RESOLUTION 26-23

A RESOLUTION ADOPTING AMENDMENTS TO THE CITY OF RIDGETOP CHARTER FOR PRESENTMENT TO THE STATE OF TENNESSEE LEGISLATURE FOR REVIEW AND VOTE TO ALLOW APPROVAL AND ADOPTION BY THE BOARD OF MAYER AND ALDERMEN**.**

WHEREAS, the City of Ridgetop (the "City"), was established by original Charter pursuant to private acts in 1935; OVER

WHEREAS, the City, by and through the Board has duly amended the Charter subsequent to the original creation;

WHEREAS, certain provisions within the current Charter as duly amended are not applicable to the function and allowable governance of the City and the Charter further includes antiquated provisions that are not applicable; and

WHEREAS, the City, by its governing body, has determined additional Charter amendments are necessary to properly memorialize and establish the procedures of allowable governance of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMAN OF THE CITY OF RIDGETOP, TENNESSEE:

Now having reviewed the current Charter of the City as amended, The City of Ridgetop hereby adopts the attached Amendments to the Charter to present to the State of Tennessee for approval prior to presentment to the Board of Mayor and Aldermen for final approval and adoption.

This Resolution shall take effect upon its adoption, the public welfare requiring it.

This Resolution passed this 20th day of October 2026

_____

Mayor Tim Shaw

_____

Attest: City Recorder

SECTION 3. BE IT FURTHER ENACTED, That the government of the said city shall be vested in a mayor and four (4) aldermen to be chosen for terms as provided herein; all of whom shall serve until their successors are elected and qualified as hereinafter provided. The compensation for the mayor and aldermen shall be established by a two-thirds (2/3) vote of the mayor and aldermen in regular session; however, the salary of the mayor shall not exceed Five Hundred Dollars ($500.00) per month and the salary of each alderman shall not exceed one hundred fifty dollars ($150.00) per month. The salary of the mayor or of any alderman shall not be increased or decreased during the term for which such officer was selected. [As replaced by Priv. Acts 1973, ch. 96, § 1 and Priv. Acts 1979, ch. 48, § 2, and amended by Priv. Acts 1993, ch. 98, § 2]

SECTION 4. (a) BE IT FURTHER ENACTED, That beginning with the calendar year 1986, the board of mayor and aldermen of the city of Ridgetop shall order and cause to be held municipal elections, under the supervision of the county election commission, on the days and for the officials indicated below. The person receiving the highest number of votes for mayor in each mayor's election shall be mayor, and the two (2) persons receiving the highest number of votes for aldermen in each aldermanic election shall be aldermen.

The term of the mayor elected at the municipal election on the first Thursday of August 1984 is hereby extended to the regular November election to be held in 1988 and until his successor is elected and qualified. At the regular November election in 1988, there shall be elected a mayor to serve for a term of four (4) years and until his successor is elected and qualified.

The term of each alderman elected at the municipal election on the first Thursday of August 1982, is hereby extended to the regular November election held in 1986, and until his successor is elected and qualified. At the regular November election in 1986, there shall be elected two (2) aldermen, each to serve for a term of four (4) years and until his successor is elected and qualified.

The term of each alderman elected at the municipal election on the first Thursday of August 1984, is hereby extended to the regular November election to be held in 1988, and until his successor is elected and qualified. At the regular November election in 1988, there shall be elected two (2) aldermen, each to serve for a term of four (4) years and until his successor is elected and qualified.

Beginning in 1986, the biennial municipal elections shall be held at the regular November election. The mayor and/or aldermen elected at each respective biennial election shall serve for terms of four (4) years each and until their successors are elected and qualified, it being the intent of this section to establish a four (4) year term for mayor and four (4) year staggered terms for aldermen. Those

elected shall take office during the next regular meeting of the board of mayor and aldermen.

(b) BE IT FURTHER ENACTED, That no person shall be qualified to run for and hold the office of mayor or alderman in the city of Ridgetop, Tennessee, unless he or she shall have been domiciled in Ridgetop for as much as one (1) year prior to the date of such election, shall have reached the age of twenty-five (25) years prior to the date of the said election, and unless he or she meets other requirements provided by law as qualifications for running for representative in the general assembly. Furthermore, no one domiciled of Ridgetop shall be eligible to run for or hold the office of mayor or alderman if at the time of qualification for such election said candidate owes the city of Ridgetop real estate taxes more than one (1) year in arrears.

(c) BE IT FURTHER ENACTED, That all persons residing within the corporate limits and otherwise qualified as voters under the laws of the state shall be entitled to vote in said election.

(d) Quorum, attendance, and recess. A majority of the entire membership to which the board is entitled shall constitute a quorum, but a smaller number may recess from day to day and may compel the attendance of the absentees in such manner and under such penalties as the board of mayor and aldermen may provide. No adjournment shall be taken to a date beyond the next regular meeting and any adjourned meeting shall continue as a regular meeting throughout such adjournment.

(e) Tie-vote. All resolutions, ordinances, and motions are considered to be passed when a majority of those present and voting vote to approve the resolution, ordinance, or motion. In cases where there is a tie-vote, the resolution, ordinances, and motions are considered to have failed.

(f) Mayor responsibilities. As chief executive officer of the municipality and presiding officer of the board of mayor and aldermen, the mayor shall be a member of the board, and may vote, but shall have no veto on all matters coming before the board. Further, the mayor shall be able to make motions and introduce ordinances and resolutions before the board. [As replaced by Priv. Acts 1979, ch. 48, § 3,1 amended by Priv. Acts 1986, ch. 184, § 1, and Priv. Acts 1993, ch. 98, §§ 2 and 3]

SECTION 5. BE IT FURTHER ENACTED, That the chief of police shall be appointed by the board of mayor and aldermen, to serve at their pleasure. The board of mayor and aldermen shall fix his or her compensation and he or she shall be the chief law enforcement officer of the city. It shall be the duty of the chief of police and subordinate police officers to enforce all of the ordinances and laws of the

city and State of Tennessee, committed in their presence or upon a warrant issued for any violation, and bring them before the proper tribunal for trial. The chief of police shall also be charged with the execution of process, civil or criminal, and shall perform such other duties of said city as may be provided by ordinance. The criminal and civil jurisdiction and authority of the chief of police and subordinate police officers shall extend one (1) mile beyond the corporate limits. [As amended by Priv. Acts 1961, ch. 13, § 1(a) and Priv. Acts 1965, ch. 77, § 1, replaced by Priv. Acts 1979, ch. 48, § 4, and amended by Priv. Acts 1993, ch. 98, §§ 2 and 4, and amended by Priv. Acts 202……]

SECTION 6. (a) BE IT FURTHER ENACTED, Ridgetop shall have the power to:

(1) Assess, levy and collect taxes for all general and special purposes on all subjects or objects of taxation, and privileges taxable by law for state, county or municipal purposes;

(2) Adopt classifications of the subjects and objects of taxation that are not contrary to law;

(3) Make special assessments for local improvements;

(4) Contract and be contracted with;

(5) Incur debts by borrowing money or otherwise, and give any appropriate evidence thereof, in the manner hereinafter provided;

(6) Issue and give, sell, pledge or in any manner dispose of, negotiable or nonnegotiable interest-bearing or noninterest-bearing bonds, warrants, promissory notes or orders of the municipality, upon the credit of the municipality or solely upon the credit of specific property owned by the municipality or solely upon the credit of income derived from any property used in connection with any public utility owned or operated by the municipality, or solely upon the credit of the proceeds of special assessments for local improvements, or upon any two (2) or more such credits;

(7) Expend the money of the municipality for all lawful purposes;

(8) Acquire or receive and hold, maintain, improve, sell, lease, mortgage, pledge or otherwise dispose of property real or personal, and any estate or interest therein, within or without the municipality or state;

(9) Condemn property, real or personal, or any easement, interest, or estate or use therein, either within or without the municipality, for present or future public use; the condemnation shall be effected in accordance with the terms and

provisions of Tennessee Code Annotated, Title 29, Chapter 16, or in any other manner provided by law;

(10) Take and hold property within or without the municipality or state upon trust; and administer trusts for the public benefit;

(11) Acquire, construct, own, operate, and maintain, or sell, lease, mortgage, pledge or otherwise dispose of public utilities or telecommunications systems or any estate or interest therein, or any other utility of service to the municipality, its inhabitants, or any part thereof, and, further, may issue debt for these purposes under the Local Government Public Obligations Act, Tennessee Code Annotated, Title 9, Chapter 21. For purposes of this item and other items in this section, telecommunications system means a system for transmitting, amplifying and receiving voice, data or video signals over a network of wire, cable, radio channels or other means or device for accomplishing such redistribution to members of the public who subscribe to such service;

(12) Grant to any person, firm, association or corporation (including the municipality) franchises for public utilities and public services and telecommunications systems to be furnished the municipality and other areas. The power to grant franchises embraces the power to grant exclusive franchises. Whenever an exclusive franchise is granted, it shall be exclusive not only as against any other person, firm, association, or corporation, but also against the municipality itself. Franchises may be granted for a period of twenty-five (25) years or less, but not longer. The board may prescribe in each grant of a franchise, the rate, 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 thereafter may be opened;

(13) Make contracts with any person, firm, association or corporation for public utilities, public services and telecommunications systems to be furnished the municipality and other areas. 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 of less, but not longer. The board 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 thereafter may be opened;

(14) Prescribe reasonable regulations regarding the construction, maintenance, equipment, operation and service of public utilities and telecommunications systems, compel reasonable extensions of facilities for these services, and assess fees for the use of or impact upon these services. Nothing herein shall be construed to permit the alteration or impairment of any of the terms or provisions of any exclusive franchise granted or of any exclusive contract entered into under subdivisions (12) and (13);

(15) Establish, open, relocate, vacate, alter, widen, extend, grade, improve, repair, construct, reconstruct, maintain, light, sprinkle and clean public highways, streets, boulevards, parkways, sidewalks, alleys, parks, public grounds, public facilities, libraries and squares, wharves, bridges, viaducts, subways, tunnels, sewers and drains within or without the corporate limits, regulate their use within the corporate limits, assess fees for the use of or impact upon such property and facilities, and take any appropriate property therefor under the provisions of Tennessee Code Annotated, Sections 7-31-107 through 7-31-111 and 29-16-114, or any other manner provided by general laws;

(16) Construct, improve, reconstruct or reimprove 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 assess a portion of the cost of these improvements on the property abutting on or adjacent to these streets, highways or alleys under, and as provided by, Tennessee Code Annotated, Title 7, Chapters 32 and 33;

(17) Assess against abutting property within the corporate limits the cost of planting shade trees, removing from sidewalks all accumulations of snow, ice, and earth, cutting and removing obnoxious weeds and rubbish, street lighting, street sweeping, street sprinkling, street flushing, and street oiling, and the cleaning and rendering sanitary or removal, abolishing, and prohibiting of closets and privies, in such manner as may be provided by general law or by ordinance of the board;

(18) Acquire, purchase, provide for, construct, regulate and maintain and do all things relating to all other marketplaces, public buildings, bridges, sewers and other structures, works and improvements;

(19) Collect and dispose of drainage, sewage, ashes, garbage, refuse or other waste, inside and outside the municipality, 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;

(20) License and regulate all persons, firms, corporations, companies and associations engaged in any business, occupation, calling, profession or trade not prohibited by law;

(21) Impose a license tax upon any animal, thing, business, vocation, pursuit, privilege or calling not prohibited by law;

(22) Define, prohibit, abate, suppress, prevent and regulate all acts, practices, conduct, business, occupations, callings, trades, use 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 municipality, and exercise general police powers;

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

(24) Regulate the location, bulk, occupancy, area, lot, height, construction and materials of all buildings and structures, and inspect all buildings, lands and places as to their condition for health, cleanliness and safety, and when necessary, prevent their use and require any alteration or changes necessary to make them healthful, clean or safe;

(25) Provide and maintain charitable, educational, recreative, curative, day care, corrective, detentive, or penal institutions, departments, functions, facilities, instrumentalities, conveniences and services;

(26) DELETED [Deleted by _____]

(27)(A) Enforce any ordinance, rule or regulation by fines, forfeitures, and penalties, and by other actions or proceedings in any court of competent jurisdiction;

(B) No fine may exceed two hundred fifty dollars ($250) for any one (1) offense or up to the maximum amount established by state law and prescribed by ordinance;

(28) DELETED [Deleted by _____]

(29) Regulate, tax, license or suppress the keeping or going at large of animals within the municipality, impound them, and in default of redemption, sell or euthanize them in accordance with all local and state regulations;

(31) Call elections as herein provided; and

(32) 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.

(b) BE IT FURTHER ENACTED, Except as otherwise provided by general law or this charter, legislative action of the board or mayor and aldermen shall be by ordinance when granting, renewing or extending public franchises; creating, abolishing or combining departments or offices; exercising the police power to protect the public health, welfare and safety; levying taxes; adopting the budget; providing a fine or other penalty or establishing a rule or regulation for violation of which a fine or other penalty is imposed; or amending or repealing an existing ordinance. Other actions may be accomplished by resolution or motion.

(c) BE IT FURTHER ENACTED, That following every municipal election, the mayor upon receiving a majority approval from the board of aldermen shall appoint each alderman as Director, including the mayor who, subject to any restrictive provisions prescribed by ordinance, who shall act as a liaison between the below municipal functions as may be affected through a duly created Department of the City or City Board and the Board of Mayor and Aldermen to oversee and report to the Board of Mayor and Alderman for activities, actions, requirements, and plans of the Department or Board for one (1) or more of the following municipal functions:

> finance and administration; public works, parks and recreation; planning and zoning, code administration, community & economic development; utilities, fire and police, and other functions which may from time to time be designated by ordinance by the board of mayor and aldermen. The Director shall have no governing nor executive powers or authority with a focus on implementation and not governance, and shall receive no compensation. [As amended by Priv. Acts 1951, ch. 557, § 1(b) and Priv. Acts 1959, ch. 50, § 1, replaced by Priv. Acts 1979, ch. 48, § 5, and amended by Priv. Acts 1993, ch. 98, §§ 2, 5, and 6]

SECTION 7. Be it further enacted, That all ordinances shall begin; "Be it ordained by the City of Ridgetop as follows:"

Every ordinance shall be read two different days in open session before its adoption, and any ordinance not so read shall be null and void. Every ordinance shall be immediately taken charge of by the city recorder, and by him or her numbered and copied in an ordinance book and filed and preserved in his or her office. [As amended by Priv. Acts 1961, ch. 13, § 1(b); Priv. Acts 1979, ch. 48, § 6; and Priv. Acts 1993, ch. 98, § 2]

SECTION 8(a). In accordance with State law, the board of mayor and aldermen shall designate the procedures for the disbursement of funds which shall be made upon approval of the board, by warrant. [As amended by Priv. Acts 1961, ch. 13, § 1(c), as deleted and replaced in its entirety by Priv. Acts 1979, ch. 48, § 7]

SECTION 8(b). BE IT FURTHER ENACTED, That the board of mayor and aldermen shall have the right and authority to appoint a city judge for said city of Ridgetop to serve at their pleasure, and to fix his or her compensation. In the absence of the city judge, the mayor shall designate someone to serve in his or her stead. [As added by Priv. Acts 1961, ch. 13, § 1(e), replaced by Priv. Acts 1979, ch. 48, § 8, amended by Priv. Acts 1993, ch. 98, § 2, and renumbered by Priv. Acts 1993, ch. 98, § 7]

SECTION 9. (a) BE IT FURTHER ENACTED, That the city judge of said city shall have the authority and is hereby empowered to try all cases of offense against the by-laws and ordinances of said corporation and the peace and dignity of the city; and to this end the city judge is vested with full power and authority to try all offenses for violations of the ordinances and by-laws of said corporation, and he or she is further vested with the right to impose a fine not exceeding fifty dollars ($50.00) for each offense and charge the defendant with such costs, including the officers' cost as may be established by ordinance. No appeal shall be allowed from any judgment imposing any fine for the violation of a city ordinance except upon the giving of security for the payment of fine and costs. The city judge shall have the power to administer oaths, issue warrants and legal process of said corporation, which shall run in the name of the state of Tennessee, for the use of the mayor and aldermen of the city of Ridgetop and shall be addressed to the chief of police of said city or any lawful officer. The city judge shall impose all fines, costs, and penalties, for adjudicated offences for violations of the ordinances and by by-laws of said corporation; he or she, or as directed to a designated clerk of the Court, shall maintain a complete record of all cases.

(b) The city recorder shall keep all other records, proceedings and transactions of all meetings of the mayor and aldermen while sitting in session as a municipal body. The city recorder shall have the power to assess all taxable property under the state laws subject to the approval of the board of aldermen and make out the tax books for said corporation. The mayor shall have power to employ necessary clerical force upon the approval of the board. He or she shall preside at all meetings of the board of mayor and aldermen and see that all the corporation's ordinances are enforced.

(c) Whenever, in the opinion of the mayor or of any two (2) aldermen the welfare of the city demands it, the mayor or city recorder shall call special meetings of the board and mayor and aldermen upon at least forty-eight (48) hours' written notice to each alderman, the mayor, and the city recorder, served with the Notice personally or by leaving the Notice at his or her usual place of residence or <u>via</u> electronic Notice at the assigned digital email address with the City. Each call for a special meeting shall set forth the agenda of the business to be discussed at such meetings and no other business shall be considered at such meeting. [As amended

by Priv. Acts 1959, ch. 49, § 1, and Priv. Acts 1961, ch. 13, § 1(f), replaced by Priv. Acts 1979, ch. 48, § 9,[1] as amended by Priv. Acts 1979, ch. 48, § 11, and Priv. Acts 1993, ch. 98, §§ 2 and 9]

SECTION 10. BE IT FURTHER ENACTED, (a) That at the next regular meeting of the board of mayor and aldermen following an election of municipal officials, any newly elected alderman or mayor shall qualify by being sworn into office by a person duly authorized to administer oaths. At that meeting, the board of mayor and alderman shall elect a vice-mayor from one of their number to serve in the absence, sickness or incompetency of the mayor and to perform all such duties empowered by this act upon the mayor, including all mayoral duties. Upon death or resignation of the mayor, the vice-mayor shall become mayor and shall serve as mayor until the next scheduled city election, at which time an election will be held to fill the unexpired term. Once an alderman serving as vice-mayor becomes mayor, his or her vacancy on the board of mayor and aldermen shall be filled as provided herein.

(b) In cases of vacancies by death, resignation, removal of any alderman, or when the vice-mayor is serving as mayor in accordance with paragraph (a) above, such vacancy shall be filled by the board of mayor and aldermen by appointing someone meeting the qualifications to be elected alderman to fill the remainder of the unexpired term. Any portion of the unexpired term beyond the next regular municipal election shall be filled by voters at that election if such vacancy occurs at least twenty (20) days before the latest time for filing nominating petitions for candidates in that election. [As replaced by Priv. Acts 1979, ch. 48, § 12 and Priv. Acts 1993, ch. 98, § 10]

SECTION 11. [Deleted by Priv. Acts 1979, ch. 48, § 14.]

SECTION 12. [Deleted by Priv. Acts 1979, ch. 48, § 15.]

SECTION 13. Be it further enacted, That all laws and parts of laws in conflict with the provisions of this Act be and they are hereby repealed, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed February 15, 1935.

WALTER M. HAYNES,
Speaker of the House of Representatives.

---

[1] Priv. Acts 1979, ch. 48 §§9, 10, and 11, respectively deleted and replaced in its entirety § 9 of the charter, deleted in its entirety § 9(a) of the charter, and amended certain language in § 9(b) then redesignated it subsection (d) of § 9 of the charter.

W. P. Moss,
Speaker of the Senate.

Approved February 20, 1935.

HILL McALISTER,
Governor.