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Chapter XV - Utility Districts

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,

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Chapter XV - Utility Districts

Daisy-Soddy-Falling Water Utility District

Private Acts of 1951 Chapter 292

SECTION 1. That the Daisy-Soddy-Falling Water Utility District of Hamilton County, Tennessee, is hereby authorized and empowered to acquire, construct, reconstruct, improve, better, extend, maintain, and operate a natural gas system within or without said district and to purchase from and furnish, deliver, and sell to any municipality, the State, any public institution, and the public generally any of the services, facilities, and commodities furnished thereby.

SECTION 2. That said district shall have the power and is hereby authorized from time to time to issue its negotiable bonds for the purpose of paying the cost of acquiring, constructing, reconstructing, improving, bettering, and extending such natural gas system. Any bonds issued hereunder shall be authorized and issued in the manner provided in Chapter 248 of the Public Acts of Tennessee, 1937, constituting "The Utility District Act of 1937," together with all amendments thereto, for the issuance of other bonds. In acquiring, constructing, reconstructing, improving, bettering, extending, operating, and maintaining a natural gas system; and in the charging, revision, and collection of rates, fees, tolls, and charges for services, facilities, and commodities furnished by such system; and in the issuance of such bonds, said district shall have all the rights, powers, and duties provided in Chapter 248 aforesaid, as heretofore and hereafter amended, for the acquisition, construction, reconstruction, improvement, betterment, extension, maintenance, and operation of other utility properties and for the charging, revision, and collection of rates, fees, tolls, and charges for services, facilities, and commodities furnished by other utility properties, and the authorization and issuance of bonds by said district.

SECTION 3. That said district shall have the power and is hereby authorized to issue bonds to refund any bonds of said utility district. Such refunding bonds shall be payable solely from the revenues to be derived from the operation of the utility system or systems of such district and shall be issued in accordance with the provisions of Section 9 of said Chapter 248 of the 1937 Public Acts of Tennessee, together with all amendments thereto, provided that none of such bonds may be issued at less than par. Such refunding bonds may be sold in such manner and upon such terms as the Board of Commissioners shall determine or may be delivered in exchange for a like amount of the original obligations authorized to be refunded thereby.

SECTION 4. That the powers conferred by this Act shall be in addition and supplemental to the powers conferred by any other law and may be exercised by the Board of Commissioners without the necessity of approval by the subscribers for services of such districts or by any other person, body, or group.

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

Passed: February 28, 1951.

East Brainerd Utility District

Private Acts of 1941 Chapter 58

SECTION 1. That all proceedings heretofore had in connection with the creation and organization of East Brainerd Utility District of Hamilton County, Tennessee, as said District was created by decree entered in the County Court of Hamilton County, Tennessee, on the 15th day of October, 1940, are hereby validated and confirmed, and said District is hereby declared to be a validly created and existing utility district under the provisions of Chapter 248 of the Public Acts of Tennessee, 1937.

SECTION 2. That the proceedings had on October 15, 1940, by D. B. Vance, O. L. Blackwell and John A. Stein, pursuant to which said persons organized as the Board of Commissioners of said District and pursuant to which a President, Secretary and General Manager were elected, are hereby validated and confirmed and D. B. Vance is declared to be the duly chosen and qualified President of said Board of Commissioners, John A. Stein the duly chosen and qualified Secretary of said Board, O. L. Blackwell a duly chosen, qualified member of said Board, and J. F. Bork the duly chosen and qualified Treasurer and General Manager of said District.

SECTION 3. That the proceedings had by said Board of Commissioners on December 14, 1940, in the adoption of a resolution entitled, "A Resolution authorizing the issuance of \$65,000 Waterworks Revenue Bonds of the East Brainerd Utility District of Hamilton County, Tennessee; prescribing the form and other

details of said bonds; providing for the collection and disposition of the revenues to be derived from such waterworks system; making other provisions with respect to the operation of said waterworks system and the issuance of said bonds, providing for the payment of said bonds, and providing for the acquisition and improvements of a waterworks system to be paid for in part with the proceeds of the sale of said bonds" are hereby validated, ratified and confirmed, the provisions of said resolution are hereby declared to be valid and effective in accordance with their terms and the bonds authorized by said resolution when duly delivered and paid for in accordance with the provisions of said resolution shall be and are hereby declared to be the valid and binding obligations of said East Brainerd Utility District.

SECTION 4. That the Board of Commissioners of said District is hereby authorized and empowered to do all things necessary to the issuance of said bonds and to make any changes in the provisions of the aforesaid resolution which it may consider advisable, and the making of such changes shall not in any way impair the curative effect of this Act.

SECTION 5. That certain contract entered into as of the 16th day of September, 1935, between City Water Company of Chattanooga, Tennessee, and the East Brainerd Taxing District and assigned by the East Brainerd Taxing District to said East Brainerd Utility District is hereby validated and declared to be a valid and binding agreement between City Water Company and East Brainerd Utility District in accordance with its terms.

SECTION 6. That if any section, clause or provision of this Act shall ever be held to be invalid for any reason, the remaining sections, clauses and provisions of this Act shall not be affected thereby, and shall remain in full force and effect.

SECTION 7. That this Act take effect from and after its passage, the public welfare requiring it.

Passed: January 20, 1941.

Hixon Utility District

Private Acts of 1951 Chapter 293

SECTION 1. That the Hixon Utility District of Hamilton County, Tennessee, is hereby authorized and empowered to acquire, construct, reconstruct, improve, better, extend, maintain, and operate a natural gas system within or without said district and to purchase from and furnish, deliver, and sell to any municipality, the state, any public institution, and the public generally any of the services, facilities, and commodities furnished thereby.

SECTION 2. That said district shall have the power and is hereby authorized from time to time to issue its negotiable bonds for the purpose of paying the cost of acquiring, constructing, reconstructing, improving, bettering, and extending such natural gas system. Any bonds issued hereunder shall be authorized and issued in the manner provided in Chapter 248 of the 1937 Public Acts of Tennessee, constituting "The Utility District Act of 1937," together with all amendments thereto, for the issuance of other bonds. In acquiring, constructing, reconstructing, improving, bettering, extending, operating, and maintaining a natural gas system; and in the charging, revision, and collection of rates, fees, tolls, and charges for services, facilities, and commodities furnished by such system; and in the issuance of such bonds, said district shall have all the rights, powers, and duties provided in Chapter 248 aforesaid, as heretofore and hereafter amended, for the acquisition, construction, reconstruction, improvement, betterment, extension, maintenance, and operation of other utility properties and for the charging, revision, and collection of rates, fees, tolls, and charges for services, facilities, and commodities furnished by other utility properties, and the authorization and issuance of bonds by said districts.

SECTION 3. That said district shall have the power and is hereby authorized to issue bonds to refund any bonds of said utility district. Such refunding bonds shall be payable solely from the revenues to be derived from the operation of the utility system or systems of such district and shall be issued in accordance with the provisions of Section 9 of said Chapter 248 of the 1937 Public Acts of Tennessee, together with all amendments thereto, provided that none of such bonds may be issued at less than par. Such refunding bonds may be sold in such manner and upon such terms as the board of commissioners shall determine or may be delivered in exchange for a like amount of the original obligations authorized to be refunded thereby.

SECTION 4. That the powers conferred by this Act shall be in addition and supplemental to the powers conferred by any other law and may be exercised by the board of commissioners without the necessity of approval by the subscribers for services of such districts or by any other person, body or group.

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

Passed: February 28, 1951.

Lookout Valley Utility District

Private Acts of 1951 Chapter 482

SECTION 1. That The Lookout Valley Utility District of Hamilton County, Tennessee, is hereby authorized and empowered to acquire, construct, reconstruct, improve, better, extend, maintain, and operate a natural gas system within or without said district and to purchase from and furnish, deliver, and sell to any municipality, the state, any public institution, and the public generally any of the services, facilities, and commodities furnished thereby.

SECTION 2. That said district shall have the power and is hereby authorized from time to time to issue its negotiable bonds for the purpose of paying the cost of acquiring, constructing, reconstructing, improving, bettering, and extending such natural gas system. Any bonds issued hereunder shall be authorized and issued in the manner provided in Chapter 248 of the 1937 Public Acts of Tennessee, constituting "The Utility District Act of 1937," together with all amendments thereto, for the issuance of other bonds. In acquiring, constructing, reconstructing, improving, bettering, extending, operating, and maintaining a natural gas system; and in the charging, revision, and collection of rates, fees, tolls, and charges for services, facilities, and commodities furnished by such system; and in the issuance of such bonds, said district shall have all the rights, powers, and duties provided in Chapter 248 aforesaid, as heretofore and hereafter amended, for the acquisition, construction, reconstruction, improvement, betterment, extension, maintenance, and operation of other utility properties and for the charging, revision, and collection of rates, fees, tolls, and charges for services, facilities, and commodities furnished by other utility properties, and the authorization and issuance of bonds by said district.

SECTION 3. That said district shall have the power and is hereby authorized to issue bonds to refund any bonds of said utility district. Such refunding bonds shall be payable solely from the revenues to be derived from the operation of the utility system or systems of such district and shall be issued in accordance with the provisions of Section 9 of said Chapter 248 of the 1937 Public Acts of Tennessee, together with all amendments thereto, provided that none of such bonds may be issued at less than par. Such refunding bonds may be sold in such manner and upon such terms as the board of commissioners shall determine or may be delivered in exchange for a like amount of the original obligations authorized to be refunded thereby.

SECTION 4. That the powers conferred by this Act shall be in addition and supplemental to the powers conferred by any other law and may be exercised by the board of commissioners without the necessity of approval by the subscribers for services of such districts or by any other person, body, or group.

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

Passed: March 12, 1951.

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