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Private Acts of 1976 Chapter 265

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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Private Acts of 1976 Chapter 265

SECTION 1. For the purpose of providing an efficient system of roads, highways, and bridges and the building, construction, reconstruction, maintenance and repair of roads, highways, and bridges in Loudon County, Tennessee, and to provide for the development of other public means of transportation, a Department of Transportation for said County is hereby created.

SECTION 2. There is hereby established the office of Commissioner of Transportation. The said Commissioner of Transportation will be elected for a term of four years, the first election for said official to be by the qualified voters residing in Loudon County, in the general election to be held on the first Thursday in August, 1978, as now provided by law, and every four years thereafter. The said Commissioner shall be a bona fide resident of Loudon County and shall otherwise bear the qualifications as required by "The County Uniform Road Law", Chapter 738, Public Acts of the Tennessee General Assembly of 1974 (Adj. Session), and as said Act might be amended in the future, the said chapter being codified as Tennessee Code Annotated 54-1001 through 54-1017. In the event of a vacancy in the office, the vacancy will be filled by appointment of the County Judge subject to approval of the Quarterly Court, such appointed Commissioner to serve until September 1 following the next general County election after the vacancy occurs, at which time a new Commissioner will be elected.

SECTION 3. The Commissioner of Transportation shall have the qualifications, term of office, duties, powers and authority and minimum compensation as provided by "The County Uniform Road Law" as codified in Tennessee Code Annotated 54-1001 through 54-1017, and shall be subject to the same limitations, conditions prohibitions and punishments as provided in the aforesaid County Uniform Road Law. The compensation or salary of said commissioner may be increased by action of the Quarterly Court. All employees of said Department shall be subject to any system of merit service, and/or job description, and pay classification, that may be adopted by the Quarterly Court.

SECTION 4. The Commissioner of Transportation shall hold a public meeting at least once a month on the fourth Monday of each month at 7:30 in the evening for the purpose of giving the citizens of the County an opportunity to appear and be heard as to complaints, criticisms, requests, petitions, and discussion as to the problem of any specific roads or highways or bridges in Loudon County, or the general plans of the Department of Transportation.

SECTION 5. That the duties and responsibilities of the Loudon County Commissioner of Transportation also shall encompass the planning for, and administration of, other modes of transportation that will benefit the people of the County, and further shall encompass such other duties and responsibilities as might be assigned to the Commissioner and the Department by the Quarterly County Court.

SECTION 6. Upon petition by ten percent (10%) of the registered voters of Loudon County, an election shall be called by the county election commission for the purpose of recalling and removing from office the Loudon County Commissioner of Transportation. At the recall election, a majority of those voting shall be required to remove the Commissioner from office. If the Commissioner is removed from office, the vacancy will be filled by appointment of the County Judge, subject to approval of the Quarterly Court, such appointed Commissioner to serve until September 1 following the next general county election after the vacancy occurs, at which time a new Commissioner will be elected. The county election commission shall prescribe the form to be used in the recall petition and shall verify the signatures thereon as being those of registered voters in Loudon County. The qualifications of voters voting in the election shall be the same as those required for participation in general elections. All laws applicable to general elections shall apply to the recall election.

SECTION 7. That Chapter 19 of the Private Acts of 1937 (3rd Extraordinary Session), Chapter 552 of the Private Acts of 1939, Chapters 3, 4, and 273 of the Private Acts of 1953, Chapter 324 of the Private Acts of 1955, Chapter 367 of the Private Acts of 1968, and Chapter 318 of the Private Acts of 1974, and all laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

SECTION 8. All sections of this act and parts thereof are declared to be independent sections, or parts of sections, and the holding of any section or part thereof to be unconstitutional or void shall not affect any other section or provision of this act.

SECTION 9. That all laws and parts of laws in conflict with this Act are hereby repealed. The Act shall have no effect unless it is approved by a majority of the number of qualified voters of Loudon County, Tennessee, voting in an election on the question of whether or not the Act should be approved. The ballots used in the regular election to be held on August 5, 1976, shall have printed on them the substance of this Act and the voters shall vote for or against its approval. The votes cast on the question shall be canvassed and the results proclaimed by the county election commissioners and certified by them to the Secretary of State as provided by law in the case of general elections. The qualifications of voters voting on the

question shall be the same as those required for participation in general elections. All laws applicable to general elections shall apply to the determination of the approval or rejection of this Act.

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

Passed: March 11, 1976

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