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Road Law

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 1947 Chapter 354

SECTION 1. That in all Counties having a population of not less than twenty-eight thousand four hundred ninety-eight (28,498) and not more than twenty-eight thousand five hundred three (28,503), according to the Federal Census of 1940, or any subsequent Federal Census, there shall be, and is hereby created, the office of "Pike Road Superintendent." The Pike Road Superintendent shall be elected for a term of four years at the August 1958 election in said counties and biennially thereafter at the August General Election, and, in case of vacancy in said office, the Judge or Chairman of the County Court shall fill said vacancy by appointment until the next quarterly session of the County Court thereafter, at which time the County Court shall elect a Pike Road Superintendent to fill out the unexpired term. The said Pike Road Superintendent shall be a person competent and experienced in the building and maintenance of roads. The said Pike Road Superintendent shall be paid a salary of six thousand five hundred dollars (\$6,500.00) per annum, and in addition shall be allowed the sum of fifteen hundred dollars (\$1,500.00) per annum for necessary expenses, including travel expenses, such expense allowance to be in lieu of any and all other expenses now being paid such official. Provided, however, that from and after the election of such official on the first Monday in September, 1966, the compensation of such Pike Road Superintendent be and the same is hereby fixed at the sum of eight thousand two hundred fifty dollars (\$8,250.00) per annum to be paid out of the general fund of such counties on warrants issued by the County Judge or Chairman thereof, payable in equal monthly installments to such Superintendent and such salary, when it becomes effective shall be in lieu of any and all compensation for said official including the expense allowance heretofore provided therefor. Provided further that the Quarterly County Court of Bradley County by a vote of two-thirds (2/3) of the members to which the body is entitled, may increase the salary of the Pike Road Superintendent, as provided in this Act, to an amount not to exceed the compensation of the Trustee of Bradley County to be paid out of the general fund of Bradley County, as heretofore provided in this section. The said Pike Road Superintendent shall devote his entire time to the duties imposed upon him by this Act, and shall have personal charge and supervision of the construction, maintenance, improvement and repair of the pike roads of said County; and the County Court may, from time to time, designate any or all other roads of the County to be improved and to thereafter be under the control and supervision of said Pike Road Superintendent. It shall be the duty of said Pike Road Superintendent to personally visit and examine the aforesaid roads coming under his supervision at least once each month; and he shall direct and look after the proper maintenance of the same, and see that said roads are kept in proper repair. The said Pike Road Superintendent shall have charge and control of all the County road machinery, tools and equipment now owned or that may hereafter be owned by said County. The said Pike Road Superintendent shall have an office in the Courthouse of said County to be furnished by the County Court, in which he shall keep all the records of his office, and he shall be in his office on the second and fourth Saturdays of each month for the purpose of transacting any business relative to the affairs of his office. The Pike Road Superintendent shall keep in a well-bound book or books an itemized list of all County pike road machinery, tools and equipment coming into his hands and under his control; and shall keep in said book or books a correct and detailed account of all transactions; showing all receipts and disbursements in detail, and all amounts paid out and to whom and on what account paid out; and he shall make quarterly reports to the County Court of said County showing in detail all the road work done and all receipts and disbursements, and said reports shall be copied in full on the records of said County Court. Said Pike Superintendent shall make such additional reports from time to time as directed by said County Court. The Pike Road Superintendent shall, within ten days after his election and before qualifying for his office, file with the County Court Clerk a good and solvent bond in the sum of Fifteen Thousand (\$15,000.00) Dollars executed by some corporate surety company authorized to issue such bonds in this state, and said bond to be payable to the State of Tennessee for the use and benefit of the County and conditioned on the faithful and efficient performance of the duties of the office of Pike Road Superintendent, and the proper accounting for all monies and other County property coming into his hands, and the keeping of all records of his office. Such bonds shall be approved by the Judge or Chairman of the County Court. And he shall be approved by the Judge or Chairman of the County Court, and the premium thereon shall be paid from the Road Funds of said County. And he shall also take and subscribe to an oath to faithfully and impartially perform all the duties of his office to the best of his skill and ability, which bond and oath shall be filed in the office of the County Court Clerk.

As amended by:

Private Acts of 1949, Chapter 207
 Private Acts of 1951, Chapter 474
 Private Acts of 1965, Chapter 261
 Private Acts of 1969, Chapter 76

Private Acts of 1971, Chapter 138

SECTION 2. That said Pike Road Superintendent shall have the control of the expenditure of all funds obtained or collected for the construction, maintenance, improvement or repair of said pike roads, including the proceeds of all bonds sold and taxes collected for this purpose; and he is hereby authorized and empowered to employ one or more foremen to work under his direction and orders, and all other employees and laborers needed in the prosecution of said work from time to time at the wages usually paid by private parties for similar work; and he shall have the power to purchase or hire the necessary tools, equipment, and machinery for working said pike roads, or contract for the repair of any such machinery or equipment. Under the direction of the County Court he may enter into contracts for the improvement, construction or repair of all or any part of the roads under his supervision. All pike road funds obtained from taxation, proceeds of bonds sold, or other sources, shall be collected and paid out by the Trustee of each county coming under the provisions of this Act on the warrant of the Pike Road Superintendent. The Pike Road Superintendent shall not contract for, or draw out, any of the road funds of the County for more than the assessment of the year and any surplus that may be left from previous years; and shall not create or contract any indebtedness, without the approval of the County Court, to be paid out of the road funds of subsequent years.

As amended by: Private Acts of 1949, Chapter 207
Private Acts of 1989, Chapter 118

SECTION 3. That said Pike Road Superintendent, provided for in this Act, shall have charge and supervision of the workhouse and all prisoners confined therein, in each County coming under the provisions of this Act, and he is authorized and vested with the power to employ necessary guards to formulate any and all rules for the regulation of the workhouse and working of prisoners therein, and it shall be his duty to work all prisoners confined in the workhouse of said County upon the pike roads under his direction and control.

SECTION 4. [Deleted by Chapter 207, Private Acts of 1949].

SECTION 5. That the County Court of each County coming under the provisions of this Act be, and is hereby authorized and empowered to levy and collect annually, in addition to the taxes already authorized by law, a special tax to not exceed Twenty-Five (\$0.25) Cents on each One Hundred (\$100.00) Dollars of taxable property in said County, to be known as the "Pike Road Tax" and to be applied exclusively to the maintenance, improvement and repair of the pike roads of said County, under the control and authority of said Pike Road Superintendent.

SECTION 6. That all Acts, or parts of Acts, in conflict with this Act be, and the same are, hereby repealed.

SECTION 7. That the provisions of this Act are hereby declared to be severable. If any of its sections, provisions, exceptions, sentences, clauses, phrases or parts, or any wording is held to be unconstitutional or void, the remainder of this Act shall continue in full force and effect, it being the legislative intent now hereby declared, that this Act would have been adopted if such unconstitutional or void matter had not been included herein.

SECTION 8. That this Act take effect from and after September 1, 1948, the public welfare requiring it.

Passed: February 19, 1947.

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