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Chapter I - Administration

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 I - Administration

Building Permits

Private Acts of 1973 Chapter 87

SECTION 1. Any person or persons, firms or corporations desiring to erect or have erected, constructed, or reconstructed, any building or structure in Union County, or any person or persons, firms or corporations desiring to alter or have altered any existing building or structure in Union County, where the value of such alteration will exceed the sum of one thousand dollars (\$1,000.00), shall first apply to and obtain from the Tax Assessor of Union County for a building permit for such erection, construction, reconstruction, or alteration. Said application shall be in a form to be prescribed by the County Tax Assessor and shall contain the following information: (1) whether the proposed work is to be new construction or the alteration of an existing structure; (2) the location or address of the proposed construction or alterations; (3) the identity of the owner or owners of the premises; (4) the estimated cost of the completed structure in the case of new construction, or in the case of alteration of an existing structure, the estimated value of such structure before and after such alteration; and (5) such other information as the County Tax Assessor shall prescribe. Upon proper application, duly filed, the County Tax Assessor shall then issue a building permit and shall take note of the fact of such erection, construction, reconstruction, or alteration for his tax records. No new or additional property tax shall be assessed against such premises unless and until the same are completed or at least completed to the extent that they are habitable or may be put to use. However, in the case of the alteration of an existing structure not theretofore on the tax books of the county, or against which no property tax has been assessed, the County Tax Assessor is not precluded from assessing such structure at its value before such alteration is completed and subsequently increasing the assessment upon completion of such alteration, so as to include the value thereof within the current taxable year.

SECTION 2. The county building permit required herein shall not be required in any parts of the county, or the cities therein, wherein a building permit is required under county or city zoning or building laws, provided copies of such permits are made available to the office of the County Tax Assessor, but all parts of the county, including the cities of Luttrell and Maynardville, continue to be subject to the permit requirements of this law so long as and during such time as zoning or building construction permits are not required and enforced in such areas, or if these areas and cities fail to make copies of the required permits available to the office of the County Tax Assessor of Union County.

SECTION 3. The County Assessor of Properties shall be entitled to a fee for the issuance of each building permit. The amount of the fee shall be set by the county legislative body for Union County, and shall not exceed the following:

- (1) The sum of two hundred twenty-five dollars (\$225) for residential construction, including homes and the setup of new and used mobile homes; and
- (2) The sum of four hundred fifty dollars (\$450) for commercial construction which shall include a unit or development of more than two (2) residential units.

As amended by: Private Acts of 2005, Chapter 31.

SECTION 4. Any violation of any of the provisions of this act shall be punishable upon conviction thereof by a fine of not less than twenty-five dollars (\$25.00) nor more than fifty dollars (\$50.00).

SECTION 5. This act shall have no effect unless the same shall have been approved by two-thirds ($\frac{2}{3}$) vote of the Quarterly County Court of Union County on or before the next regular meeting of such court occurring more than thirty (30) days after its approval or non-approval shall be proclaimed by the presiding officer of the body having jurisdiction to approve or the reverse, and shall be certified by him to the Secretary of State.

SECTION 6. For the purpose of approving this act as provided in Section 2, it shall take effect on becoming a law, the public welfare requiring it, but the provisions hereof shall not be effective until July 1, 1973.

PASSED: April 26, 1973

County Library Commission

Private Acts of 1981 Chapter 24

SECTION 1. There shall be created in Union County, a commission to be known as the Union County Governmental Library Commission. This commission shall be composed of five (5) members who are citizens of Union County. The judges of the circuit court, chancery court, and court of general sessions, or their successor courts shall each appoint one (1) member of the library commission and the other two (2) members shall be elected by the county commission from members of the Union County bar. The term of membership shall be four (4) years. In the event of a vacancy in office resulting from death, resignation, refusal to serve, or otherwise, of a member appointed by a circuit court judge, a chancellor, or a general sessions judge, such vacancy shall be filled for the balance of the term by the judge or his successor in office who made the original appointment of that library commissioner. In the event of a vacancy in office resulting from death, resignation, refusal to serve, or otherwise, of a member elected by the county commission, such vacancy shall be filled for the remainder of the term by the county commission. Each library commissioner shall serve until his successor is appointed and assumes the duties of office after taking an oath to faithfully fulfill the duties of the office.

SECTION 2. The purpose of the library commission shall be to establish, acquire, maintain and operate a county governmental library. The commission shall have full power and authority to acquire by purchase, gift, rent, lease, loan or otherwise, law books, codes, treatises, periodicals or other works of law, government, medicine, literature or other written materials that they may deem necessary or beneficial to the courts, and to state, county and municipal officials, members of the bar and the public; for research or use in the preparation, trial, or decisions of any matters that come or may come before the courts of the county and state; or of use by public officials or the public, on questions of law or government. The commission may also acquire in like manner furniture, fixtures, bookcases, supplies and all things necessary to establish, maintain and operate the county governmental library. The commission also has the right to employ and discharge librarians and other assistants, to fix salaries of these employees, and in their discretion to make all reasonable rules and regulations governing the operation and use of the library. Space in which to house the library shall be provided by the county in the Union County court house in Maynardville without cost to the library commission. All books [sic] furniture and other equipment so purchased or acquired shall become the property of the county.

SECTION 3. For the purpose of financing the library, there shall be taxed as a cost on each civil, criminal, quasi-civil, quasi-criminal, or any other action at law, or suit in equity of any nature, hereafter filed in, arising in, or brought by appeal, certiorari or otherwise to the circuit, chancery, or general sessions courts in Union County, the sum of one dollar (\$1.00). The cost taxed in pursuance of this section shall be collected as other costs in such cases are collected by the clerks of such courts, and the same shall be designated as county library tax. On or before the last day of each month the clerks of the respective courts shall pay to the county trustee all amounts collected as county library tax in the preceding calendar month. The sum paid to the county trustee shall be designated as the county governmental library fund and used only for the purposes set out in this act. On approval of a majority of the library commission the chairman and secretary thereof shall draw warrants on the county trustee for expenditures of the commission, indicating on such warrant the fund against which they are drawn and the county trustee is authorized and directed, upon all warrants signed by the chairman and secretary, to make payments out of said fund upon the warrants so issued and presented in compliance with the provisions of this act.

SECTION 4. The library commission shall have full power and authority to raise sufficient operating funds, to assess lawyers and others, except judges and public officials, reasonable dues or charges for the use of the library, and to make charges for the use, damage or destruction of books or other property. Any income from such dues or charges shall be paid by the commission into the office of the county trustee in a like manner and at like times as monies collected hereunder shall be paid by the clerks of the various courts to the county trustee.

SECTION 5. The library commission shall keep written minutes of their meetings, at which meetings a majority of all members of the commission then serving shall constitute a quorum for the transaction of business, and the commission shall keep a record of monies received and disbursed, purchases, loss or destruction of books or other property, and a property inventory, with reasonable accuracy.

SECTION 6. This act shall have no effect unless it is approved by a two-thirds ($\frac{2}{3}$) vote of the county legislative body of Union County before October 1, 1981. Its approval or nonapproval shall be proclaimed by the presiding officer of the county legislative body and certified by him to the Secretary of State.

SECTION 7. 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 6.

PASSED: February 26, 1981

Mobile Home Parks

Private Acts of 1997 Chapter 74

SECTION 1. PURPOSE AND SCOPE

The purpose of this act is to provide areas within the confines of Union County outside the city to be convenient to employment, shopping centers, schools and other community facilities.

SECTION 2. DEFINITIONS

- (1) "Buffer strip" means a planted material or other material as may be approved by the Union County Planning Commission which will provide a screen not less than six (6') feet in height;
- (2) "Health officer" means the health officer of Union County, Tennessee or his authorized repr
- (3) "Mobile home" means a detached single-family dwelling unit with all of the following chara
 - (A) Designed for long-term occupancy, and containing sleeping accommodations, a flush toilet, a tub or shower bath, and kitchen facilities, with plumbing and electrical connections provided for attachment to outside systems;
 - (B) Designed to be transported after fabrication on its own wheels, or on flatbed or other
 - (C) Arriving at the site where it is to be occupied as a dwelling complete, including majo
- (4) "Mobile home park" means any plot of ground containing a minimum of two (2) acres upon which three (3) or more mobile homes are located or are intended to be located, but does not include sites where unoccupied mobile homes are on display for sale. A mobile home park cannot be developed on a site that is less than two (2) acres in size.

SECTION 3. It shall be unlawful for any person to place or maintain three (3) or more mobile homes for living or sleeping purposes on any premises or tract of land in Union County outside the city limits of Maynardville unless they are contained within a planned mobile home park duly permitted and pursuant to the provisions of this act.

SECTION 4. The Union County Planning Commission shall grant approval of a mobile home park when all the provisions of this act have been met. An application and all accompanying plans and supporting data shall be filed in duplicate with the planning commission at least seven (7) days prior to a regular meeting of the commission.

SECTION 5. The owner or lessee of the land parcel proposed for a mobile home park shall submit a plan for development to the Union County Planning Commission for approval. This plan shall show:

- (1) The park plan drawn to scale;
- (2) The area and dimensions of the proposed park;
- (3) The location and width of all driveways and walkways;
- (4) The location and dimensions of any proposed service buildings and structures;
- (5) The location of all water and sewer lines;
- (6) The location of all equipment and facilities for refuse disposal and other park improvements;
- (7) A plan for drainage of the park;
- (8) A certificate of accuracy signed by the surveyor or engineer that the boundary survey is correct;
- (9) A certificate and signature of the health officer;
- (10) A certificate for planning commission approval; and
- (11) Any other information deemed pertinent by the planning commission.

SECTION 6. MINIMUM STANDARDS

- (a) The site shall be located on a well-drained and flood-free site with proper drainage.
- (b) The site shall not be exposed to objectionable smoke, noise, odors, insect or rodent harborag
- (c) The site shall be located with direct access to an open public street.
- (d) The planning commission may attach special conditions and safeguards to protect both the occupants of the park and the occupants of surrounding property from such elements as noise, light and dust. Where required to serve these ends, walls, planting, surfacing or other material or artificial means for protection may be required as a part of such special conditions.
- (e) The mobile home park shall contain not more than five (5) individual mobile home spaces pe
- (f) Service buildings shall be of permanent construction, adequately ventilated and lighted.
- (g) An approved water supply and sewer shall be provided to each mobile home space. Piping a
- (h) The planning commission shall determine if common areas are needed. If required, the ar
- (I) All service buildings shall be convenient to the spaces which they serve and shall be maintained in a clean and sanitary condition.
- (j) The drives, walks, and parking areas shall be paved with hard surface material which shall be
- (k) Roadways shall be a minimum of twenty feet (20') in width.
- (l) Entrances and exits to the mobile home park shall be designed for safe and convenient mov
- (m) Any part of the park area not used for buildings or other structures, parking, or access ways

shall be landscaped with grass, trees, shrubs, and pedestrian walks.

(n) The park shall be adequately lighted. At the discretion of the planning commission on all sizable mobile home parks, all interior drives and walkways within the park shall be lighted at night with security lights.

(o) Each mobile home shall be set back a minimum of thirty feet (30') from any public street and

(p) Each mobile home park shall provide at least two (2) off-street parking spaces for each mobile

(q) All service buildings and the grounds of the park shall be maintained in a clean, sightly condition and kept free from any conditions that will menace the health of any occupant or the public or constitute a nuisance.

(r) Fire hydrants will be required if sufficient size water lines are available to serve the hydrants.

(s) In each mobile home park, the duly authorized attendant or caretaker shall be charged at all ti

(t) It shall be unlawful for any person to maintain or operate a mobile home park within the Unio

SECTION 7. ENFORCEMENT

Any person or persons who willfully neglects or refuses to comply with any of the provisions of this act shall be subject to a civil penalty of not more than fifty dollars (\$50.00) for each offense. Each day of violation shall constitute a separate offense.

SECTION 8. REVIEW POWERS OF THE COMMISSION

(a) Any of the foregoing provisions may at the discretion of the Union County Planning Comm planning commission shall review all mobile home park plans for preliminary and final approval.

(b) Expansion of existing mobile home parks shall be submitted to the Union County Planning Commission for approval and must conform to the standards set forth in this act.

SECTION 9. VALIDITY

If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 10. This act shall have no effect unless it is approved by a two-thirds ($\frac{2}{3}$) vote of the county Legislative Body of Union County. Its approval or nonapproval shall be proclaimed by the Presiding Officer of the county Legislative Body of Union County and certified to the Secretary of State.

SECTION 11. 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 10.

PASSED: MAY 29, 1997

Administration - Historical Notes

County Legislative Body

The following acts once applied to the quarterly court or the county legislative body of Union County and are included herein for historical purposes. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Private Acts of 1919, Chapter 400, increased the per diem pay for justices of the peace in Union County from \$1.50 per day to \$2.50 a day for attendance at regular meetings of the county court.
2. Private Acts of 1961, Chapter 46, would have raised the per diem pay for every justice of the peace in Union County to \$7.50 per day for each days attendance at regular or called meetings of the county court. However, this act was disapproved by the quarterly county court and therefore did not become a law.

County Mayor

The references below are of acts which once applied to the office of county judge, or county executive in Union County. They are included herein for historical purposes only. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Acts of 1855-56, Chapter 253, created the office of county judge for every county in the state requiring him to be learned in the law and elected by the people to a four year term, and to meet other qualifications as written. The quorum courts were abolished and all their obligations given to the judge. The sessions of the court, the jurisdiction and power of the court, the responsibilities of the clerk, who would be the circuit court clerk, and the judge's duties as financial officer are all specified in detail. This act was repealed by Public Acts of 1857-58, Chapter 5, and the courts were returned to their former status.
2. Private Acts of 1901, Chapter 201, created and regulated the office of county judge for Union

County. This act was amended by Acts of 1905, Chapter 84, which added \$150 per year compensation for the county judge for his doing the work of financial agent for the county, this being in addition to his salary as county judge. Private Acts of 1913, Chapter 105 also amended Private Acts of 1901, Chapter 201, Section 5, by increasing the salary of the county judge at \$150 per annum; and \$350 per year as financial agent to Union County. Private Acts of 1901, Chapter 201, was repealed by Private Acts of 1921, Chapter 767.

3. Private Acts of 1923, Chapter 561, as amended by Private Acts of 1925, Chapter 252, Private Acts of 1943, Chapter 222, and Private Acts of 1947, Chapter 118, provided for the election of a county judge in Union County held in August 1924 who would serve until the regular elections in 1926 and thereafter the county judge would serve a term of eight (8) years with a salary of \$500 per annum.
4. Private Acts of 1935 (Ex. Sess.), Chapter 93, provided that the county judge of Union County for his services as county judge and financial agent would be paid \$750 annually in monthly installments from the county treasury. The purpose of the legislature was declared to be to increase the salary as financial agent so that the total sum of \$750 annually would be paid. This act was amended by Private Acts of 1943, Chapter 418, by increasing the combined salaries of the county judge, as specified in the amended act, from \$150 to \$900 annually. Chapter 418 was amended by Private Acts of 1947, Chapter 119, which increased the salary of the Union County Judge to \$1,200 per annum. Private Acts of 1943, Chapter 418 was repealed by Private Acts of 1947, Chapter 118.
5. Private Acts of 1941, Chapter 482, authorized the Union County Judge to issue fiats for injunctions, attachments and supersedeas.

General References

The following private or local acts constitute part of the administrative and political history of Union County but are today no longer operative because they have either been superseded, repealed, or failed to receive local approval. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Acts of 1861 (Ex. Sess.), Chapter 24, declared that Union County would form one regiment to be known as the one hundred-sixty second regiment and be attached to the fourth brigade of the state militia. The militia officers holding the highest rank and command in Union County shall at a predetermined time and place call all officers together and hold elections as the law requires for battalions and companies as these officers may lay off for Union County.
2. Private Acts of 1933, Chapter 643, recited that the state was suing John B. Sharp and his sureties, a former trustee of Union County, for balances due Union County on various accounts; that the county court had authorized a settlement of these account with the current trustee which all had mutually agreed upon; and, because the said John B. Sharp did not keep accurate records of disbursements, a significant injustice could be done to his sureties. Therefore, the action of the county court in directing and authorizing a settlement to be made and the affair closed is ratified and confirmed in all things if the said conditions of the same as directed therein are met in full by all parties.

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