr. acts of 1929; and renumbered by Priv. Acts 2014, ch. 45, § 1]

Section 13. Mayor, Aldermen, and other officials may be removed from office by council. Be it further enacted, That any petition for recall of a Mayor or Alderman shall comply with the provisions set forth in Tennessee Code Annotated, Section 2-5-151. [ch. 685, art. III, § 14, pr. acts of 1929, as amended by ch. 1, pr. acts of 1929 (Extra Session), and ch. 93, art. III, § 14, pr. acts of 2008; and renumbered by Priv. Acts 2014, ch. 45, § 1]

Section 14. Mayor and councilmen may be removed from office by voters. Be it further enacted, That the Mayor or any Councilman of the City may be removed from office by the voters qualified to vote for a successor to such incumbent; the procedure to effect the removal of the incumbent shall be as follows: A petition, signed by qualified voters equal in number to at least fifty

percent (50%) of the total vote cast for the office held by the incumbent at the last regular election, demanding the recall of the person sought to be removed shall be filed with the county election commission, and notice given by the commission of such filing by publication at least once in a locally circulated newspaper, which petition shall contain a general statement of the grounds upon which the removal is sought; the signatures to the petition need not all be appended to one (1) paper, but each signer shall sign his name, and shall place thereon, after his name, the date of signing and his place of residence by street and number, or by other customary designation. To each petition paper there shall be attached a sworn affidavit by the circulator thereof stating the number of signers thereto, that each signature thereon is the genuine signature of the person whose name it purports to be, and that it was made in the presence of the affiant. Such petition shall be filed with the county election commission which shall, within fifteen (15) days, canvass the signatures thereon to determine the sufficiency thereof. A separate petition shall be filed for each person sought to be removed. The county election commission shall attach to such petition its certificate showing the results of the examination and deliver it to the City Council. Immediately after the City Council receives a petition duly certified as being sufficient it shall call a special recall election to be held not more thirty (30) days after the date of the election commission's certificate.

At such election voters qualified to vote for a successor to the incumbent shall vote either "for recall" or "against recall." If a majority of those voting vote "for recall" the person named shall be declared removed from office and the office declared vacant. Such vacancy shall be filled as directed in Section 9 of this Article, however, the person or persons so removed by said recall election shall not be eligible to be elected or hold office under Section 9 of this Article or hold any office or official position with said municipality except and until he or she may be elected by an election of popular vote by the qualified voters of said municipality, when same may be had. The said method of removal shall be cumulative and additional to the methods otherwise provided by law. No more than one election for the purpose of recall shall be held in any six (6) months period and no such election shall be held within a period beginning ninety (90) days before and ending ninety (90) days after a regular municipal election. [as added by ch. 176, pr. acts of 1961; and renumbered by Priv. Acts 2014, ch. 45, § 1]

Section 15. Votes required for council action; ordinances and resolutions to be signed. Be it further enacted, That the affirmative vote of a majority of the members of the City Council shall be necessary to adopt any ordinance or resolution of the City. Each and every ordinance or resolution passed by the City Council shall be signed by the presiding officer and the Commissioner of Finance and Revenue, and shall be filed with the Commissioner of Finance and Revenue. All elections by the City Council and all other actions, except for

obtaining a quorum, shall be by a majority vote of the City Council. [ch. 685, art. III, § 15, pr. acts of 1929]

Section 16. Officers to take an oath. Be it further enacted, that the officers of the City, before entering upon their duties, shall take an oath or affirmation before the City Judge that they will support the Constitutions of the United States and of the State of Tennessee and the charter and ordinances of the City, and that they will faithfully discharge the duties of their offices to the best of their ability. [ch. 685, art. III, § 16, pr. acts of 1929; as replaced by Priv. Acts 2016, ch. 52, § 5]

Section 17. Vice-Mayor. Be it further enacted, That the City Council is authorized to create by resolution the office of Vice-Mayor and to fill the office thus created by the election of a Vice-Mayor, the term of such office to be of such duration as the resolution shall provide, not to exceed three months. The sole duty of the Vice-Mayor shall be to represent the City of Lebanon at such times, places and occasions as the City Council may by said resolution provide. The office shall be an honorarium and carry no compensation or expenses. The City of Lebanon is authorized to accept donations of money to defray expenses incurred by such Vice-Mayor, and gifts for presentation by the Vice-Mayor in the name of the City of Lebanon, Tennessee. [as added by ch. 37, pr. acts of 1955]

Section 18. By affirmative vote of the majority of the members of the City Council the City of Lebanon may request the Wilson County Election Commission to authorize an election for the Cartmell Scholarship to Vanderbilt University and request said election be placed upon any regular City election ballot. [as added by ch. 93, pr. acts of 2008]

Section 19. To prevent possible conflicts of interest, no person who holds an elected office in the United States government, State of Tennessee government, or Wilson County government, Wilson County School System, or the Lebanon Special School District, shall be deemed to be qualified to hold an elected position of Mayor or Alderman for the City of Lebanon, so long as the person holds an office in any of the stated governments. However; if the person resigns his or her elected position in the federal, state or county government before certification of the election by the Election Commission, the person may be deemed qualified. Furthermore, the restrictions stated herein shall also apply to any person considered to be appointed to any vacancy in the Alderman positions under Section 9. [as added by ch. 93, pr. acts of 2008]

ARTICLE IV

ORDINANCES[1]

Section 1. Enacting clause for ordinances. Be it further enacted, That all ordinances shall begin "Be it ordained by the City of Lebanon." [ch. 685, art. IV, § 1, pr. acts of 1929]

Section 2. Existing ordinances to remain in effect. Be it further enacted, That all ordinances in force at the time of the taking effect of this act, passed under authority of prior charters, shall remain in full force and effect until amended or repealed, except where they are in conflict with the provisions of this Act. [ch. 685, art. IV, § 2, pr. acts of 1929]

Section 3. Readings required for ordinances and resolutions; when effective; publication. Be it further enacted, that every ordinance shall be passed on two (2) readings on two (2) separate days in open session of the City Council before it shall become effective, and all ordinances shall take effect from and after their final passage, unless otherwise provided therein; resolutions may be passed on one (1) reading. All ordinances and resolutions shall be signed by the Mayor and Commissioner of Finance and Revenue, and all ordinances, or the caption of each ordinance upon final passage, shall be published at least once in a newspaper of general circulation published in the City of Lebanon, or in pamphlet form, or by posting of said ordinances at a conspicuous place at the Courthouse of Wilson County, at Lebanon, Tennessee, the City Hall or City Administration Building of Lebanon, Tennessee, or both. [ch. 685, art. IV, § 3, pr. acts of 1929, as amended by ch. 410, pr. acts of 1949; and ch. 20, pr. acts of 1999, § 3, and replaced by Priv. Acts 2016, ch. 52, § 6]

Section 4. Ordinances to be numbered and preserved. Be it further enacted, That every ordinance, when filed with the Commissioner of Finance and Revenue, shall immediately be numbered and copied in an ordinance book and preserved in his office. [ch. 685, art. IV, § 4, pr. acts of 1929]

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[1]See also art. III, § 15, and art. XII, § 5.

ARTICLE V

MAYOR

Section 1. General powers and duties.

(A) Be it further enacted, that the Mayor shall be the chief executive officer of the City and shall preside at all meetings of the City Council, and perform such other duties consistent with the Mayor's office as may be imposed by the City Council. The Mayor shall have a seat and a voice, but no vote, except for the purpose of breaking a tie, and in the election of City officials, when the Mayor shall vote as other members of the City Council. The Mayor shall sign all checks required or approved by law or action of the City Council, shall sign the minutes of the City Council, shall sign all ordinances and resolutions upon their final passage, and shall execute all deeds, bonds, and contracts made in the name of the City as approved by the City Council. The Mayor's signature shall be attested by the Commissioner of Finance and Revenue. The Mayor may introduce ordinances and resolutions in the City Council.

(B) Additionally, the Mayor:

(1) Shall communicate any information needed, and recommend measures the Mayor deems expedient to the board;

(2) Shall make temporary or other appointments of any officer or department head as those terms are defined in Tennessee Code Annotated, Section 6-1-101, except that of alderman, arising from the absence, sickness or disability of any such officer or department head, and shall report such appointment to the board at its next regular meeting;

(3) May call special meetings of the board, upon at least twelve (12) hours' notice to the board and public, and shall state the matter to be considered at the special meeting. The action of the board shall be limited to such matter(s) submitted;

(4) Shall make appointments to boards and commissions as authorized by law;

(5) Employ, promote, discipline, suspend and discharge all department heads, for cause, and in accordance with personnel policies and procedures adopted by the board. Nothing in this charter shall be construed as granting a property interest to any employee or department head in their continued employment;

(6) Administer all business of the City;

(7) Make recommendations to the board for improving the quality and quantity of public services to be rendered by the officers and employees to the citizens;

(8) Keep the board fully advised as to the conditions and needs of the City;

(9) Report to the board the condition of all property, real and personal, owned by the City and recommend repairs or replacements as needed;

(10) Recommend to the board and suggest the priority of programs or projects involving public works or public improvements that should be undertaken by the City;

(11) Recommend specific personnel positions, as may be required for the needs and operations of the City; and

(12) Perform such other duties as may from time to time be designated or required by the City Council. [ch. 685, art. V, § 1, pr. acts of 1929; as replaced by Priv. Acts 2016, ch. 52, § 7]

Section 2. To perform acts required by council, appoint committees, take depositions, etc. Be it further enacted, That the Mayor shall have power and it is hereby made his duty to perform all acts that may be required of him by any ordinance or resolution duly enacted by the City Council not in conflict with any of the provisions of this charter. He shall have the power to appoint all standing committees provided for by the City Council and such special committees as he may deem proper. The Mayor shall have authority to administer oaths and affirmations, and to take depositions in the same way and for the same purposes and for the same fees and under the same laws, as Justice of the Peace. [ch. 685, art. V, § 2, pr. acts of 1929]

Section 3. To accept legal process against City. Be it further enacted, that all legal process against the City shall be served upon the Mayor, the Commissioner of Finance and Revenue, the City Attorney, or any person so designated in the City's legal department. If the Mayor or Commissioner of Finance and Revenue accepts legal process against the City, it shall be their duty forthwith to transmit the process to the City Attorney after writing thereon the time and manner of service. [ch. 685, art. V, § 3, pr. acts of 1929; as replaced by Priv. Acts 2016, ch. 52, § 8]

Section 4. Veto power. Be it further enacted, That the Mayor shall have the right to veto, within two whole days, Sundays excluded, any ordinance or resolution passed by the City Council. He shall enter his reasons for such veto on the minutes of the proceedings. The veto of the Mayor shall render null and void any ordinance or resolution, unless the City Council shall, by majority vote, re-enact or re-pass such ordinance or resolution, which has been vetoed at the next regular meeting of the City Council, except that when a new City Council may be inaugurated in the meantime, and in that event the ordinance or resolution shall be void and of no effect. [ch. 685, art. V, § 4, pr. acts of 1929]

Section 5. Department heads authorized to hire and discharge employees. Be it further enacted, that all persons designated by resolution of

the City Council as department heads shall be authorized to hire the employees in their respective departments and may discipline their respective employees, up to and including discharging the employee for cause, subject to any personnel policies and procedures adopted by the City Council. Nothing in this Charter shall be deemed to grant a property right to any employee in such employee's respective position. [as added by ch. 176, pr. acts of 1961; amended by ch. 120, pr. acts of 1991, §§ 7, 8; ch. 185, pr. acts of 1994, § 1; ch. 20, pr. acts of 1999, § 4; and replaced by Priv. Acts 2002, ch. 169, § 2; and Priv. Acts 2016, ch. 52, § 9]

ARTICLE VI

DEPARTMENT HEADS, ETC.[1]

Section 1. Department Heads, Department Managers, and Judicial Officials.

(a) All persons designated by resolution of the City Council as department heads shall be hired and managed by the Mayor and shall be subject to discipline by the Mayor, at the Mayor's discretion, up to and including termination for cause.

(b) Additionally, all persons designated by resolution of the City Council as department heads shall be subject to discipline by the City Council, up to and including termination for cause, in the form of a majority vote of the City Council at a regular called City Council meeting.

(c) The City Judge shall be designated a Judicial Official and shall be appointed by the Mayor and confirmed by a majority vote of the City Council before taking the oath of office and serving in such capacity. The City Judge shall be compensated in an amount, and receive such benefits, as determined by the City Council with the passage of an annual fiscal year budget. The City Judge shall serve at the pleasure of the City Council and shall not be subject to the City of Lebanon Personnel Rules and Regulations. In the event of the temporary absence, disability, or sickness of the City Judge, the City Judge may request a Wilson County municipal or general sessions judge to preside over the Lebanon Municipal Court by interchange. In the event that a Wilson County municipal or general sessions judge is unable to sit by interchange, the Mayor of Lebanon is authorized to appoint, in writing, a temporary City Judge, who shall be qualified on the basis of being licensed to practice law in the courts of the State of Tennessee and shall be empowered with all duties, responsibilities,

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[1]For provisions as to appointment and discharge of employees by department heads, see art. V, § 5.

See art. II, § 3, for provisions relating to an employee welfare plan and art. XII, § 11, for provisions authorizing pensions for certain personnel.

and abilities as the regular City Judge. The City Council of Lebanon shall determine the amount and duration of any compensation to be received by the temporary City Judge.

(d) The City Council shall set the salaries and compensation of all members thereof, and that of department heads, judicial officials, and all other city officers and employees with the passage of an annual fiscal year budget, and may define the duties of all City officials not inconsistent with the previous provisions of this charter. Any position, including that of any department head, may be frozen or eliminated by the City Council for budgetary reasons. The City Council, by a majority vote, shall, at any time, have the power and authority to limit the number of employees in any department of the City. Additionally, the City Council, notwithstanding any other provision in the law to the contrary, shall by a majority vote select, elect, and fill any and all positions of employment which may be created and which are paid in whole or in part by the federal and/or state governments.

(e) The City Council may authorize any officer, agent, or employee of the City to charge fees or commissions, and all fees or commissions collected by any officer, agent, or employee of the City shall be paid into the general fund of the City. [As replaced by Priv. Acts 2016, ch. 52, § 10]

Section 2. Deleted. [ch. 685, art. III, § 1, pr. acts of 1929, as amended by ch. 176, pr. acts of 1961; ch. 381, pr. acts of 1972, §§ 1 and 3; and by ch. 120, pr. acts of 1991, § 5; replaced by Priv. Acts 2014, ch. 45, § 2; and deleted by Priv. Acts 2016, ch. 52, § 11]

Section 2. Discipline of Department Heads. All disciplinary policies and proceedings against department heads shall be set forth in the City's personnel rules and regulations, as adopted by the City Council. [As added by Priv. Acts 2002, ch. 169, § 3; and replaced by Priv. Acts 2016, ch. 52, § 11]

ARTICLE VII

COMMISSIONER OF FINANCE AND REVENUE

Section 1. Commissioner of Finance and Revenue to have charge of all financial affairs. The Commissioner of Finance and Revenue shall be the chief fiscal officer of the City and shall advise the City Council of the financial condition and needs of the City as requested. The Commissioner shall audit all payrolls, accounts and financial records of the City and shall have charge of the financial affairs of the City, including the efficient keeping and supervising of all accounts of the City, the supervision and disbursement of all funds and money, the collection of all money due the City, and shall sign all checks issued on behalf of the City. The Commissioner may require proper fiscal accounts, records and reports to be made to the Commissioner's office by the department

heads, officers, and employees of the City. The Commissioner shall at least monthly, and more often if the Commissioner deems it advisable, require settlements from the officers or employees charged with the collection of any revenue of the City. The Commissioner shall perform such other duties as the City Council may by ordinance require. [ch. 685, art. VII, § 1, pr. acts of 1929, as amended by ch. 381, pr. acts of 1972, § 4; and replaced by Priv. Acts 2016, ch. 52, § 12]

Section 2. The Commissioner of Finance and Revenue shall keep the records of the City Council and perform such other duties as may be required of him by the City Council. He shall have a seat and voice in the City Council, but no vote. He shall receive a salary to be fixed by the City Council. He shall, by his signature and the seal of the City, which seal shall be in his keeping, attest all instruments signed in the name of the City and all official acts of the Mayor. He shall have authority to administer oaths and affirmations, and to take depositions, and shall have power to accept service of process. He shall be present at all meetings of the City Council and shall keep a full and accurate record of all business transacted by the same, to be preserved in permanent book form. He shall have custody of and preserve in his office the seal of the City, public records, original rolls and ordinances, ordinance books and minute books of the City Council. He shall provide all contracts, bonds, title deeds, certificates and papers, all official indemnity or security bonds, and all other records, bonds, oaths and affirmations, papers and documents not required by this charter or by ordinance to be deposited elsewhere. When required by any officer or person, he shall certify copies of records, papers and documents, in his office and charge such fees therefor, for the use of the City, as may be provided by ordinance. He shall have copies of ordinances printed as may be directed by the City Council. He shall be the general accountant and auditor of the City, shall have custody of all records, papers and vouchers relating to the fiscal affairs of the City, and the records in his office shall show the financial operation and conditions of the property, assets, claims and liabilities of the City, all expenditures authorized and all contracts in which the City is interested. He shall make a yearly report showing in full detail the financial condition of the City, which shall be published in pamphlet form in the number required by the City Council for distribution. He shall cause an efficient system of accounting to be installed and maintained. [ch. 685, art. VII, § 2, pr. acts of 1929; as amended by ch. 62, § 3, pr. acts of 2005; and Priv. Acts 2009, ch. 33, § 1]

ARTICLE VIII

DELETED

[As deleted by Priv. Acts 2016, ch. 52, § 13]

ARTICLE IX

CITY ATTORNEY

Section 1. Qualifications, election, and salary. Be it further enacted, that the City Attorney shall be an attorney at law, entitled to practice in the Courts of the State of Tennessee, and shall be hired by the Mayor as the head of the City's legal department. The position shall be full-time and the City Attorney shall receive such salary as shall be fixed by the City Council in the annual budget ordinance.

When deemed necessary by the Mayor, and as budgeted by the City Council, the Mayor may hire an Assistant City Attorney or Attorneys, either in a full-time or part-time capacity. The City Attorney shall make recommendations to the Mayor on such hirings and shall supervise such attorneys as part of the legal department staff. [ch. 685, art. IX, § 1, pr. acts of 1929; as replaced by Priv. Acts 2016, ch. 52, § 14]

Section 2. General powers and duties. Be it further enacted, That except as otherwise provided herein the City Attorney shall direct the management, under the supervision of the City Council, of all litigation in which the City is a party, including the function of prosecuting attorney in the City Court when it is necessary; he shall 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 are officially interested; attend all meetings of the City Council, advise the council, its members and committees, and the heads of all departments as to all legal questions affecting the City's interest, and shall 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. [ch. 635, art. IX, § 2, pr. acts of 1929, as amended by ch. 61, § 4, pr. acts of 2005]

Section 3. Notwithstanding any other provision of the city charter to the contrary, if any member of the city council requests outside legal support by written request, including the specific need for legal consultation and the nature of the matter, during the course of a city council meeting, then the subject request shall be placed before the council by ordinance and must be approved by two (2) readings in order to seek the requested outside legal consultation. Upon passage by first reading of an ordinance to obtain outside legal counsel, the city attorney shall inform the members of the city council of any and all knowledge he or she possesses about the subject matter and issue a written opinion about his or her knowledge on the matter within ten (10) days. Upon passage by second reading of the ordinance requesting outside legal advice, the city attorney shall secure the services of any designated attorney in the ordinance. If no attorney is specified by the city council ordinance, then upon final passage the city attorney shall make three (3) recommendations at the

next regular city council meeting concerning who should be considered for said legal consultation and the council may choose from such recommended list. The city council shall consider the city attorney's recommendations, at their option, but shall have the full authority and power to hire independent legal counsel as they deem appropriate, and to designate the subject attorney involved. Any city attorney failing to follow this procedure to assist the city council in obtaining legal consultation as stated herein shall be subject to discipline including dismissal for cause. [as added by ch. 61, § 5, pr. acts of 2005)

Section 4. It is the city attorney's responsibility to directly manage, under supervision of the city council, all litigation involving the city. To assist the city council in its need to supervise all litigation, the city attorney shall file an annual report with the council on or before the first regular city council meeting in October of each year. Such report shall describe each type of litigation, the court involved, the names and addresses of the parties, names of all legal counsel involved, and the nature and status of the litigation. The annual report shall include a summary of the above information for all current and active litigation in which the city is a party and shall contain complete details as to the present status of all pending lawsuits and administrative claims involving the city or its officers or employees. All resolution and settlements of litigation shall be reported to the city council within thirty (30) days of resolution by settlement or otherwise and said report shall contain the details of the settlement including monies paid or spent or promised. The annual report shall also contain an analysis by the city attorney of repeated areas of exposure, if any, with recommendations as to how the subject litigation can be avoided in the future with, but not limited to, education and training of city employees in the exposure areas. No settlements involving the payment of city money shall be made without prior approval of the city council. Settlements made by insurance or bonding companies on behalf of the city should not require city council approval; however, the council shall be informed of the details concerning the settlement. In addition to the annual report described above, the city attorney shall also provide quarterly reports at the first regular city council meeting in each of January, April, and July fully summarizing any new litigation, resolutions or actions of any current litigation occurring in the previous ninety-day period. Failure to provide the information required in this section shall be a subject for discipline of the city attorney, including possible dismissal. [as added by ch. 61, § 5, pr. acts of 2005)

Section 5. Except for the provisions allowing the employment of legal consultation for the city council as described in Section 3 of this article, all legal responsibilities and duties for the city shall be conducted by the city attorney and the city attorney's staff, except as otherwise specifically approved by an ordinance passed on two (2) readings before the city council. The mayor, department heads, and the city attorney are prohibited from employing or

paying for any outside legal services for matters involving the city except upon specific prior written approval of the city council. This section shall not restrict or require prior authorization concerning the representation of city interests by attorneys employed and paid by insurance or bonding companies acting to protect the city. The ordinance requesting approval of outside legal assistance shall describe the details to be performed, the reason the city attorney or staff cannot perform the duties, and the estimated cost of the outside legal assistance to be employed. If the city attorney believes it is more cost efficient to provide such legal services by the city attorney staff or increases thereof, a written proposal shall be presented for consideration by the city council. However, the city council shall not unreasonably withhold or refuse to provide outside legal assistance as may be requested by the city attorney. To control costs, the city attorney shall personally make every effort to perform the needed legal services before requesting the city council to approve outside legal assistance. Nothing in this section shall be construed to conflict with the attorney-client privilege as defined by law.

Prior authorization is not required if the retention of an attorney in a specialized field of practice is deemed of such necessary urgency by the Mayor that if immediate action is not taken to retain such attorney, the City would suffer financial harm or other serious detriment. In such a circumstance, the City Council shall be informed at the next regular city council meeting of the retention of such attorney and the details of why such action could not wait for prior authorization. [As added by ch. 61, § 5, pr. acts of 2005; and amended by Priv. Acts 2016, ch. 52, § 15]

ARTICLE X

CITY COURT

Section 1. Jurisdiction and authority. The City Judge shall preside over the City Court of Lebanon, and shall have jurisdiction in and over all cases for the violation of, offenses against, and in all cases arising under the laws and ordinances of the City, and such other jurisdiction as may be conferred upon the City Court by the general laws of the State, including but not limited to the Tennessee Municipal Court Reform Act of 2004, compiled in Tennessee Code Annotated, Title 16, Chapter 18, Part 3. The City Judge shall have the authority to administer oaths and affirmations as required by law. The City Judge shall have the power and authority to impose fines, costs and forfeitures, and to punish by fine all violations of the City ordinances, to preserve and enforce order in the City Court, and to enforce the collection of all such fines, costs and forfeitures imposed by the court. Pursuant to the procedure set forth in Tennessee Code Annotated, Section 16-18-311, the City Council may extend the jurisdiction of the City Court to the same General Sessions jurisdiction presently held by the General Sessions Courts of Wilson County, Tennessee. [ch. 685, art.

X, § 2, pr. acts of 1929, as amended by ch. 200, pr. acts of 1971, § 1; ch. 38, pr. acts 1989, § 2; and ch. 185, pr. acts of 1994, § 1; and replaced by Priv. Acts 2016, ch. 52, § 16]

Section 2. Collection and disposition of fines and court costs. Be it further enacted, that all fines and court costs imposed by the City Judge for violations of the Lebanon Municipal Code or any other code, regulation, or ordinance authorized by the City Council, shall belong to the City, and shall be collected by the City Court Clerk. The City Court Clerk shall report all collections, including the amounts, from whom collected, and the offenses for which collected, and said sums shall be paid over by the City Court Clerk to the Commissioner of Finance and Revenue. The City Council shall set all court costs by ordinance and in accordance with laws of the State of Tennessee. [ch. 685, art. X, § 3, pr. acts of 1929; as replaced by Priv. Acts 2016, ch. 52, § 16]

Section 3. Detailed docket to be kept. Be it further enacted, that the City Court Clerk shall keep or cause to be kept the City Court docket or dockets embodying complete detailed records of all cases tried and determined in the City Court. [ch. 685, art. X, § 4, pr. acts of 1929, as amended by ch. 1, pr. acts of 1929 (Extra Session); as replaced by Priv. Acts 2016, ch. 52, § 16]

Sections 4 through 7. Deleted. [As deleted by Priv. Acts 2016, ch. 52, § 16]

ARTICLE XI

TAXATION AND REVENUE

Section 1. General provisions. Be it further enacted, That the assessments, levy and collection of all taxes, including privileges, taxes and special assessments, shall be in charge of the Commissioner of Finance and Revenue, subject to the limitations of this Charter. Upon all taxes due the City of Lebanon becoming past due and delinquent, the Commissioner of Finance and Revenue, shall within a reasonable time thereafter make out such list of delinquent taxes, certify to the correctness of the same, and deliver such certified list to the City Attorney or Acting City Attorney, and it shall, thereupon, be the duty of said City Attorney or said Acting City Attorney to institute suit in a Court of Wilson County, Tennessee, having jurisdiction thereof, within a reasonable time, for the collection of such taxes. Said suit shall be brought in the name of and for the use and benefit of the Corporation of Lebanon, Tennessee, in the manner that such tax suits are usually and legally brought. Upon the Commissioner of Finance and Revenue making out and certifying such list of delinquent taxes, and delivering same to the City Attorney or Acting City Attorney, said Commissioner shall thereupon be released and

relieved from further liability for the collection of such taxes. For the purpose of collecting privilege taxes to the City, the Commissioner of Finance and Revenue shall have the same right and power to issue distress warrants as collection or privilege taxes for State and County purposes, which warrant shall be directed to the police officers of the City, who are hereby authorized to execute and return same.

All property real, personal and mixed, subject to State, County and City taxes, and all privileges taxable by law, shall be taxed and taxes thereon collected by the City for Municipal purposes as hereinafter provided. And ad valorem tax upon stocks, accounts and equipment may be assessed and collected in like manner as State and County merchants ad valorem tax is assessed and collected upon the same property.

The City Council shall have full power to levy and collect taxes as of January 10th of each and every year. It shall also have full power to assess privileges and polls. All taxes of every kind already assessed for the year 1935 under the present Charter shall be legally assessed and collected as assessed, and the collection thereof shall be under the provisions of the present Charter. That the first assessment of taxes made under this Act shall be for the year 1936.

It shall be the duty of the Commissioner of Finance and Revenue to prepare or cause to be prepared from said City tax assessors books or the Wilson County tax assessor's books and of the public utilities commission of Tennessee a tax book, similar in form to that required by the laws of the state to be made out for County Trustees, but suitable to the needs of the City. Such tax books, when certified to be true, correct and complete, by the Commissioner of Finance and Revenue, and after same shall have been equalized by the City Board of Equalization, shall be the assessment for taxes in the City for all municipal purposes; provided, that there may be an assessment by the City at any time of polls and privileges, or any property subject to taxation, found to have been omitted, and such assessment shall be duly noted and entered on the assessment book of the City. The City Council shall have power to levy and collect in each year for general purposes the taxes authorized by law.

That at the next regular meeting of the Mayor and Board of Aldermen of Lebanon, Tennessee, after the passage of this Act, shall appoint a tax assessor for said municipality, the duties shall be hereinafter set out, to serve until the first meeting of said Board in January, 1936, at which time, and every two years thereafter, a tax assessor shall be appointed for a term of two years.

It shall be the duty of the public utilities Commission of Tennessee to prepare a separate assessment book or roll, showing the real, personal and mixed property assessable by it lying within the limits of the City of Lebanon. The City Council may provided compensation to said public utilities commission for furnishing the same.

These records shall be certified to the Commissioner of Finance and Revenue of the City upon the completion of the work of the State Board of Equalization.

(1) In order to provide revenue for municipal purposes, personal property, privileges, and polls shall be assessed annually, and real estate shall be assessed every two years, in the odd years.

(2) All the property of every kind shall be assessed at its actual cash value. The term "Actual Cash Value," is defined to mean the amount of money the property would sell for, if sold at a fair, voluntary sale. [ch. 685, art. XI, § 1, pr. acts of 1929, as amended by ch. 573, pr. acts of 1935; ch. 158, pr. acts of 1943; and ch. 185, pr. acts of 1994, § 1]

Section 2. Assessments. Be it further enacted, The basis of all assessments shall be as follows:

(1) To assess the property to the person or persons owning or claiming to own the same on the 10th day of January of the year for which the assessment is made, if known; if not, to unknown owners.

(2) To assess the property held by executors and administrators of decedents residing at the time of death in said municipality, until such shall have been distributed.

(3) All mineral and timber interest and all other interest of whatsoever character, whether for life or a term of years, in real estate, including the interest which the lessee may have in and to the improvements erected upon land where the fee, reversion, or remainder therein is exempt to the owner therein, and which said interest or interests is or are owned separate from the general free-hold, shall be assessed to the owner thereof, separately from the other interests from such real estate, which other interests shall be assessed to the owner thereof, all of which shall be assessed as real estate.

(4) In assessing real estate, the following shall be shown:

(1) The description of the property;

(2) The name of the true owner or owners if known;

(3) The actual cash value of land, or lot, including the improvements, and also all interest in real estate or improvements thereon assessable as under this section, and;

(4) The actual cash value of mills, gins, manufacturers, distilleries, breweries, foundaries (foundries), and other buildings, for similar purposes.

(5) In describing real estate, the following rules shall be observed: The number of town lots (and blocks) of the property as a whole or a part shall be given; the name of the street, avenue, alley, or road on which it fronts, and the front feet thereof shall be given, unless the size, dimensions, and quantity can be more conveniently given in acres, then to be given in acres. If the property is a part of any known subdivision, its size, dimensions, quantity, and fromt (front) feet or acres shall be given. The lands by which the described tract is

bounded shall also be given in the assessment. When part of a known tract, sub-division, lot or block of land is assessed by a description which identified it, any other part of it which is assessed, but not so identified, shall be held to embrace all of such tract, subdivision, lot, or block not included in the part identified; but a failure to assess according to this law shall not in any wise vitiate the assessment or sale of lands under the same, and parole testimony shall always be admissible to supply a description of land on the assessment roll or in conveyance for taxes, where such testimony will show what land was assessed and sold, and there is enough in the description on the roll or conveyance to be applied to a particular tract or parcel of land by aid of such testimony.

(6) In estimating the value of saw, grist, and other mills, distilleries, breweries, foundaries (foundries), establishments for mining and quarrying, working marble, making gins or carriages, and other manufacturing establishments, the annual gross income of the same, their location, their capital invested and on hand, and other sources of value shall be taken into consideration; and the same shall be considered, together with the real estate to which it adds value. [ch. 685, art. XI, § 2, pr. acts of 1929, as amended by ch. 573, pr. acts of 1935]

Section 3.[1] Duties of the assessor. Be it further enacted, It shall be the duty of the assessor in person or by deputy,

(1) To go on the premises and examine realty to be assessed, and for failure to do so shall be fined not less than Five Dollars and not more than Ten Dollars in each case.

(2) To personally see the tax payer, if residing in his county, or his agent or attorney, and take his personal statement (filled out in the blank schedule hereafter mentioned) of all property of such tax payer, whether the same be real, personal, or mixed, without regard to any exemptions.

(3) If any tax payer is a non-resident, or if the owner cannot be found or seen after diligent search the assessor shall fill out such statement, sign, and

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[1]Chapter 410, private acts of 1949, provided that this section should be: amended so as to strike out and elide from said section thereof, the following words: 'Seventy-five (75) Cents.' And by substituting and adding in the place and stead of the word 'Seventy-five (75) Cents,' the words and figures:

'One Dollar and Fifty ($1.50) Cents.'

Although this section originally limited the property tax rate for general purposes to seventy-five cents, at the time of the 1949 amendment the phrase provided to be stricken was no longer in this section because of an earlier amendment. Therefore, the compiler has made no change in the wording of this section as a result of the 1949 act.

endorse on the same that the tax payer could not be found after diligent search.

(4) In such case, it shall be the duty to examine any person whom he may have reason to believe has any knowledge or information as to the property of the tax payer. For such purposes, he shall have the power to administer oaths and compel any witness to answer, and it shall be done by questions put to the tax payer, his agent, attorney, or any assessor or his deputy.

(5) Assessors and deputy assessors shall have like powers and perform like duties when there is any reason to believe or suspect any tax payer has withheld or concealed from such schedule any property or failed to list any property, which may be done by questions put to the tax payer, his agent, attorney, or any other person.

(6) Any person swearing falsely or corruptly or knowingly in any material statement in such schedule or to any statement made as a witness to such assessor or deputy assessor shall be guilty of perjury and indicted for the same.

(7) Any witness refusing to take such oath or make such answers when called upon by the assessor to do so shall be guilty of a misdemeanor, and, upon conviction, shall be fined not less than Ten Dollars nor more than One Thousand Dollars.

(8) Such assessor or deputy assessor shall reduce to writing such statements as may be made by any property holder or witness under the foregoing provisions and file the same with the Commissioner of Finance and Revenue.

(9) It shall be the duty of the tax payer, his agent, or attorney, to fill out, or have the assessor or deputy to fill out for him, the schedule hereafter provided for, and the assessor or deputy assessor shall require an oath to be made to the same, personally before him or before some Justice of the Peace, by said tax payer or the agent, or attorney of such tax payer, to the correctness of the items and the questions therein, and that said schedule, fully and truly and without evasion, reservation, or concealment, sets out all properties of every kind and character of the taxpayer or property therein named, and for said purpose each assessor and deputy assessor is invested with the power to administer such oath.

(10) If any taxpayer shall fail, neglect, or refuse to fill out said schedule and answer each question fully and according to law, sign, and swear or affirm to the same and return it to the assessor not later than the 20th day of April of each year, after 1935, then the assessor shall make the assessment against such taxpayer.

(11) he assessor shall not upon his books opposite the name of taxpayers who have refused, neglected or failed to fill out and return said schedule, and whom the assessor has assessed for such failure, neglect, or refusal. Such taxpayers shall be notified thereof by said assessor or his deputy at least five days before the City Board of Equalization commences its annual session and said taxpayer must show good cause why said assessment should not be made.

An entry of the notice shall be made, together with the date thereof on the assessor's books opposite the taxpayers' name.

(12) If the taxpayer fails, neglects, or refuses to appear before the assessor or the Board of Equalization prior to its final adjournment, then the amount thus assessed by the assessor shall be conclusive against the taxpayer, and said taxpayer shall be required to pay the taxes on said amount; provided, however, nothing herein shall be taken as conclusive against said municipality.

(13) Said oath shall be entered on said schedule beneath the same and subscribed and sworn by the party listing, but, nothing in this Act shall be construed as requiring the person listing the property to make oath to the value of the property, but it shall be the duty of such assessor to examine into and compute the actual cash value for taxation of the property contained in the list made out by himself or the taxpayer or, the agent, or attorney of the taxpayer.

(14) It shall be the duty of the assessor or deputy assessor to furnish taxpayers with all schedules hereafter provided for, and demand or require such taxpayer to fill out such schedule and to take and subscribe to the oath required to be made to the same.

(15) The assessor shall assess the property in each ward separately; and to this end, he shall proceed to assess the property in a ward, commencing it from corner or outside point of the ward, and assess it in rotation as it joins or lies contiguous to the property first assessed, and shall proceed in the regular manner until he shall have made the circuit of the ward, and he shall enter such assessment in suitable books to be furnished to the Commissioner of Finance and Revenue.

(16) Persons acting as executors, administrators, guardians, agents, attorneys, clerks of any Court, or in any fiduciary capacity whatever, shall make a return of the property, moneys, and effects held or controlled by them in any of said capacities, separate from their individual returns, showing the names of the person or persons for whose use and benefit such is held, and the same shall be listed separately for taxation; provided, that every such trust estate shall be entitled to the same exemption as if owned by a single taxpayer.

(17) It shall be the duty of each assessor to add up all columns, number of town lots assessed and their value, value of personal property assessed, and total value of all property assessed before his books shall be received by the Commissioner of Finance and Revenue.

(18) The assessor shall make a report to the Commissioner of Finance and Revenue of the assessments, after 1935, on or before the first Monday in June of each year as to the personalty, privileges, and polls and on or before the first Monday in June every two years as to realty, and to turn over his books to said Commissioner which shall be filed by him and carefully preserved, to be acted upon by the Board of Equalization to be appointed as hereinafter provided, and said books and lists are to be preserved as a part of the office records of the office of said Commissioner.

(19) Each assessor shall take and subscribe to the following oath of office, before the Judge or chairman of the County Court or Justice of the Peace, which said oath shall be filed with the Commissioner of Finance and Revenue.

"I, _____, Assessor (or Deputy Assessor) of property and polls of Lebanon, Tennessee, do solemnly swear (or affirm) that I will report privileges; that I will assess all taxable property, real and person and mixed, at its actual cash value, and all polls of said Lebanon, Tennessee, to the best of my knowledge and ability, without fear, favor, or affection; that I will administer the oath or affirmation required by law, or have the same administered, to all persons listing property; that I will diligently inquire, so that no person shall be passed over or shall fail to have an opportunity to give a list of his taxable property, and furnish taxpayers schedules as required by law; that I will truly report all persons who shall fail or refuse to list their taxable property or who have to my knowledge given in a false or fraudulent list; and that I will faithfully, impartially, and honestly discharge my duties as assessor, according to law, to the best of my knowledge and ability; and that I will administer the oath in person to all property owners as the law requires, when practicable; and that I will not assess or list any person with property or polls solely by substitution or copy from former assessment, so help me God.
_____, Assessor."

"Sworn to and subscribed before me, this _____ day of _____."

(20) Each assessor when he makes his report of his assessment list to the Commissioner of Finance and Revenue provided in the preceding section, shall accompany the same with the following oath, to be made and subscribed to before the Judge or Chairman of the County Court or a Justice of the Peace and filed in the office of the Commissioner of Finance and Revenue.

"I, _____ , Assessor of Lebanon, Tennessee, do solemnly swear (or affirm) that I have set out in the foregoing assessment list all taxable property, real and personal, and all the privileges and polls in said Town of Lebanon as far as ascertainable to the true owners thereof, and that I have required lists to be filled and filed and swore to by all property holders or their agents or attorneys and reported such as have not done so to the District Attorney, and reported lists of all parties liable for polls, and that I have estimated the value of all property, real and personal or mixed, at its actual cash value as prescribed by law, to the best of my knowledge and ability, without fear, favor, or affection; and that I have faithfully discharged my duties and kept my oath of office as Assessor according to law, to the best of my knowledge and ability so help me, God."

"_____, Assessor."

"Sworn to and subscribed before me this ___ day of _____."

(21) Each deputy assessor shall take and file with the Commissioner of Finance and Revenue said oath of office as set out in the two preceding subsections.

(22) It shall be unlawful for any assessor or deputy to fail, refuse, or neglect to perform, obey, and observe any duties and requirements of this chapter.

(23) It shall be unlawful for any assessor or deputy willfully, knowingly or negligently to permit or allow any property subject to taxation to be or remain unassessed or omitted from assessment, or willfully, knowingly or negligently, to assess any property at less than its cash value, or to assess any property or polls solely by substitution from former assignments.

(24) If any improvement to the value of Two Hundred Dollars or more on any real estate shall be destroyed by fire or flood or other casualty, then the owner thereof may, on his application to the Commissioner of Finance and Revenue have the real estate so damaged re-assessed by the assessor, and such reassessed valuation shall be substituted on the assessment roll in place of the original assessment.

(25) It shall be the duty of the assessor in making his annual assessment of personal property to ascertain whether or not any permanent improvements have been placed upon any real estate previously assessed, so as to increase the value thereof to the amount of Two Hundred Dollars or more, and in such case he shall re-assess such real estate, taking into consideration the value thereof resulting from permanent improvements, which assessments shall in all cases be made as of the tenth day of January of the year of which the assessment is made.

(26) The assessor shall also, in making his annual assessments of personal property, ascertaining all changes in the ownership of real estate since the last assessment of such real estate, and in such cases, he shall report with his assessment the name of the previous owner of such real estate and the name of the present owner thereof.

(27) If the change in ownership applies to the entire real estate, no change shall be made in the assessed value thereof, but the change of ownership shall be noted upon the assessor's books and the Commissioner of Finance and Revenue's tax books.

(28) If a part of the real estate in any case has changed ownership or has different owners than that shown in the former assessment, then the assessor shall fix the value of each owner in such real estate, the aggregate of all of which shall be the same as the assessment to the original owner, unless said real estate or some portion thereof has been enhanced by permanent improvements or its value decreased by the destruction of permanent improvements, in which case a re-assessment shall be made, so as to fix the value as of and all changes in ownership of real estate, together with the description of the real estate after the change of ownership, shall be noted by the Commissioner of Finance and Revenue on the assessment roll, and also upon the City tax books.

(29) Whenever there is an error in the books of the Commissioner of Finance and Revenue in the valuation or description of property where the same

occurs in an error in describing the books, or other error material to valuation or description, the assessor shall certify the facts to the Commissioner of Finance and Revenue, who shall receive the taxes on the corrected valuation and report the difference in his errors and releasment list or shall make such other corrections as such certificate may show right and proper.

(30) The Mayor and Board of Aldermen may fix the compensation of said assessor, and of deputy assessors, in the event same are needed.

(31) It is made the duty of the Commissioner of Finance and Revenue to prepare assessment schedules and furnish the same to the City Assessor. The schedule shall be so prepared as to conform to the different classifications of assessments provided for in this Act. The schedule shall contain, with others, the following questions:

(1a) How many lots or acres of land do you own? In what ward is it located? How bounded? What improvements thereon?

(2a) What is the number of front feet and depth of your lot? Are they improved?

(3a) Has your lot or land been sold at fair, voluntary sale within the last two years? What was the sale value and terms of sale?

(32) All personal property shall be assessed under the following classifications:

(1a) Household and kitchen furniture, tableware, library, jewelry, sewing machines, guns, musical instruments, and all other personal property of a similar character.

(2a) Farming implements, machinery, wheeled vehicles, automobiles, tools of all kinds, and all other personal property of like character.

(3a) All kinds of live stock, including dogs.

(4a) Money on hand or on deposit in this state.

(5a) All other tangible personal property not hereinabove designated. [ch. 685, art. XI, § 3, pr. acts of 1929, as amended by ch. 573, pr. acts of 1935]

Section 4. City Board of Equalization. Be it further enacted, That at the regular meeting of the City Council in June, 1930, and at the same time every year thereafter, the Mayor shall appoint, subject to the approval of the City Council,three freeholders, no two of whom shall reside in the same portion of the City, who shall be known as the "City Board of Equalization," who shall in all respects qualify and perform all duties as to the City assessments as now imposed by Statute upon the members of County Equalization Boards, and subject to all penalties and fines of County Equalization Boards, and any person not satisfied with his equalization shall have the right to appeal to the State Equalization Board in the same way and manner as now provided for an appeal from the County Equalization Board. The City Council may, by ordinance, fix the time when said assessments shall be presented to the City Board of

Equalization, the date of public hearing and the way and manner of preparing said tax books and any other regulations necessary for the collection of said City taxes, and may also fix the compensation of the members of said Board. [ch. 685, art. XI, § 4, pr. acts of 1929]

Section 5. Council to set tax levy after being informed of total property assessed valuation, amount of revenue collected from other sources last year, and the treasury balance. Be it further enacted, That it shall be the duty of the Commissioner of Finance and Revenue, as soon as the assessment roll for the City is complete and as soon as same has been equalized by the City Board of Equalization, to submit to the City Council a certified statement of the total amount of the valuation or assessment of the taxable property for the year within the City limits, including assessments of all railroad, telephone, telegraph and other public utility property together with a certified statement of the revenue derived by the City from privilege taxes, polls, merchant's ad valorem taxes, fines for the preceding fiscal year and miscellaneous revenue, including the amounts in the Treasury of the City. Upon the presentation of such statement by said officer, the City Council shall proceed by ordinance to make the proper levy to meet the expenses of the City for the current fiscal year. [ch. 685, art. XI, § 5, pr. acts of 1929]

Section 6. Tax levy to be extended on tax books. Be it further enacted, That it shall be the duty of the Commissioner of Finance and Revenue immediately after the levy of taxes by the City Council to cause said levy to be extended upon the tax books prepared by the Commissioner of Finance and Revenue in the same manner as extensions are made upon the tax books in the hands of the County Trustee, but according to the distribution of taxes by the City, and same shall be signed by the Mayor and Commissioner of Finance and Revenue and placed in the hands of the latter for collection. [ch. 685, art. XI, § 6, pr. acts of 1929]

Section 7. Back assessments; tax rate limits; tax due dates; interest and penalty. Be it further enacted, That the Commissioner of Finance and Revenue may back-assess property for three years by giving written notice to the parties interested, or to administrators, or executors, of deceased persons, said notices to be signed by the Mayor. The rate of taxation fixed by the City Council shall not be in excess of the limits fixed by this charter, but this is not to include any special levy which is now or may hereafter be allowed said City for special purposes. The City Council may, by ordinance, fix the time for the payment of taxes, from which time they shall bear interest and may require privilege taxes to be paid in advance; they may, by ordinance, prescribe a penalty for the non-payment of taxes, which penalty shall be paid by each tax payer as allowed by law. [ch. 685, art. XI, § 7, pr. acts of 1929, as amended by ch. 185, pr. acts of 1994, § 1]

Section 8. Tax sales. Be it further enacted, That the list of taxable property and polls in the hands of the Commissioner of Finance and Revenue shall be held and deemed a writ of fieri facias against the personal effects of the persons therein named, and the Commissioner of Finance and Revenue shall have the same power and authority under said list to collect taxes that constables now have under writs of fieri facias issued by Justice of the Peace. Whenever there cannot be found within the City personal property of value sufficient to satisfy the taxes of any person on the list, the Commissioner of Finance and Revenue shall advertise any real estate of said person, to be found within the corporate limits, and sell same to the highest bidder for cash at the Court House in Lebanon. Said real estate shall be advertised for at least twenty days in a newspaper published in Lebanon, and shall be sold not later than the first Monday in October each year succeeding the year in which the assessment is made. The proceeds of the sale shall be applied: First, to the payment of the taxes, penalties and costs, including the advertisement, balance, if any, to be paid to the owner. The City is authorized to bid at said sale and to become the purchaser of any property sold. Any property sold may be redeemed at any time within one year from the date of sale by the payment of all taxes, costs, and penalties, including those since the sale, with legal interest from the date of sale. The Commissioner of Finance and Revenue shall issue a certificate to the purchaser containing the date of sale, name of purchaser, amount of purchase price, and description of property sold. At the expiration of two years the Commissioner of Finance and Revenue shall cancel said certificate and execute and deliver a deed to the purchaser, upon payment by the purchaser of the legal fee therefor. Upon the application of the purchaser, or assigns, and thirty days' notice to the owner, if a resident, or publication for four weeks in a newspaper published in Lebanon if a non-resident, the Circuit Court shall issue a writ of possession to the purchaser, or assigns. In case the property is bid in by the City, the City shall have a right to make sale of same; provided, the purchase price shall not be less than the amount of accrued taxes, penalties and costs, and the purchaser at such private sale, or the City, in case no private sale is made, shall have the right to apply for and obtain a writ of possession as above provided. Equitable as well as legal estates in land may be sold to enforce the collection of taxes, and the purchasers thereof, under sales made as aforesaid, shall be substituted to all the rights of the former owner. [ch. 685, art. XI, § 8, pr. acts of 1929, as amended by ch. 185, pr. acts of 1994, § 1]

Section 9. Chancery suits for collection of special assessments. Be it further enacted, That the City Council shall have the power and is hereby given authority to file bills in the Chancery Court in the name of the City for the collection of assessments and levies made for the improvements or services in said City, such as providing street paving, sidewalks, curbings, guttering and other improvements for which assessments may be made under this charter or by any other Acts of the Legislature and the costs of which is made a charge on

the property abutting said improvements, and a plan on abutting property. The suit, commenced by said bills, to be conducted as other suits in Chancery for the enforcement of like liens and under the rules of law and practice provided for the same, provided, that the bills shall not be objectionable because the owners of different parcels or lots of land are made parties thereto, it being the intention hereof that all persons in the same improvement district or liable for portions of the same assessment and levy for improving a portion of the City as aforesaid and on whose property said assessment or levy is a lien, shall be made parties defendant to one bill. The City Council, may by ordinance, assess as a part of the costs of enforcing said liens all expenses and attorneys fees incurred in said proceedings. [ch. 685, art. XI, § 9, pr. acts of 1929, as amended by ch. 1, pr. acts of 1929 (Extra Session)]

ARTICLE XII

MISCELLANEOUS PROVISIONS[1]

Section 1. Council authorized to regulate utilities. Be it further enacted, That the City Council shall be authorized and empowered to fix and regulate electric light, gas, telephone and power service, use of electric lights, gas, telephone and power, and fix and regulate the charges, rates and compensation for the sale of electric current, gas and telephone service, to the City and consumers within the corporate limits of the City; and in order to properly carry out this power said City Council shall have the right to ascertain all facts and information necessary to intelligently act in the premises, and to examine property, books and records of any person, firm or corporation, engaged in the business of furnishing electric current, gas and telephone service as hereinbefore set out, and to take testimony and compel the attendance and examination of witnesses under oath. [ch. 685, art. XII, § 1, pr. acts of 1929]

Section 2. Governing body during transitional period and terms of first councilmen. Be it further enacted, That from the date of the taking effect of this Act until the next election, as provided for in this Act and until their successors are elected and qualified under this Act, the present officers of the City shall continue to serve until the Second Monday in January, 1930 with the same powers and duties and same salaries after the Second Monday in January, 1930. Walter Allen shall be Alderman from the 2nd Ward and serve until the Second Monday in January, 1931; his successor to be elected the last Saturday in October, 1930, to serve one year; after the Second Monday in January, 1930, Frank Buchanan shall serve as Alderman at large from the Second Monday in

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[1]Sections 17 through 22 of this article, created by ch. 381, pr. acts of 1972, § 2, were deleted in their entireties by ch. 120, pr. acts of 1991, § 9.

January, 1930 until the Second Monday in January, 1932; on the last Saturday in October, 1929, three Aldermen shall be elected, one from the first ward, one from the second ward, and one from the fourth ward, to serve two years from the Second Monday in January, 1930; on the last Saturday in October, 1931, there shall be one Alderman for each ward elected to serve two years from the Second Monday in January, 1932. There shall only be four Aldermen after the Second Monday in January, 1932, unless an additional ward is created.[1] [ch. 685, art. XIII, § 2, pr. acts of 1929, as amended by ch. 1, pr. acts of 1929 (Extra Session)]

Section 3. Deleted. [ch. 685, art. XII, § 3, pr. acts of 1929, as amended by ch. 1, pr. acts of 1929 (Extra Session); ch. 410, pr. acts of 1949; ch. 330, pr. acts of 1974, § 1; ch. 185, pr. acts of 1994, § 1; and ch. 34, pr. acts of 2014, § 1, and deleted by Priv. Acts 2016, ch. 52, § 17]

Section 4. Commissioner of public works to be county surveyor for City purposes. Be it further enacted, That the reports and acts and evidences of the Commissioner of Public Works, acting as the City Engineer has heretofore acted, who shall be elected under this charter, shall be equal in every respect to those of a County surveyor, within the corporate limits or about the property of the City beyond the corporate limits. [ch. 685, art. XII, § 4, pr. acts of 1929]

Section 5. Ordinances, etc., of old corporation continued in effect generally; digest of ordinances to be published periodically. Be it further enacted, That all ordinances, resolutions, and contracts enacted and executed by the old corporation shall be deemed and treated as the laws, ordinances and contracts of this new corporation as if the same had been regularly passed or executed under the provisions of this Act, until the same are repealed, amended, or altered by agreement of the parties thereto in case of contracts, unless such ordinances and resolutions are inconsistent with the provisions of this charter. A digest of all the laws and ordinances of the City shall be prepared and published every three years by the City Council, and the City Attorney shall be allowed such additional compensation for preparing same as the City Council may determine. [ch. 685, art. XII, § 5, pr. acts of 1929]

Section 6. City council's general power to enforce and enact ordinances. Be it further enacted, That the City Council is authorized and empowered to enforce all laws and ordinances now in force in said City, not repugnant to this charter, and to pass all ordinances and resolutions, and enforce same, necessary to carry out the foregoing or ensuing powers and objects of the new corporation, not contrary to the laws of the land. [ch. 685, art. XII, § 6, pr. acts of 1929]

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[1]See art. I, § 1, and footnote.

Section 7. Charter as public law and as evidence in court. Be it further enacted, That this charter is hereby declared to be a public law, and may be read as evidence in all Courts without proof or special pleadings. [ch. 685, art. XII, § 7, pr. acts of 1929]

Section 8. Assets and liabilities of old corporation assumed. Be it further enacted, That the Lebanon, Tennessee, created by this Act shall succeed to all the property, rights and privileges, of every sort and description, owned, enjoyed, managed and controlled by the old corporation of the same name, including real estate, water works, City Hall, School buildings, cemeteries, Fire equipment and department buildings, rock quarries, tools, taxes, fines, forfeitures, judgments, and liens, especially liens upon abutting property for street paving and improvement under Chapter 18 of the Public Acts of the General Assembly of Tennessee of 1913, First Extra Session, now due or hereafter to become due, and all other property or rights under contracts now in force or hereafter made or executed, streets, pavements, alleys, squares, public grounds, easements, etc., and the title to same is hereby divested out of the old corporation of the same name and vested in the Lebanon, Tennessee, under this Act, and said Lebanon, Tennessee created under this Act, shall succeed to and be charged with all the debts and liabilities of every sort and description contracted by or with and which are outstanding against the old corporation at the time of the enacting of this charter and the time of its taking effect. The corporation created by this Act is hereby authorized, and it shall be its duty, to levy for the payment of said outstanding debts and liabilities, and it shall hold, collect, receive and use the property and rights herein vested in it, including the rights to enforce all liens and collect all the debts now due or that may be due the old corporation at the time of the passage of this Act and its taking effect in the same manner as if the same had been purchased and acquired by its under the powers and rights of this Act in the regular way or course of business. No suit in any Court to which the Lebanon is a party either as plaintiff, complainant or defendant, which is or may be pending at the time this Act takes effect shall abate by the passage of this Act, but same may be prosecuted to final judgment or decree without revivor, as if instituted after the time this Act takes effect. It is the purpose of this Act that the new corporations created shall succeed the old corporation and shall be vested with all of its property and charged with all of its liabilities. [ch. 685, art. XII, § 8, pr. acts of 1929]

Section 9. Debts owed to and by old corporation assumed. Be it further enacted, That nothing in this Act shall be construed in any manner to effect the validity of any bonds, notes, warrants, or evidences of indebtedness of said City, or any indebtedness due from or owing by said City, nor of any indebtedness that may be due or owing to said City in the way of taxes, fines, forfeitures, license, or otherwise, and the passage of this Act shall not in any manner affect

the title of any property owned, operated, or controlled by said City, or the rights of interests of any of the inhabitants of said City thereto or therein, it being the purpose of this Act to vest in the new corporation all the property and rights of every kind and character of the old corporation and to charge it with all of the liabilities and indebtedness of the old corporation. No enabling act passed for the old corporation shall be affected in any manner so as to interfere with the rights of any creditor of the old corporation or the inhabitants thereof. [ch. 685, art. XII, § 9, pr. acts of 1929]

Section 10. Various agencies created by old corporation continued in effect. Be it further enacted, That the sinking fund commission, various police power agencies, and all other agencies created or established by the old corporation, not inconsistent with the provisions of this Act, which shall be in existence at the time this Act takes effect, shall continue until they are changed or discontinued by the City Council. [ch. 685, art. XII, § 10, pr. acts of 1929]

Section 11. Pensions authorized. That the City Council shall be authorized and empowered and may, at its discretion, at any time, provide pensions for any city official or employee who has retired from his office or employment, however, said pensions shall be in compliance with the requirements of the State retirement system. [ch. 685, art. XII, § 11, pr. acts of 1929, as amended by ch. 1, pr. acts of 1929 (Extra Session); ch. 414, pr. acts of 1953; and ch. 185, pr. acts of 1994, § 1]

Section 12. Authority for electric light and water plants. Be it further enacted, That the City Council be authorized to construct, purchase, and own and operate, an electric light or water plant, or both, for the purpose of lighting and furnishing water to public buildings, streets and all other public places and uses within the corporate limits of the City, and for the sale of electric current and water to all persons, firms and corporations desiring to purchase the same, either within or beyond the corporate limits of the City, for lighting, heating or power, or for any other purpose whatsoever, and it shall not be required that the City shall generate electric current, but the City may purchase the current and distribute same. [ch. 685, art. XII, § 12, pr. acts of 1929]

Section 13. Be it further enacted, That when in the opinion of the City Council it appears to be economically more feasible, more efficient, and in the best interest of the City of Lebanon and its citizens, in order to protect the public health, safety and welfare, for the City Council to sell, lease, dispose of, dismantle or turn over to others for operation the plant franchise, and/or plant facilities, and/or lines and equipment of furnish light, electric power, and water, or any of them, then the City Council shall obtain the consent of a simple majority of the qualified registered voters of the City who cast a vote in an election held for that purpose. Should the City Council deem it proper to do any

of these things, it shall submit the proposition to the voters for approval, setting forth the terms, conditions, provisions and details of the proposed transaction in an ordinance duly passed by the City Council at least thirty (30) days before certification and cause the same to be certified to the Election Commission of Wilson County, Tennessee, whose duty it shall be to call the election, advertising the same for at least thirty (30) days after certification by advertisements in a newspaper published in the City of Lebanon stating the purpose of the election, and to hold the election at the regular voting places in the City. On the ballots used in the election shall be printed the words "For Sale", "For Lease", and "Against Sale", "Against Lease", or for or against whatever the proposition may be, and the voter shall indicate that voter's preference by making a cross mark before or after the appropriate words. All qualified persons who are registered to vote in other City elections shall be qualified to vote in this election. The result of the election shall be certified by the Election Commission to the City Council. In order to properly carry out the authority authorized herein, the City Council shall first ascertain all facts and information necessary to wisely, intelligently, and judiciously inform the public of the reason or the necessity for such propose action; and in this regard it shall be the duty of the City Council to examine property, books and records of any person, firm or corporation engaged in the business of furnishing or distributing electric current or providing electric service or providing water power or services who shall make a proposal for the City for the purchase, lease, disposal, dismantling, or turning over to others for operation the plant franchise, and/or plant facilities, and/or lines and equipment to furnish light, electric power, and water, or any of them, to the citizens of the City of Lebanon. [ch. 685, art. XII, § 13, pr. acts of 1929, as amended by ch. 1, pr. acts of 1929 (Extra Session); ch. 410, pr. acts of 1949; and replaced by ch. 53, pr. acts of 1999]

Section 13a. Borrowing by electrical department. Be it further enacted, That the Electrical Department of Lebanon, Tennessee upon authorization by resolution of the City Council of Lebanon, Tennessee, at a regular session of said Council, authorizing same, shall have the power to borrow such funds as may from time to time become necessary or proper to operate and maintain said Electrical Department of Lebanon, Tennessee, when the same is approved and recommended by the Tennessee Valley Authority. [as added by ch. 410, pr. acts of 1949]

Section 14. Severability clause. Be it further enacted, That if any one or more of the Sections or Sub-sections, or parts thereof, or any sentence, clause, or phrase of this Act or charter should for any reason be proven or held to be invalid or unconstitutional such decision or holding shall not affect the validity or constitutionality, nor invalidate or impair the validity, force or effect of the remaining portions of this Act. The Legislature hereby declares that it would have passed this Act and each Section, sub-section, sentence, clause and phrase

thereof irrespective of the fact that any one or more Sections, Sub-sections, sentences, clauses or phrases be declared unconstitutional. [ch. 685, art. XII, § 14, pr. acts of 1929]

Section 14½. Conflicting laws repealed. Be it further enacted, That all laws or parts of laws in conflict with this Act be and the same are hereby repealed. [as added by ch. 1, pr. acts of 1929 (Extra Session)]

Section 15. Date of effect. Be it further enacted, That this Act take effect at twelve o'clock, midnight, September 30, 1929, the public welfare requiring it. [ch. 685, art. XII, § 15, pr. acts of 1929]

Section 15a. Borrowing for water department. Be it further enacted, That Lebanon, Tennessee, upon authorization by resolution of the City Council of Lebanon, Tennessee, at a regular or called session of said council, authorizing the same, shall have the power to borrow funds as may from time to time become necessary or proper to operate, maintain, alter, repair or expand the water department of Lebanon, Tennessee, not to exceed One Hundred Thousand Dollars ($100,000.00) [as added by ch. 254, pr. acts of 1955]

Section 16.[1] Distribution of electric system tax equivalents to county.

(1) In this interpretation of this section, the following definitions of terms shall apply:

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

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

(c) Net Plant Value. The depreciated original cost of the tangible property, as shown on the books of the electric system, including

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[1]The provisions in this section have been arbitrarily included at this point and numbered as section 16 by the compiler. They are taken from ch. 445, private acts of 1968, the caption of which is as follows: "An Act to provide for the distribution of payments in lieu of taxes or other charges on the electric system of the City of Lebanon, Tennessee, to the County of Wilson, Tennessee." The act did not expressly amend any particular article or section of the charter.

materials and supplies, used and held for use in the transmission and distribution of electric energy.

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

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

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

$4,500 per annum, or that annual amount which is the product of the net plant value of that part of the electric system which is located in the unincorporated area of the county times the county tax rate, whichever is greater.

After determining the respective shares, there shall be deducted from any county share, and not distributed, any taxes or other charges imposed in the fiscal year on the electric system or electric operations by that county.

(3) Except for the purpose of local approval, this section shall be effective on July 1, 1968. For the purpose of local approval, it shall be effective upon passage. [ch. 445, pr. acts of 1968] [ch. 381, pr. acts of 1972, § 2]

ARTICLE XIII

FISCAL AGENT

Section 1. Fiscal agent--duties. (a) The Fiscal Agent shall be the chief fiscal officer of the City and shall advise the City Council and public quarterly of the financial condition and needs of the City. He shall audit all payrolls, accounts and financial records of the City.

(b) The Fiscal Agent shall perform such other duties as may be required of him by resolution or ordinance of the City Council. [ch. 381, pr. acts of 1972, § 6]

ARTICLE XIV

PURCHASING AGENT

Section 1. Purchasing agent--authority duties. The purchasing agent, as a full-time city employee, shall have the power and authority to purchase and shall purchase all materials, supplies, and equipment for the proper conduct of the City's business. All purchases and leases or lease-purchase agreement, shall be made or entered into only after public advertisement and competitive bid, unless one or more of the exceptions set forth in Tennessee Code Annotated,

Section 6-56-304 (as may be amended) exist. Pursuant to Tennessee Code Annotated, Section 12-3-1212, the City Council shall prescribe by resolution the threshold over which public advertisement and sealed competitive bids or proposals are required to an amount not to exceed Twenty-Five Thousand Dollars ($25,000.00) for nonemergency, nonproprietary purchases. At least three (3) written quotations shall be required whenever possible for purchases costing less than the bid threshold established for public advertisement and sealed competitive bids or proposals but more than forty percent (40%) of such bid threshold or some lower amount as may be established by the City Council in the resolution. Purchases of like items shall be aggregated for purposes of the bid threshold. [ch. 381, pr. acts of 1972, § 6; as amended by ch. 38, pr. acts of 1989, § 1; ch. 20, pr. acts of 1999, § 5; and ch. 34, pr. acts of 2014, § 2; and replaced by Priv. Acts 2016, ch. 52, § 18]

Section 2. Other Duties. The purchasing agent shall perform other duties as may be required of such agent by resolution or ordinance of the City Council. [As added by Priv. Acts 2016, ch. 52, § 18]

PASSED: June 28, 1911

N. Baxter, Jr.,
Speaker of the Senate.

A. M. Leach,
Speaker of the House of Representatives.

APPROVED:

_____,
Governor.

This bill became a law without the signature of the Governor, he having held same for more than five days without returning it, as provided by the Constitution. (See Senate Journal).

W. D. Scruggs,
Chief Clerk of the Senate.

RELATED ACTS

PAGE

Priv. Acts 1980, ch. 208,
"Hotel Occupancy Privilege Tax" C-57

Priv. Acts 1996, ch. 176,
"City of Lebanon Traffic Regulation Cost Act" C-61

HOTEL OCCUPANCY PRIVILEGE TAX[1]

CHAPTER NO. 208

HOUSE BILL NO. 1997

By Bell (Wilson)

Substituted for: Senate Bill No. 2049

By Cutrer

AN ACT authorizing the levy of a privilege tax on the occupancy of any rooms, lodgings, or accommodations furnished to transients by any hotel, inn, tourist court, tourist cabin, campground, motel, or any place in which rooms, lodgings, or accommodations are furnished transients for a consideration in the City of Lebanon, Tennessee; providing for its collection and administration; and providing for certain penalties.

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

SECTION 1. Definitions. As used in the Act, unless the context requires otherwise;

(a) "Person" means any individual, firm, partnership, joint venture, association, social club, fraternal organization, joint stock company, corporation, estate, trust, business trust, receiver, trustee, syndicate, governmental units, or any other group or combination acting as a unit.

(b) "Hotel" means any structure, or any portion of any structure, which is occupied or intended or designed for occupancy by transients for dwelling, lodging, or sleeping purposes, and includes any hotel, inn, tourist court, tourist camp or campground, tourist cabin, motel, or any place in which rooms, lodgings, or accommodations are furnished to transients for a consideration.

(c) "Occupancy" means the use or possession or the right to use or possession of any room, lodging, or accommodations in a hotel for a period of less than thirty (30) continuous days.

(d) "Transient" means any person who exercises occupancy or is entitled to occupancy of any rooms, lodgings, accommodations in a hotel room or campground for a period of less than thirty (30) days.

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[1]This act (ch. 208, pr. acts of 1980) as drafted did not amend Lebanon's charter. Therefor, it has been set out here separately.

(e) "Consideration" means the consideration charges, whether or not received, for the occupancy in a hotel or campground valued in money whether to be received in money, goods, labor, or otherwise, including all receipts, cash, credits, property and service of any kind or nature without any deduction therefrom whatsoever. Nothing in this definition shall be construed to imply that consideration is charged when the space provided to the person is complimentary from the operator and no consideration is charged or received from any person.

(f) "Operator" means the person operating the hotel whether as owner, lessee, or otherwise.

(g) "Tax collection official" means the Commissioner of Finance for the City of Lebanon, Tennessee.

SECTION 2. Tax authorized. The City of Lebanon, Tennessee, is hereby authorized to levy a privilege tax upon the privilege of occupancy in any hotel by a transient in an amount not to exceed two percent (2%) of the consideration charged by the operator.

SECTION 3. Invoices. The tax shall be added by each operator to each invoice prepared by the operator for the occupancy of his hotel. Such invoice to be given directly or transmitted to the transient, a copy thereof filed by month and retained by the operators as provided in Section 7 hereof.

SECTION 4. Collection and remission of tax. The tax hereby levied shall be remitted by all operators who lease, rent, or charge for any rooms or campground space to the Commissioner of Finance for the City of Lebanon, Tennessee not later than the twentieth (20th) day of each month next following such collection from the transient. The operator is required to collect the tax from the transient at the time of the presentation of the invoice for occupancy, whether prior to, during or after occupancy, as may be the custom of the operator. The obligation to the City of Lebanon entitled to such tax shall be that of the operator.

SECTION 5. Certain advertisements and statements prohibited. No operator of a hotel, motel, or campground shall advertise or state in any manner, whether directly or indirectly, that the tax or any part thereof will be assumed or absorbed by the operator, or that it will be added to the rent, or that, if added, any part will be refunded.

SECTION 6. Delinquent taxes--penalties and interest; willful refusal to pay unlawful. Taxes collected by an operator which are not remitted to the Commissioner of Finance on or before the due dates are delinquent. An operator shall be liable for interest on such delinquent taxes from the due date at a rate of twelve percent (12%) per annum, and in addition for a penalty on such taxes

of one percent (1%) for each month or fraction thereof that such taxes are delinquent. Such interest and penalty shall become a part of the tax herein required to be remitted. Willful refusal of an operator to collect or remit the tax or willful refusal of a transient to pay the tax imposed is hereby declared to be unlawful and shall be punishable upon conviction by a fine not in excess of Fifty Dollars ($50.00).

Any fine levied herein shall be applicable to each individual transaction involving lodging services paid by a transient to the operator in those cases when the operator fails or refuses to pay the tax payable to the Commissioner of Finance of the City of Lebanon, Tennessee.

SECTION 7. Record retention. It is the duty of every operator liable for the collection and payment of any tax imposed by this Act to keep and preserve for a period of three (3) years all records necessary to determine the amount of such tax, which records the tax collection official shall have the right to inspect at all reasonable times.

SECTION 8. Administration, enforcement, and remedies. In administering and enforcing the provisions of this Act, the tax official shall have as additional power the powers and duties with respect to collection of taxes provided in Tennessee Code Annotated, Title 67, or otherwise provided by law.

Upon any claim of illegal assessment and collection, the taxpayer shall have the remedy provided in Tennessee Code Annotated, Section 67-2313,[1] it being the intent of this Act that the provisions of law which apply to the recovery of taxes illegally assessed and collected shall apply to the tax collected under the authority of this Act; provided, the tax collection official shall possess those powers and duties as provided in Tennessee Code Annotated, Section 67-2301,[2] with respect to adjustment and settlement with taxpayers of all the errors of taxes collected by him under the authority of this Act and to direct the refunding of same. Notice of any tax paid under protest shall be given to the tax collection official. Any suit for recovery shall be brought against such tax collection official.

SECTION 9. Accounting and reports. The Commissioner of Finance shall faithfully account for and make proper reports of, all funds paid to and received by such Commissioner of Finance for the privilege tax.

SECTION 10. Proceeds to go to general fund or other funds as directed by council. The proceeds of the tax imposed in this Act, when collected shall

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[1]Present section 67-1-911.

[2]Present section 67-1-707(a) and (b).

become a part of the City of Lebanon's general fund, or such other fund as the City Council shall direct.

SECTION 11. Tax additional to others. The privilege tax levied by this Act shall be in addition to all other taxes levied or authorized to be levied whether in the form of excise, license, or privilege taxes, and shall be in addition to all other fees and taxes now levied or authorized to be levied.

SECTION 12. Severability clause. If any clause, sentence, paragraph, section or any part of this Act shall be held or declared to be unconstitutional, it shall not affect the remainder of this Act notwithstanding the part held to be invalid, if any, and to that end the provisions of this Act are declared severable.

SECTION 13. Local approval. This Act shall have no effect unless it is approved by a two-thirds (2/3) vote of the City Council of the City of Lebanon, Tennessee, by December 31, 1980. Its approval or nonapproval shall be proclaimed by the Mayor of the City of Lebanon, Tennessee and certified by him to the Secretary of State.

SECTION 14. Effective date. For the purpose of approving this Act as provided in Section 13, it shall take effect on becoming a law, the public welfare requiring it. For all other purposes, it shall take effect on the first day of the month following ninety (90) days from approval as provided in Section 13.

PASSED: March 5, 1980

NED R. McWHERTER
SPEAKER OF THE HOUSE OF REPRESENTATIVES

JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED: May 11, 1980

LAMAR ALEXANDER
GOVERNOR

CITY OF LABANON TRAFFIC REGULATION COST ACT[1]

CHAPTER NO. 176

HOUSE BILL NO. 3264

By Representatives Bell, Buck

Substituted for: Senate Bill No. 3251

By Senator Rochelle

AN ACT to authorize the collection of court costs for criminal and traffic offenses arising within the jurisdiction of the City of Lebanon.

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

SECTION 1. This act shall be known and may be cited as the "City of Lebanon Traffic Regulation Cost Act."

SECTION 2. It is the intent and purpose of this act to require and authorize the collection of a special court cost for each summons, warrant, citation, presentment or indictment which is filed and heard within the Criminal Court of Wilson County, Tennessee, the General Sessions Court of Wilson County, Tennessee, and/or the City Court of Lebanon, Tennessee, and which involves conduct or events occurring within the city limits of Lebanon, Tennessee, that lead to the filing of charges for a Criminal and/or Traffic Offense, and which involves prosecution by a City Officer.

SECTION 3. The special court cost authorized under this provision shall be set at ten dollars ($10.00) and shall be charged and collected over and above other authorized court costs by the clerk of the Criminal Court of Wilson County, Tennessee, the clerk of the General Sessions Court of Wilson County, Tennessee, and the City Court of Lebanon, Tennessee, as provided herein.

SECTION 4. The court costs funds shall be collected by the clerks for all criminal and/or traffic violations which are prosecuted by City Officers in Wilson County, Tennessee, and which involve offenses arising from conduct occurring

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[1]This act (ch. 176, pr. acts of 1996) as drafted did not amend Lebanon's charter. Therefor, it has been set out here separately.

within the city limits of Lebanon, Tennessee, on and after the passage of this act.

SECTION 5. The funds collected from this special court cost by the clerks shall be transferred to the Commissioner of Finance for the City of Lebanon on an annual basis, and the Commissioner of Finance shall be and is hereby authorized to set up a special fund to allow such monies to be used by the City of Lebanon, Tennessee, for traffic regulation and enforcement.

SECTION 6. All funds collected under the provisions of this act shall be used for the purpose of traffic regulation and enforcement within the jurisdiction of the City of Lebanon, Tennessee.

SECTION 7. The provisions of this act shall in no manner repeal, modify or interfere with the requirements to collect court costs under any public or private laws applicable to Wilson County and/or Lebanon, Tennessee.

SECTION 8. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 9. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the governing body of the City of Lebanon. Its approval or nonapproval shall be proclaimed by the presiding officer of the City of Lebanon and certified to the Secretary of State.

SECTION 10. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 9.

PASSED: April 18, 1996

JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 29th day of April 1996

DON SUNDQUIST, GOVERNOR

CHARTER AND RELATED ACTS FOR THE CITY OF LEBANON, TENNESSEE

Year	Chapter	Subject
1911	644	Basic charter act.
1913	125*	Authorized $75,000 bond issue for water and sewers.
1913	19*	Authorized $10,000 bond issue for bridges.
1917	103*	Authorized $25,000 bond issue for water, electricity, and fire fighting.
1917	127	Amended secs. 11 and 13 of the charter.
1917	374*	Abutting property (special assessments) law.
1919	735	Amended sec. 4 of the charter.
1920	102*	Authorized $30,000 bond issue for E. S. refunding.
1921	526*	Amended abutting property (special assessments) law.
1921	627*	Authorized $200,000 bond issue for water and sewers.
1921	861*	Amended abutting property (special assessments) law.

*Not included in the foregoing unofficial compilation.

Year	Chapter	Subject
1921	941*	Amended abutting property (special assessments) law.
1923	180	Amended sec. 2 of the charter.
1925	189*	Authorized $200,000 bond issue for industrial purposes.
1925	795*	Authorized $75,000 bond issued for funding.
1927	727	Amended secs. 13, 27, and 43 of the charter.
1929	365*	Authorized $200,000 bond issue for the waterworks.
1929	685	Replaced all but first 2 sections of the charter.
1929	1	Amended art. II, sec. 1, subsecs. E.S. (2), (4), (5), (8), (10), (15), (16), (18), (19), (40), (44), and (46); art. III, secs. 1, 2, and 14; art. X, sec. 4; art. XI, sec. 9; and, art. XII, secs. 2, 3, 13, and 14, of the charter.
1931	172*	Authorized $200,000 bond issue for streets.
1935	86	Amended art. II, sec. 1, and art. III, sec. 2, of the charter.
1935	573	Amended art. XI, secs. 1, 2, and 3, of the charter.

*Not included in the foregoing unofficial compilation.

Year	Chapter	Subject
1937	898*	Authorized $3,000 bond issue for streets, etc.
1941	104*	Authorized $325,000 bond issue for electric plant.
1943	158	Amended art. III, sec. 1, and art. XI, sec. 1, of the charter.
1945	275	Amended sec. 2 of the charter.
1949	410	Amended sec. 2; art. II, sec. 1, subsecs. (1), (2), (4), (5), (8), (10), (15), (16), and (47); art. III, secs. 2 and 5; art. IV, sec. 3; art. XI, sec. 3; and, art. XII, secs. 3, 13, and 13a, of the charter.
1951	219	Amended sec. 2 and art. II, sec. 1, subsec. 2, of the charter.
1951	435	Repealed the poll tax as a prerequisite to voting (amended art. III, sec. 3 of the charter).
1951	547*	Authorized $125,000 bond issue for municipal buildings.
1953	414	Amended sec. 2; art. II, sec. 3; and art. XII, sec. 11, of the charter.
1955	37	Amended art. III, sec. 17, of the charter.

*Not included in the foregoing unofficial compilation.

Year	Chapter	Subject
1955	183*	Authorized $100,000 bond issue for municipal buildings.
1955	254	Amended sec. 2 and art. XII, sec. 15(a), of the charter.
1957	310*	(Ineffective because not approved locally).
1961	176	Amended art. III, secs. 1, 2, 5, and 14-A; art. V, sec. 5; and VI, sec. 1, of the charter.
1968	445	Provided for distribution of electric system tax equivalents to county.
1970	199	Amended art. II, sec. 1(8).
1971	200	Amended art. X, secs. 1 and 2.
1972	279	Amended art. III, sec. 2, and art. X.
1972	381	Amended arts. III, VI, and XII, and added arts. XIII and XIV.
1974	330	Amended art. XII, sec. 3.
1980	208	Authorized hotel occupancy privilege tax.
1985	60	Amended art. III, sec. 1.
1985	61	Amended art. III, sec. 5.

*Not included in the foregoing unofficial compilation.

Year	Chapter	Subject
1989	38	Amended art. X, secs. 1 and 2, and art. XIV, sec. 1(a).
1991	120	Amended art. III, secs. 1, 4, 6; art. V, sec. 5; art. VI, sec. 1; art. XII, sec. 9
1994	185	Amended art. II, sec. 1; art. III, secs. 1 and 2; art. V, sec. 5; art. X, secs. 1 and 2; art. XI, secs. 1, 7, and 8; and art. XII, secs. 3 and 11.
1996	176	Authorized the collection of court costs for criminal and traffic offenses.
1999	20	Amended art. III, secs. 2 and 10; art. IV, sec. 3; art. V sec. 5; and art. XIV, sec. 1.
1999	53	Replaced art. XII, sec. 13.
2002	169	Replaced art III, sec. 2; and art. V, sec. 5; and added art VI, sec. 2.
2005	60	Amended art. III, sec. 1.
2005	61	Amended art. III, sec. 1; art. III, sec. 2; art. III, sec. 10; art. IX, sec. 2; and added art. IX, secs. 3, 4, and 5.
2005	62	Amended art III, sec. 2; and art. VI, sec 2.

Year	Chapter	Subject
2008	93	Amended art. III, secs. 10 and 14-A, and added secs. 18 and 19.
2009	33	Amended art. VII, § 2.
2014	34	Amended art. XII, § 3 and art. XIV, § 1.
2014	45	Amended art. III by deleting § 2 and renumbering the remainder of article; and replaced art. VI in its entirety.
2016	52	Added annexation ordinance numbers to § 2 footnote #1; replaced art. 1, § 1; art. II, § 1; art. III, §§ 5 and 16; art. IV, § 3; art. V, §§ 1, 3, and 5; art. VI, § 1; deleted art. VI, first § 2 and replaced second § 2; replaced art. VII, § 1; deleted art. VIII; replaced art. IX, § 1; amended art. IX, § 5; replaced art. X, §§ 1 through 3, deleted §§ 4 through 7; deleted art. XII, § 3; and replaced art. XIV.