



May 17, 2024

Chapter I - Administration

Dear Reader:

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We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with county government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other CTAS website material.

Sincerely,

The University of Tennessee
County Technical Assistance Service
226 Anne Dallas Dudley Boulevard, Suite 400
Nashville, Tennessee 37219
615.532.3555 phone
615.532.3699 fax
www.ctas.tennessee.edu

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Chapter I - Administration

Abandoned/Inoperative Motor Vehicle Regulations

Private Acts of 2003 Chapter 62

SECTION 1. Purpose and scope.

The purpose of this act is to provide regulations for abandoned, wrecked, dismantled, junked or inoperative motor vehicles upon private property within Macon County.

SECTION 2. Definitions.

(1) "Abandoned, wrecked, dismantled, junked or inoperative motor vehicle" means any motor vehicle:

(A) In an obvious state of disrepair; and

(B)

(i) Without registration plates; or

(ii) With expired registration plates.

"Abandoned, wrecked, dismantled, junked or inoperative motor vehicle" does not include farm equipment, construction equipment, any motor vehicle enclosed within a building, any motor vehicle held in connection with a business enterprise lawfully licensed by the county and properly operated in the appropriate business zone pursuant to zoning laws of the county, any operable motor vehicle specifically adapted or designed for operation on a drag strip or raceway, or any motor vehicle retained by the owner for antique collection purposes.

(2) "County" means Macon County, Tennessee.

(3) "Motor vehicle" means any vehicle which is self-propelled and designed to be used on roads, streets or highways.

(4) "Person" means any person, firm, partnership, association, corporation, company or organization of any kind.

(5) "Private property" means any real property within the county which is privately owned and which is not public property.

SECTION 3. Storing, parking, or leaving abandoned, wrecked, dismantled, junked or inoperative motor vehicle prohibited and declared nuisance.

No person shall park, store, leave or permit the parking storing or leaving of any abandoned, wrecked, dismantled, junked or inoperative motor vehicle, or any parts thereof, whether attended or not attended on private property within the county for a period of time in excess of seventy-two (72) hours. The presence of any such motor vehicle, or any parts thereof, on private property in excess of such period of time is hereby declared a public nuisance that may be abated in accordance with the provisions of this act.

SECTION 4. Notice to remove.

Whenever it comes to the attention of the county that any nuisance as defined in Section 3 of this act exists in Macon County, a notice in writing shall be served upon the owner of the property or his agent notifying such owner of the existence of the nuisance and requesting such abandoned, wrecked, dismantled, junked or inoperative motor vehicle's removal in the time specified in this act.

SECTION 5. Responsibility for removal.

Upon proper notice and opportunity to be heard, the owner of the abandoned, wrecked, dismantled, junked or inoperative motor vehicle and the owner or occupant of the private property on which the same is located, either or all of them, shall be responsible for such vehicle's removal within seven (7) days of citing such nuisance by notice. In the event of the removal and disposition by the county, the owner or occupant of the private property where such motor vehicle is located shall be liable for the expenses incurred.

SECTION 6. Notice procedure.

The codes enforcement officer of the county shall give notice of removal to the owner or occupant of the private property where such abandoned, wrecked, dismantled, junked or inoperative motor vehicle is located at least seven (7) days prior to removal and disposition by the county. It shall constitute sufficient

notice when a copy of such notice is posted in a conspicuous place upon the private property on which such motor vehicle is located and a duplicate copy is sent by registered mail to the owner or occupant of the private property at such person's last known address.

SECTION 7. Content of notice.

The notice shall contain the request for removal, within the time specified in this act, and shall advise that upon failure to comply with the request for removal that the county, or its designee, shall undertake such removal with the cost of removal to be levied against the owner of the property upon which the abandoned, wrecked, dismantled, junked or inoperative motor vehicle is located.

SECTION 8. Request for hearing.

The person to whom the notice is directed, or their duly authorized agents, may file a written request for a hearing with the county within the seven (7) day compliance period pursuant to the provisions of this act.

SECTION 9. Procedure for hearing.

The hearing shall be held as soon as practicable after the filing of the request and the person to whom the notice is directed shall be advised of the time and place of such hearing at least five (5) days prior to the hearing date. At the hearing, the county and the person to whom the notice has been directed may introduce such witnesses and evidence as either party deems necessary.

SECTION 10. Removal of motor vehicle from property.

If the violation described in the notice has not been remedied within the seven (7) day period of compliance or has been affirmed at a hearing held in accordance with the provisions of this act, the sheriff's department, or the sheriff's designee, shall have the right to take possession of the abandoned, wrecked, dismantled, junked or inoperative motor vehicle, or parts thereof, and remove such motor vehicle from the premises. No person shall interfere with, hinder, or refuse to allow any person entrance upon private property for the purposes of removing a motor vehicle, or any parts thereof, pursuant to the provisions of this act.

SECTION 11. Notice of removal.

Within forty-eight (48) hours of the removal of such motor vehicle, the sheriff's department shall give notice to the registered owner of the vehicle, if known, and also to the owner or occupant of the private property from which the motor vehicle was removed. Such notice shall state that the motor vehicle has been removed, impounded and stored in accordance with the provisions of this act for a violation of this act. Such notice shall give the location of the motor vehicle and the cost incurred by the county for such motor vehicle's removal.

SECTION 12. Disposition of vehicles.

Upon removal a motor vehicle pursuant to the provisions of this act, the county shall, after ten (10) days, cause such motor vehicle to be appraised. If the motor vehicle is appraised at seventy-five dollars (\$75.00) or less, the sheriff's department shall execute an affidavit so attesting and describing the motor vehicle, including the license plates, if any, and stating the location and appraised value of the vehicle. The sheriff's department, after complying with the above, may summarily dispose of the vehicle and execute a certificate of sale. If the vehicle is appraised at over seventy-five dollars (\$75.00), the sheriff's department shall give notice of public sale not less than twenty (20) days before the date of the proposed sale.

SECTION 13. Contents of public sale notice.

The notice of sale shall state:

- (a) The sale is of abandoned property in the possession of the county;
- (b) A description of the motor vehicle including the make, model, license number, if any, and any other information which will accurately identify the motor vehicle;
- (c) The terms of the sale; and
- (d) The date, time and place of the sale.

SECTION 14. Public sale.

The vehicle shall be sold to the highest and best bidder. At the time of payment of the purchase price, the sheriff's department shall execute a certificate of sale in duplicate, the original of which to be given to the purchaser, and the copy thereof to be filed with the county executive's office. In the event that such sale shall be for any reason invalid, the county's liability shall be limited to the return of the purchase price.

SECTION 15. Liability of owner or occupant.

Upon the failure of the owner or occupant of the property upon which abandoned, wrecked, dismantled, junked or inoperative motor vehicles have been removed by the county to pay the unrecovered expenses incurred by the county in such removal, a lien shall be placed upon the property of the owner or occupant for the amount of such expenses.

SECTION 16. Civil penalty.

Each violation of this act is punishable by a civil penalty not to exceed fifty dollars (\$50.00). Each day of continued violation constitutes a separate violation. Such penalty shall be assessed by the general sessions court of Macon County and as otherwise provided by law.

SECTION 17. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of Macon County. Its approval or nonapproval shall be proclaimed by the presiding officer of the legislative body of Macon County and certified to the secretary of state.

SECTION 18. 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 as provided in Section 17.

Passed: May 29, 2003.

Budget System

Private Acts of 1937 Chapter 99

SECTION 1. That in all counties of this State having a population of not less than 13,872 nor more than 13,873, according to the Federal Census of 1930, or any subsequent Federal Census, it shall be the duty of the Chairman or Judge of the County Courts of said counties to prepare and submit to the January Term of said County Courts in Quarterly Session, in each year, beginning with said July Court 1937 and at said Term of said County Court in each year thereafter, a budget of the necessary and probable expenditures of said County, in itemized form, for the ensuing year, together with recommendations to said Court as to the necessary provisions to be made by said Court to meet the same.

SECTION 2. That it shall be the duty of the County Courts in said counties, at the July term 1937, Quarterly Session, and in each year thereafter at said Term, to carefully consider the report and budget submitted by said County Judge or Chairman, as provided in the First Section of this Act, and with such changes or modifications as may be deemed proper to make in the same, to adopt said budget, which, when so adopted, shall be and constitute the maximum amount of expenditures for said county for the year, except as hereinafter provided.

SECTION 3. That when said budget is so adopted, as provided in Section 2, it shall be the duty of the said County Court to make all levies, orders, and provisions which may be necessary to fully meet and discharge all the items and obligations contained in said budget out of the legitimate income of the county for the current year.

Said Budget when adopted by said Court shall not be changed or altered during any current year, except by an affirmative vote of two-thirds of said Court.

SECTION 4. That any member of said Court, Chairman, or County Judge, who shall vote to create any debt or obligation against said county, except as otherwise expressly authorized so to do, shall be guilty of a misdemeanor, punishable by fine of not less than Fifty Dollars, nor more than Two Hundred Dollars, and forfeit his said office, provided said debt or obligation so voted for is in excess of the budget so adopted or the income of said county for the current year, or for otherwise violating the provisions of this Act.

Provided, that nothing in this Act shall be construed as in any way applying to the duties of the said County Court in connection with the budget submitted to the said Court by the County Superintendent of Public Instruction and the County Board of Education for said county, except that when said School Budget shall be adopted by said County Court as now provided by law the penalties set out about in this Section shall apply to those voting for the said School Budget without making suitable provisions to meet the same as adopted.

SECTION 5. That this Act take effect from and after its passage, the public welfare requiring it.

Passed: January 21, 1937.

Health and Sanitation Regulations

Private Acts of 2003 Chapter 64

SECTION 1. Purpose and Scope: The purpose of this act is to provide regulations for health and sanitation upon properties within Macon County.

SECTION 2. Definitions:

(a) "County" is Macon County, Tennessee.

(b) "Person" shall mean any person, firm, partnership, association, corporation, company, or organization of any kind.

(c) "Private property" shall mean any real property within the county which is privately owned.

SECTION 3. Premises to be kept clean: All persons within Macon County are required to keep their premises in a clean and sanitary condition, free from accumulations of refuse, except where stored as provided in this chapter.

SECTION 4. Storage: Each owner, occupant, or other responsible person using or occupying any building or other premises within Macon County where refuse accumulated or is likely to accumulate, shall provide and keep covered an adequate number of refuse containers. The refuse containers shall be strong, durable, and rodent-and insect-proof.

SECTION 5. Health and sanitation nuisances: It shall be unlawful for any person in Macon County to permit any premises owned, occupied, or controlled by that person to become or remain in a filthy condition, or permit the use or occupation of same in such a manner as to create noxious or offensive smells and odors in connection therewith, or to allow the accumulation or creation of unwholesome and offensive matter or the breeding of flies, rodents, or other vermin on the premises to the menace of the public health or the annoyance of people residing within the vicinity.

SECTION 6. Storage of unused, discarded, or abandoned materials: Each owner, occupant, or other responsible persons using or occupying any parcel, lot, or tract of land with or without structures in Macon County are required to keep premises free from unused, discarded, or abandoned materials to include, but not limited to, old appliances, tires, construction materials, or any substance or material deemed to be unhealthy, unsightly, unwholesome, or offensive to adjoining property owners.

SECTION 7. Notice to remove: Whenever it comes to the attention of the county that any nuisance as defined in Sections 1 through 4 of this private act exists in Macon County, a notice in writing shall be served upon the occupant of the land where the nuisance exists, or in case there is no such occupant, then upon the owner of the property or his agent, notifying them of the existence of the nuisance and requesting its removal in the time specified in this act.

SECTION 8. Responsibility for removal: Upon proper notice and opportunity to be heard, the owner of the property where unsanitary conditions exist, or the occupant of the private property on which the same is located, either or all of them, shall be responsible for its removal. In the event of removal and disposition by the county, the owner or occupant of the private property where same is located shall be liable for the expenses incurred.

SECTION 9. Notice procedure: The codes enforcement officer of the county shall give notice of removal to the owner or occupant of the private property where it is located at least seven (7) days before the time of compliance. It shall constitute sufficient notice, when a copy of same is posted in a conspicuous place upon the private property on which the condition is located and duplicate copies are sent by registered mail to the owner or occupant of the private property at this last known address.

SECTION 10. Content of notice: The notice shall contain the request for removal, within the time specified in this private act, and the notice shall advise that upon failure to comply with the notice to remove, the county or its designee shall undertake such removal with the costs of the removal to be levied against the owner of the property.

SECTION 11. Request for hearing: The persons to whom the notices are directed, or their duly authorized agents may file a written request for hearing in Macon County within the seven-day period of compliance prescribed in Sections 1 through 4 for the purpose of defending the charges by the county.

SECTION 12. Procedure for hearing: The hearing shall be held as soon as practicable after the filing of the request, and the persons to whom the notices are directed shall be advised of the time and place of said hearing at least five (5) days in advance thereof. At such hearing, the county and the persons to whom the notices have been directed may introduce such witnesses and evidence as either party deems necessary.

SECTION 13. Liability of owner or occupant: Upon the failure of the owner or occupant of the property on which the condition exists, to pay the unrecovered expenses incurred by the county in such removal, a lien shall be placed upon the property for the amount of such expenses.

SECTION 14. Penalty: Any person violating any of the provisions of this private act shall be guilty of a misdemeanor, and shall be fined in accordance with the General Sessions Court of Macon County.

SECTION 15. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of Macon County. Its approval or nonapproval shall be proclaimed by the presiding officer of the legislative body of Macon County and certified to the secretary of state.

SECTION 16. 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 as provided in Section 15.

Passed: May 29, 2003.

Mobile Home Park Regulations

Private Acts of 1998 Chapter 138

SECTION 1. Purpose and Scope. The purpose of this act is to provide areas within the confines of Macon County outside the corporate limits of Lafayette and Red Boiling Springs for the location and development of planned mobile home parks. These areas shall be developed and located so as to provide safe and sanitary living conditions for mobile home occupants and to be convenient to employment, shopping centers, schools and other community facilities. These regulations shall be entitled the "Macon County Mobile Home Park Regulations".

SECTION 2. Definitions.

(1) "Buffer strip" means a planted material or other material as may be approved by the Macon County Regional Planning Commission which will provide a screen not less than six feet (6') in height;

(2) "Mobile home" means a detached single-family dwelling unit with all of the following characteristics:

(a) Designed for long-term occupancy, and containing sleeping accommodations, a flush toilet, a tub or shower bath, and kitchen facilities, with plumbing and electrical connections provided for attachment to outside systems;

(b) Designed to be transported after fabrication on its own wheels, or on flatbed or other trailers or detachable wheels;

(c) Arriving at the site where it is to be occupied as a dwelling complete, including major appliances and furniture, and ready for occupancy except for minor and incidental unpacking, and assembly operations, location of foundation supports, connection to utilities and the like; and

(d) Double-wide mobile homes and modular homes set upon permanent foundations are excluded from this definition and these regulations.

(3) "Mobile home park" means any plot of ground containing a minimum of two (2) acres upon which three (3) or more mobile homes are located or are intended to be located, but does not include sites where unoccupied mobile homes are on display for sale. A mobile home park cannot be developed on a site that is less than two (2) acres in size.

SECTION 3. It is unlawful for any person to place or maintain three (3) or more mobile homes for living or sleeping purposes on any premises or tract of land in Macon County outside the corporate limits of Lafayette and Red Boiling springs unless they are contained within a planned mobile home park duly permitted pursuant to the provisions of this act.

SECTION 4. The Macon County Regional Planning Commission shall grant approval or a mobile home park when all the provisions of this act have been met. An application and all accompanying plans and supporting data shall be filed in duplicate with the Planning Commission at least seven (7) days prior to a regular meeting of the Commission.

SECTION 5. The owner or lessee of the land parcel proposed for a mobile home park shall submit a plan for development to the Macon County Planning Commission for approval. The plan shall show:

(a) The park plan drawn to scale;

(b) The area and dimensions of the proposed park;

(c) The location and width of all driveways and walkways;

- (d) The location and dimensions of any proposed service building and structures;
- (e) The location of all water and sewer lines;
- (f) The location of all equipment and facilities for refuse disposal and other park improvements;
- (g) A plan for drainage of the park;
- (h) A certificate of accuracy signed by the surveyor or engineer that the boundary survey is correct;
- (i) A certificate and signature of the County Environmentalist stating suitability for subsurface sewage disposal;
- (j) A certificate for Planning Commission approval; and
- (k) Any other information deemed pertinent by the Planning Commission.

SECTION 6. Minimum Standards.

- (a) A mobile home park shall contain a minimum of two (2) acres.
- (b) Mobile home parks shall be designed so that the distance between mobile homes and between mobile homes and any attached or unattached structure of another mobile home is a minimum of thirty (30) feet in all directions.
- (c) The site shall be located on a well-drained and flood-free site with proper drainage. The Macon County Flood Insurance Rate Map date 9/4/85 or subsequent updates to said maps shall be used to determine floodable areas.
- (d) The site shall not be exposed to objectionable smoke, noise, odors, insect or rodent harborage or other adverse influences.
- (e) The site shall be located with direct access to an existing county or state road.
- (f) The Planning Commission may attach special conditions and safeguards to protect both the occupants of the park and the occupants of surrounding property from such elements as noise, light and dust. Where required to serve these ends, walls, planting, surfacing or other material or artificial means for protection may be required as a part of such special conditions.
- (g) The mobile home park shall not contain more than four (4) individual mobile home spaces per gross acre.
- (h) Service buildings shall be a permanent construction, adequately ventilated and lighted.
- (i) An approved water supply and sewer shall be provided to each mobile home space. Piping and connections shall be as specified and approved by the County Environmentalist.
- (j) All service buildings shall be convenient to the spaces which they serve and shall be maintained in a clean and sanitary condition.
- (k) The drives, walks, and parking areas shall be paved with hard surface material which shall be not less than double bituminous surface.
- (l) Roadways shall be a minimum of eighteen feet (18') in width.
- (m) Entrances and exits to the mobile home park shall be designed for safe and convenient movement of traffic into and out of the park and shall be located and designed as prescribed by the Macon County Planning Commission.
- (n) Any part of the park areas not used for building or other structures, parking, or access ways shall be landscaped with grass, trees, shrubs, and pedestrian walks.
- (o) The park shall be adequately lighted at night with security lights.
- (p) Each mobile home shall be set back a minimum of thirty feet (30') from any public street and a minimum of fifteen feet (15') from all property lines.
- (q) Each mobile home park shall provide at least two (2) off-street parking spaces for each mobile home unit. The parking spaces shall be located for convenient access to the mobile home units.
- (r) All mobile homes, service buildings, and the grounds of the park shall be maintained in a clean, sightly condition and kept free from any conditions that will menace the health of any occupant or the public or constitute a nuisance.

(s) Fire hydrants will be required if sufficient size water lines are available to serve the hydrants.

(t) In each mobile home park, the duly authorized attendant or caretaker shall be charged at all times to keep the mobile home park, its facilities and equipment, in a clean, orderly, safe and sanitary condition.

(u) It is unlawful for any person to maintain or operate a mobile home park within the Macon County Planning Region, unless such person first obtains approval from the Macon County Regional Planning Commission.

(v) There shall be no more than one (1) mobile home per septic tank and drainage field.

(w) A buffer strip shall be provided along all property lines of the park except across ingress and egress points to county roads.

SECTION 7. Enforcement and Penalties for Violation. The county may enforce this Mobile Home Park Regulation by action or injunction. Any person or persons who willfully neglects or refuses to comply with any of the provisions of this act shall be subject to a civil penalty of not more than fifty dollars (\$50.00) for each offense. Each day of violation shall constitute a separate offense. **SECTION 8.** Review Power of the Commission.

(a) Any of the foregoing provisions may, at the discretion of the Macon County Planning Commission, be waived for good and sufficient reasons. However, all mobile home park requests shall be submitted to the Planning Commission for review and shall be accompanied by a mobile home park development plan. The Planning Commission shall review all mobile home park plans for preliminary and final approval.

(b) Expansion of existing mobile home parks shall be submitted to the Macon County Planning Commission for approval and must conform to the standards set forth in this act.

(c) The Macon County Regional Planning Commission shall have the authority to establish operational procedures for administering the provisions of this act and to establish reasonable fees for the administration thereof.

SECTION 9. 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 10. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the County Legislative Body of Macon County. Its approval or non-approval shall be proclaimed by the Presiding Officer of the County Legislative Body of Macon County and certified to the Secretary of State.

SECTION 11. 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 as provided in Section 10.

Passed: April 2, 1998.

Purchasing Commission

Private Acts of 1937 Chapter 161

SECTION 1. That a Purchasing Commission be and the same is hereby created for all counties in this State having a population of not less than 13,872 nor more than 13,874, by the Federal Census of 1930, or any subsequent Federal Census. Said Purchasing Commission shall be composed of three members, (1) the County Judge or the Chairman of the County Court of said counties who shall be a member of said Commission by virtue of his office; (2) the county Court Clerk of said counties; and (3) the Clerk and Master of said counties. The members of this commission are to receive no compensation for their services as such members.

SECTION 2. That the duties of said Purchasing Committee shall be to buy all supplies, materials, and equipment, required for the proper support and maintenance of any and all departments, institutions and agencies, supported by, or under control of said county; provided, however, that the Commission created hereunder shall have no authority or control over the County Highway Commission or County Board of Education in matter of purchasing, contracting for, advertising for, receiving or accepting bids for the purchase of supplies, materials, or equipment for said County Highway Commission, or County Board of Education is not being the purpose or intent of this Act that said County Highway Commission's or County

Board of Education's power and authorities as given it under the law be interfered with in any manner.

And said Purchasing Commission shall also arrange for the purchase or rental of any and all real estate, machinery, and all other supplies where said purchases or rents are to be paid out of any funds belonging to, or under the control of, said county, or said department, institution or agency thereof, excepting the County Highway Commission and County board of Education as hereinabove provided for. Said Commission shall make such purchases by competitive bids under such rules as they may adopt; and they are given authority to advertise in such manner as they may deem best for any bids that they deem proper for the best interest of the county. The authority given under this Act to purchase supplies, materials and equipment shall extend to the buying and purchasing of all books, ballots and other supplies necessary in the holding of all elections held in said counties.

SECTION 3. That said Purchasing Commission may require such security as it may deem proper to accompany the bid or bids, and shall fix security to be given by the bidder, when bids are required. The commission may reject any and all bids and secure new bids, if for any reason it is deemed for the best interest of the county to do so; and it shall have the power and authority to purchase goods or any other supplies, or to arrange for any rentals deemed necessary, without first advertising for bids on same, when such action is deemed necessary for the Commission.

SECTION 4. That said Purchasing Commission shall meet immediately after the passage and effective date of this Act, and shall organize by the election of one of their number as Chairman, and make a survey of the needs of the various departments, institutions and agencies of the county. Said Commissioners shall have the power to meet as often as its members deem necessary and advisable, and the duties of their office require. They shall also have power to prescribe rules and regulations for their own government.

SECTION 5. That the Secretary of said Commission shall keep a complete record of all the transactions of the said Commission including a record of all bids received, all purchases made, the amounts and items purchased for each department, institution or agency of the county, and all expenses incurred by the Commission, and the Secretary shall perform such other duties as required by the Purchasing Commission. All of said records so kept will be kept in a wellbound book which shall remain in the office of the Secretary of the Commission.

SECTION 6. That all meetings of the Commission, and all records kept by them or their Secretary, shall be open to the public; and a report of activities and transactions of the Commission shall be submitted to each meeting of the Quarterly County Court of said county recovering the previous quarter.

SECTION 7. That said Purchasing Commission shall make rules and regulations that shall govern the method and procedure for the purchase, delivery and storage of supplies, materials and equipment, for the various departments, institutions and agencies of the county. Said rules and regulations shall, as far as practicable, be uniform, and they shall be either general or limited in their application. They shall include provisions relating to the following:

1. Standardization of forms for estimates, requisitions, orders, contracts, and stores control.
2. Standardization of specifications for the purchase of supplies, materials and equipment.
3. Standardization of quality, grades, and brands, to eliminate all unnecessary classes of commodities, or unnecessary grades or brands of the same commodity.
4. Establishment of definite periods for submitting estimates, and requisitions for various supplies, materials and equipment.
5. Submission of proposal for bids, and the receipt of bids for supplies, materials and equipment, and the stimulation of competition relative thereto.
6. Purchase of supplies, materials, and equipment by long or short term contracts, or by contracts or orders made at certain seasons of the year, or by blanket contracts or orders covering the requirements for such supplies, materials and equipment, of one or more using agencies.
7. Contracts for services other than personal services, such as telegraph and telephone services, and fuel, lights, water, and other office services for the several using agencies.
8. Regulations to secure prompt delivery of all supplies to using agencies.
9. Purchase of supplies, materials and equipment, without competition, in cases of emergency requiring immediate action.
10. Use and disposal of the products of county institutions or other agencies.
11. Disposal of obsolete, excess and unsuitable supplies, materials, and salvage, or the transfer of same to other using agencies.

12. Storage of surplus supplies, materials and equipment not needed for immediate use.
13. Testing of supplies and materials.
14. Hearings on complaints with regard to the quality, grade or brand of goods.
15. Waiver of rules in special cases.

SECTION 8. That hereinafter no official or employee of said county shall make any purchase, or contract to purchase, any materials, equipment, or supplies of any kind, except through, or in accordance with the rules and regulations of said Purchasing Commission. And it shall be unlawful for the County Judge, or Chairman of the County Court, or any other official of said county, to issue his warrant upon any fund or funds belonging to said county, or any department, institution or agency thereof, for any purchase or purchases or, for any rents or storage, until a proper requisition for same shall have been filed with said Purchasing Commission, and their written approval thereof obtained.

SECTION 9. That said Commission shall procure the necessary books, requisitions and all other supplies necessary to the carrying out of the purpose of this Act; and such books and supplies shall be paid for upon the warrant of the county judge, or chairman of the county court, of such county, in the same manner as all other purchases are paid.

SECTION 10. That if any section, paragraph, clause, or phrase, of this Act shall be held invalid or unconstitutional, for any reason by any Court or other authority of competent jurisdiction and power, such action shall not affect the remaining portion of this Act, as the same would have been enacted into law had such invalid or unconstitutional part or parts been stricken out or elided therefrom.

SECTION 11. That all laws and parts of laws in conflict with this Act, be, and the same are, hereby repealed.

SECTION 12. That this Act take effect from and after its passage, the public welfare requiring it.

Passed: February 5, 1937.

Administration - Historical Notes

Budget System

The following acts once created a budgeting system for Macon County, but they have been specifically repealed or superseded by current law.

1. Private Acts of 1977, Chapter 54, would have amended Private Acts of 1937, Chapter 99, Section 4, by providing that the Sheriff of Macon County would hereafter have the duty of purchasing all supplies, materials, and equipment, required for the operation of the Sheriff's Department and the Jail but would be required to stay strictly within budget limitations. Any change in the budget must take place under Section 3 of the 1937 Act. The Sheriff would not receive any additional compensation for these added duties and penalties were provided for violations of this act. This Act was rejected by the Macon Quarterly Court and therefore never took effect.

County Attorney

The following act once affected the appointment, election, or office of the county attorney in Macon County. The act is included for historical reference only.

1. Private Acts of 1987, Chapter 31, was not ratified at the local level of Macon County. The act was to create the position of county attorney for Macon County.

County Mayor

The references below are of acts which once applied to the office of county judge, or county executive in Macon County. They are included herein for historical purposes only.

1. Private Acts of 1937, Chapter 100, as amended by Private Acts of 1949, Chapter 96, abolished the office of county chairman of the court court of Macon County and created the office of county judge.
2. Private Acts of 1951, Chapter 61, recited in the preamble that the duties of the County Judge of Macon County had become heavy and burdensome, and the County Judge is called upon to perform many ex-officio duties without any compensation, and these additional functions surely require some sort of clerical assistance, this act adds the compensation of \$600 per year to be paid to the county Judge of Macon County in his capacity as administrative and fiscal officer, beginning with the month this act become effective, any payable out of the general funds.

3. Private Acts of 1961, Chapter 139, declared that the County Judge of Macon County was hereby designated as fiscal officer and financial agent for the county and for his services as such he shall receive \$1,200 per year, payable in equal monthly installments out of the general fund of the county. This act was properly ratified by the Quarterly County Court.
4. Private Acts of 1975, Chapter 152, amended Chapter 100, Private Acts of 1937, and Chapter 555, Private Acts of 1951, by divesting the jurisdiction over juveniles out of the bonds of the County Judge and placing it in the General Sessions Judge. The Quarterly County Court of Macon County took no action on this bill and it is therefore not operative and not in effect in accordance with its provisions.

County Legislative Body

The following acts once applied to the quarterly court or the county legislative body of Macon County and are included herein for historical purposes.

1. Private Acts of 1915, Chapter 497, provided that the Justices of the Peace of Macon County, identified by using the 1910 Federal Census figures, shall be paid \$2.00 per day for their services while attending the meetings of the Quarterly County Court, plus five cents per mile for going to and from their homes to the courthouse, not to exceed two round trips per term of court, payable out the county treasury on the warrant of the County Judge.
2. Private Acts of 1949, Chapter 371, stated that the Justices of the Peace in Macon County would be paid the sum of \$4.00 per day for each day spent in attending the regular meetings of the Quarterly County Court, and for all other services rendered as members of committees appointed by and under the direction of the court.
3. Private Acts of 1959, Chapter 341, set the per diem of Justices of the Peace at \$20 plus an additional 10¢ per mile for attendance at meetings.
4. Private Acts of 1963, Chapter 15, authorized the Chairman Pro Tem of the county Court of Macon county to perform all the duties and functions of the regular county judge as they are now prescribed by law during any illness, sickness, or disability, the arrangement shall cease and all authority and functions be returned to the Judge. This Act was rejected and disapproved by the Quarterly County Court of Macon County and therefore never became a law because of the Home Rule Amendment to the State Constitution.
5. Private Acts of 1970, Chapter 237, amended Chapter 341, Private Acts of 1959, by increasing the per diem of the Justices of the Peace from \$8.00 to \$20.00 for each day at meetings of the Quarterly County Court. This Act was properly ratified and activated by the Quarterly Court.

County Register

The following act once affected the office of county register in Macon County, but is no longer operative.

1. Private Acts of 1931, Chapter 431, provided that the Register of Macon County shall be paid a monthly salary of \$50 in addition to the fees collected in his office, payable on the first day of each calendar month out of the regular funds of the county on the warrant of the County Judge, or Chairman.

County Trustee

The following act once affected the office of county trustee in Macon County, but is no longer operative.

1. Private Acts of 1911, Chapter 79, stated that the Trustee of Macon County should contract with the Bank making the highest and best bid to pay interest on the daily balances of county funds deposited in the Bank. The Trustee was vested with full power and authority to contract with the approval of the County Judge or Chairman, whereupon, when completed, the Trustee deposited the funds. Failure on the part of the Trustee to comply made him responsible personally for the money the funds would have earned on deposit, if he had complied herewith. The Bank was to give a complete statement of earnings by the 15th of every month which the Trustee would include in his report to the County Court.

General References

The following private or local acts constitute part of the administrative and political history of Macon County but are today no longer operative because they have either been superseded, repealed, or failed to receive local approval. Also referenced below is an act which repeals prior law without providing new substantive provisions.

1. Acts of 1847-48, Chapter 141, stated that Macon County is attached to the Nashville Bank District and shall be entitled to one Director in said Bank who will be chosen and who will have the same rights and privileges as other Directors of the Bank.

2. Acts of 1857-58, Chapter 126, abolished the office of Entry Taker in the counties of Lawrence, DeKalb, White, Macon, Decatur, Grundy, Humphreys, and Wilson, and, provided that hereafter the Surveyor in those counties would perform all the duties of the Entry Taker and receive all the compensation and fees to which the Entry Taker would have been normally entitled.
3. Acts of 1859-60, Chapter 203, stated in the preamble that the court house for Macon County recently burned by accident and that there was a portion of internal improvement funds set aside for Smith County which were later allocated to Macon County by Resolution. These funds may be appropriated to the restoration of the Court House provided that two thirds of the Justices of the Peace agree.
4. Acts of 1897, Chapter 124, was among the first statewide salary laws setting the compensation of various counties officials according to the population of their counties as is now done. This Act was the forerunner and the model for many other salary acts to follow. The officials would be paid a monthly salary out of the fees collected by their office in the amounts specified in the Act. The payments would be made on the warrants of the County Judge. The fees were declared to be the property of the county, an accurate report of which would be given by the officials, and, if fees were less than the salary, various remedies were given to supply the deficiency from earlier and later excessive fees. This Act was part of the case in Weaver v. Davidson County, 104 Tenn. 315, 59 S.W. 1105 (1900).
5. Private Acts of 1937, Chapter 192, abolished the present Board of Revenue Commissioners in Macon County and created a new five member Board composed of one person from each of five Revenue Zones. The Revenue Zones were designated and they were composed of whole civil districts. Fred McDonald, W.D. Coley, Carlie Duncan, Silas Euetts, and Turner Day, were named as Commissioners to serve until their successors were elected, who would serve four year terms, and be paid according to the general laws of the State, and who would discharge all duties and obligations required by the general laws of the State. This Act was repealed by the one following.
6. Private Acts of 1939, Chapter 545, expressly repeals Chapter 192, Private Acts of 1937, above, in its entirety.
7. Private Acts of 1943, Chapter 473, authorized the Quarterly Court to elect a supervisor to manage the county poor farm.

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