

CHARTER FOR THE CITY OF SPARTA, TENNESSEE<sup>1</sup>

## CHAPTER 295.

Senate Bill No. 333.

AN ACT to incorporate the city of Sparta, in the county of White and State of Tennessee, and to provide for the election of officers thereof and prescribe their duties, and for other purposes, and to repeal all laws in conflict with this Act.

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<sup>1</sup>Acts 1903, ch. 295, is the current basic charter act for the City of Sparta, Tennessee. The text of the basic charter act set out herein includes all its amendments through the 2006 session of the Tennessee General Assembly. The acts which amend specific sections of the charter have been incorporated in those sections. One act, Priv. Acts 1949, ch. 251, although it does not expressly amend the charter, has been incorporated and assigned section numbers 16a, 16b, etc, because of its subject matter. Sections of the charter which have been amended contain at the end of those sections the citation to the official private act or acts constituting the amendment or amendments. No other changes have been made to the charter except the addition of a table of contents to facilitate its use. A list of all the private acts including the basic charter appears at the end of the charter.

Bond authorization and validation acts, since of a temporary nature, and special assessment or abutting property laws, since they are essentially duplicated in the general state law, have not been included but are listed at the end of the charter, as unofficially set out here, along with the other private acts relating to the City of Sparta.

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Section 1. Be it enacted by the General Assembly of the State of Tennessee, That the city of Sparta, in the county of White, and State of Tennessee, and the inhabitants thereof, be, and are hereby constituted a body politic and corporate, under and by the name and style of the "Mayor and Aldermen of the city of Sparta;" may sue and be sued, grant, receive, purchase, and hold real estate, mixed and personal property, and dispose of the same for the use and benefit of said city of Sparta and may have and use a common seal, and change the same at pleasure. [As amended by Priv. Acts 1973, ch. 99]

Sec. 2. Be it further enacted by the General Assembly of the State of Tennessee, That the corporate limits of the City of Sparta shall be as follows: Beginning at Herbert Thompson's corner on the west side of the N., C. & St. L. Railroad crossing on the north side of the Fred Hill Road and running with the north side of the Fred Hill Road in an eastward direction to the intersection of U. S. Highway No. 70-S; thence in a northeastward direction to a stake on the south bank of the Calf Killer River opposite the point where Town Creek empties into said river; thence in an eastward direction with the meanders of the Calf Killer River to W. O. Carter's northeast corner; thence southward with W. O. Carter's east line to the southwest corner of Camp Heights; thence southeastward to the southwest corner of Mountain View Heights addition; thence eastward with the southern boundary of Lots No. 1 to 30, Block No. 3, inclusive, to the southeast corner of Lot No. 30, Block No. 3; thence northward with the east boundary of Lot No. 30, Block No. 3 to a point where this line strikes the south boundary of Lot No. 56, Block No. 5; thence southeastward

with the south boundary of the said Lot No. 56 to the southeast corner of said lot; thence northward with the east boundary of Lots No. 56 to 32, Block No. 5, inclusive, to the southwest corner of Lot No 24, Block No. 5; thence eastward with the southern boundary of Lots No. 24 to 1, Block No. 5, inclusive, to the southeast corner of Lot No. 1; thence northward with the east boundary of Lot No. 1 to the northeast corner of said lot; thence south 88½ degrees east 40 feet to the east side of Oak Street; thence north 14½ degrees east with the east side of Oak Street 215 feet to a stake; thence south 87 degrees east to a stake in a fence in the Charles Bassine east boundary; thence northward with the said fence to an iron stake; thence north 38½ degrees east to a stake at a post in a fence corner in the J. R. Lee line to the rear of the Lakeview Service Station; thence north 40 degrees east crossing Highway 70-S to an iron stake on the east side of the lane leading to the Jack Hutchings house; thence north 4 degrees east to an iron stake at an oak tree 30 feet north of the N., C. & St. L. Railroad near and west of the Thompson-Weinman rock quarry; thence northwestward to a rock in the southeast corner of the Frank Stewart addition; thence northwestward to the northwest corner of the property of Roy Shockley, colored; thence due west to the west bank of the Calf Killer River; thence in a southwestward direction with the meanders of the said river to the mouth of a spring located on the property of R. L. Gillen, formerly owned by G. H. Templeton; thence northwestward with the meanders of an old road to an iron stake on the north side of said road in the corner of a wire fence, R. L. Gillen's southwest corner; thence north 7½ degrees east with said wire fence to an iron stake striking another fence south of the R. L. Gillen barn; thence north 28 degrees west to a stake in the wire fence running eastward and westward north of the R. L. Gillen dwelling; thence in a westward direction with the said fence to the east side of the Cookeville Highway; thence northward with the east side of the Cookeville Highway to an iron stake on the northwest side of the Broyles road, the stake being the southeast corner of the Tom Wright property; thence northeastward with the northwest side of the Broyles road to an iron stake in a wire fence, the corner between Marvin Hutson and Sewell; thence north 39½ degrees west with the wire fence to an iron stake in the south boundary of the Hill Broyles property, formerly owned by B. B. Jared; thence south 64 degrees west, crossing the Cookeville Highway to an iron stake at a small cedar on the east side of the old Clark's Mill Road leading from the J. M. Herd property to the Smithville Highway; thence with the east side of the said road southwestward to an iron stake at the intersection of the said road with the Smithville Highway; thence south 37 degrees east crossing the Smithville Highway to a stake on the south bank of Town Creek; thence southeastward with the meanders of Town Creek to the southwest abutment of the N., C. & St. L. Railroad bridge; thence southwestward with the west side of the N., C & St. L.

Railroad to the beginning.<sup>1</sup> [As replaced by Priv. Acts 1907, ch. 329, § 1; amended by Priv. Acts 1921, ch. 188, § 1; Priv. Acts 1927, ch. 737, § 1; replaced by Priv. Acts 1929, ch. 469, § 1; Priv. Acts 1947, ch. 582, § 1; and amended by Priv. Acts 1973, ch. 99]

Sec. 3. Be it further enacted, That the Mayor and Board of Aldermen shall be elected as follows:

(a) The term of Mayor John Cheek who was elected in the April, 1995, city election to a term of two (2) years and of Alderman Bob Vinson who was appointed in April, 1995, to fill the unexpired Alderman's term of Mayor Cheek shall be extended to the date of the regular August election which will be held on the first Thursday of August, 1998. The term of office for such Alderman shall continue to be for a period of four (4) years thereafter.

(b) The terms of Aldermen Jim Payne and Jeff Wilson who were elected in the April, 1993, election for a term of four (4) years shall be extended to the date of the regular August election which will be held on the first Thursday of August, 1998. The terms of office for such Aldermen shall continue to be for a period of four (4) years thereafter.

(c) The terms of Aldermen Claude Bradley, Carl Wallace and Raymond Wilhite, who were elected in the April, 1995, election for a term of four (4) years, shall be extended to the date of the regular August election which will be held on the first Thursday of August, 2000. The term of office for such Aldermen shall continue to be for a period of four (4) years thereafter.

(d) The term of office for the Mayor, beginning with the election in August of 1998, shall be for a term of four (4) years thereafter. [As ammended by Priv. Acts 1909, ch. 274, § 1; Priv. Acts 1931, ch. 194, § 1; Priv. Acts 1945, ch. 369, § 1; Priv. Acts 1973, ch. 99; and Priv. Acts 1996, ch. 154]

Sec. 4. Be it further enacted, That the person having received the highest number of legal votes at any election held shall be declared elected, and the officers holding the election shall, within two (2) days thereafter, issue to each

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<sup>1</sup>The boundaries set out in § 2 above have been rendered obsolete by subsequent annexations, but said section has been set out for historical reference. Annexation ordinances are of record in the office of the city recorder.

of the Aldermen elected certificates of election, and that at all subsequent elections the officers holding said elections shall make certified returns thereof on the day succeeding said election to the acting Mayor, whose duty it shall be to issue to the persons receiving the highest number of legal votes in said city of Sparta, certificates of election within two (2) days. It shall be the duty of the persons elected to meet at some convenient place and proceed to organize by the election of a Recorder, Treasurer, Marshal, and such Assistant Marshals or policemen as the Board of Mayor and Aldermen may from time to time provide, and as may be necessary for the dispatch of municipal business. [As amended by Priv. Acts 1973, ch. 99]

Sec. 5. Be it further enacted, That no person shall be elected to any office in the municipality unless he has been a resident for at least six (6) months next preceding his election, and unless he is twenty-one years of age.

Sec. 6. Be it further enacted, That the compensation of each officer, employee, agent, and servant of the municipality shall be fixed by the Board of Mayor and Aldermen before the election of said officer, employee, agent or servant, and shall not be changed during his term of office. Each Alderman of the City of Sparta shall receive compensation in the amount of Five Dollars (\$5.00) for each meeting of the Board of Mayor and Aldermen attended by the Aldermen, but he shall not receive compensation for more than two (2) meetings per month. The salary of the mayor of the city of Sparta shall be set by the board of aldermen at not less than one thousand five hundred dollars (\$1,500.00) per annum nor more than five thousand four hundred dollars (\$5,400.00) per annum, and the salary of the mayor shall not be increased nor decreased during a term of office. [As replaced by Priv. Acts 1953, ch. 388, § 1; amended by Priv. Acts 1973, ch. 99; and Priv. Acts 1977, ch. 8]

Sec. 7. Be it further enacted, That the corporation aforesaid shall have full power and authority to make and pass such laws and by-laws as are necessary to prevent or remove nuisances; to provide for licensing and regulating auctions, taxing, regulating or restraining theatricals or public amusements, shows, or exhibitions within the boundary of the corporation; for restraining or prohibiting gambling houses; to regulate the sale of intoxicating liquors, beer, ale, or malt liquors; to establish night and day watches and patrol; to ascertain when necessary the boundary of streets and alleys; to have and keep in repair the streets, alleys, etc., and pass all laws necessary for the same; to repair and regulate markets, drayage, and personal privileges; to provide for the establishment and regulation of a fire company, the sweeping of chimneys, and the safe condition of flues, to impose and appropriate fines, penalties, and forfeitures for breach of by-laws and ordinances; to build and keep in good condition a lockup or calaboose for the safe keeping of persons before trial, who have violated any of said ordinances or by-laws of said corporation; to levy and

collect taxes of privileges, real, and personal property, for the purpose of carrying necessary measures into operation for the benefit of said city; to regulate the speed of locomotives, engines, and cars passing through said corporation, and prevent engines and cars from blockading public highways at their crossing, or standing in certain prescribed distances from crossing of said highway for a longer time than actually necessary to transact their business, to establish fire limits and such general regulations by ordinance, for the prevention and extinguishment of fire, as they may deem expedient; to regulate the storage and transportation of illuminating oils, high explosives, gunpowder, tar, pitch, resin, and other explosives and combustible material, and to regulate or prohibit the use of firearms; to alter, abolish, widen, extend, establish, and create streets, avenues, lanes, alleys, and sidewalks, and to improve and keep in repair the said streets, avenues, lanes, alleys, and sidewalks, drain and sewer; and to provide for the planting and protection of shade trees upon the streets, avenues, or parks, or other public grounds, and regulate the same; to provide for lighting the streets by gas, or otherwise, to remove all obstructions from the streets, lanes, avenues, alleys, and sidewalks and curbstones, and to provide for the removal of all encroachments into or upon all or any streets, lanes, avenues, or alleys within the city of Sparta, established by law or ordinance; to regulate the running of horse or railway car or cars, propelled by dummy engines, cable or electricity, and the laying of tracts for the same, transportation for passengers thereon and the form of rail to be used, and to require railroad companies using streets to lay their tracks at the official grade thereof, and require them to bring such streets between the sidewalks to their official grade at their own expense and to compel them to pave and keep in repair the streets between their tracks and for a distance of two feet on each side of same; to erect and maintain a workhouse, a house of correction, and to provide for the regulation and government thereof; to provide for lighting the streets, to erect lamp posts, electric towers, or other apparatus; to prevent and restrain riots, noise, disturbances, or disorderly assemblages in any streets, houses, or places within the city of Sparta, breaches of the peace, fighting or disorderly conduct; and to suppress bawdy houses; to prohibit and punish the abuse of animals; to provide the city with water, to erect hydrants and pumps, construct cisterns and reservoirs, to lay pipes for conducting and distributing water over the city, and keep the same in repair; to acquire and own stock in any water company organized for the purpose of supplying with water for domestic, irrigating, mechanical, or other purposes, to build and construct reservoirs for the storage of water; to construct or purchase waterworks for the use of the city, and enlarge their capacity, from time to time and keep the same in repair, and generally to do whatever may be needful and necessary to be done by contracting with water companies, or otherwise, in order to supply the town with water for fire, domestic, irrigating, mechanical, and other purposes, and regulate the same and fix the price to be charged private consumers thereof; to establish and enforce quarantine laws and regulations, and enforce the same

within the city, and within one mile thereof; to prevent or regulate the driving of stock through the city; to restrain cattle, horses, hogs, sheep, dogs, and other animals from running at large and to prevent the erection and maintenance of barbed wire fences within the limits of the city, and to authorize the summary sale or other disposition of horses, cattle, sheep, dogs, and all other animals running at large in the city; to regulate or prevent the use of fireworks and to regulate or prevent the carrying on of manufactories dangerous in causing or promoting fires; to require parties before erecting any building to obtain a building permit upon written application to the Board of Mayor and Aldermen; to make all ordinances which shall be necessary and proper for carrying into execution the powers specified in this Act, and to make all ordinances which it may deem necessary or requisite for the good order, health, good government or general welfare of the city, and also for the protection and preservation of any city properties, privileges, and franchises, and enforce the same by proper fine, imprisonment, or other penalties, and all the powers and authority set out in Section 1607 of Milliken and Vertress' Compilation of the Code of Tennessee.

The corporation aforesaid shall have full power and authority to loan its credit to any water company organized for the purpose of supplying said city with water for domestic, irrigating, mechanical or other purposes by purchasing the bonds or securities of such water company upon the approval of three-fourths of the qualified voters of said city who vote in an election at which the question of such proposed loan is submitted to such qualified voters in accordance with the provisions of Section 29, Article II, of the Constitution of said State, and to make and pass such laws, by-laws and ordinances as are necessary to carry into effect the power herein granted. [As amended by Priv. Acts 1923, ch. 53, § 1, and Priv. Acts 1973, ch. 99]

Sec. 8. Be it further enacted, That the Board of Mayor and Aldermen shall have the power to establish and change the grade of streets of the said city of Sparta. [As amended by Priv. Acts 1973, ch. 99]

Sec. 9. Be it further enacted, That before entering upon the discharge of their duties, the Aldermen and all municipal officers shall take an oath to faithfully demean themselves, as the law directs, during their existence in office; that the Recorder, Treasurer, and other officials charged with the collection, safekeeping, and disbursements of the corporation funds, shall give bond in such sum or sums as the Board of Mayor and Aldermen may require, for the faithful performance of their duties; provided, the bond of the Recorder shall not be less than five thousand (\$5,000) dollars.

Sec. 10. Be it further enacted,

(a) That the Mayor shall preside at meetings of the Board of Mayor and Aldermen, shall have a vote on all matters but no veto power, shall be the ceremonial head of the city, and shall sign ordinances and resolutions on their

final passage. Unless a majority of the Board of Mayor and Aldermen present shall vote in favor of any proposition coming before the Board, the same shall be declared lost. The Mayor shall sign deeds, bonds and contracts when authorized by the Board of Mayor and Aldermen to do so, shall be the officer to accept process against the city, shall call special meetings of the Board of Mayor and Aldermen, whenever he may deem it expedient, and shall perform other duties imposed by this Act and ordinances not inconsistent with this Act.

(b) That the Mayor shall be the executive head of the city government, responsible for the city's affairs. He shall be responsible for the enforcement of laws, rules and regulations, ordinances and franchises in the city, and the city attorney shall take such legal actions as the Mayor may direct for such purposes. He shall have authority to direct and control the work of all officers and employees, except as otherwise provided in this Act and amendments thereto. He shall submit to the Board of Mayor and Aldermen annual budgets, reports, and such other information as he may deem necessary or the Board may require. He shall have authority to make allotments of funds within the limits of appropriations and no expenditure shall be made without his approval. If no other employee is designated as purchasing agent he shall act as purchasing agent for the city; and if no other employee is designated as superintendent of streets, he shall act as superintendent of streets for the city. He may conduct inquiries and investigations into the conduct of the city's affairs and shall have such other powers and duties as may be provided by ordinances not inconsistent with this act. [As replaced by Priv. Acts 1953, ch. 388, § 2, and amended by Priv. Acts 1973, ch. 99]

Sec. 11. Be it further enacted, That the Recorder shall be vested with full power and authority to try all offenses for the violation of ordinances and by-laws of said corporation; and said Recorder of the city of Sparta shall be, and is hereby, invested with concurrent jurisdiction with Justices of the Peace in all cases for the violation of the criminal laws of the State, or the ordinances or by-laws of the Board of Mayor and Aldermen of the city of Sparta, within the corporate limits of said city; and for trial of State offenses the cost incident thereto shall be the same as allowed to Justices of the Peace for like services which said cost when collected, shall be paid into the city treasury. Said Recorder shall keep a regular docket, in a well bound book, the same as are kept by the Justice of the Peace, and shall docket every case tried by him and show amount of bill of costs of same. [As amended by Priv. Acts 1973, ch. 99]

Sec. 12. Be it further enacted, That the Board of Mayor and Aldermen of said corporation shall have full power and authority to erect a workhouse and lockup, or calaboose, for the safekeeping of persons when arrested, who fail to give or fail to put up forfeitures for their appearance before the Recorder for trial; and when any person or persons, who have been convicted of any violation of any bylaws or ordinances of said corporation fail or refuse to pay or secure to

be paid the fine and costs accruing thereon, the Board of Mayor and Aldermen may provide by an ordinance for the confinement in said lockup, workhouse, or calaboose, and put them to work for the city, either within an enclosure, on the streets or other public works, under proper guards or secured by ball and chain, at such wages as the board may adopt by ordinance, until the fine and costs are paid. [As amended by Priv. Acts 1973, ch. 99]

Sec. 13. Be it further enacted, That the Board of Mayor and Aldermen shall have full power and authority to dismiss and remove any officer or agent appointed or elected by them, including the Recorder or Marshal, for incompetency or any violation, neglect, or disregard of the duties imposed upon them by the by-laws or ordinances of said corporation; provided, that two-thirds of the Board of Mayor and Aldermen concur in the removal or dismissal.

Sec. 14. Be it further enacted, That the Board of Mayor and Aldermen of the city of Sparta, shall have full power and authority by ordinance, within the city, and for the distance of one mile from the corporate limits thereof, to provide for the sanitary measures necessary to prevent sickness, and to establish quarantine when, in the judgment of the board, the same is necessary to be done and also to set the fees of the Recorder, City Marshal, and other officials and witnesses, who may be required to attend trial of causes on behalf of the corporation. [As amended by Priv. Acts 1973, ch. 99]

Sec. 15. Be it further enacted, That the Mayor and Aldermen of the city of Sparta, shall have full power and authority to lay off and open new streets, lanes, and alleys in said city and extend the old ones for the convenience of the inhabitants thereof, in the manner and mode prescribed by Sections 1388, 1389, 1390, 1391, of Thompson & Steger's Compilation of the Code of Tennessee; also may require the owners of real estate abutting on any street or alley of the said city of Sparta, Tenn., to construct sidewalks on or along their property so abutting any of the said streets or alleys of the said city of Sparta, Tenn. [As amended by Priv. Acts 1907, ch. 378, § 1, and Priv. Acts 1973, ch. 99]

Sec. 16. Be it further enacted, That the Board of Mayor and Aldermen shall have full power to levy and collect taxes for city purposes upon all taxable property, real, personal, and mixed, within the limits of the city. [As amended by Priv. Acts 1973, ch. 99, and Priv. Acts 1974, ch. 216]

Sec. 16a.<sup>1</sup> Be it further enacted, That the legal voters of the City of Sparta shall elect a citizen of the First Civil District of White County, Tennessee, to be Tax Assessor for the City of Sparta at the regular City Election of April, 1949, to serve a term of two years and until his successor shall qualify. The term of the City Tax Assessor shall be for two years and he shall take office after his election at the same time the Mayor of the city takes office. Such Assessor is hereby given express power and authority and required to assess the taxes for the City of Sparta upon all persons and property, real, personal and mixed, within the corporate limits of the City of Sparta which is assessable for taxation under the laws of the State of Tennessee, and shall exercise within said corporate limits all the powers heretofore given to County Tax Assessors under the general laws of this State. Notwithstanding any provisions of this Chapter, the Board of Mayor and Aldermen are authorized to have municipal taxes collected in accordance with provisions of Tennessee Code Annotated, Title 67, Chapters 10 and 11, as the same may be amended or in accordance with any other Act of the General Assembly of the State of Tennessee, now in existence or hereinafter enacted. [Priv. Acts 1949, ch. 251, § 1; amended by Priv. Acts 1957, ch. 332, § 1; Priv. Acts 1971, ch. 13; and Priv. Acts 1973, ch. 99]

Sec. 16b. Be it further enacted, That said City Tax Assessor is required to assess municipal taxes upon said property and the City of Sparta is especially authorized and empowered to collect same upon his said assessment for the full year 1949 on all property within the corporate limits of said city. Such City Tax Assessor is further authorized and empowered and required to assess said property within the corporate limits for each subsequent year thereafter and the City of Sparta is authorized and empowered to collect taxes upon such assessments in accordance with such annual tax rate as may be adopted by said municipality for each year.

The legislative body of the City of Sparta may by ordinance prescribe the manner in which said assessments shall be made by the City Tax Assessor and in which said taxes shall be collected, in all things complying with the charter of said city and the Constitution of the State. [Priv. Acts 1949, ch. 251, § 2, as amended by Priv. Acts 1973, ch. 99]

Sec. 16c. Be it further enacted, That all assessments shall be assessed as of January 10 of each year and all taxes due on the basis of such assessments and the levy of the city shall be due and payable on the same date that State and County taxes are due and payable and such taxes shall become delinquent if unpaid on the same date as State and County taxes become delinquent. From

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<sup>1</sup>These sections, numbered 16a, 16b, etc., are taken from Priv. Acts 1949, ch. 251. This act was not amendatory of the original charter, but it was felt this act should be incorporated here because of its subject matter.

and after such date all delinquent taxes shall bear interest and a penalty for delayed delinquent payments of one per cent for each month or fraction thereof for the period such taxes remain unpaid during the current fiscal year so that such unpaid taxes shall bear interest and penalty of one per cent for the first month of delinquency, two per cent for the second month of delinquency and three per cent for the third month of delinquency, etc. And after the expiration of any calendar year the unpaid and delinquent taxes shall bear interest and penalty of three-fourths of one per cent for each additional month or fraction thereof that they shall remain unpaid. [Priv. Acts 1949, ch. 251, § 3, as amended by Priv. Acts 1973, ch. 99]

Sec. 16d. Be it further enacted, That for the purposes of enforcing the collection of delinquent taxes, distress warrants and alias and pluries distress warrants in the name of the City of Sparta, Tennessee, shall be issued and upon such issuance a further sum of ten per cent of the amount of such delinquent taxes shall attach as an additional penalty. Such distress warrants shall be executed by a police officer of the City of Sparta detailed for that purpose. On or after the first day of October next succeeding the date upon which said City taxes become due, the City Tax Collector shall certify to the City Tax Attorney, which office is hereby created, the list of all delinquent taxes remaining unpaid and it shall be the duty of the City Tax Attorney to file suits in the name of the city to enforce collection of such delinquent taxes within one year from the date of such delinquency. [Priv. Acts 1949, ch. 251, § 4, as amended by Priv. Acts 1973, ch. 99]

Sec. 16e. Be it further enacted, That all taxes assessed and levied on real estate shall be and remain a lien on the property until such taxes are paid in full with all penalties, interest and Court costs; such lien shall be enforced as other liens are enforced by suits in equity and in such suits there may be included any number of distinct pieces or tracts of land, the owners thereof being made defendants to the bill and no such suit shall be subject to objection for misjoinder by reason of the distinct interests which the several defendants have in property proceeded against. The City Tax Attorney shall be entitled to collect a fee of five per cent of the amount of such delinquent tax for his services, the same to be added to the amount of tax due upon the list of delinquent taxes being referred to him for collection. [Priv. Acts 1949, ch. 251, § 5]

Sec. 16f. Be it further enacted, That any property, real, personal or mixed, lying within the corporate limits which shall have been omitted from the regular tax assessment books or are so described therein as to make assessment thereof uncertain or imperfect may in either event be assessed for taxation by the City Tax Assessor for the current year and for the three (3) years next preceding by entering on the tax books for the current year a description thereof, the name of the reputed owner, the date on which said assessment is made, the

year or years for which the assessment is made, the value as fixed by the City Tax Assessor, and the amount of taxes levied thereon at the rate of taxation fixed by the legislative body of the city for the year in which the assessment should have been made. The City Tax Assessor shall notify by mail the reputed owner, his agent or attorney, if known, that such pick-up assessment has been made and the amount of taxes due, and unless back taxes assessed in this letter are paid within thirty days after the mailing of such notice such unpaid back taxes shall become delinquent and be collected in the manner and with the penalties, interest and costs added, in the same manner as hereinbefore provided for delinquent taxes. Delinquent taxes accrued in this manner, together with interest, penalties and costs shall be a lien upon such property until paid in full. [Priv. Acts 1949, ch. 251, § 6, as amended by Priv. Acts 1973, ch. 99]

Sec. 16g. Be it further enacted, That there is hereby created a Tax Equalization Commission for the City of Sparta which shall consist of three (3) freeholder citizens of such municipality who shall be appointed by the legislative body of the City of Sparta for such period as may be determined by said body. Any person assessed for taxation who is dissatisfied with the assessment, or the City of Sparta is dissatisfied with any assessment, shall have the right to protest the said assessment in writing to the Tax Equalization Commission by filing with the City Tax Assessor his written claim for protest. [Priv. Acts 1949, ch. 251, § 7, as amended by Priv. Acts 1973, ch. 99]

Sec. 16h. Be it further enacted, That it shall be the duty of the Tax Equalization Commission wherever deemed proper to revise and equalize the assessments of each and every kind of taxable property assessed within the corporate limits of the City of Sparta and any revision of such assessment whether upward or downward may be determined by the Tax Equalization Commission after protest has been made to it, and the decision of such Tax Equalization Commission shall be conclusive and final. [Priv. Acts 1949, ch. 251, § 8, and amended by Priv. Acts 1973, ch. 99]

Sec. 16i. Be it further enacted, That the compensation of the Tax Equalization Commission shall be ten (\$10.00) dollars per day each and not to exceed five days during any calendar year. [Priv. Acts 1949, ch. 251, § 9]

Sec. 16j. Be it further enacted, That the compensation for the City Tax Assessor shall be \$300.00 per year and he shall make a bond in the face amount of \$1,000.00 that he shall truly and fairly assess all property, real, personal or mixed, within the corporate limits of Sparta, honestly and fairly at full value. Provided, however, that the governing body of the City of Sparta may in their discretion increase the compensation of the Tax Assessor so that his total compensation does not exceed \$1200 per annum and when his compensation

shall have been fixed, it shall not be altered during his term of office. [Priv. Acts 1949, ch. 251, § 10; amended by Priv. Acts 1953, ch. 389, § 1; and Priv. Acts 1973, ch. 99]

Sec. 16k. Be it further enacted, That the City of Sparta shall furnish all necessary books, stationery, etc., needed by the City Tax Assessor and the City Tax Equalization Commission for the performance of their duties. [Priv. Acts 1949, ch. 251, § 11, and amended by Priv. Acts 1973, ch. 99]

Sec. 17. Be it further enacted, That all franchises or privileges granted by the city of Sparta, to corporations or individuals, shall be limited to twenty (20) years from the granting of the same and such franchises or privileges so granted shall plainly specify on what particular street, alley, or avenue the same shall apply, and no franchise or privilege shall be granted by the city of Sparta in general terms, or that will apply to the city generally; provided, however, those franchises and privileges may be granted to gas, waterworks, electric light companies, telephone companies, and manufactures in general terms and for a period of longer than twenty (20) years; in the discretion of the Board of Mayor and Aldermen. [As amended by Priv. Acts 1953, ch. 283, § 1, and Priv. Acts 1973, ch. 99]

Sec. 18. Be it further enacted, That the incorporation herein granted, shall assume and be liable for all debts contracted and warrants issued by the Board of Mayor and Aldermen acting under the charter granted by the General Assembly of the State of Tennessee, by Chapter 80 of the Acts of 1899, and all contracts made and entered into by said Board of Mayor and Aldermen, under said charter, shall be as valid and binding in all respects upon the incorporation herein created, as if made by it and all the ordinances, passed by said Board of Mayor and Aldermen, shall continue in force until changed, modified, or repealed by the incorporation herein granted, and the Mayor and Board of Aldermen herein provided for are hereby empowered, and it shall be their duty, to levy taxes for the payment of said debts and warrants, and for carrying out said contracts, and all the titles and rights to all the property, both personal and real, debts and choses in action now owned and claimed by said city of Sparta, is hereby divested out of the same and vested in the corporation created herein, to hold, collect, and use in as full and ample a manner as if they had been purchased and acquired under the powers and rights of this charter. [As amended by Priv. Acts 1973, ch. 99]

Sec. 19. Be it further enacted, That all laws and parts of laws, and Acts and parts of Acts, in conflict herewith are hereby repealed.

Sec. 20. Be it further enacted, That this Act take effect from and after May 1, 1903, the public welfare requiring it.

Passed March 27, 1903.

ED. T. SEAY,  
Speaker of the Senate.

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

Approved April 1, 1903.

JAMES B. FRAZIER,  
Governor.

PRIVATE ACTS COMPRISING THE CHARTER OF SPARTA,  
TENNESSEE

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YEAR	CHAPTER	SUBJECT
1903	295	Basic charter act.
1907	329	Replaced § 2 relative to corporate limits
1907	378	Amended § 15 with regard to streets, alleys, and sidewalks.
1907	413	Replaced by Priv. Acts 1925, ch. 685.
1907	550 <sup>1</sup>	Authorized issuance of \$40,000 in bonds to provide for a system of waterworks and electric lights; tax levy; condemnation.
1909	274	Amended § 3 relative to terms of mayor and aldermen.
1909	21 <sup>1</sup>	Authorized issuance of \$15,000 in bonds to buy grounds for a build a high school; tax levy
1913	298 <sup>1</sup>	Authorized issuance of not more than \$40,000 in bonds to provide for a waterwork and electric light system; tax levy; rulemaking; creation of office of water and light superintendent; condemnation.
1915	349 <sup>2</sup>	Abutting property law; special assessments.

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<sup>1</sup>This act has not been included in the foregoing compilation because its purpose and effect are temporary.

<sup>2</sup>Abutting property laws have not been included in the foregoing compilation because they are now general laws with substantially the same provisions available for use by all municipalities.

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YEAR	CHAPTER	SUBJECT
1921	188	Amended § 2 relative to corporate limits.
1921	447 <sup>1</sup>	Authorized issuance of \$75,000 in bonds to provide for a system of waterworks; tax levy; prescription of methods of operation; condemnation.
1923	52 <sup>1</sup>	Authorized issuance of bonds in the amount of \$60,000 to purchase the property and franchise of the Sparta Water Company; tax levy; prescription of method of operation.
1923	53	Added last paragraph to § 7 relative to powers of city.
1923	74 <sup>1</sup>	Authorized issuance of bonds in the amount of \$37,000 to purchase bonds of Sparta Water Company; tax levy.
1923	346 <sup>1</sup>	Authorized issuance of not more than \$75,000 in bonds to acquire a sight for, build, and furnish a city school building; referendum.
1925	685 <sup>2</sup>	Taxation.
1927	168 <sup>1</sup>	Authorized issuance of not more than \$60,000 in bonds to purchase, build or acquire a system of waterworks; tax levy; rulemaking; condemnation.

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<sup>1</sup>This act has not been included in the foregoing compilation because its purpose and effect are temporary.

<sup>2</sup>This private act appears to have been superseded by Priv. Acts 1949, ch. 251 and therefore does not appear in the charter.

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YEAR	CHAPTER	SUBJECT
1927	169 <sup>1</sup>	Authorized issuance of not more than \$60,000 in bonds to purchase, build or acquire a system of waterworks; tax levy; rulemaking; condemnation.
1927	737	Amended § 2 relative to corporate limits.
1929 E.S.	12	Repealed Priv. Acts 1929, ch. 318.
1929	318 <sup>1</sup>	Authorized issuance of bonds to buy or install a waterwork system.
1929	319 <sup>1</sup>	Authorized issuance of not more than \$75,000 in bonds to pay for sewer construction; tax levy.
1929	469	Replaced § 2 relative to corporate limits.
1931	194	Amended § 3 relative to poll tax.
1937	160	Authorized election to determine whether board of mayor and aldermen should be authorized to issue general obligation bonds for hospital purposes.
1937	388	Authorized election to determine whether board of mayor and aldermen should be authorized to issue general obligation bonds for hospital purposes.
1941	315 <sup>1</sup>	Validated \$66,000 in funding bonds dated January 1, 1941; provided for tax levy.
1945	369	Amended § 3 relative to elections.

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<sup>1</sup>This act has not been included in the foregoing compilation because its purpose and effect are temporary.

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YEAR	CHAPTER	SUBJECT
1947	267 <sup>1</sup>	Authorized issuance of not more than \$75,000 in bonds to erect or repair school building
1947	379 <sup>1</sup>	Authorized issuance of not more than \$150,000 in bonds to build, repair, and extend the sewer system.
1947	418 <sup>1</sup>	Authorized issuance of not more than \$50,000 in bonds to build, repair, and extend streets.
1947	419 <sup>1</sup>	Authorized issuance of not more than \$50,000 in bonds to build, repair and extend the water system.
1947	582	Replaced § 2 relative to corporate limits.
1947	626 <sup>1</sup>	Authorized borrowing of money and issuance of bonds in the aggregate amount of \$60,000 to repair, extend, and improve the waterworks system.
1949	251	Taxation (Compiler added as §§ 16a - 16k.)
1853	283	Amended § 17 relative to franchises.
1953	388	Amended §§ 6 and 10 relative to salaries of officers and duties of mayor.
1953	389	Amended Priv. Acts 1949, ch. 251, § 10 relative to pay of tax assessor.
1957	332	Amended Priv. Acts 1949, ch. 251, § 1 relative to tax assessor.

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<sup>1</sup>This act has not been included in the foregoing compilation because its purpose and effect are temporary.

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YEAR	CHAPTER	SUBJECT
1971	13	Amended Priv. Acts 1949, ch. 251, § 1 relative to tax assessor.
1973	99	Changed "town" to "city" throughout charter.
1974	216	Amended § 16 relative to taxation.
1977	8	Amended § 6 to change limits of mayor's salary.
1996	154	Replaced § 3 relative to election of mayor and board of aldermen.