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Private Acts of 1923 Chapter 515

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 1923 Chapter 515

SECTION 1. That counties having a population of not less than One Hundred and Sixty-five Thousand (165,000) inhabitants nor more than Two Hundred Thousand (200,000) inhabitants, according to the Federal Census of 1920, or any subsequent Federal Census, be and hereby are authorized to establish, maintain and operate a divisional fair for the benefit of the people of said counties, at which shall be exhibited, for the education of the people of said counties, the resources and developments of said counties and the State of Tennessee; and the progress of its people in all kinds of enterprises and endeavor, the agricultural, mineral, live stock, commercial, industrial, educational and all other interests, shall be duly exhibited, and every reasonable effort shall be made to develop, improve, encourage and stimulate all lawful and substantial interests and industries.

SECTION 2. That there shall be, and there hereby is, created a Board of Fair Commissioners, which shall be known as the "Board of Fair Commissioners," and shall consist of seven (7) members, one of whom shall be the County Judge, who shall ex officio be a member thereof; the remaining six (6) members shall be elected by the Quarterly County Court for a term of six (6) years, when and as the terms of office of the present members of said Board expire. Not more than two members of the County Court shall be eligible to election and to serve on said Board at one time. The members of said Board shall serve without compensation, but they shall be entitled to have all expenses actually incurred in the performance of their duties as such Commissioners, on properly certified statements submitted to and approved by the Financial Agent of such Court. These expenses, as all others, are to be paid out of the Fair funds.

As amended by: Private Acts of 1931, Chapter 178

SECTION 3. That said Board of Fair Commissioners shall have full power to prescribe rules and regulations for its own government and organization, and for the holding of said fairs and expositions, and shall elect officers for the fairs, and shall choose whatever employes (sic) it may deem necessary and fix their compensation; provided it shall not be lawful for the Board, or any authority, to issue free passes to said fair to any person or persons other than employes (sic) in connection with said fair, including exhibitors and persons holding concessions and their bona fide employes (sic) upon the grounds.

Provided that it shall be lawful for said Board to issue personal passes to members of the County Court, to the Governor of the State, to the Commissioner of Agriculture of the State, and to the Mayor of the City of Nashville.

As amended by: Private Acts of 1931, Chapter 178

SECTION 4. That the members of said Board shall meet at the office of the County Judge on the first Tuesday in April and November of each year, and may meet whenever called together upon five days' notice by the Chairman upon his own motion, or upon written request of three members. A majority of the members of the Board shall constitute a quorum for the transaction of business.

SECTION 5. That said Board of Fair Commissioners, through its Chairman and Secretary, shall make a full report to the Quarterly County Court only at the January term of said Court of the condition of the property and the operation of the fair, accompanied by a statement of all receipts and expenditures, verified by the oath of the Chairman and the Secretary, which accounts shall be at all times open to inspection and examination by the County Auditor, or any committee the County Court may appoint for that purpose.

SECTION 6. That said Board of Fair Commissioners shall require its Secretary to execute a good and solvent bond in the sum of Five Thousand Dollars (\$5,000.00), payable to the State of Tennessee for the use and benefit of said county, conditioned upon the faithful performance and discharge of his duties as Secretary of said fair, the premium on said bond to be paid by the Board of Fair Commissioners out of the fair funds.

SECTION 7. That the said Board of Fair Commissioners shall install such system of accounting as the Auditing Commission of such counties coming under the provisions of this Act may direct.

SECTION 8. That the County Court of such counties may at the July term of the 1923 Court, and of each year thereafter, levy a tax upon all taxable property of the county of not more than two-tenths of a mill, to be known as the "Fair Tax," for the purpose of maintaining and operating a divisional fair. Said funds derived from the levy of this tax shall be expended under the direction of the Board of Fair Commissioners. Said Board shall have control of the disbursement of all funds collected by taxation, received from the State of Tennessee, or collected from gate receipts, concessions, or leases of the said fair property for educational or amusement purposes, for the operation, maintenance or improvement of the fair property.

Said Board of Fair Commissioners is hereby vested with the power and authority to borrow money for the purpose of making permanent improvements in and on any property held and owned by the county for fair

purposes, to purchase additional property for fair purposes, and to secure the payment of money so borrowed by mortgages or deeds of trust on the whole or any part of said fair property. Provided, that before buying any additional property, or borrowing any money, or executing any such mortgages or deeds of trust, said Board of Fair Commissioners shall first obtain the approval of the County Court of the county, which approval shall be in the form of a resolution duly and legally adopted by said County Court, authorizing the purchase of said additional property, designating the officers of said Board of Fair Commissioners who shall sign and execute the evidences of any such indebtedness and the mortgages or deeds of trust securing the payment of same, and fixing the amounts to be borrowed and the maximum rate of interest to be paid therefor. And provided further, that any such obligations created in conformity with this provision, shall not be held or considered as the general obligation of the county, but shall be repaid only from the proceeds of the tax levy herein provided, and funds collected from gate receipts, concessions, or leases of said Fair Property for educational or amusement purposes. And provided further, that not more than \$250,000.00 shall be so borrowed, and when borrowed, shall mature in annual installments not more than six (6) years from date. And provided further, that until said loan is discharged, the tax levy of two-tenths (2/10) of a mill heretofore authorized shall be mandatory and shall be levied each and every year until said loan is liquidated or paid. And provided further, that the title to any property purchased under the provisions of this Act shall be taken in the name of Davidson County.

Provided, however, that all funds received by the Board of State Fair Commissioners shall rotate through the County Trustee's Office, for the more efficient and accurate accounting thereof.

As amended by: Private Acts of 1925, Chapter 235
Private Acts of 1927, Chapter 203

SECTION 9. That the Board of Fair Commissioners shall have authority to cooperate with the State Division of Fairs on all matters, but if the expenditure of funds is contemplated beyond the amount raised by any tax levy made by the County Court, hereinbefore provided, such matter shall be referred to the County Court for its approval or disapproval.

SECTION 10. That said Board of Fair Commissioners is hereby vested with the power, authority and the duty to enter into negotiations with the Commissioner of Agriculture of the State of Tennessee, for the surrender and cancellation of any lease now held by the State of Tennessee of any fair property in such counties, and to take complete charge and control on behalf of such counties, and they shall use and maintain said property by holding thereon, at least once a year, for not less than six days, a fair or exposition for the benefit of the people of such counties, and they may lease for amusement purposes said property at such times and in such ways as not to interfere with the operation of said fair, the proceeds received from said leases to be used in the maintenance of said fair, at which shall be exhibited, as far as possible, the resources of said county and the State of Tennessee, and the progress of its people in all kinds of enterprises and endeavor. The agricultural, mineral, live stock, commercial, industrial, and all other interests, shall be duly exhibited, and every reasonable effort shall be made to develop, improve, encourage and stimulate all lawful and substantial interests and industries.

SECTION 11. That said Board of Fair Commissioners shall have power to formulate rules for the offering, and to offer special premiums, and in every other way possible promote the best interest of said counties in the conduct and management of said divisional fair.

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

Passed: March 28, 1923.

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