



County Technical Assistance Service
INSTITUTE *for* PUBLIC SERVICE

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Chapter X - Highways and Roads

Dear Reader:

The following document was created from the CTAS website (ctas.tennessee.edu). This website is maintained by CTAS staff and seeks to represent the most current information regarding issues relative to Tennessee county government.

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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Highways and Roads - Historical Notes

The following is a listing of acts which once had some effect upon the county road system in Knox County, but which are no longer operative. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Private Acts of 1831, Chapter 9, authorized Jeremiah Johnson to build a wing mill dam on the French Broad River, provided said mill dam did not obstruct the navigation of said river.
2. Private Acts of 1831, Chapter 276, Section 4, authorized Caleb Low of Knox County to build a fish trap on the north side of the Clinch River, so as not to obstruct the navigation of the south side of said river.
3. Private Acts of 1832, Chapter 21, authorized Aaron Armstrong to erect a mill dam on Holston River in Knox County, provided that said mill did not interfere with the navigation of said river.
4. Private Acts of 1833, Chapter 115, authorized Caleb Low of Knox County to build a dam and a fish trap on the north sluice of Clinch River, provided, that said dam or trap did not interfere with the navigation of said river.
5. Acts of 1849-50, Chapter 261, authorized Benjamin Parker Hopkins and William Tinker of Cocke County to build a turnpike from the town of Tazewell in Claiborne County to Knoxville in Knox County.
6. Public Acts of 1879, Chapter 227, authorized Knox and Roane counties to build turnpikes and charge tolls thereon.
7. Public Acts of 1895, Chapter 80, authorized the Knox County Court to issue bonds for building a bridge across the Tennessee River at the south end of Gay Street, at Knoxville.
8. Public Acts of 1901, Chapter 8, created a board of public road commissioners for Knox County and other counties with a population of not less than 70,000 and not more than 90,000 according to the Federal Census of 1900. The act regulated the laying out and working of public roads and provided a method for the management and control of county workhouses. This act was amended by Acts of 1903, Chapter 408, which revised several sections dealing from the road supervisor to the employment of additional labor to work on the roads. This act was further amended by Public Acts of 1901, Chapter 83, which provided that workhouse bail bonds be made payable to the superintendent of public roads, provided a form for such bail bonds and authorized the superintendent of public roads to bring suits for the collection of bail bonds.
9. Acts of 1907, Chapter 368, created a board of public road commissioners for Knox County. The act regulated the laying out and working of public roads, provided a method for the management and control of county workhouses and provided for the raising of funds therefor. This act was amended by Acts of 1909, Chapter 170, which made several changes to the road law ranging from the salary of the superintendent of roads to requiring the road commissioners to keep the roads free from ruts and holes. Moreover, Acts of 1909, Chapter 472, amended Acts of 1907, Chapter 368, by providing several new provisions such as allowing the board of public road commissioners to construct workhouse camps and the method in which they would contract bids for the repair and upgrade of the roads.
10. Acts of 1907, Chapter 392, authorized electric railway companies to acquire lands for park purposes, either by purchase or condemnation in Knox County. This act was repealed by Acts of 1909, Chapter 349.
11. Acts of 1909, Chapter 354, authorized and empowered Knox and Anderson counties to jointly erect and maintain a free ferry over the Clinch River between the two counties on the Cobb Farm, near Salway.
12. Private Acts of 1913, Chapter 264, created a board of public road commissioners, provided the manner of their election, regulated the laying out and working of public roads in Knox County and provided a method for the management and control of the county workhouses. This act was amended by Private Acts of 1915, Chapter 594, by authorizing the Knox County Court to set a tax upon all property in the county of not less than .10¢ and not more than .15¢ on \$100 worth of property. In addition, another tax of not less than .7¢ and not more than .25¢ on \$100 worth of property was also levied. Both of these taxes were levied for the purpose of improving dirt roads in Knox County. This act was further amended by Private Acts of 1919, Chapter 542, which

- abolished the Knox County Board of Public Road Commissioners.
13. Private Acts of 1915, Chapter 117, provided for a \$500,000 bond issue (maturity date within thirty years, 5% annual interest rate) to be used for building pike roads and bridges.
 14. Private Acts of 1915, Chapter 615, regulated the working and laying out of public dirt roads in Knox County and provided for the raising of funds and to provide for the punishment of persons violating the act.
 15. Private Acts of 1917, Chapter 577, authorized a bond issue of \$500,000, the proceeds from which were to be used to construct a road from the Blount County line, through Knoxville, to Mascot. These bonds were to mature within thirty years at a maximum annual interest rate of 5%.
 16. Private Acts of 1917, Chapter 739, created a public road system for Knox County, provided the manner of electing a general superintendent, regulated the laying out and working of public roads and provided a method for the management and control of the workhouses in Knox County. This act was amended by Private Acts of 1919, Chapter 114, so as to change the salaries of the office clerk, county engineer and workhouse employees, overseer's per diem and to change the terms of commutation and to create the office of assistant clerk. This act was further amended by Private Acts of 1919, Chapter 542, which abolished the Knox County Board of Public Road Commissioners. Finally, Private Acts of 1921, Chapter 676, amended Private Acts of 1917, Chapter 739, by changing the salary of the general superintendent, authorizing the county court to fix the number of days to work on the public roads each year, setting the rate per day if paid in lieu of work, state the time to be allowed for team and wagon with driver and to subject overseers to be taxed with costs in suits brought against delinquents where overseers fail to do their duty.
 17. Private Acts of 1919, Chapter 528, authorized the quarterly county court to issue interest-bearing warrants for terms up to twenty years, to be used to build bridges across any river or stream to connect state highways in the county. This act also authorized a tax levy of up to \$1.00 per \$100.00 assessed value, to be used for redeeming these warrants.
 18. Private Acts of 1925, Chapter 343, as amended by Private Acts of 1927, Chapter 627, Private Acts of 1933, Chapter 550, classified highways as primary or secondary roads and provided for a more efficient system of laying out, building and repairing the public roads, highways, ferries, bridges and other roadway structures. The county highway commission was responsible for preparing and updating a county road map. The board had control of all highways, bridges, ferries, the county workhouse, and the disbursements of funds collected by taxation or otherwise for construction, maintenance and improvement of roads, bridges, culverts, ferries and other road institutions, and the maintenance and operation of the county workhouse. This act is superseded by the Knox County Charter, Sections 3.06 and 8.12, pursuant to T.C.A. § 5-1-210.
 19. Private Acts of 1929, Chapter 226, authorized a bond issue of \$250,000 to be used to construct a bridge over the Holston River, at or near McBee's Ferry. These bonds were to mature within twenty years, at a maximum annual interest rate of 4½%.
 20. Private Acts of 1929, Chapter 228, provided for a bond issue of \$500,000 to construct the Henley Street Bridge, with a maximum annual interest rate of 4½% and maturity dates within twenty years.
 21. Private Acts of 1929, Chapter 254, provided for a \$200,000 bond issue which was to be used for the construction of a bridge at or near Solway Ferry on the Clinch River. These bonds were to mature within twenty years at a maximum annual interest rate of 4½%.
 22. Private Acts of 1931, Chapter 243, authorized another bond issue of \$500,000, to be used in constructing the Henley Street Bridge. This additional bond issue was necessary since the funds from the first issue, authorized by Private Acts of 1929, Chapter 228, had been placed in the Bank of Tennessee at Nashville and that bank had subsequently failed as the Depression struck Tennessee.
 23. Private Acts of 1931, Chapter 289, made it unlawful for any vehicle by reason of its weight or character of its wheels to operate upon streets, roads, highways or other public thoroughfares in Knox County which had not complied with the rules and regulations prescribed by the state highway department or other department of the state having control and supervision of highway matters. This act is superseded by the Knox County Charter, Section 8.12, pursuant to T.C.A. § 5-1-210.
 24. Private Acts of 1935, Chapter 801, made it a misdemeanor for any person, firm, partnership, corporation or association to erect or maintain billboards, signs, posters or other mediums of advertising within 200 feet from the center of the Norris Dam Highway, beginning at the city limits of Knoxville and running to the Knox and Anderson line. This act is superseded by the Knox

County Charter, Section 8.12, pursuant to T.C.A. § 5-1-210.

25. Private Acts of 1941, Chapter 460, authorized a bond issue of \$150,000 to be used for purchasing machinery, equipment and tools for the county road department. These bonds were to mature within twenty years, at a maximum annual interest rate of 5%.
26. Private Acts of 1947, Chapter 590, provided for a bond issue of \$100,000 to be used for purchasing machinery, equipment and tools for use upon the county highways and bridges. These bonds were to mature within twenty years with a maximum annual interest rate of 5%.
27. Private Acts of 1949, Chapter 59, authorized a bond issue of \$500,000 to be used in the construction of "Boyd's Bridge" with a maximum annual interest rate of 5%.
28. Private Acts of 1953, Chapter 475, was the last private act authorizing a bond issue for the county road system. This act provided for 5% bonds in the amount of \$480,000 to be used for constructing the Riverdale-Kimberline Heights Bridge.
29. Private Acts of 1969, Chapter 146, authorized the commissioner of highways of Knox County to offer and pay a reward or bounty in the amount of \$25 from the general fund of the county to persons furnishing information leading to the arrest and conviction of persons violating 39-4503 Tennessee Code Annotated.
30. Private Acts of 1974, Chapter 365, would have authorized Knox County to prescribe speed limits or zones and to erect signs and traffic signals on streets and roads other than state or federal highways, and to provide certain procedures therefor, however, according to the Knox County Clerk's Office this act was not ratified by Knox County and therefore never became law.
31. Private Acts of 1975, Chapter 182, authorized the board of county commissioners to prescribe speed limits or speed zones and to erect appropriate signs and traffic signals on streets and roads other than state or federal highways. This act is superseded by the Knox County Charter, Section 8.12, pursuant to T.C.A. § 5-1-210.

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