



County Technical Assistance Service
INSTITUTE *for* PUBLIC SERVICE

March 26, 2025

Sullivan

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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Sullivan



Sullivan County Courthouse

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Chapter I - Administration

Budget System

Private Acts of 2020 Chapter 46

SECTION 1. SCFMS --

This act shall be known and may be cited as the "Sullivan County Financial Management System of 2020" (SCFMS).

SECTION 2. Purpose –

It is the purpose of this act to provide Sullivan County with a modern and efficient system for the management of county finances, including, but not limited to, accounting, budgeting, purchasing, investment oversight, debt management, grant coordination, payroll, and cash management oversight.

SECTION 3. Definitions –

As used in this act, unless the context otherwise requires:

- (a) "Agency" means any entity of the county government, including, but not limited to, boards, commissions, departments and offices headed by employees or officers of the county whose funds are maintained by the county trustee;
- (b) "Capital asset" means land, improvements to land, easements, buildings, building improvements, vehicles, machinery, equipment, works of art and historical treasures, infrastructure, and all tangible or intangible assets that are used in operations and that have initial useful lives extending beyond a single reporting period;
- (c) "Chief administrative officer" has the same meaning as defined in Tennessee Code Annotated § 54-7-103;
- (d) "County mayor" means county executive or county mayor;
- (e) "Purchase" means the purchase, lease, lease-purchase, or contract for procurement of real and personal property or services or any combination thereof; and
- (f) "Special committee" means a committee established for the following reasons: budget, administrative, executive, investment, debt management, or purchasing.

SECTION 4. Creation of finance department –

- (a) There is created a finance department to administer the finances for all funds of the county maintained by the county trustee.
- (b) The finance department shall be responsible for accounting; budgeting; debt management; grant coordination; payroll; and cash management oversight for all agencies of the county as provided in this act. The finance director, with the approval of the mayor, shall develop a system in conformity with generally accepted governmental accounting principles and practices prescribed by the comptroller of the treasury.
- (c) A central purchasing department shall be created as provided in Section 9. This department shall be responsible to the Sullivan County financial management committee (SCFMC).
- (d) The funding for the finance department shall be allocated between the county general fund and county general purpose school fund. Each fund's allocation shall be based upon the expenditures budgeted from the respective funds in the 2020 FY adopted operating budget.
- (e) The county legislative body shall provide adequate office space and shall appropriate adequate funds for equipment and supplies necessary for the efficient operation of the finance department and central purchasing department.
- (f) All employees performing the functions of accounting, budgeting, debt management, grant coordination, payroll, and cash management oversight for the various agencies of the county shall be transferred to the finance department and shall function under the supervision of the finance director, except for the following: any employees the finance director does not require and the head of the agency agrees to retain, and employees of any county officer enumerated in Tennessee Code Annotated § 8-22-101 needed to perform the duties of such county officer. Notwithstanding any other law to the contrary, all positions transferred that are enumerated in Tennessee Code

Annotated§ 8-22-101 needed to perform the duties of such office as determined by the finance department and the salaries, benefits, travel and training and other expenses relating to such personnel shall be budgeted under the finance department. Officers enumerated in Tennessee Code Annotated § 8-22-101 may continue to have employees to perform duties regarding receipt and disbursement of funds, and accounting for same, which are directly related to the duties of their respective offices; provided, that all other accounting, budgeting, debt management, grant coordination, payroll and cash management oversight functions shall be performed by the finance department except as otherwise specified in this act.

(g) All fees and commissions allowed, collected or in any manner received by any county officer enumerated in Tennessee Code Annotated§ 8-22-101 as a fee or commission of the office shall be transferred to the county trustee monthly and deposited in the county general fund. The county legislative body shall make the necessary appropriations from the county general fund and pay to any officer enumerated in Tennessee Code Annotated § 8-22-101 the salary as fixed by Tennessee Code Annotated § 8-24-102 and the authorized expenses fixed by law for the operation of the office including the salaries and related expenses of all deputies and assistants as authorized by Tennessee Code Annotated title 8, chapter 20, irrespective of the fees earned or collected by the officers. The number and salary of deputies and assistants of the officers listed in Tennessee Code Annotated § 8-22-101 shall continue to be set pursuant to Tennessee Code Annotated title 8, chapter 20.

SECTION 5. Finance Committee --

(a) The SCFMC is created.

(b) The SCFMC shall consist of seven (7) members as follows: the county mayor; chief administrative officer of the county highway department; director of schools; finance director during the implementation period, as a non-voting member except in case of a tie; and three (3) other members of the Commission elected by the county legislative body. After the completion of the implementation period the mayor shall appoint an additional member from the county legislative body, or a member of the county school board approved by the legislative body to take the position previously filled by the finance director during implementation.

(c) The SCFMC at its first meeting after September 1 of each year shall elect a chairperson for a term of one (1) year and shall annually elect a vice-chairperson who shall serve as chair of the SCFMC during the absence of the chairperson.

(d) The SCFMC shall meet quarterly and from time to time at the call of the chairperson or majority of the members as necessary and prudent for the discharge of its duties.

(e) The finance director shall appoint a secretary to the SCFMC who shall be responsible for keeping records of the actions of the SCFMC. The finance director or finance director's designated representative may speak at meetings of the SCFMC as the SCFMC may deem proper; provided, that the finance director shall not vote on any matter before the SCFMC except to break a tie vote during the implementation period.

(f) The SCFMC shall establish and approve policies, procedures, and regulations in addition to the specific provisions of this act, for implementing a sound and efficient financial system for administering the funds of the county.

(g) The SCFMC may promulgate personnel policies for the finance department not in conflict with Tennessee Code Annotated title 5, chapter 23, after receiving the recommendations of the finance director.

(h) The SCFMC shall prohibit nepotism within its operations. Nepotism shall not be allowed involving any member of the SCFMC, county legislative body, and board of education member, the finance director or the purchasing agent. This policy shall address spouses, children, parents and siblings (including stepchildren, stepsiblings, and parents' in-laws).

SECTION 6. Committees --

(a) The mayor shall, with approval of the county legislative body, establish an audit committee in accordance with Tennessee Code Annotated § 9-3-405(b), unless a county legislative body has previously established an audit committee pursuant to Tennessee Code Annotated§ 9-3-405(a). All meetings of the audit committee shall be governed by Tennessee Code Annotated§ 9-3-405(c) - (i).

(b) The county legislative body may by resolution create and constitute one (1) or more separate special committees as provided in subsections (g) – (j) of this section.

(c) If a special committee is not created, the SCFMC shall assume the duties of the special

committee; the SCFMC shall assume or designate to the budget committee the duties of the debt management and investment committees that will also consult with or advise the county trustee on all investment decisions. The SCFMC may, as the need arises, assign subcommittees to report back to the committee on the various needs.

(d) One of the special commissions is the budget committee, which shall consist of seven (7) members as follows: one (1) county mayor serving as chairperson or his designee and six (6) members of the county legislative body nominated and selected by the county mayor and approved by the county legislative body.

(e) The SCFMC shall serve as the advisory committee to the purchasing agent or it may designate a subcommittee to serve in that capacity.

(f) The administrative and executive committees have historically acted as a hearing body to review and make recommendations to the budget committee over the assigned department's budget request. These two (2) committees shall be comprised of commission members not sitting on the budget committee.

(g) Appointed or elected members of any special committee created pursuant to this act shall be appointed or elected annually to serve for a term of one (1) year and shall be appointed so as to be confirmed by simple majority vote of the county legislative body.

(h) The county mayor or the mayor's designee shall serve as chairperson of each special committee created pursuant to this act until the special committee shall annually elect a chairperson at its first meeting. Each special committee shall annually elect a vice-chairperson to serve in the absence of the chairperson.

(i) The finance director shall appoint a secretary to each special committee established pursuant to this act and the appointee shall be responsible for keeping records of the actions of the special committee. The secretary may speak at meetings of the special committee as the special committee may deem proper; provided, that the secretary shall not vote on any matter before the special committee.

(j) The county legislative body shall by resolution set the compensation, if any, for the members of the various committees required or authorized by this act.

SECTION 7. Finance Director Position --

(a) If or when the finance director's position is to be filled the county mayor shall appoint the finance director with the approval of the county legislative body.

(b) The county mayor may dismiss the finance director upon the recommendation of the SCFMC and the approval of the county legislative body. The county mayor shall be responsible for ensuring the finance director complies with the various provisions of this act.

(c) The finance director shall for all purposes be an employee of the county, function as a department head, and shall be supervised by and report administratively to the county mayor.

(d) The finance director shall have as a minimum qualification a bachelor's degree from an accredited college or university with at least twelve (12) semester hours of accounting or finance, or both, plus at least five (5) years of experience in a governmental accounting or finance position. During the selection process, the county mayor shall consider not only the candidate's education and experience, but also professional certifications from nationally recognized professional organizations in the field of accounting and finance, and other criteria as established by the county legislative body. The finance director shall annually obtain at least twenty-four (24) hours of continuing professional education (CPE) in the field of governmental accounting and finance. Notwithstanding any of the provisions of this section, any person serving as a director of finance pursuant to the County Financial Management System of 1981, compiled in Tennessee Code Annotated title 5, chapter 21, director of accounts and budgets pursuant to the County Fiscal Procedure Law of 1957, compiled in Tennessee Code Annotated title 5, chapter 13, or any similar private act on the date this act becomes effective in any county, shall be eligible for appointment as the finance director and shall be required to fulfill the twenty-four (24) minimum hours of CPE annually.

(e) The compensation of the finance director shall be determined by the SCFMC within the limitations of the budget; provided, that the compensation shall not be less than the salary paid to the county trustee, and in addition to the salary, the county shall appropriate sufficient funds to pay for applicable professional organization dues, professional certifications, the costs of obtaining the required twenty-four (24) hours of CPE credit, and the costs of obtaining CPE credit to maintain any professional certifications.

SECTION 8. Finance Director's Duties --

(a) The finance director shall be the head of the finance department and oversee its operations. The finance director has authority to hire, promote, demote, discipline, and dismiss employees of the finance department consistent with the personnel policies applicable to the finance department. The finance director shall determine compensation of employees of the finance department within the budget.

(b) The finance director shall be responsible for implementation of the policies of the SCFMC and the decisions of any special committee established pursuant to this act.

(c) The finance director shall implement and maintain an accounting, budgeting, and debt management, grant coordination, payroll and cash management system for the county and may assist other county officers and department heads as requested to achieve an efficient financial management system for the county. The finance director shall establish and maintain records of capital assets of the county in accordance with generally accepted governmental accounting principles. The finance director shall annually develop long-range plans for addressing any long-term liabilities and present these plans to the SCFMC for its consideration.

(d) The finance director shall appoint an assistant finance director subject to the majority approval of the SCFMC. The assistant finance director shall be an employee of the finance department and shall perform those duties and responsibilities as are assigned by the finance director. In the absence of the finance director, other than a vacancy in the position, the assistant finance director shall perform the duties of the finance director necessary for the continued operation of the finance department. In the event of a vacancy in the position of finance director, the deputy finance director shall perform the duties of the finance director necessary for the continued operation of the finance department until a finance director is appointed by the county mayor.

SECTION 9. Purchasing Agent --

(a) The county mayor shall appoint the purchasing agent with a simple majority approval of the county legislative body.

(b) The central purchasing department separate and apart from the central finance department is established under the SCFMC. The purchasing agent's compensation shall be determined by the SCFMC within the limitations of the budget; provided, that the compensation shall not be less than the salary paid to the county trustee.

(c) The county mayor may dismiss the purchasing agent with a recommendation of the financial management committee and approval of the county legislative body. The county mayor shall be responsible for ensuring the purchasing agent complies with the purchasing policies and procedures adopted by the SCFMC.

(d) The purchasing agent shall have at least five (5) years of experience in governmental or private sector procurement. During the selection process, the county mayor shall consider not only the candidate's experience, but also professional certifications from nationally recognized professional organizations in the field of public procurement. The purchasing agent shall for all purposes be an employee of the county, function as a department head, and shall be supervised by and report administratively to the county mayor. The purchasing agent shall be the head of the purchasing department and oversee its operations. The purchasing agent has authority to hire, promote, demote, discipline, and dismiss employees of the purchasing department consistent with the personnel policies applicable to the purchasing department. The purchasing agent shall determine compensation of employees of the purchasing department within the budget. The purchasing agent shall be responsible for implementation of the policies and procedures established by the SCFMC.

(e) The purchasing agent shall appoint the assistant purchasing agent subject to the approval of the SCFMC. The assistant purchasing agent shall be an employee of the purchasing department and shall perform those duties and responsibilities as are assigned by the purchasing agent. In the absence of the purchasing agent, the assistant purchasing agent shall perform the duties of the purchasing agent necessary to the continued operation of the purchasing department. Any person serving as a purchasing agent pursuant to county legislative action on the day this act becomes effective in the county shall be eligible for appointment as the purchasing agent.

SECTION 10. Official Bond --

(a) The finance director shall execute a surety bond or acquire appropriate insurance coverage in an amount not less than one hundred thousand dollars (\$100,000), for the faithful performance of the finance director's duties in accordance with the general law on county officials' bonds. The bond shall be prepared in accordance with the provisions of Tennessee Code Annotated title 8, chapter 19,

approved by the county legislative body, filed with the county clerk for safekeeping, and recorded in the office of the register of deeds.

(b) The cost of the bond shall be paid from funds appropriated to the finance department for this purpose unless otherwise funded.

(c) The amount of the bond may be increased by the SCFMC subject to additional appropriations for the cost of such additional bond amount.

(d) The purchasing agent shall execute a surety bond or liability insurance policy in the same amount and manner as the finance director.

SECTION 11. Developing of the annual budget --

(a) The finance director, in coordination with the budget committee shall establish a calendar for the development and approval of the fiscal year's budget. The calendar shall be approved by the SCFMC and reported to the county legislative body at the December monthly meeting.

(b) The forms for receiving the upcoming fiscal year's budget request are to be developed by the finance director under the guidance of the budget committee and delivered to the departments, commissions, and agencies no later than January 15th.

(c) No later than February 8th, the new fiscal year's budget request along with projected revenues and funding sources for the respective office/department will be received and organized into spreadsheets to be presented for review by the responsible committees. Currently, those committees are the budget, administrative, and executive committees, but may be redirected to another committee as decided by the county legislative body. These committees will report their recommendations to the budget committee by March 15th.

(d) No later than May 1, the local education agency (LEA) shall submit a proposed budget including projected revenues to the finance director for presentation to the budget committee provided that, the LEA may amend the proposed budget after May 31st.

(e) No later than May 15th, the county budget committee shall vote upon the proposed budget and the finance director shall notify the LEA whether the county budget committee approves or rejects the LEA's proposed budget.

(1) If approved, the finance director shall immediately forward the proposed budget to the county legislative body for consideration; or

(2) If rejected, the LEA shall submit a revised budget proposal to the finance director within ten (10) business days after receipt of notice that the budget proposal was rejected.

(f) If the county legislative body fails to adopt a budget, property tax resolution, and appropriation resolution by July 31st of any year, then by operation of law, the operating budget for the ensuing fiscal year, other than the portion for the county department of education, shall be the consolidated budget with proposed amendments submitted by the county mayor or the budget committee. The property tax levy resolution must be enough to fund the consolidated budgets enacted by resolution and by operation of law.

(g) If the county legislative body and the county school board fail to agree upon a budget for the county department of education by June 30th of any year, then, by operation of law, the budget for the county department of education shall be equal to the minimum budget required to comply with the local match and maintenance of effort provisions of the BEP or any subsequent statutory provisions establishing local funding to be generated. However, if for three (3) consecutive years, the county legislative body and school board fail to agree upon a budget and the department of education receives the minimum required funding for that fiscal year by operation of law, then, the budget in the third year shall include a mandatory increase that is equivalent to three percent (3%) of the required funding from local sources for schools; provided however, this increase shall not be required if during any of those three (3) years the school board failed to submit its budget proposals in accordance with the budget calendar provided for in this act. Local revenues projected for the schools shall be projected consistently with the other county funds by the finance director.

(h) The proposed budget shall not decrease personnel for the sheriff's office without the agreement of the sheriff pursuant to Tennessee Code Annotated § 8-20-120.

(i) The budget for the county election commission shall conform to the requirements of Tennessee Code Annotated§ 2-12-109 and Tennessee Code Annotated§ 2-12-209.

(j) The budget committee's proposals shall conform to the requirements of Tennessee Code Annotated title 8, chapter 20.

(k) At the time of the submission of the proposed operating budget by the budget committee to the county legislative body, the finance director shall report to the county legislative body as to whether any portion of the proposed operating budget would likely cause either a reduction of state funds or the county receiving an amount less than what the county could otherwise be eligible to receive.

(l) Any commissioner may propose amendments to any appropriation except to an LEA in the budget and it be voted upon by the county legislative body and if approved, becomes part of the budget if the amendment does not create a conflict with governing statutes or a deficit budget.

(m) The budget committee shall present to the county legislative body a proposed budget appropriation resolution and proposed tax levy resolution when the proposed operating budget is presented.

(n) The local revenues for the school funds shall be recommended by the budget committee and accepted by the county board of education if they cannot reach an agreement otherwise.

SECTION 12. Appropriations –

(a) The appropriations made in the appropriation resolution, or any amendments thereto, shall constitute the limit to expenditures for the various purposes and from the stated funds of the county for the fiscal year covered by the resolution, and no expenditure shall be made or obligation created in excess of that limitation.

(b) Any resolution presented to the county legislative body in any fiscal year, after the original appropriation resolution has been adopted and the property tax rate for the year has been set, which provides for an expenditure in addition to those made in the original budget appropriation, shall specifically provide the source of revenue or designate the source of funds necessary to meet expenditures to be made as a consequence of the additional appropriation.

(c) The appropriations made by the county legislative body shall constitute authorization for the expenditures contained therein unless otherwise limited by the county legislative body, subject to the impoundment authority granted to the SCFMC, county legislative body, and county board of education pursuant to Section 15 of this act.

(d) The expenditures and encumbrances against the amounts appropriated shall be made only upon an order or authorization issued by the purchasing department.

(e) No expenditures made or obligations created in any manner shall be valid or binding against the county except as provided by this act.

SECTION 13. Amendment of Operating Budget –

(a) Amendments to the LEA final adopted operating budget of the county shall be made as follows:

(1) Board of education amendments to line items within the major categories are developed by the director of schools and submitted to the board of education for approval. The director of schools shall report the proposed amendments to the finance director five (5) days prior to proposing the amendments and report on the action taken within five (5) days. The finance director may offer his opinion on the amendment or comment if requested.

(2) Board of education amendments to the major categories which do not increase the grand total of appropriations in the original adopted budget of the county department of education shall be proposed by the director of schools and approved by the county board of education, then shall be submitted to the budget committee for approval. The finance director may offer his opinion on the amendment or comment if requested. The budget committee must act within thirty (30) days of submission by the director of schools or the director of schools may submit the request to the county legislative body.

(3) Board of education amendments to line items and major categories that increase the total revenues or appropriations, or both, of the original adopted budget shall be approved by the county board of education and submitted by the director of schools to the budget committee for its recommendation and to the county legislative body for their approval, except as provided by Tennessee Code Annotated § 49-2-203(b)(15). The budget committee must act within thirty (30) days of submission by the director of schools or the director of schools may submit the request to the county legislative body. The finance director shall provide his opinion on the requested amendment.

(b) Amendments to the county's final adopted operating budget, other than the LEA, are to be submitted by the county mayor, chief administrative officer of the county highway department head or any other agency of the county whose budget is to be approved by the county shall be made as follows:

(1) Amendments within major categories of the budget shall be submitted to the budget committee for approval. If the budget committee declines to approve the request, then the requesting department may submit the request to the county legislative body at the next scheduled meeting.

(2) Amendments to major categories of the budget that increase the total revenues or appropriations, or both, may be proposed by the county mayor, chief administrative officer of the county highway department or any other agency of the county whose budget is to be amended shall be submitted to the budget committee for recommendation and to the county legislative body for their approval. The budget committee must act within thirty (30) days of submission or the requesting party may submit the request to the county legislative body. The finance director shall provide his opinion on the requested amendment.

(c) Notwithstanding subsections (a) and (b) of this section, amendments shall comply with any court order entered pursuant to Tennessee Code Annotated title 8, chapter 20.

SECTION 14. Impoundment of Funds –

If at any time the finance director determines that the revenues or other resources are, with respect to any fund, less than what was anticipated in the adopted operating budget, or if unanticipated expenditures arise which will likely create a budget deficit, the finance director may certify to each member of the county legislative body for non-school funds, and to the county board of education for school funds, the finance director may impound the appropriations as may be necessary to prevent deficit operation. The impoundment may be overridden by a simple majority vote of the county legislative body for non-school funds or the county board of education for school funds. If the county legislative body or county board of education overrides an impoundment, the county legislative body or the county board of education shall make those amendments to the operating budget as may be necessary to prevent deficit operation. The necessary amendments require a majority vote of the county legislative body or the county board of education. However, no impoundment of funds shall affect expenditures mandated by state statute or court order that have been appropriated to the offices as enumerated in Tennessee Code Annotated § 8-22-101.

SECTION 15. Capital Budget --

(a) Annually, the county mayor, director of schools, and chief administrative officer of the county highway department shall submit to the finance director, on forms developed by the finance director and approved by the SCFMC, a five-year plan for capital outlays to be revised annually. The proposed capital outlays shall include estimated expenditures, a schedule for project completion or purchase of real and personal property, or both. Capital outlay for purposes of this section shall include any single purchase of a capital asset as defined in Section 3 when the total purchase price inclusive of all related expenses is expected to equal or exceed the county's capitalization threshold policy as set by the SCFMC.

(b) The finance director shall consolidate the details of all proposals for capital outlays noted in subsection (a) for the next fiscal year, including capital projects to be initiated during the next fiscal year and purchases requiring capital outlays during the next fiscal year. The SCFMC shall recommend to the budget committee a funding source and the amount of capital outlay expenditures to include in the operating budget.

(c) The SCFMC shall propose a revised consolidated capital outlay plan for the ensuing fiscal year at the same time the proposed operating budget is presented to the county legislative body. This document shall be known as the "proposed capital project plan".

(d) The county legislative body shall review the proposed capital project plan presented by the SCFMC. The county legislative body may alter the plan and shall annually adopt a capital projects plan. Prior to the adoption of a capital projects plan, the county board of education's director of schools, the chief administrative officer of the county highway department, and the county mayor have the right to address the county legislative body in regard to their respective agencies' capital project needs.

SECTION 16. Debt –

(a) Issuance of Debt. The finance director shall receive from the county mayor, director of schools, chief administrative officer of the county highway department, and all other county agencies, offices, and departments all proposals for the issuance of debt, and shall present such proposals, along with the recommendation of the finance director, to the budget committee, with the following exceptions:

(1) Tax anticipation notes; and

(2) Contracts, leases, and lease-purchase agreements that extend beyond one (1) year, which

shall be considered long-term debt.

(b) Debt Management Role

(1) The budget committee shall review proposals for the issuance of debt for conformity with the adopted capital projects plan, the operating budget for the current fiscal year, and any proposed operating budget for the next fiscal year that may have been submitted by the budget committee.

(2) Additionally, the budget committee shall review proposals for the issuance of debt to determine whether the proposal optimizes the county's financial resources, impacts negatively upon the credit rating of the county, and whether better financing or funding proposals exist.

(3) Each year, the budget committee shall report its recommendation on all proposals for the issuance of debt to the county legislative body. If the proposals for the issuance of debt are not received during the annual budget process, then the SCFMC shall submit its recommendation to the budget committee within one (1) month from receipt of the proposal for the budget committee's recommendation to the county legislative body.

(4) The county legislative body shall not approve the issuance of any debt for which its approval is required by law until it has received the recommendation of the budget committee, unless the budget committee is requested by the county legislative body to make a recommendation and it fails to do so within thirty (30) days of making the request.

(5) On or before May 1 of each year, the finance director shall prepare and submit to the budget committee a report on the current debt structure of the county, showing the amounts borrowed and date of borrowing, purpose of the borrowing, principal outstanding, interest paid, interest to be paid each year until retirement of the debt, interest rate, and source of funds for payment of principal and interest. The finance director shall make recommendations for improvements in debt management, financial soundness of the county, and whether any change in the debt structure is needed, including, but not limited to, early retirement of debt or refunding of debt. The budget committee shall review this report of the finance director and shall report its recommendations regarding any proposed changes in debt structure to the county legislative body on or before July 1 of each year.

(6) The budget committee shall prepare a debt management policy in compliance with statutory requirements and state funding board recommendations to be submitted to the county legislative body for approval.

(7) The budget committee shall ensure the finance director prepares and files all necessary reports required by the Securities and Exchange Commission, the municipal securities rulemaking board, and all other regulatory authorities related to the county's debt.

SECTION 17. Budgetary Report –

(a) The finance director shall prepare a budgetary report each month showing the condition of the budget. This budgetary report shall be posted on the county's website by the fifteenth (15th) day of the following month or as soon thereafter as the necessary information is available.

(b) The budgetary report shall show for each line item appropriation the total expenditures for the month and the year to date, the number of outstanding encumbrances, and the amount of the unencumbered balance.

(c) The budgetary report shall also show for each fund an itemized statement of the revenues estimated for the year, the amount of the revenues of each item for the month and the year to date, and the unrealized portion of the estimate.

(d) The head of each agency of the county shall be notified of the posting of the monthly budgetary reports for their respective agency.

(e) Upon notifying the members of the county legislative body of posting of such report, additional information shall be provided regarding areas such as departments or accounts that should be highlighted for their attention if action should be forthcoming of the issues noted.

(f) Any member of the county legislative body or constitutional officer may request in writing to the finance director a printed copy and it shall be provided.

SECTION 18. Investing Idle County Funds --

The SCFMC shall establish and approve policies and procedures for investing idle cash funds in various investments in accordance with Tennessee Code Annotated § 5-8-301. The SCFMC or budget committee, if created, may authorize the county trustee to perform the daily investment function.

SECTION 19. Checking System --

- (a) The county may elect to use a checking system for the disbursement of funds. The checking system shall be installed and maintained by the trustee, in concurrence with the finance director, in accordance with the provisions of Tennessee Code Annotated § 5-8-210.
- (b) All checks on county funds held by the county trustee shall be signed by the finance director and the following applicable person:
- (1) The director of schools for disbursements of school funds; or
 - (2) The county mayor for disbursements of county funds other than school funds.
- (c) All signatures required on county checks may be executed by methods other than personal signature if such methods are approved by the person authorized to sign, the SCFMC, and the comptroller of the treasury.
- (d) Checks shall be prepared by the finance department and the appropriate signature affixed representing the finance director and either the county mayor or director of schools upon their authorization. The finance department shall mail or cause to be delivered all checks drawn upon county funds held by the county trustee. The finance director may authorize and cause funds to be electronically transferred from county bank accounts, upon approval of the SCFMC and the comptroller of the treasury.
- (e) The finance department shall maintain a copy of all checks issued, invoices correlated to the checks or electronic transfers carrying out the requisition or paying for the goods or services received as described on the invoice.
- (f) The purchasing agent shall maintain a record of all requisitions for disbursements.
- (g) The copies of checks and other records of the finance department shall be retained in accordance with retention schedules authorized by Tennessee Code Annotated § 10-7-404.
- (h) Checks to disburse funds shall not be written and transfers of funds shall not be made by electronic means until the finance director or his or her designated employee has reviewed the requisition, invoice, receiving documentation, or other document indicating a disbursement of county funds should be made. This review function shall be known as pre-audit. A pre-audit approval for disbursement of funds shall not be made unless the documentation supporting a disbursement of funds appears to be correct, properly authorized, and not exceeding the unencumbered balance of the appropriations against which they are chargeable. Pre-audit approval for disbursement of funds shall be made by signature of the finance director or designated employee(s) of the finance department in a timely manner to prevent work stoppage or postponement of services and in a format developed by the finance director and approved by the SCFMC.
- (i) Disbursements of county funds shall be made as follows:
- (1) Payroll disbursements shall be based upon documentation furnished to the finance department and certified by all heads of all agencies of the county for themselves and their employees establishing the employment relationship and all relevant information required by the finance director to determine proper payment, withholding of income for taxes and other purposes, benefits, leave status, or other information relevant to the county's financial relationship to the employee.
 - (2) Disbursements for personal property received by the county shall be based upon invoices showing receipt of personal property properly requisitioned and purchased pursuant to a properly issued purchase order or report of an emergency purchase approved by the purchasing agent.
 - (3) Disbursements for services rendered to the county shall be based on services performed and approved by the head of the agency of the county receiving the service.
 - (4) Disbursements pursuant to a contract or agreement shall be based upon documentation from the head of the county agency responsible for the county's obligation.
 - (5) Disbursements based upon a court order or settlement of a lawsuit shall be based upon the written directive of the county attorney or the attorney representing the county board of education.
 - (6) Disbursements for the purchase or condemnation of real property shall be based upon the written directive of the director of schools for school property, the chief administrative officer of the county highway department for highway property obtained with highway funds, and the

county mayor for all other real property.

(7) Disbursements of appropriations to nonprofit organizations approved through the budgetary process shall be based upon the written directive of the county mayor.

(8) Heads of all agencies of the county and employees of the county shall furnish to the finance director or the finance director's designated employee all requested information in a timely manner to insure the proper and timely disbursement of county funds.

SECTION 20. Purchasing Policies & Procedures –

(a) Policies and procedures for purchasing for the county shall be established by the SCFMC, upon receiving the recommendations of the purchasing agent. The policies and procedures for purchasing shall be made available for the use of all officers and employees of the county involved with purchasing. The SCFMC shall establish a system whereby heads of all agencies of the county or their designees requisition real and personal property or services and provide estimates of cost. Such requisitions shall be reviewed by the purchasing agent or the purchasing agent's designee and if the requisition appears to be correct, properly authorized, and the cost will not exceed the unencumbered balance of the appropriation against which the cost of the requisition is chargeable as approved by the finance department, then the purchasing agent shall determine the proper method of obtaining the property or services, and issue purchase orders as appropriate according to this act and the policies and procedures of the SCFMC. Heads of all agencies of the county may specify employees who are authorized to make requisitions, and any limitations upon their authority to act, upon written notification to the purchasing agent. Requisitions for a contract, lease, or lease-purchase extending beyond the current fiscal year that would constitute an obligation in excess of an amount to be determined by the purchasing agent shall be forwarded to the budget committee for approval prior to any further approval of the requisition.

(b) The policies and procedures for purchasing for the county established by the purchasing agent shall include the use of any type of purchasing or credit card and an approval process for purchases of real property, personal property, and services, including those by lease, lease-purchase, or contract that extend beyond one (1) year or commit the county to expenditures in excess of an amount as determined by the budget committee. The purchasing agent shall establish policies requiring approval of such purchases by either the purchasing agent, county legislative body, or any combination thereof. The policies and procedures approved by the SCFMC pursuant to this subdivision to determine the approval process for any type or amount of purchase shall be subject to approval by the county legislative body.

(c) Requisitions shall include specifications when necessary as determined by the purchasing agent. Specification development and stipulation shall be made by the county purchasing agent to receive the personal property or services requisitioned. However, the purchasing agent may reject any specification that the purchasing agent deems inadequate. The purchasing agent shall assist the agency of the county as needed to develop proper specifications for requisitions. Specifications shall not be written to exclude specific vendors, contractors or service providers, or to limit the bidding to a specific vendor, contractor, or service provider.

(d) Except as otherwise provided in this act or by other applicable general law, purchases shall be based upon competitive bidding. The SCFMC, after receiving the recommendations of the purchasing agent, shall establish the dollar amounts and types of purchases for which a formal competitive bidding process is required, the dollar amounts and types of purchases for which an informal bidding process is required or not required, and the exceptions to competitive bidding requirements, but the dollar amounts established for formal competitive bidding shall not exceed the amounts otherwise applicable in general law. In addition to competitive bidding, the SCFMC may establish the types of purchases and other circumstances under which requests for proposals (RFP), requests for qualification (RFQ), and other procurement methods are appropriate and allowable. The SCFMC may also establish guidelines not in conflict with applicable general law for purchases at public auction and using the Internet. Exceptions to competitive bidding may include, but are not limited to, sole source purchases, perishable commodities, and emergency purchases. If Sullivan County operates under the County Uniform Highway Law, compiled in title 54, chapter 7, then Tennessee Code Annotated § 54-7-113(c) regarding exceptions to public advertisement and competitive bidding requirements shall apply to purchases for the county highway department.

(e) All purchases competitively bid shall be awarded to the lowest responsible and responsive bidder, taking into consideration the quality of the personal property or services to be supplied, their conformity with specifications, their suitability to the requirements of the county and the delivery terms, and such other considerations as the purchasing agent deems appropriate and in conformity with any guidelines established by the SCFMC. All bids may be rejected for reasonable cause by the

purchasing agent.

(f) The purchasing agent may authorize any agency of the county to purchase in the open market, without filing a requisition, any personal property necessary for immediate delivery or services for immediate employment, in actual emergencies. Such direct emergency purchases may only be made by heads of agencies of the county within the authorization granted by the purchasing agent and when the purchasing agent is not available to make the purchase. At all other times, only the purchasing agent or the purchasing agent's designee shall make purchases. A report of an emergency purchase shall be made by the head of an agency of the county or the agency head's designee describing the circumstances of the emergency, the personal property or services purchased, and the amounts to be charged against the operating budget of the agency. Such emergency purchase report shall be submitted to the purchasing agent as soon as is reasonably possible following the date of such purchase by the head of the county agency concerned and such report shall be provided by the purchasing agent to the SCFMC.

(g) The purchasing agent, in authorizing deviations from the competitive bidding requirements in emergencies, shall not include conditions arising from neglect or indifference in anticipating normal needs. Emergency purchases shall be limited to needs arising which are not normally foreseeable.

(h) The county shall not be liable for the payment of any purchase not made according to the provisions of this act unless specifically approved by the SC FMC.

(i) The SCFMC may:

- (1) Require periodic and special reports by county agencies of inventories, stocks of surplus, unusable or obsolete personal property, and prescribe the form of such reports;
- (2) Determine whether a deposit or bond is to be submitted with a bid on a purchase or sale, and if required, prescribe the amount and form of the deposit or bond, and provide for the forfeiture of the deposit or bond if the successful bidder refuses to enter into the contract and to determine the time for such forfeiture after the award of the bid. Such determination shall not conflict with existing state statutes for construction contracts;
- (3) Prescribe the way invoices for personal property and contractual services delivered to any of the agencies of the county shall be submitted, examined, and approved by the purchasing agent; and
- (4) Provide for all other matters as may be necessary to give effect to the duties of the SC FMC and purchasing agent.

(j) The SCFMC shall establish policies, subject to the approval of the county legislative body, for the disposal or transfer of surplus, obsolete, or unusable personal property. These policies may provide for the transfer to or between county agencies of personal property on hand which are surplus with one county agency, but which may be needed by others. However, a head of a county agency shall not be required to transfer any item of personal property in his or her custody without his or her consent except in an actual emergency or disaster.

(k) The county mayor or any department head or officer of the county having custody of real property may request that the real property over which the mayor, department head, or officer has custody be declared surplus and be sold or transferred from the ownership or possession of the county or the custody of the mayor, department head, or officer. Any such request shall be made to the SCFMC. The SCFMC shall make recommendations to the county legislative body regarding whether the real property requested to be declared surplus should be kept, its use changed, sold, or otherwise disposed of, and shall make a recommendation as to the proper use or disposition of the property to the county legislative body, which shall make the final determination as to the use and disposition of all county real property not titled to or leased by the county board of education. The county legislative body shall make the final determination as to the disposition of all real property titled, including property assigned to the board of education.

(l) The purchasing agent shall:

- (1) Develop requisition forms to be used by the various agencies of the county, subject to approval by the SCFMC;
- (2) Review requisitions, including specifications in accordance with Section 23 of this act;
- (3) Conduct formal and informal bid solicitations in accordance with the provisions of this act;
- (4) Make a record of all informal bids solicited, all informal bids received, and the successful bid and bidder, including the time of each such action;

- (5) Open formal sealed bids in public according to a procedure established by the purchasing committee;
 - (6) Evaluate and compare bids and award purchases designated by the SCFMC to be awarded by the purchasing agent;
 - (7) Issue purchase orders when appropriate based upon completed requisitions;
 - (8) Prepare contracts, leases, and lease-purchase agreements. The purchasing agent shall prepare contracts, leases, and lease-purchase agreements with the aid of the legal counsel if such office or position is established, or with the aid of an attorney employed or retained by the county mayor or board of education;
 - (9) Sign all contracts with the signature of agreeing respective department for all major contracts as the SCFMC determines;
 - (10) Perform duties regarding the transfer or disposition of surplus, obsolete, and unusable personal property as directed by the purchasing committee;
 - (11) Ensure that capital projects that have been approved in the capital projects budget and operating budget and funded according to law shall be competitively bid by the purchasing agent according to the requirements approved in the capital projects budget and operating budget; and
 - (12) Perform such other duties as may be prescribed by the SCFMC.
- (m) The finance director, purchasing agent, members of the committee, members of the county legislative body, or other officials, employees, or members of the board of education or highway commission, including spouses, shall not be financially interested or have any personal beneficial interest either directly or indirectly, in the purchase of any supplies, materials or equipment for the county.
- (n) Any official or employee under the employment of the SCFMC that is found to be in violation of this act or failure to conform to the provisions of this act commits a Class C misdemeanor and is subject to removal from office or position.

SECTION 21. Approval of Contracts & Leases --

- (a) In addition to the approval process established by the SCFMC, contracts, leases, and lease-purchase agreements shall be approved by the county attorney or such other legal counsel as appropriate, if such office or position is established, or by an attorney employed or retained by the county mayor or board of education, prior to execution when the dollar amounts involved exceed an amount determined by the SCFMC to assure compliance with law and proper form.
- (b) Contracts, leases, and lease-purchase agreements shall be executed by the purchasing agent and one (1) or more of the following: the director of schools for all obligations against school funds, by the chief administrative officer of the county highway department for all obligations against highway funds, and the county mayor in all other circumstances, and additionally by other county officers when required by law, and by the finance director for approval of expenditure of funds.
- (c) This subsection (c) shall not apply to agreements between the county highway department and the department of transportation pursuant to Tennessee Code Annotated § 54-7-116.

SECTION 22. Notice of Plan of Implementation --

No later than six (6) months following the date a resolution is adopted to implement this act, the county clerk shall file a copy of the resolution, together with an implementation plan developed by the finance director and approved by the SCFMC, with the comptroller of the treasury. This county financial management plan implementation shall begin July 1 of the next fiscal year and shall be fully implemented within such county no later than two (2) years from the date the implementation of the plan began.

SECTION 23. Receipt of Funds --

Excepting taxes, such as the county trustee is authorized to collect, the payment of all moneys to the county trustee by any collector authorized by statute or by anyone on account due the county, shall be made only by issuance of a receivable warrant signed by the finance director or finance designated representative. The office of the finance director shall issue a receipt for the amount named, for which the trustee shall acknowledge and accept upon confirmation of amount and description, a duplicate of which shall be retained by the finance director to be used by the finance department in posting the accounting records.

SECTION 24. Modification of Dates --

The deadline dates as set forth in this act may be necessary to update due to law changes and certain emergencies recognized by the state of Tennessee. When these events occur within the county, the legislative body shall approve the changed date on a temporary basis and report the amended dates.

SECTION 25. Supersede other Statutes --

Upon this act becoming effective in Sullivan County, this act shall supersede the provisions of any private act in conflict with this act in this county, including any private acts, or amendments thereto, adopted by the county legislative body of such county before or after the date this act becomes effective in such county.

SECTION 26. Validity of Statute --

If any provision of this act or the application of it to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this act that 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 27. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of Sullivan County. Its approval or nonapproval shall be proclaimed by the presiding officer of the legislative body and certified to the secretary of state.

SECTION 28. 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 as provided in Section 27.

Passed: June 22, 2020

County Attorney

Private Acts of 1935 Chapter 609

SECTION 1. That the office of County Attorney is hereby created and established for Sullivan County, Tennessee, and A. B. Whiteaker, a practicing attorney and citizen of Sullivan County, Tennessee, is hereby appointed to fill said office until the next regular election, to be held on the First Thursday in August, 1936. The County Attorney of Sullivan County shall be elected by the qualified voters of the county of Sullivan for a period of four (4) years, which period shall constitute the term of said office. That before entering upon the duties of the office, he shall execute a bond in some Guaranty Bonding Company, authorized to do business in the State of Tennessee, in the penal sum of Five Thousand (\$5,000) Dollars, conditioned on the faithful performance of his duties and his accounting for any paying over all monies that shall come into his hands as such County Attorney, said bond to be approved by the County Judge or Chairman, if he is satisfied it is good, the bond to be filed with the County Court Clerk and entered on the Minutes of the Court. The premiums on said bond or bonds, shall be paid out of the ordinary fund of the County, for which the County Judge or Chairman shall issue a county warrant on the Trustee. The said County Attorney will also be required, before entering upon the duties of his office, to take and subscribe to the following oath before some officer, authorized to administer oaths, to-wit:

I, _____, do solemnly swear, that I will support the Constitution of the United States and of the State of Tennessee, and that as County Attorney for the County of Sullivan, State of Tennessee, which office I am about to assume, I will perform all the duties of said office as provided by law, to the best of my skill and ability, so help me God.

_____(Seal)

This oath shall be filed with the County Court Clerk and spread upon the Minutes of the Court. No one shall be eligible to fill the position of County Attorney, unless he is a citizen and resident of the County and a legally qualified, practicing attorney at the Bar.

As amended by: Private Acts of 1941, Chapter 192.

SECTION 2. That the said County Attorney shall be the attorney and solicitor for the County in all legal matters, in which the County requires the services of an attorney or solicitor, including all suits in which the County has an interest now pending in any of the Courts, either by the County, or against the County, and all suits hereafter brought either by the County or against it. He shall represent the County in all condemnation cases, all civil suits brought against the County, except when insurance companies have coverage, in all suits involving county officials in their official duties, review all contracts to be entered into by the County, review all resolutions prior to vote to determine legality, file and prosecute all tax delinquency matters, attend all meetings of the County Court, both regular and called sessions, attend all

committee meetings when requested by the Chairman to do so, attend the meetings of the school board when requested to do so by the Chairman, prosecute all cases involving the personal use of County funds by any County official including use of assets of the County for personal use, advise the County Judge and members of the County Court upon request on legal matters concerning County government, advise all county officeholders upon request concerning legal matters, and do all other things required by statute and the act creating the office of county attorney. The Office of the County Attorney for Sullivan County shall be a full-time position, and the County Attorney shall not be allowed to maintain a private practice of law.

As amended by: Private Acts of 1935 (Ex. Sess.), Chapter 27.,
Private Acts of 1974, Chapter 288,
Private Acts of 1997, Chapter 64.

SECTION 3. The salary of the Sullivan County Attorney shall be established by the Sullivan County Board of Commissioners at least sixty (60) days before the qualifying deadline for primary elections for the Office of the Sullivan County Attorney for 1998 as well as for each term of office thereafter.

As amended by: Private Acts of 1935 (Ex. Sess.), Chapter 27.,
Private Acts of 1937, Chapter 524,
Private Acts of 1961, Chapter 360,
Private Acts of 1974, Chapter 288,
Private Acts of 1977, Chapter 35,
Private Acts of 1990, Chapter 208,
Private Acts of 1997, Chapter 64.

SECTION 4. In all cases the County Attorney shall be governed in his actions by the County Executive, except where the Board of Commissioners shall direct him, then he will follow the directions of the Board of Commissioners. In all cases involving self-insurance claims, the County Attorney shall have the authority, in cases where there is a conflict of interest between the Defendants or cases which require the services of additional counsel or for other reasons deemed by the County Attorney in the best interest of the county or employees of the county who are the subject of litigation, to employ such additional counsel at such rate as may be negotiated pursuant to contract as is now currently provided in the Sullivan County Laws and Resolutions and in accordance with current practice in regard to the application of such attorney's fees and expenses for payment from the county's self-insurance fund. That all proposed settlements of litigation, other than worker's compensation matters or other than such matters as may be involved in condemnation proceedings where settlement is authorized by the Sullivan County Highway Commissioner and/or by the county's appraisers, shall be approved by the Sullivan County Executive Committee.

As amended by: Private Acts of 1990, Chapter 208.

SECTION 5. That in case the said A. B. Whitetaker shall fail or refuse to accept the said position of County Attorney within thirty (30) days after the passage of this Act, the position will be considered vacant and shall be filled by appointment by the County Judge. In case of vacancy in said office at any time by death, resignation, or removal of the incumbent, the vacancy shall be filled by appointment to be made by the County Judge until the next regular election, when his successor will be elected by vote of the people of the County, to fill the unexpired term.

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

SECTION 7. That this Act take effect from and after its passage, the public welfare requiring it.
Passed: April 18, 1935

County Trustee

Private Acts of 1933 Chapter 237

SECTION 1. That in all counties of this State having a population of not less than 51,075 nor more than 51,100, according to the Federal Census of 1930, or any subsequent Federal Census, it shall be the duty of the County Trustee to receive and collect taxes only at his office in the courthouse at Blountville, and in his offices in the City of Kingsport and Bristol, and said County Trustee is hereby forbidden to collect taxes except in the places herein designated.

SECTION 2. That this Act shall take effect from and after its passage, the public welfare requiring it.
Passed: March 27, 1933.

Fire and Windstorm Insurance

Private Acts of 1935 (Ex. Sess.) Chapter 20

SECTION 1. That all Counties having a population of not less than fifty-one thousand and seventy-five nor more than fifty-one thousand, and one hundred according to the Federal Census of 1930, or any subsequent Federal Census, shall be and they are hereby authorized and empowered, by resolution of their Quarterly County Courts, to carry their own insurance on their public buildings and their equipments against loss by fire or wind storms either or both.

SECTION 2. That any such County, through its Quarterly County Court shall have the power and authority, to levy and collect a special tax from year to year sufficient to pay any loss sustained by fire or windstorm and to replace or repair such building or equipment, belonging to the County. That for this purpose a fund may be created and held from such yearly tax levy, sufficient to pay off such loss the Quarterly County Court to determine the size and amount it shall keep on hand and intact for that purpose. That the said fund shall be kept and invested by the Sinking Fund Commission in the same manner as provided by law that they shall handle the Sinking Fund of the County, and the Sinking Fund Commission shall handle this fund and be liable for it on the same bond which they give for the Sinking Fund.

SECTION 3. That in case of a loss by fire or windstorm at any time when there are not sufficient funds of the said fire and windstorm fund provided for in this Act, to rebuild or replace such building, or damage, the Quarterly County Court of such County is hereby authorized, and empowered to issue Coupon Bonds of the County and sell them for the purpose of raising such funds necessary to make such repairs, or rebuilding or replacing the property lost. The said Court shall have the right and power by resolution to designate the form of the bonds and coupons, the rate of interest to be paid which shall in no event exceed five percent per annum, payable semi-annually, to determine the dates for maturity of the bonds, to sell them either at public sale, or on sealed bids, as the same may be directed by the Court, and when sold to apply the proceeds of the sale for no other purpose except as above indicated in this Act. The Court shall in case of issuing such bonds, levy a tax from year to year and collect the same to pay the interest on such bonds and to create a sinking fund to pay them off at maturity. Such bonds when issued shall be signed by the County Judge or Chairman, and countersigned by the County Court Clerk, and the facsimile signatures of both shall be lithographed in the coupons. The Court will be authorized to issue bonds from time to time under this Act, as needed, and the fact that bonds shall have been issued one or more times by authority of this Act, shall not prevent the Court from issuing again under this Act, so that not more than \$100,000 of bonds issued under this Act, shall be outstanding at any one time.

SECTION 4. That this Act take effect from and after its passage, the public welfare requiring it.
Passed: July 23, 1935.

Northwest Tennessee Corridor Overlay District

Private Acts of 1997 Chapter 3

SECTION 1. Short Title - This act shall be known and may be cited as the "Northeast Tennessee Corridor Overlay District Act."

SECTION 2. Legislative Findings - Public and Governmental Character of District - Declaration of Public Necessity.

- a. It is declared that a clear need exists in a specific area of Sullivan County, Tennessee, for employment opportunities for all of Tennessee's citizens through the promotion of business development. To this end, it shall be the purpose of this act to place physical development review responsibilities and other powers specified herein in a specially designated body, and that such body shall have the authority to exercise such powers to more effectively manage the natural and man-made resources to effect the location, expansion and support of the industrial and commercial development within the specific geographic area designated by this act.
- b. It is further declared that the Northeast Tennessee Corridor Review Commission created pursuant to this act shall be a public and governmental body acting as an agency and instrumentality of Sullivan County and the City of Kingsport; and that the responsibilities, management authority, and other powers designated herein are declared to be for public and

governmental purposes and a matter of public necessity.

SECTION 3. Definitions - The following words or terms whenever used or referred in this act shall have the following respective meanings unless different meanings clearly appear from the context:

- a. "Commission" means the Northeast Tennessee Corridor Review Commission created pursuant
- b. "County Governing Body" means the chief legislative body of Sullivan County.
- c. "Municipal Governing Body" means the chief legislative body for the City of Kingsport.
- d. "Municipality" means the City of Kingsport, Tennessee.
- e. "County" means Sullivan County, Tennessee.
- f. "State" means the State of Tennessee.
- g. "Corridor Overlay District" means the Northeast Tennessee Corridor Overlay District.

SECTION 4. Commission Established - Purposes.

- a. There is established in Kingsport and Sullivan County, Tennessee, a commission to be known as the "Northeast Tennessee Corridor Review Commission".
- b. The Commission shall be established for the purposes of:
 - (1) Developing and adopting a comprehensive development plan for the Northeast
 - (2) Developing, adopting, and administering site design, architectural design and development standards for the Corridor Overlay District to ensure a high quality living and working environment conducive to the requirements of commercial and industrial business.
 - (3) Effecting sound development of the designated area, through the construct the commercial and industrial development.

SECTION 5. Corridor Overlay Zones, Establishment, Definition, Delineation.

- a. In order to accomplish the purpose of this act, Corridor Overlay Zones shall be established by cooperation with the County Governing Body and the Municipal Governing Body and other police powers. Both Governing Bodies shall amend their respective zoning authority to establish corridor overlay zones in accordance with the provision of their zoning resolutions and the general law of the state. Where design and development standards, regulations, policies, and procedures are adopted for the Corridor Overlay Zones by the Commission pursuant to this act, such standards, regulations, policies and procedures shall apply, provided that, the permitted and prohibited property uses, zoning, land management procedures and regulations otherwise applicable within the municipal limits shall also apply within the city limits and the permitted and prohibited property uses, zoning, land management procedures and regulations otherwise applicable within Sullivan County shall also apply within the area under the jurisdiction of the county.
- b. The geographic area defined as the Northeast Tennessee Commercial and Industrial Corri

SECTION 6. Northeast Tennessee Corridor Review Commission - Sanctioning Authority - Governing Board - Members - Appointment - Terms.

- a. The governing body of the Commission shall be a board of commissioners established in a b. The Board of Commissioners shall be composed of seven members, three of whom shall be appointed by the County Governing Body, three of whom shall be appointed by the Municipal Governing Body and one which will be jointly appointed by both governing bodies. The County Governing Body shall appoint an architect, the Planning Director, and one member of the of the County Governing Body to the Commission. The Municipal Governing Body shall appoint an architect, the Planning Director and one member of the Municipal Governing Body to the Commission. The seventh member shall be appointed by both governing bodies. No person, whether or not a land owner or developer, with any property interest in any property within the Corridor shall be nominated for, or appointed to serve, as a commissioner. If, after being appointed, a Commissioner acquires property or any interest in property within the District, such Commissioner shall relinquish his or her position on the Commission and the vacancy shall be filled as set out in this act. The terms of office of the members appointed from the governing bodies shall coincide with their term of office on their respective boards. The remaining commissioners first appointed to the Commission shall be appointed for terms of three, four and five years respectively, but thereafter each commissioner shall be appointed for a term of five years except as otherwise provided herein. Terms of office shall begin not more than one month after ratification of this act by the governing bodies. Any vacancy be reason of incapacity, resignation or death shall be filled in a like manner for the unexpired term. Subsequent commissioners shall be appointed by the governing body that made the initial appointment, and commissioners may serve more than one term. A resolution of each governing body approving the nominees of the initial Board of Commissioners shall be adopted, and upon approval, the Commission shall be authorized to conduct business.
- c. All members of the Commission shall serve without compensation, but may be allowed necessary

expenses while engaged in the business of the Commission, as provided and approved by the Sullivan County Executive and the City Recorder of the City of Kingsport.

d. The Commissioners shall elect from its members a Chairman and Vice- Chairman, each of whom shall continue to be voting members, and shall adopt its own bylaws and rules of procedure. A majority of the commissioners shall constitute a quorum for the transaction of business. The initial bylaws and rules of procedure shall be submitted to the County Governing Body and the Municipal Governing Body for approval by majority vote. Any amendments of the bylaws or rules of procedure of the Commission shall also be submitted and approved by both governing bodies by majority vote.

e. A commissioner may be removed from office for good cause, including voting in matters of personal interest in violation of Tennessee Code Annotated, Section 12-4-101, but only after notice of the cause of such removal has been served upon the commissioner, in accordance with Article 7, Section 1, of the Tennessee Constitution, Tennessee Code Annotated, section 12-4-102, and the general law.

SECTION 7. General Powers. The Commission shall have the powers necessary to accomplish the purpose of this chapter including, but not limited to, the following:

a. To adopt and oversee implementation of a comprehensive development plan comprised of la the development process;

b. To serve as a review board for the purpose of accepting, considering, approving or denying applications for "certificates of appropriateness" as defined herein, prior to action on requests for rezoning or variance from the provisions of the zoning regulations in effect within the Corridor Overlay Zone, and prior to action on applications for building or grading permits within the Corridor Overlay Zone by any person authorized to issue such permits for Sullivan County or the City of Kingsport in order to ensure that development within the zone is consistent with the policies and plans of the Commission; and to administer and enforce such developmental and architectural standards, regulations, and related rules and procedures as the Commissioners may adopt from time to time for the review and consideration of applications for such certificates, provided, however, that such standards, regulations and rules and procedures are first approved by both the County Governing Body and the Municipal Governing Body.

c. To do all acts and things necessary, or deemed necessary or convenient to carry out the powers expressly given in this act.

SECTION 8. Application for Permits for Construction In Corridor Overlay Zone - Certificates of Appropriateness. All Applications for rezoning or variances from the provisions of adopted zoning ordinances, or for permits for construction, alteration, repair, rehabilitation, or relocation of a building, structure or other improvements to real estate situated within the Corridor Overlay Zone, shall be reviewed by the Commissioners, which shall have board powers to request detailed plans and related data pertinent to thorough review of the proposal. No rezoning or variance to zoning provisions shall be granted, nor shall construction, alteration, repair, rehabilitation or relocation to any building, structure or other improvement to real property situated within the Corridor Overlay Zone be performed without the issuance of a certificate of appropriateness by the Commissioners. No building permit issuing authority in Sullivan County or in the City of Kingsport shall issue any such permit for new structure or improvements within the Corridor Overlay Zone without issuance of a certificate of appropriateness by the Commission.

SECTION 9. Issuance or Denial of Certificate of Appropriateness Guidelines.

a. The Commission shall, as soon as it is reasonably possible, but in all cases within thirty (30) working days following the filing of an application with the required data, grant a certificate of appropriateness with or without attached conditions, or deny the certificate, and shall state the grounds for denial in writing. In its review of applications for certificates of appropriateness, the Commission shall apply its adopted review criteria and standards, rules and regulations and give prime consideration to:

1. The proposed structure's or development's consistency with the compre
2. The relationship of the proposed development's design or the proposed structur
3. The general compatibility of the structure or development proposal and its projected impacts on development already in the vicinity of the proposal, as well as those projected and reflected in the adopted comprehensive plan for the zone; and
4. Any other factor, including functional and/or aesthetic, which is reasonably related to the purposes of this act.

b. Failure by the Commission to act on an application within the time required herein shall constitute approval of the certificate, provided, however, that an extension may be granted upon concurrence of the applicant.

SECTION 10. Agricultural Structures and Residential Structures Areas Excluded. The structures, facilities and land uses identified herein shall not be required to apply for a certificate of appropriateness from the Northeast Tennessee Corridor Review Commission;

- a. Agricultural uses and structures or appurtenances located in agricultural zones and used solely for the production of agricultural products for sale to wholesale or retail markets and not part of or functionally related to manufacturing, commercial, or industrial enterprises within the designated Corridor Overlay Zone.
- b. All residential structures when such structures are located within subdivisions approved by th
- c. Nothing contained in this act shall be construed to require any change, or limit in any way any existing use of land permitted by any zoning in effect at the time of the enactment of this act.

SECTION 11. Appeal of Authority Actions. Any interested party who is aggrieved by any action of the Commission, including the approval or denial of a certificate of appropriateness, may appeal its decision to the Chancery Court in Kingsport, Tennessee, by filling a Writ of Certiorari within sixty (60) days of the action of the Commissioners. An appeal shall be defended by both the County Attorney for Sullivan County, and the City Attorney for the City of Kingsport with all filing fees, court fees and any litigation expenses being jointly shared by Sullivan County and the City of Kingsport.

SECTION 12. Enforcement of Northeast Tennessee Corridor Review Commission Decisions. Where a building or structure is erected, constructed, reconstructed, altered, maintained, or used, or any land is used in violation of this act or any regulation or provisions enacted or adopted by the Commission under the powers granted by this act, the Board of Commissioners, the Building Official for Sullivan County, the Building Official for the City of Kingsport, or any adjacent or neighboring property owner who would be specially damaged by such violation, in addition to other remedies provided by law, may institute injunction, mandamus, abatement or any other appropriate action, actions, proceeding or proceedings to prevent, enjoin or abate or remove such unlawful erection, construction, reconstruction, alteration, maintenance, or use. Any action filed under this section shall be jointly prosecuted by the County Attorney and the City Attorney with all filing fees, court fees and any litigation expenses being jointly shared by Sullivan County and the City of Kingsport.

SECTION 13. Construction of Act.

- a. The powers, authority and rights conferred by this act shall be in addition and supplemental to industrial development corporation or port authority created by any other general, special or local law.
- b. This act is remedial in nature and shall be liberally construed to effect its purposes of promoting economic development within and in proximity to the Northeast Tennessee Corridor Overlay Zone as defined herein, facilitating the attraction, siting and support of industries in Kingsport, and encouraging the effective utilization of the natural, education, and technological resources therein to the ultimate growth and development of commerce and industry in Sullivan County and throughout the State of Tennessee.
- c. Nothing in this chapter shall be construed to prevent the extension of the Corridor Overlay Zone into other counties by adoption of similar legislation for such counties, and upon adoption of such legislation this act should be amended to provide for participation by representatives of that county or those counties on the Board of Commissioners by the appointment of additional members of the Board from either that county or those counties, and by providing for the governing body of such county to serve in all respects as the governing body for the development in such county.
- d. If any of the provisions of this act or the application thereof to any person or circumstance is separable.

SECTION 14. Chapter 77 of the Private Acts of 1995, and all other acts amendatory thereto, is hereby repealed.

SECTION 15. Ratification.

This act shall have no effect unless it is approved by a two-thirds ($\frac{2}{3}$) vote of the County Governing Body of Sullivan County and a two-thirds ($\frac{2}{3}$) vote of the Municipal Governing Body of the City of Kingsport. Its approval or non-approval shall be proclaimed by the presiding officer of each governing body and certified to the Secretary of State.

SECTION 16. Effective Date.

For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming law, the public welfare requiring it. For all other purposes it shall be effective upon being approved as provided in Section 15.

Passed: February 24, 1997.

Police Powers for Fire Department

Private Acts of 1949 Chapter 574

SECTION 1. That the Board of Administration of the Sullivan County Volunteer Fire Department No. 1, Inc., be and it is by the passage of this Act, so empowered and authorized to appoint six (6) members of the Sullivan County Volunteer Fire Department No. 1, Inc., as Policemen.

SECTION 2. That said (6) members of the Sullivan County Volunteer Fire Department No. 1, Inc., so appointed, shall have full police powers, to clear and keep cleared during fire emergencies wherein life and property is endangered, public thoroughfares and premises upon and adjacent to such endangered life and property, and to arrest if necessary, and expel and expunge therefrom all spectators with their vehicles, and unnecessary persons and vehicles not needed and not being used and which hinder the full operation of said fire fighting force and equipment and which hinder prompt first aid and ambulance service to all persons who may need such service during such period of emergency, but the powers of said six (6) Policemen so appointed shall not extend beyond the duties of properly policing upon the occasion of the burning of property in which said fire department is engaged in combating fires and attending injured persons and ambulance and first aid service to injured persons resulting from such emergencies, and beyond such stated emergencies no such police powers shall extend.

SECTION 3. That said six (6) Policemen so appointed shall be identified with proper badges conspicuously worn upon their person during such emergencies which shall show the following: "Sullivan County Volunteer Fire Department No. 1, Inc.", while on duty and on going to and returning from such emergencies in the discharge of their duties as fire policemen and no further.

SECTION 4. That this Act take effect from and after its passage, the public welfare requiring it.

Passed: April 5, 1949.

Purchasing

Agent

Private Acts of 1947 Chapter 261

SECTION 1. That the office of county purchasing agent is hereby created in and for Sullivan County, Tennessee.

(a) The term of said office shall be a period of two (2) years and shall be filled by the county commission at its April term, 1947, and every two years thereafter. The person elected as herein provided shall hold office until a successor is duly elected and qualified. No member of the county commission shall be eligible to hold the office of county purchasing agent.

(b) The county commission may by a two-thirds ($\frac{2}{3}$) affirmative vote of the justices that compose the commission, remove the county purchasing agent, such removal shall be upon written charges that establish any act of misfeasance, non-feasance or malfeasance in office.

(c) The compensation of the county purchasing agent shall be set by the Sullivan County Commission at a sum which may equal, but shall not exceed, the compensation received by the Sullivan County Trustee.

As amended by:

Private Acts of 1949, Chapter 766,
Private Acts of 1951, Chapter 320,
Private Acts of 1953, Chapter 17.
Private Acts of 1953, Chapter 214,
Private Acts of 1957, Chapter 111.
Private Acts of 1953, Chapter 238,
Private Acts of 1967-68, Chapter 71,
Private Acts of 1970, Chapter 204,
Private Acts of 1972, Chapter 252,
Private Acts of 1975, Chapter 79,
Private Acts of 1993, Chapter 84.

SECTION 2. That the county purchasing agent shall have exclusive power and authority to contract for and purchase any and all materials, supplies and equipment of every kind whatsoever for use of every official, agent, servant, department, or agency of, or supported by, or under the control of county government; and no other official, employee, or agent of the county or of its departments or agencies, shall contract for or purchase any such materials, supplies, or equipment. The county purchasing agent shall likewise have the exclusive power and authority to approve and sign all contracts for materials or

services or both. Contracts for professional services, including leases and rentals, will be awarded pursuant to Tennessee Code Annotated, Section 12-4-106 (Bids for Professional Services). The county purchasing agent shall have the exclusive power and authority to contract for and purchase all materials, supplies, labor and equipment of every kind whatsoever for every official, agent, department or agency under the control of the county government, to issue tax exemption certificates, and no other official, employee, or agent of the county or any of its departments or agencies, shall contract for or purchase any such materials, supplies, labor, equipment, contracts or issue tax exemption certificates.

As amended by: Private Acts of 1993, Chapter 84.

SECTION 3. (a) Purchases or contracts, including annual contracts, for purchases, as described in Section 2, for the use of any official, employee, department, or agency of the county government, the estimated value of which exceeds five thousand dollars (\$5,000) except in emergencies, shall be executed by the county purchasing agent only after the agent shall have advertised in a newspaper published or circulated in Sullivan County that sealed bids will be received by the county purchasing agent at the time fixed in the advertisement for such materials, supplies, or equipment. The sealed bids received shall be opened publicly at the time and place fixed in the advertisement, not less than five (5) days after the publication of the advertisement. No purchase or contract to purchase shall be made or executed until the director of accounts and budgets certifies that funds are available to the credit of the department or agency of the county government to pay for such materials, supplies, or equipment when delivered to the county and found to meet the specifications of the department or agency of the county government. The county purchasing agent shall have the authority to determine if items meet required specifications and shall have the authority to approve payment for same if a county department or agency disagrees. The right shall be reserved at all times to reject any bids received.

As amended by: Private Acts of 1998, Chapter 112.

(b) When two (2) or more bids are submitted at the same price on the same character, kind and quality of materials, supplies or equipment to be purchased, the county purchasing agent may, in his discretion, award the contract or contracts to either of such bidders, or may apportion the requirements between or among such bidders, or may elect to reject all such bids and advertise for additional bids.

(c) The county purchasing agent is authorized to purchase and contract to purchase materials, supplies or equipment on an annual basis and distribute the same to the various departments of the county government; however, before making any such contract, the county department, institution or agency will deliver to the county purchasing agent a requisition for the supplies, equipment or materials and certify the following: (1) The annual need of the materials, supplies, or equipment; (2) When the same should be delivered; and (3) That funds are and will be available to pay for supplies, equipment, or materials when delivered to the official or agency of the county government.

As amended by: Private Acts of 1976, Chapter 212,
Private Acts of 1978, Chapter 183,
Private Acts of 1987, Chapter 37,
Private Acts of 1993, Chapter 84.

SECTION 4. (a) The purchasing agent is hereby authorized to make purchases without securing any bids where the estimated value is five hundred dollars (\$500) or less.

(b) When the estimated value of any materials, supplies, or equipment is five thousand dollars (\$5,000) or less, the county purchasing agent shall be authorized to purchase the same without advertising for bids, but must keep a record of the names of the persons, firms or corporations contacted and the name of the person, firms or corporation from whom the purchase is made and the amount paid for such materials, supplies, or equipment.

(c) In the event of an emergency and if the estimated value of any materials, supplies, or equipment exceed five thousand dollars (\$5,000), the county purchasing agent is authorized to purchase the same without the necessity of advertisement or sealed bids but, in making such purchases, the county agency or official must certify to the county purchasing agent: (1) that there is an emergency and that there is an immediate need for such requisition; (2) that the public will suffer if the purchase is delayed to permit advertisement; (3) that funds are available to pay for the materials, supplies, or equipment to be purchased. In such cases, the county purchasing agent shall obtain the lowest bid for such item and shall keep a record of the names of the persons, firms, or corporations contacted and the name of the person, firm, or corporation from whom the purchase is made and the price paid for such materials, supplies, or equipment.

As amended by: Private Acts of 1976, Chapter 212,
Private Acts of 1978, Chapter 183,
Private Acts of 1981, Chapter 6,
Private Acts of 1987, Chapter 37,

Private Acts of 1993, Chapter 84,
Private Acts of 1998, Chapter 112.

SECTION 5. The county purchasing agent shall keep a record of all purchases and will keep all necessary papers and documents pertaining to or in any way connected with the purchase of materials, supplies or equipment for the county government of Sullivan County. All records shall be open to the inspection of the county commission or any committee or person appointed by the commission to examine the books, records and papers of said office. These records must be maintained for a period of not less than ten (10) years.

As amended by: Private Acts of 1993, Chapter 84.

SECTION 6. That the county purchasing agency shall not be financially interested, directly or indirectly, in the purchases or contracts to purchase of any supplies, equipment or materials for Sullivan County.

As amended by: Private Acts of 1993, Chapter 84.

SECTION 7. That the county purchasing agent may, by regulations or written order: (1) require security to accompany bids, and fix the amount thereof guaranteeing the performance of the contract to be awarded; (2) govern the method and procedure whereby the departments, agencies, or officials of the county shall inform such agent of the need or necessity for the purchase of supplies, equipment, and materials; (3) prescribe forms for estimates, requisitions, purchase orders, and contracts; (4) establish definite or regular periods for submitting estimates or requisitions and, (5) authorize the issuance of monthly requisitions for purchase as requested by county department heads or officials and as approved by the county purchasing agent for items to be purchased at the same place of business during a month, not to exceed two hundred dollars (\$200) per item or one thousand dollars (\$1,000) total per month.

As amended by: Private Acts of 1993, Chapter 84.
Private Acts of 1998, Chapter 112.

SECTION 8. That the county purchasing agent shall personally countersign all warrants in payment for materials, supplies, equipment or services purchased under the warrants in payment of salaries, commissions and wages due all officers and employees of Sullivan County. Sullivan County shall be liable for the payment of all purchases of materials, supplies and equipment made under the provisions of this act, but shall not be liable for payment for any materials, supplies, services and equipment, or for salaries, commissions or wages due officials or employees of Sullivan County until said warrant is countersigned by the county purchasing agent.

As amended by: Private Acts of 1993, Chapter 84.

SECTION 9. That before the county purchasing agent shall enter upon the duties of his office he shall execute a corporate surety bond by a corporation duly qualified to do business in the State of Tennessee, said bond to provide for a full and complete performance of the duties imposed under the provisions of this act, for a complete accounting of all funds committed to his hands as the purchasing agent of Sullivan County, the amount of which shall be established by the county executive at not less than ten thousand dollars (\$10,000) nor more than twenty-five thousand dollars (\$25,000) which bond shall be approved by the Sullivan County board of commissioners and shall be recorded in the office of the register of deeds in the same manner as are the bonds of all county officials.

As amended by: Private Acts of 1993, Chapter 84.

SECTION 10. That the county purchasing agent shall devote his or her full and entire time as provided herein and as directed by the Sullivan County board of commissioners and that his or her office shall be opened and maintained at Blountville and shall remain open for business at least five (5) days per week. When it is necessary for the county purchasing agent to be absent, the assistant purchasing agent will be authorized to assume all duties related to the purchasing department.

As amended by: Private Acts of 1993, Chapter 84.

SECTION 11. That the county commission shall appropriate the necessary funds from the general fund of the county government to equip the office of the county purchasing agent so that the same may function under the provisions of this act.

As amended by: Private Acts of 1993, Chapter 84.

SECTION 12. That if any sentence, clause, paragraph, section, exception, or part or parts of this Act shall be held and declared to be unconstitutional and void such holdings shall not affect the remainder of this Act, it being the legislative intent to pass the remainder thereof notwithstanding such part or parts thereof declared invalid, if any.

SECTION 13. That this Act take effect from and after the first Monday in April, 1947, the public welfare requiring it.

Passed: February 19, 1947.

Office Supplies

Private Acts of 1935 Chapter 599

COMPILER'S NOTE: This act appears to have been largely superseded by Private Acts of 1947, Chapter 261, as amended. See Private Acts of 1947, Chapter 261.

SECTION 1. That hereafter all officer or officers and officials of Sullivan County whose office supplies and fixtures are to be paid for by the county shall not make such purchases of such supplies and/or fixtures for his or her office until a requisition has been made for same and approved by the County Judge or Chairman.

SECTION 2. That it shall be unlawful for any officer or officers or officials to make any purchases of materials or enter into any contract for materials or labor or any other purchase in which the county is to be obligated for the same thereof, unless the same has first been authorized by the County Judge or Chairman of the County Court and unless such purchases and contract as set forth in Section 1 and 2 of this Act shall first be authorized by the County Judge or Chairman of the County Court the same shall not be abinding (a binding*) obligation of the County.

SECTION 3. That the provisions of this bill shall not apply to the Highway Commissioner, an official of Sullivan County, on any purchase of materials, supplies, machinery, labor, etc., in the construction of and maintenance of the County Highway system when the purchase price does not exceed the sum of One Hundred (\$100.00) Dollars.

SECTION 4. That any county officer or officers or officials who shall violate the provisions of Sections 1, 2 and 3 of this Act, shall be guilty of a misdemeanor and upon conviction therefore, shall be fined thereof (therefor*). The fin shall not be less than Ten (\$10.00) Dollars nor more than One Hundred (\$100.00) Dollars within the discretion of the Court.

SECTION 5. That all laws and parts of laws in conflict to this Act be and the same are hereby repealed and that this Act take effect from and after its passage, the public welfare requiring it.

Passed: April 17, 1935.

Sinking Fund Commission

Private Acts of 1935 Chapter 555

SECTION 1. That a Sinking Fund Commission is hereby created for Sullivan County, Tennessee, and from and after the passage of this Act, the County Judge or Chairman of the County Court of Sullivan County, shall constitute one member of said Commission and A.D. Bockman, Cashier of the First National Bank of Kingsport, and C.H. Massengill, Cashier of the Farmer Bank of Sullivan County at Blountsville, and W. Fulton Smith, Cashier of the First National Bank of Bristol, shall constitute the other three members of the Sinking Fund Commission for Sullivan County, and said Commission shall have full charge, custody, control investing and handling of the Sinking funds of Sullivan County.

SECTION 2. That the compensation of the members of the Sinking Fund Commission shall be the sum of \$1.00 per year, payable from the general fund as other ordinary expenses of the County are paid, and each member of the Commission, except the County Judge or Chairman shall, before entering upon their duties, take oath of office in substantially the same form and way as is required for elective county officials, and the members except the County Judge or Chairman shall hold office at the pleasure of the Quarterly County Court of Sullivan County.

SECTION 3. That all cash on hand and in banks, or investments, securities, mortgages, notes, bonds and choses in action and any and all other assets belonging to the sinking fund of Sullivan County, or any Department thereof shall be promptly turned over to the Sinking Fund Commission herein provided for and said Commission shall thereafter be responsible for its deposit, investment and safeguarding. Provided, further, that the written approval of at least three members of the Commission shall be required to authorize and support any action taken by the Commission.

SECTION 4. That all funds accruing to the Sinking Fund shall be invested in bonds of the United States or the State of Tennessee, of the County of Sullivan, or other States, municipalities, or counties or (of*) the State of Tennessee, on the best obtainable terms. Provided, however, that no bonds of any State or political subdivision thereof which shall have defaulted in the payment on either the principal or interest

on the payment of its bonds within the last twelve months, except the bonds of Sullivan County, Tennessee, may be purchased for the investment of the sinking funds of Sullivan County. No Sinking funds of Sullivan County shall be invested in the notes, debenture bonds or stocks or persons, firms or private corporations, nor in real estate mortgages. The Commission may exchange any bonds belonging to the sinking fund for bonds of Sullivan County whenever such exchange may be advantageous to the County; they may sell the securities belonging to such sinking fund, or any part of them, at any time, on the best obtainable terms.

SECTION 5. That if the amount of any sinking fund with the interest or revenue thereof computed to the maturity of the County Bonds, shall be sufficient to pay at maturity all of the bonds for which it is held, and interest thereon, the tax levy for the sinking fund of such bond issue may then be omitted, but if, by reason of decrease of interest, or depreciation of investment or any other cause, said funds shall not be sufficient to meet the maturing obligations, a tax levy shall be resumed by the Quarterly County Court upon request of the Sinking Fund Commission, and in event there are any monies remaining in the hands of the Sinking Fund Commission after payment of the entire bonded indebtedness for which it was accumulated, same shall be paid into the general fund of the County.

SECTION 6. That all funds collected by the County Trustee from Sinking fund revenues shall be delivered by the County Trustee to the Sinking Fund Commission, monthly or quarterly as the Commission may require.

SECTION 7. That prior to a period of ten days before the maturity date of any bond issue of Sullivan County, the Commission shall pay over to the County Trustee the amount required to meet such payment and the County Judge or Chairman of the County Court shall issue his warrant on the County Trustee together with whatever charge is made by the redemption agency for receiving and handling the payment and canceling the bond or bonds, and such canceled bonds and coupons shall be preserved by the Sinking Fund Commission for inspection by the Auditor of the County and the County Revenue Commission.

SECTION 8. That the Sinking Fund Commission shall make a report of the standing of the sinking fund of the County at each session of the Quarterly County Court which shall be spread on the Minutes of the Court.

SECTION 9. That each member of the Sinking Fund Commission, except the County Judge or Chairman, before entering upon their duties shall give a good solvent [solvent*] bond in the sum of \$5,000 to be approved by the County Judge or Chairman, conditional for the faithful performance of their duties under the provisions of this Act, and handling, paying, and accounting for all the Sinking Funds coming into their hand, and the County Judge or Chairman will serve under his official bond, and is excused (excused*) from giving any other bond as a member of the Sinking Fund Commission. Provided further, that the premium on each \$5,000 bond given by the other members of the Commission, shall be paid by Sullivan County, out of the general fund as other ordinary expenses of the County are paid.

SECTION 10. That all laws and parts of laws in conflict with the provisions of this Act, be and the same are hereby repealed insofar as such conflict extends.

SECTION 11. That if any section or part of this Act shall be held to be unconstitutional or invalid, such holding shall not impair the validity of the remaining sections or parts of this Act.

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

Passed: April 17, 1935.

Zoning Laws

Private Acts of 1937 Chapter 520

SECTION 1. *Grant of Power.* That the Quarterly County Courts of counties coming under the provisions of this Act are hereby empowered, in accordance with the conditions and the procedure specified in the subsequent sections of this Act, to regulate, in the portions of counties which lie outside of municipal corporations, the location, height and size of buildings and other structures, the percentage of lot which may be occupied, the sizes of yards, courts and other open spaces, the density and distribution of population, the uses of buildings and structures for trade, industry, residence, recreation or other purposes, and the uses of land for trade, industry, residence, recreation, agriculture, forestry, soil conservation, water supply conservation or other purposes.

SECTION 2. *Regional zoning to be preceded by and based on plans submitted by Regional Planning Commission.* That from and after the time when the Regional Planning Commission of the planning region defined and created by the State Planning Commission makes and certifies to the Quarterly County Court of any county located in whole or part in such region a zoning plan, including both the text of zoning

resolution and the zoning maps, representing the recommendations of such planning commission for the regulation by districts or zones of the location, height and size of buildings and other structures, the percentage of lots that may be occupied, the sizes of yards, courts and other open spaces, the density and distribution of population, the location and uses of buildings and structures for trade, industry, residence, recreation or other purposes, and the uses of land for trade, industry, residence, recreation, agriculture, forestry, soil conservation, water supply conservation or other purposes, then such county court may, by resolution, exercise the powers granted in Section 1 of this Act and, for the purpose of such exercise, may divide the territory of the county which lies within said region but outside of municipal corporations into districts of such number, shape or area as it may determine and within such districts may regulate the erection, construction, reconstruction, alteration and uses of buildings and structures and the uses of land. All such regulations shall be uniform for each class or kind of buildings throughout any such district, but the regulations in one district may differ from those in other districts. The Regional Planning Commission may make and certify a single plan for all the territory of the county which lies within said region but outside of municipal corporations, or may make and certify separate and successive plans for parts of such territory which it deems to be suitable for urban or non-urban development or which for other reasons it deems to be an appropriate territorial unit for a zone plan; and correspondingly any ordinance enacted by the county court may cover and include the said whole territory of the county which lies within said region but outside of municipal corporations covered and included in any such single plan or in any such separate and successive plans. No resolution covering more or less than the entire area covered by any such certified plan shall be enacted or put into effect until or unless it be first submitted to the Regional Planning Commission and be approved by said commission or, if disapproved, receive the favorable vote of not less than two-thirds of the entire membership of said county court.

SECTION 3. *Purposes of zoning regulations.* That such regulations shall be designed and enacted for the purpose of promoting the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of the State of Tennessee in the counties covered by the provisions of this Act including, among other things, lessening congestion in the roads or reducing the wastes of excessive amount of roads; securing safety from fire and other dangers; promoting adequate light and air; preventing on the hand excessive concentrations of population and, on the other hand excessive and wasteful scattering of population or settlement; promoting such distribution of population and such classification of land uses and distribution of land development and utilization as will tend to facilitate and conserve adequate provisions for transportation, water flowage, water supply, drainage, sanitation, educational opportunity, recreation, soil fertility, food supply and the protection of both urban and non-urban development.

SECTION 4. *Method of Procedure.* That after the certification of a zone plan from the Regional Planning Commission and before the enactment of any such zoning resolution the county court shall hold a public hearing thereon of the time and place of which at least thirty (30) days notice shall be given by one publication in a newspaper of general circulation in the county. Such notice shall state the place at which the text and maps as certified by the planning commission may be examined. No change in or departure from the text or maps as certified by the Regional Planning Commission shall be made, unless such change or departure be first submitted to the certifying planning commission for its approval, disapproval or suggestions, and, if disapproved, shall receive the favorable vote of a majority of the entire membership of the county court; and the planning commission shall have thirty days from and after such submission within which to send its report to the county court. Any such ordinance shall be published at least once in the official newspaper of the county or in a newspaper of general circulation in the county, and shall not be in force until it is so published.

SECTION 5. *Amendments.* That the county court may from time to time amend the number, shape, boundary, area or any regulation of or within any district or districts or any other provision of any zoning resolution; but any such amendment shall not be made or become effective unless the same be first submitted for approval, disapproval or suggestions [sic] to the Regional Planning Commission of the region in which the territory covered by the resolution is located, and, if such regional planning commission disapproves within thirty (30) days after such submission, such amendment shall require the favorable votes of a majority of the entire membership of the county court. Before finally adopting any such amendment, the county shall hold a public hearing thereon, at least thirty (30) days notice of the time and place of which shall be given by at least one publication in a newspaper of general circulation in the county; and any such amendment shall be published at least once in the official newspaper of the county or in a newspaper of general circulation in the county.

SECTION 6. *Board of Appeals.* That the county court of any county which enacts zoning regulations under the authority of this Act shall create a county board of zoning appeals of three or five members. The county court shall be the appointing power of the members of such board of appeals and may fix their compensation and their terms, which terms shall be of such length and so arranged that the term of one

member will expire each year. The county court may remove any member for cause upon written charges and after a public hearing. Vacancies shall be filled for unexpired terms in the same manner as in the case of original appointments. The county court may appoint associate members of said board, and, in the event that any regular member be temporarily unable to act owing to absence from the county, illness, interest in a case before the board, or other cause, his place may be taken during such temporary disability by an associate member designated for the purpose by the county court. The county court of two or more counties may, by resolution enacted by both or all of them, arrange and provide for a joint or common board of zoning appeals. The county court may provide and specify, in its zoning or other resolution, general rules to govern the organization, procedure and jurisdiction of said board of appeals, which rules shall not be inconsistent with the provisions of this Act; and the said board may adopt supplemental rules of procedure, not inconsistent with this Act or such general rules. The zoning resolution may provide that the board of appeals may, in appropriate cases and subject to appropriate principles [sic], standards, rules, conditions and safeguards set forth in the resolution, make special exceptions to the terms of the zoning regulations in harmony with their general purpose and intent. The county court may also authorize the board of appeals to interpret the zoning maps and pass upon disputed questions of lot lines or district boundary lines or similar questions as they arise in the administration of the zoning regulations. Appeals to the board of appeals may be taken by any person aggrieved, or by any officer, department or board of the county affected, by any grant or withholding of a building permit or by any other decision of a building commissioner or other administrative official based in whole or part upon the provisions of any resolution under this Act.

The board of appeals shall have the following powers:

1. To hear and decide appeals where it is alleged by the appellant that there is error in any order, requirement, decision, or refusal made by the county building commissioner or any other administrative official in the carrying out or enforcement of any resolution enacted pursuant to this Act.
2. To hear and decide, in accordance with the provisions of any such resolution; requests for special exceptions or for interpretation of the map or for decisions upon other special questions upon which such board is authorized by any such resolution to pass.
3. Where, by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of the enactment of the regulation or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or conditions of such piece of property, the strict application of any regulation enacted under this Act would result in peculiar and exceptional practical difficulties to or exceptional and undue hardship upon the owner of such property to authorize, upon an appeal relating to said property, a variance from such district application so as to relieve such difficulties or hardship, provided such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the zone plan and zoning resolution.

SECTION 7. *Building Commission.* That the county court may provide for the enforcement of its zoning regulations by means of the withholding of building permits and, for such purpose may establish and fill a position of county building commissioner and may fix the compensation attached to said position. From and after the establishment of such position and the filling of same, it shall be unlawful to erect, construct, reconstruct, alter or use any building or other structure without obtaining a building permit from such county building commissioner, and such building commissioner shall not issue any permit unless the plans of and for the proposed erection, construction, reconstruction, alteration or use fully conform to all zoning regulations then in effect.

SECTION 8. *Other Enforcement and Remedies.* That it shall be unlawful to erect, construct, reconstruct, alter, maintain or use any building or structure or to use any land in violation of any regulation in or of any provision of any resolution or any amendment thereof enacted or adopted by any county court under the authority of this Act. Any person, firm or corporation violating any such regulation or provision of this Act shall be deemed guilty of a misdemeanor, punishable as other misdemeanors as provided by law. Each and every day during which such illegal erection, construction, reconstruction, alteration, maintenance or use continue shall be deemed a separate offense. In case any building or structure is or is proposed to be erected, constructed, reconstructed, altered, maintained or used or any land is or is proposed to be used in violation of this Act or of any regulation or provision enacted or adopted by any county court under the authority granted by this Act such county court, the Attorney General, the District Attorney for the judicial circuit in which such violation occurs or is threatened, the county building commissioner or any adjacent or neighboring property owner who would be specially damaged by such violation, in addition to other remedies provided by law, may institute injunction, mandamus, abatement or any other appropriate action, actions proceeding or proceedings to prevent or enjoin or abate or remove such unlawful erection, construction, reconstruction, alteration, maintenance or use.

SECTION 9. Conflict with other Laws. That wherever the regulations made under authority of this Act require a greater width or size of yards, courts or other open spaces, or require a lower height of buildings or less number of stories or require a greater percentage of lot to be left unoccupied or imposed other higher standards than are required in any other statute, the provisions of the regulations made under authority of this Act shall govern. Whenever the provisions of any other statute require a greater width or size of yards, courts or other open spaces, or require a greater percentage of lot to be left unoccupied, or impose other higher standards than are required by the standards that are required by the regulations made under authority of this Act, the provisions of such statute shall govern.

SECTION 10. That, for the purposes of this Act, "Regional Planning Commission" means the Regional Planning Commission established by the State Planning Commission as authorized by law; provided further, that where the word county or county court appears in this Act either or both shall be construed to include only counties within a planning region as officially designated by the State Planning Commission, having a population of at least fifty-one thousand and eighty (51,080) and not more than fifty-one thousand and one hundred twenty-five (51,125); provided, further, that the population of a county or of counties shall be determined by reference to the Federal Census of 1930 or any subsequent Federal Census.

SECTION 11. That this Act shall not be construed as repealing or modifying any provision of any Private Act heretofore enacted relating to the powers of any county therein designated or of any municipality therein designated to enact zoning regulations in such county or in territory lying out side of such municipality.

SECTION 12. That should any section or provision of this Act be held to be unconstitutional, the same shall not affect the validity of this Act as a whole or any part thereof other than the part so held to be unconstitutional.

SECTION 13. That this Act take effect from and after its passage, the public welfare requiring it.
Passed: May 12, 1937.

Administration - Historical Notes

Budget System

The following act once created a budgeting system for Sullivan County, but it has been specifically repealed or superseded by current law.

1. Private Acts of 1935, Chapter 114, provided for the regulation, supervision and control of certain county officials in Sullivan County. This act made it unlawful for county officials who had the authority to purchase and materials, goods or supplies to do so by contract or on a quantum meruit basis in excess of the amount of money appropriated by the quarterly county court. This act was found unconstitutional in Bandy v. State, 185 Tenn. 190, 204 S.W. 2d 819 (1947).

County Attorney

The following acts once affected the appointment, election, or office of the county attorney in Sullivan County. These acts are included for historical reference only.

1. Private Acts of 1959, Chapter 231, would have amended Private Acts of 1937, Chapter 524, by increasing the monthly pay of the Sullivan County Attorney to \$200 per month, however, this act was rejected or disapproved by Sullivan County and therefore never became law.
2. Private Acts of 1988, Chapter 131, would have amended Private Acts of 1935, Chapter 609, so as to have the Sullivan County Attorney review tax delinquency matters unless otherwise assigned to the delinquent tax attorney for prosecution and to allow that the compensation of the delinquent tax attorney be negotiated between the county trustee in accordance with state statutory procedure; however, this act was disapproved by Sullivan County and therefore never became law.

County Clerk

The following acts once affected the office of county clerk in Sullivan County. They are included herein for historical purposes.

1. Private Acts of 1819, Chapter 9, authorized the county and circuit court clerk of Sullivan County to build an office on part of the public square in the Town of Blountville.
2. Private Acts of 1953, Chapter 215, authorized the Sullivan Quarterly County Court to increase the salary of the county court clerk to \$50 per month in addition to his compensation. This act was amended by Private Acts of 1959, Chapter 239, which eliminated the additional \$50 per month to

the county court clerk.

County Legislative Body

1. Acts of 1809 (1st Sess.), Chapter 93, regulated the time for holding the courts of pleas and quarter session of Sullivan County on the third Monday in February, May, August and November.
2. Private Acts of 1827, Chapter 65, established a court of pleas and quarter sessions in Sullivan County.
3. Private Acts of 1933, Chapter 757, required the justices of the peace of Sullivan County to file quarterly within five days of the meeting of the quarterly county court with the county judge or chairman and the county trustee a written, itemized, sworn statement or report showing all fines, forfeitures and other revenue collected by them during the preceding quarter.
4. Private Acts of 1949, Chapter 9, fixed the per diem compensation for attendance of justices of the peace at the regular called sessions of the Sullivan Quarterly County Court at \$5.00 per day. This act was amended by Private Acts of 1961, Chapter 257, so as to allow the justices of the peace to be paid for any committee meetings of said court held in connection with the duties of such office. Private Acts of 1949, Chapter 9, was repealed by Private Acts of 1967- 68, Chapter 194.
5. Private Acts of 1967-68, Chapter 194, set the compensation of the justices of the peace of Sullivan County at \$25 per day for each day in attendance at regular or special meetings of the quarterly county court. This act was amended by Private Acts of 1967-68, Chapter 441, which gave the justices of the peace an additional \$5.00 for each committee meeting which they attended, however, such meetings were limited to four per year. Private Acts of 1967-68, Chapter 194, was repealed by Private Acts of 1972, Chapter 253.
6. Private Acts of 1972, Chapter 253, set the compensation of the justices of the peace of Sullivan County at \$25 for each day in attendance at regular or special meetings of the quarterly county court and \$5.00 for attendance at each committee meeting, which was limited to four meetings per year. In addition, members of the quarterly county court were paid a mileage allowance of 10 cents per mile for traveling to and from regular or special meetings.
7. Private Acts of 1972, Chapter 366, would have amended Private Acts of 1972, Chapter 253, relative to the compensation of justices of the peace of Sullivan County, however, this act was not ratified by Sullivan County and therefore never became law.

County Mayor

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

1. Public Acts of 1867-68, Chapter 47, created the office of county judge for Sullivan County and set the term and compensation. This act was amended by Public Acts of 1868-69, Chapter 35, Section 13, which increased the judge's salary to \$600 per year. The act, as amended, was repealed by Public Acts of 1869-70 (1st Sess.), Chapter 7, which abolished the office of the Sullivan County Judge.
2. Private Acts of 1921, Chapter 375, created and regulated the office of county judge for Sullivan County. The provided for the county judge's salary, defined his duties and jurisdiction and abolished the office of county chairman of the county court of Sullivan County. This act was repealed by Private Acts of 1933, Chapter 196.
3. Private Acts of 1933, Chapter 195, required the Sullivan Quarterly County Court to elect a county chairman. This act set the county chairman's term of office at 1 year and set his salary at \$1,200 per annum. The office of county chairman was abolished by Private Acts of 1935, Chapter 15.
4. Private Acts of 1935, Chapter 15, as amended, created the office of county judge of Sullivan County. This act was superseded by Public Acts of 1978, Chapter 934, when the office of county judge was phased out.
5. Private Acts of 1951, Chapter 709, provided compensation for the Sullivan County Judge as financial agent and for other governmental duties. The county judge was paid \$3,600 for his services. The office of county judge no longer exists due to Private Acts of 1978, Chapter 934.
6. Private Acts of 1973, Chapter 151, would have amended Private Acts of 1935, Chapter 15, relative to the compensation of the county judge of Sullivan County, however, this act was not ratified by Sullivan County and therefore never became law.
7. Private Acts of 1974, Chapter 358, would have amended Private Acts of 1935, Chapter 15, relative to the compensation of the county judge of Sullivan County, however, this act was not

ratified by Sullivan County and therefore never became law.

County Register

The following acts once affected the office of county register in Sullivan County, but are no longer operative.

1. Private Acts of 1831, Chapter 162, provided that all deeds of conveyances and other instruments of writing registered in Sullivan County be good and valid in law and equity as if the same had been indorsed and certified in the most formal and legal manner. The deeds of conveyances were allowed to be read as evidence on trails at law or in equity, in all cases.
2. Private Acts of 1931, Chapter 317, fixed the compensation of registrars registering the voters in Sullivan County at \$4.00 per day.
3. Private Acts of 2011, Chapter 4, repealed the Private Acts of 1899, Chapter 242, which provided for keeping a register's office at Bristol, Tennessee, for the convenience of the citizens of the first, second, nineteenth, twenty-first, twenty-second and seventeenth civil districts of Sullivan County.

County Trustee

The following act once affected the office of county trustee in Sullivan County, but is no longer operative.

1. Private Acts of 1927, Chapter 481, fixed the amount of bonds to be given by the Sullivan County Trustee.

General Reference

The following private or local acts constitute part of the administrative and political history of Sullivan 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 1799, Chapter 18, authorized Sullivan County to hold two fairs yearly in Blountville on the first Thursdays and Fridays of May and November.
2. Acts of 1801, Chapter 5, prevented the exportation of unmerchantable commodities in Sullivan County. John Spurgen's mill and Saltville were designated as the place of inspection in Sullivan County for said commodities.
3. Acts of 1805, Chapter 30, established warehouse along the bank of the Holston River in Sullivan County for the inspection of flour, beef and pork.
4. Acts of 1807, Chapter 75, authorized Elizabeth Spurgin, administratrix, and George Webb, administrator of the estate of John Spurgin of Sullivan County, to make a deed of conveyance to Thomas Cox.
5. Private Acts of 1822, Chapter 60, relieved John Smith, of Sullivan County, from the penalties imposed on him in a suit brought by John C. Veal.
6. Private Acts of 1823, Chapter 134, authorized the drawing of a lottery in the Town of Kingsport, Sullivan County, for the purpose of opening and improving the navigation of the Holston and Tennessee Rivers.
7. Private Acts of 1827, Chapter 232, Section 4, made it lawful for Margaret Fickle to file her petition for a divorce from her husband Abram B. Fickle in the Sullivan County Circuit Court.
8. Private Acts of 1829-30, Chapter 69, allowed Margaret Fickle to petition for a divorce against her husband Abraham B. Fickle in the Sullivan County Circuit Court.
9. Private Acts of 1829-30, Chapter 213, authorized a survey of Sullivan County to determine the number of square miles therein.
10. Private Acts of 1832, Chapter 5, authorized Joshus Shipley, of Sullivan County, to raise his mill dam on the south sluice of the Holston River.
11. Private Acts of 1832, Chapter 76, authorized the clerk and treasurer of the board of common school commissioners of Sullivan County to perform all the duties required of the late agents in said county, under the same rules, regulations and restrictions as were provided for the bank agency of Campbell County.
12. Private Acts of 1832, Chapter 136, authorized Arthur Hays to emancipate his slave Mender. Section 2 of this act also authorized Thomas Rockhold of Sullivan County to emancipate his slave Emily and her two children.
13. Private Acts of 1833, Chapter 117, authorized Andrew Shell to hawk and peddle goods in Sullivan County.

14. Private Acts of 1833, Chapter 271, authorized the Sullivan County Court to allow Christopher Jennings to emancipate his slave Phillippia.
15. Acts of 1851-52, Chapter 191, Section 20, authorized the counties of Washington, Jefferson, Greene, Hawkins, Carter, Sullivan, Grainger and Warren to take stock in the Nashville, Franklin and Columbia Railroad Company.
16. Acts of 1903, Chapter 380, authorized any electric street railway company, which operated its street car line in any incorporated city or town in Sullivan County, to extend its line from such city or town in any direction and gave such company the right of eminent domain.
17. Acts of 1903, Chapter 423, amended Public Acts of 1895, Chapter 160, a general law which regulated insurance, so as to include life and fire insurance; provided that the provisions of Chapter 423 apply only to Sullivan County.
18. Acts of 1907, Chapter 392, authorized electric railway companies to acquire lands for park purposes, either by purchase or condemnation in Sullivan County.
19. Private Acts of 1911, Chapter 471, regulated the operation of automobiles in Sullivan County. This act prescribed some of the duties of chauffeurs and provided for the recovery of damages for injuries caused by the unlawful running of automobiles.
20. Private Acts of 1925, Chapter 276, enabled and facilitated the cities, towns, villages and other public or private corporations in Sullivan County, which had the power of eminent domain, to locate, relocate and construct places of interment, highways and other public betterments, and provided the assessment of damages in connection therewith.
21. Private Acts of 1925, Chapter 732, authorized and regulated the practice of law by nonresident attorneys in Sullivan County.
22. Private Acts of 1931, Chapter 486, authorized Sullivan County to construct and maintain sidewalks upon any public roads or highways and to authorize the quarterly county court to provide funds for the construction and maintenance of any such sidewalks.
23. Private Acts of 1933, Chapter 608, amended the general act setting the compensation of county officials to create a class 3A. Sullivan County is one of the counties which comprised this new class.
24. Private Acts of 1933, Chapter 611, regulated the formation of grand juries and the appointment of the foreman thereof in Sullivan County. This act was repealed by Private Acts of 1961, Chapter 256.
25. Private Acts of 1935, Chapter 152, removed the disability of infancy of Hazel Ileen Ketron of Sullivan County.
26. Private Acts of 1935, Chapter 356, removed the disability of minority from Lelia Bell Andis of Sullivan County, and gave her full contractual, property and all other rights of a person twenty-one years of age.
27. Private Acts of 1937, Chapter 741, removed the disabilities of infancy of Edna Catherine Miller of Sullivan County, so as to give her full right to contract, to sue and be sued, to hold property and convey real estate and to have and possess all the rights of persons twenty-one years of age.
28. Private Acts of 1943, Chapter 299, fixed the compensation of the Sullivan County Attorney at \$1,800 per annum. This act was repealed by Private Acts of 1974, Chapter 288.
29. Private Acts of 1978, Chapter 303, would have provided for an election in Sullivan County to permit the qualified voters of the county to indicate their will relative to a new form of county government, however, this act was not ratified by Sullivan County and therefore never took effect.
30. Private Acts of 1980, Chapter 198, provided for the creation of a Metropolitan Government Charter Commission in Sullivan County subject to the outcome of a referendum vote in November, 1980. There would be 18 members of the Commission four from the city of Kingsport, four from the City of Bristol, and from Bluff City, and nine from Sullivan County.
31. Private Acts of 1995, Chapter 104, would have created a consolidated government charter commission for Sullivan County, however, this act was not ratified by Sullivan County and therefore never became law.

Chapter II - Animals and Fish

Beaver Hunting

Private Acts of 1974 Chapter 203

SECTION 1. The hunting and killing of beaver is prohibited in Sullivan County and the State Game and Fish Commission shall have no authority under Section 51-409, Tennessee Code Annotated, to open the season on beaver in Sullivan County.

SECTION 2. This Act shall become effective on May 1, 1974.

Passed: February 21, 1974.

Protection of Habitat

Acts of 1907 Chapter 494

SECTION 1. That it shall be unlawful for any person, firm, or corporation to place, cause to be placed in any of the running streams, lakes, ponds, in Sullivan County, Tenn., or place so near the banks of said running streams, lakes, and ponds so that the same will be washed therein by high tides or overflows any sawdust, shavings, or off-fallings from sawmills or planing machines. Provided, that this Act shall not apply to the South Fork of the Holston River, in Sullivan County nor shall said apply to any branch or creek flowing into said South Fork of Holston River.

As amended by: Private Acts of 1909, Chapter 251.

SECTION 2. That any violation of this Act shall be a misdemeanor, and the punishment for each offense shall, upon conviction, be a fine of not less than fifty nor more than two hundred dollars.

SECTION 3. That the grand juries of Sullivan County have inquisitorial power under this Act.

SECTION 4. That this Act take effect from and after its passage, the public welfare requiring it.

Passed: March 12, 1907.

Animals and Fish - Historical Notes

The following is a listing of acts that at one time affected, but no longer appear to have any effect on, hunting, fishing or animal control in Sullivan County. They are included herein for reference purposes. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Private Acts of 1824, Chapter 123, authorized Elisha Cole and Clark Cole to construct a fish trap and dam in the Holston River in Sullivan County.
2. Private Acts of 1825, Chapter 221, authorized Jacob Sampson, of Sullivan County, to build two fish traps in the Holston River.
3. Private Acts of 1826, Chapter 84, authorized the empaneling of a jury to determine if certain fish traps and mill dams were obstructions to the navigation of the Holston River in Sullivan County.
4. Private Acts of 1827, Chapter 92, allowed persons who owned fish traps and dams in Sullivan County to file a petition with the county court if they were aggrieved by an act of the general assembly passed in 1825.
5. Public Acts of 1887, Chapter 71, made it a misdemeanor to kill partridge, quail, woodcock, pheasant or wild turkey, or to export such birds, in Sullivan County from April 1 to October 1.
6. Public Acts of 1887, Chapter 232, made it a misdemeanor to hunt, chase, wound, or kill any wild deer in Sullivan County.
7. Public Acts of 1889, Chapter 179, made it a misdemeanor for any non-resident of the state to hunt game in Sullivan County. This act was amended by Public Acts of 1893, Chapter 128, to permit non-residents of the state to hunt on Sullivan County land with the owner permission.
8. Public Acts of 1891, Chapter 257, prevented the taking or catching of fish by means of any seine or net from any running stream of water in Sullivan County. This act was subsequently repealed by Public Acts of 1893, Chapter 9.
9. Public Acts of 1899, Chapter 119, authorized fish to be taken from any of the waters in Sullivan and Hawkins County by means of a trap, gun and gig between November 15 to March 1. This act, also, made it lawful to trap fish if the slats of the trap were more than 1½ inches apart. This act was amended by Private Acts of 1901, Chapter 252, so as to allow the taking of fish in said counties by means of a gun from June 1 to November 15.

10. Public Acts of 1901, Chapter 45, established and made lawful a four wire, three plank, or three rail fence law for Sullivan County.
11. Private Acts of 1901, Chapter 436, made it unlawful to kill or capture partridges in Sullivan County between February 15 and November 1.
12. Acts of 1903, Chapter 273, prescribed that all owners of livestock must keep their animals on their own premises. However, Sullivan County was exempted from the provisions of this act.
13. Acts of 1903, Chapter 337, made it a misdemeanor to hunt, trap or shoot foxes in Sullivan County, except upon their own premises.
14. Acts of 1907, Chapter 185, amended Acts of 1903, Chapter 169, the general game law, so as to provide a "no close season" on squirrels in Sullivan County.
15. Acts of 1909, Chapter 451, allowed residents of Sullivan County to gig and shoot fish and to shoot quail during certain times prescribed in the act.
16. Private Acts of 1911, Chapter 577, provided for the shooting of fish and quail and the gigging of fish in Sullivan County during certain months of each year.
17. Private Acts of 1915, Chapter 319, allowed landowners with written permission from the Sullivan County Court to fish in streams adjacent to their lands with traps, provided that the slats of the traps were more than 1½ inches apart.
18. Private Acts of 1921, Chapter 405, exempted Sullivan County from the provisions of Public Acts of 1919, Chapter 61, the general act licensing and regulating ownership of dogs.
19. Private Acts of 1921, Chapter 930, made it unlawful to catch black bass or perch in the Holston River, in Sullivan County, from April 1 to June 15.
20. Private Acts of 1921, Chapter 978, made it a misdemeanor for an owner to allow his livestock to run at large in Sullivan County.
21. Private Acts of 1925, Chapter 117, made it unlawful to hunt partridges or quails from January 1st to November 25th in Sullivan County. This act also made it unlawful to hunt at any time on the enclosed lands of another without permission.
22. Private Acts of 1925, Chapter 305, made it lawful to use traps to catch fish and to gig fish from November 1st to March 1st in Sullivan County.
23. Private Acts of 1927, Chapter 257, allowed unrestricted rabbit hunting in Tennessee but Sullivan County was one of the counties specifically exempted from its provisions.
24. Private Acts of 1929, Chapter 207, made it unlawful to hunt deer in Sullivan County. Violators were subject to a fine of not less than \$50.
25. Private Acts of 1929, Chapter 377, made it lawful to gig fish in Sullivan County between November 1 and January 1.
26. Private Acts of 1929, Chapter 404, allowed adjacent landowners to use traps to fish in the Holston River. This act was amended by Private Acts of 1929, Chapter 854, so as to allow adjacent landowners to fish with traps in the Watauga River and in all other rivers in Sullivan County.
27. Private Acts of 1931, Chapter 802, made it unlawful to hunt rabbits and quails from January 1 to November 15 in Sullivan County.
28. Private Acts of 1931, Second Extra Session, Chapter 28, made it lawful to gig fish in Sullivan County between November 1st and January 1st.
29. Private Acts of 1933, Chapter 438, exempted those citizens of Sullivan County who fished by hook and line from the \$2.00 license fee.
30. Private Acts of 1935, Chapter 580, regulated hunting, fishing and trapping in Sullivan County and provided appropriate penalties for violations of this act.
31. Private Acts of 1935 (Ex. Sess.), Chapter 17, established a county game and fish commission to employ and supervise game wardens to protect wildlife in Sullivan County. This act was repealed by Private Acts of 1937, Chapter 151.
32. Private Acts of 1945, Chapter 297, authorized George W. Lyons, of Sullivan County, to practice veterinary medicine and surgery in Sullivan County. This act was repealed by Private Acts of 1949, Chapter 42.
33. Private Acts of 1945, Chapter 405, regulated the practice of veterinary surgery and prescribed the qualifications for same; and permitted Mark Whitcomb to practice veterinary medicine and surgery in Sullivan County.

34. Private Acts of 1965, Chapter 68, made it unlawful for any person in Sullivan County to own, possess, or harbor a dog within said county outside the corporate limits of the cities of Sullivan County unless the dog was licensed. This act also required rabies immunization as a prerequisite to licensing, required metal license tags and metal rabies tags; provided for the collection of fees and the issuance of licenses, provided for the establishment of a pound, the employment of a pet warden and the keeping and disposition of unlicensed dogs. This act was repealed by Private Acts of 1979, Chapter 153.
35. Private Acts of 1979, Chapter 153, made it unlawful for any person in Sullivan County to own, possess, or harbor a dog or cat within said county outside the corporate limits of the cities of Sullivan County unless the dog or cat was licensed. This act also required rabies immunization as a prerequisite to licensing, required metal license tags and metal rabies tags; provided for the collection of fees and the issuance of licenses, provided for the establishment of a pound, the employment of a pet warden and the keeping and disposition of unlicensed dogs and cats. This act was repealed by Private Acts of 1983, Chapter 116.

Chapter III - Bond Issues

Bond Issues - Historical Notes

Bridges - Roads

1. Public Acts of 1883, Chapter 172, authorized Sullivan County to build a turnpike road from Bristol to Kingsport, and to issue bonds in denominations of \$50, \$100, \$200, \$500 and \$1,000, bearing an interest rate of 6%, payable annually.
2. Public Acts of 1899, Chapter 262, authorized the Sullivan County Court to issue bonds not to exceed \$100,000 for the purpose of building roads and bridges. These bonds were to mature from 10 to 30 years after issuance and to bear interest at a rate not to exceed 5% per annum. This act was amended by Private Acts of 1901, Chapter 476 and Acts of 1907, Chapter 336.
3. Acts of 1909, Chapter 169, authorized the Sullivan County Court to issue bonds in the amount of \$300,000 to build public roads and bridges. These bonds were to bear interest at a rate not to exceed 5%. Actions taken pursuant to this act by the county court were validated by Private Acts of 1915, Chapter 56.
4. Private Acts of 1911, Chapter 620, was a bond issuance of \$200,000 for purposes of building, upgrading and maintaining roads and bridges in Sullivan County. These bonds bore an interest rate not greater than 5%; road commissioners were appointed to superintend the work performed under the act. This act was amended by Private Acts of 1913, Chapter 295, and Private Acts of 1915, Chapter 39, to extend the term of the road commissioners and clarify their duties.
5. Private Acts of 1915, Chapter 543, authorized the Sullivan County Court to issue bonds in the amount of \$100,000, at an interest rate not to exceed 5%, for the purpose of building, upgrading and maintaining roads.
6. Private Acts of 1919, Chapter 409, authorized Sullivan County to issue \$200,000 for the purpose of locating and building all public roads and bridges. These bonds matured in a period from 10 to 30 years and bore interest at a rate which did not exceed 5%.
7. Private Acts of 1921, Chapter 514, authorized the county court of Sullivan County to issue interest bearing county warrants to build and improve roads. The warrants were to be issued in the amount the county desired and bore interest at a rate which did not exceed 6%.
8. Private Acts of 1921, Chapter 536, provided for locating and building or re-building all public roads and bridges in Sullivan County by issuing \$700,000 in bonds for the purpose of building and improving roads. These bonds matured within 10 to 40 years and bore interest at a rate which did not exceed 5%. This act was duplicated by Private Acts of 1921, Chapter 892.
9. Private Acts of 1923, Chapter 542, authorized the county court of Sullivan County to issue \$25,000 in interest bearing county warrants to repair roads. These warrants bore an interest rate which did not exceed 6%.
10. Private Acts of 1927, Chapter 271, authorized the county court of Sullivan County to issue \$25,000 in interest bearing county warrants for the purpose of providing funds to cooperate with the citizens in grading, macadamizing and improving any of the public roads of said county, and provided a special levy to pay said warrants.
11. Private Acts of 1931, Chapter 67, authorized Sullivan County to issue and sell \$10,000 of bonds to

build and upgrade roads. These bonds bore an interest rate which did not exceed 5%. This act was repealed by Private Acts of 1935, Chapter 274.

12. Private Acts of 1937, Chapter 857, authorized Sullivan County to issue \$9,000 in negotiable, interest bearing tax anticipation notes for the purpose of acquiring rights of way for a road leading from Blountville via Tri-City Airport to the Johnson City to Kingsport Highway. These notes bore an interest rate which did not exceed 5% per annum.
13. Private Acts of 1943, Chapter 101, authorized Sullivan County to issue \$50,000 in bonds for the purpose of reimbursing the county for expenditures made through its highway department for the construction of roads in said county. These bonds bore an interest rate which did not exceed 3½%.
14. Private Acts of 1947, Chapter 262, authorized Sullivan County to transfer funds not in excess of \$50,000 from the general or ordinary fund of the county to the highway and road department and authorized the county officials to use the transferred money to purchase necessary machinery and equipment for the building and repair of the county roads.
15. Private Acts of 1947, Chapter 677, authorized Sullivan County to issue bonds in the amount of \$750,000 to improve the county roads. These bonds were required to be approved by the voters and bore an interest rate which did not exceed 5% per annum.
16. Private Acts of 1949, Chapter 902, authorized Sullivan County to issue \$400,000 in bonds to build and improve roads and bridges. These bonds matured within 25 years and bore an interest rate which did not exceed 3% per annum.

Buildings

1. Private Acts of 1919, Chapter 423, authorized Sullivan County to issue \$50,000 of bonds for the purpose of building and equipping a courthouse in Blountville. These bonds were to mature within 25 years and bear interest at a rate not to exceed 5%.
2. Private Acts of 1935, Extra Session, Chapter 21, authorized Sullivan County to issue \$100,000 in bonds to build a home for the indigent, the aged, and helpless of the county; a home for the delinquent, helpless, and/or abandoned children and a hospital in which to care for the insane. These bonds bore an interest rate which did not exceed 5% per annum.
3. Private Acts of 1941, Chapter 333, authorized Sullivan County to issue \$10,000 in jail bonds; to provide for the levy of taxes to pay the principal and interest on said bonds and to provide for a building committee. These bonds bore an interest rate which did not exceed 3½% per annum.

Debts

1. Public Acts of 1866-67, Chapter 41, Section 4, authorized the county court of Sullivan County to issue bonds to pay off its indebtedness. The only restriction was that the bonds were not allowed to be used to pay off debts incurred in aiding the Confederacy.
2. Private Acts of 1919, Chapter 408, authorized the quarterly county court of Sullivan County to issue \$50,000 interest bearing coupon bonds to pay off the floating indebtedness of the county.
3. Private Acts of 1923, Chapter 21, authorized Sullivan County to issue \$200,000 in coupon bonds for the purpose of refunding, paying off and retiring \$200,000 of interest-bearing county warrants which were issued for pike road repair purposes. These bonds bore an interest rate which did not exceed 5%.
4. Private Acts of 1929, Chapter 597, authorized the Sullivan County Court to issue interest bearing county warrants in an amount not to exceed \$25,000 to pay off county indebtedness. These bonds were to bear interest at a rate not to exceed 6% per annum. Actions of the county court taken pursuant to this act were validated by Private Acts of 1935, Chapter 242.
5. Private Acts of 1931, Chapter 68, authorized Sullivan County to issue \$200,000 in coupon bonds to payoff debts incurred for road construction. These bonds were to mature within 20 years and to bore an interest rate which did not exceed 5%.
6. Private Acts of 1935, Chapter 242, authorized a bond issue of \$400,000 to pay off the outstanding indebtedness of the county. These bonds were to mature within 30 years and bear interest at a rate not to exceed 4% per annum.

Railroads

1. Public Acts of 1899, Chapter 418, amended Public Acts of 1887, Chapter 3, the general law which authorized counties to issue bonds to invest in railroads, to enable Sullivan County to have 40 years to pay bonds issued pursuant to the general act instead of the 20 years prescribed by the act.

2. Private Acts of 1923, Chapter 483, authorized a bond issue of \$150,000 to allow Sullivan County to invest in the stock of an electric railroad company that served the county. This bond issue bore an interest rate which did not exceed 6%.

Schools

1. Private Acts of 1929, Chapter 388, was a \$350,000 bond issue for the purpose of building, purchasing and repairing high schools in Sullivan County. These bonds matured in fifty years and bore an interest rate which did not exceed 6%.
2. Private Acts of 1931, Second Extra Session, Chapter 37, authorized the County Court of Sullivan County to borrow money in amounts not to exceed $\frac{2}{3}$ of current expected revenues for school and general purposes.
3. Private Acts of 1937, Chapter 152, validated the issuance by the county court of Sullivan County of \$15,000 in tax anticipation notes. These notes matured twelve months after the issuance date and had a rate of interest which did not exceed 5%.
4. Private Acts of 1937, Chapter 189, validated the actions of the county court of Sullivan County in the issuance of \$500,000 in school bonds.
5. Private Acts of 1937, Chapter 710, validated the action of the Sullivan County Court in the issuance of \$300,000 in school bonds.
6. Private Acts of 1937, Chapter 867, authorized the county court of Sullivan County to issue bonds in the amount of \$200,000 for the purpose of building, repairing, furnishing and equipping school house in the county. These bonds were required to be approved by the voters, mature within 50 years, and not to exceed 6%.
7. Private Acts of 1943, Chapter 102, authorized Sullivan County to issue \$21,000 in bonds for the purpose of constructing and equipping the Manual Arts Building at Holston Institute, a county high school. These bonds bore an interest rate which did not exceed 3½% per annum.
8. Private Acts of 1947, Chapter 657, authorized Sullivan County to issue \$2,645,819 in bonds for the purpose of purchasing grounds, erecting and furnishing school buildings and to provide for the payment of a proportional part of the funds realized from the sale of said bonds. These bonds bore an interest rate which did not exceed 3%.

Chapter IV - Boundaries

Creation of the County

Acts of 1779 Chapter 29

COMPILER'S NOTE: Sullivan County was created by the legislature of North Carolina while what was later to be Tennessee, was a part of North Carolina. The statute set out here is from the acts of North Carolina. The reader should note that there were other acts altering the boundaries of Sullivan County while Tennessee was part of North Carolina but which are not included in this compilation.

SECTION 1. That whereas by the great extent of the said county of Washington, and the great number of inhabitants therein, it becomes highly necessary that the said county should be divided into two distinct and separate counties, by a line beginning at the Steep Rock; thence running along the dividing ridge that divides the waters of the great Canawee and Tennessee, to the head of Indian Creek; thence along the ridge that divides the waters of Holston and Wataga, to the mouth of Wataga, thence a direct line to the highest part of the Chimney Top Mountain, at the Indian boundary; and that all that part of said county of Washington, which lies northwardly of said dividing line, shall be erected into a new and distinct county by the name of Sullivan County, and that all that other part of said county which lies southwardly of said dividing line, shall continue and remain a distinct [sic] county by the name of Washington.

Change of Boundary Lines

Acts of 1804 Chapter 18

SECTION 1. That the said line shall be as follows, beginning where the Sullivan & Carter County line crosses the road leading from Little's ford on Holston river to Dungen's ford on Wattaga, thence a line to include Righleys and Plumleys plantations in Sullivan county thence a straight line to the rich but of the

Iron mountain leaving all the inhabitants north of said mountain in Sullivan county except George Neighaver, thence along the left arm of the mountain aforesaid to the Virginia line so as to include the beaver dams in Carter county.

SECTION 2. That John M'Cay be appointed surveyor to run said line, and shall be allowed two dollars per day for his services to be paid by the county Treasurer out of the county money upon the certificate of the Chairman of the court of Carter county.

SECTION 3. That the aforesaid John M'Cay is hereby authorised and required when entering on the business as contemplated by this act, to appoint some suitable person to mark and designate the line as by him ascertained, who shall be allowed for such services, one dollar per day, to be paid by the county aforesaid upon the certificate of the surveyor specifying the number of days he was by him so employed.

SECTION 4. That this act shall be in force from and after the passing thereof. August 4th 1804.

Acts of 1805 Chapter 46

SECTION 1. That the said line shall be as follows: Beginning near the first ford of Indian creek, above the widow Plumly's, and running thence on the north side of said creek to the fork thereof, on which George Neighaver lives; thence up said fork to the head thereof; thence a straight line to the top of the mountain; thence along the top of said mountain, and the left arm thereof, till it intersects the line run under the directions of an act passed August the fourth, one thousand eight hundred and four, and with said line to the Virginia line, so as to include what is called the Beaver Dam settlement.

SECTION 2. That a surveyor to run said line, may be appointed by the county court of Sullivan, as well as such other persons as may be necessary, and the expence thereof shall be defrayed out of the treasury of the said county of Sullivan.

October 24th 1805.

Boundaries - Historical Notes

The following is a summary of acts which authorized boundary changes for Sullivan County.

1. Acts of 1794, Chapter 16, appointed Joseph M'Min of Hawkins County and George Rutledge of Sullivan County, to run and mark the line between the said counties.
2. Acts of 1797, Chapter 12, appointed Nathan Shipley of Sullivan County to run and mark the line between Sullivan and Washington County.
3. Acts of 1837-38, Chapter 192, attempted to create Powell County which would have been formed out of parts of Sullivan, Hawkins, Washington, and Greene counties had the majority of the people in the affected areas voted to leave their respective counties.
4. Acts of 1837-38, Chapter 200, Section 4, altered the boundary line between Sullivan and Powell County so as to exclude the long islands from Powell County and to leave them in Sullivan County.
5. Acts of 1839-40, Chapter 15, was yet another attempt to form Powell County out of Sullivan, Hawkins, Washington, and Greene counties, the formation of which was subject to approval by a majority of the voters in the affected area.
6. Acts of 1845-46, Chapter 97, altered the boundary line between Sullivan and Washington County so as to place the farms of James Heltern and James Meredith in Sullivan County.
7. Acts of 1849-50, Chapter 80, Section 2, appointed William Blevins, Esq., Dr. M. A. W. Willoughby, George Hannah, Roly P. Chase, James G. Eames, John Thomas, Jacob Crumly and William Jones as commissioners to select and designate by actual survey the county site of Sullivan County.
8. Acts of 1853-54, Chapter 89, attempted to create Powell County out of portions of Washington, Sullivan, Hawkins and Greene counties, subject to the approval by referendum of the people living in the affected areas.
9. Public Acts of 1865-66, Chapter 12, provided for the removal of the county seat of Sullivan County from Blountville to Bristol.
10. Public Acts of 1868-69, Chapter 20, Section 3, appointed John Anderson and John Welsh, of Sullivan County, and James G. Smith and William C. Emmett, of Carter County, to resurvey and establish the boundary line between Sullivan and Carter County.
11. Public Acts of 1869-70 (1st Sess.), Chapter 30, again sought to create Powell County out of portions of Sullivan, Washington, Hawkins and Greene counties, all subject to the approval by referendum of the people living in the affected areas.
12. Public Acts of 1869-70 (2nd Sess.), Chapter 1, altered the boundary line between Sullivan and

Washington counties so as to place the farms of A. R. Moulton, T. H. Reeves, W. A. Keene, P. C. Morrison, Sarah Vincent, George Vincent, John Hunt, Vanzant Morgan, Eli Keene, Mr. Ballard, and J. H. Crouch in Washington County. This act was ratified and confirmed by Public Acts of 1871, Chapter 93.

13. Public Acts of 1870-71, Chapter 41, appointed John Wolf, R. P. Fickel of Sullivan County, the surveyor of Sullivan County, James G. Smith, William C. Emmert and Samuel A. Cunningham, of Carter County, and G. W. St. John of Washington County to resurvey and establish the boundary line between Sullivan and Carter County.
14. Public Acts of 1871, Chapter 61, appointed T. A. Faw, E. F. Akard and John Hardin of Washington County to ascertain the true and original corner of Sullivan and Carter County.
15. Public Acts of 1879, Chapter 159, appointed the county surveyors of Sullivan and Hawkins County, along with David Sevier of Sullivan County, and J. E. Denney of Hawkins County, to re-run and re-mark the county line between the two counties from the top of Chimney Top Mountain to the mouth of the north fork of the Holston River. This act was repealed by Public Acts of 1883, Chapter 239.
16. Public Acts of 1887, Chapter 21, appointed William H. H. Gains of Sullivan County, J. O. Robertson of Washington County and Nat Hyder of Carter County to ascertain the true and original corner of Sullivan and Carter County.

Chapter V - Court System

Chancery Court

Acts of 1879 Chapter 127

SECTION 1. That the 17th Civil District of Sullivan County shall constitute a Chancery District, and the Court shall be held at the Town of Bristol, by the Chancellor of the First Chancery Division of this State, on the second Mondays of June and December of each and every year.

SECTION 2. That the Clerk and Master of the Chancery Court of Sullivan County appointed pursuant to Section 3 of this act by the Chancellor for the Second Judicial District, shall perform all the duties, have all the rights and powers, and be subject to all the duties and liabilities now by law imposed upon such officers, and shall have all the fees and emoluments as are now allowed to such officers, and before entering upon the duties of said office, he shall execute the several bonds now required by law for Clerks and Masters to execute, and shall take the oaths prescribed by law, and shall keep his office in the Town of Bristol.

As amended by: Private Acts of 2000, Chapter 65.

SECTION 3. That the Sheriff of said Sullivan County and his deputies shall serve as the officers of said Court, and shall obey all orders, and execute all process as now required by law to do, by the orders of the Chancery Court of said Sullivan County. He shall execute separate bonds for the faithful performance of his duties as such officer of said Court, and shall have all the rights, and be subject to the same penalties, and receive the same compensation as now provided by law for the various Sheriffs of this State.

SECTION 4. That the fines and forfeitures arising or growing out of any business in said Court, shall be disposed of as the fines and forfeitures which are now collected in the Chancery Courts of this State.

SECTION 5. That any suits now pending or hereafter brought in the Chancery Court at Blountville, may by consent of the parties be transferred to the Chancery Court at Bristol. That upon application of the parties for a removal as aforesaid, the Clerk and Master at Blountville shall transmit all the papers in the case, together with a copy of all orders and decrees to the Clerk of the Chancery Court at Bristol, also a bill of the costs accrued in said Court at Blountville.

SECTION 6. That the citizens of the First, Second and Nineteenth Civil Districts of said Sullivan County, may bring their suits in equity in the said Court at Bristol, against any citizens residing within said Civil Districts, but no citizens residing out of said First, Second and Nineteenth Civil Districts shall be sued in said Courts, unless the subject of said suit is situate in said Civil Districts.

SECTION 7. That no citizen of the said Seventeenth Civil District of said County shall be sued in the Chancery Court at Blountville for said County, unless it be in a local action of which said last mentioned Court has exclusive jurisdiction by reason of the location of the property about which the action may be brought.

SECTION 8. That counterparts of writs may issue from said Court, against joint defendants residing or living beyond the limits of said Seventeenth Civil District, in all cases where the Court has the legal or rightful jurisdiction of the subject matter of the litigation.

SECTION 9. That the expense of erecting or providing a Court House and all necessary offices for said Court shall be paid by the citizens of the Town of Bristol, and none of the citizens of Sullivan County, residing out fo the limits of the Town of Bristol, shall never be taxed to pay any portion of the expense of erecting or providing any of said public buildings at Bristol.

SECTION 10. That there shall be held at Bristol, in the County of Sullivan, a Law Court for the Seventeenth Civil District of said County, to be called the Law Court of Bristol, and to constitute one of the Courts of the First Judicial Circuit, and to be held by the Judge thereof, with common law jurisdiction, original and appellate – over all causes of a civil nature, arising within said Seventeenth Civil Districts.

SECTION 11. That the citizens of the First, Second and Nineteenth Districts of said County may bring their civil actions in said Law Court against citizens of the said First, Second, Seventeenth and Nineteenth Districts of said County if they so desire, and said Law Court shall have and exercise jurisdiction over the same, as if all the parties resided in said Seventeenth Civil District, and all civil causes heard and determined before any Justice or Justices of the Peace of said First, Second, Seventeenth and Nineteenth Districts, may be appealed or brought up by writs of certiorari to said Law Court; Provided, the plaintiff or defendant resides in said First, Second, Seventeenth or Nineteenth Districts, and either of them demand such appeal or writs of certiorari, said Law Courts shall have and exercise jurisdiction over all such cases, as if the same had been heard by a Justice or Justices of the Peace of said Seventeenth Civil District, and between citizens of said Seventeenth Civil District.

SECTION 12. That the citizens of said County of Sullivan, residing outside of said First, Second, Seventeenth and Nineteenth Districts, shall not be liable to be sued in said Law Court at Bristol, unless in real actions, of which said Law Court has exclusive jurisdiction; but any defendant residing outside of said Civil Districts may waive his rights and have his suit returned to said Law Court, notwithstanding the process issued from, and is returnable to, the Circuit Court of Sullivan County in any civil action, unless the cause of action is of such a local nature as to give the Circuit Court of Sullivan County peculiar or exclusive jurisdiction in all cases, as provided for in this Section, where the right is so waived, the said Law Court shall have and exercise jurisdiction over them, as if the same had been brought by citizens of the Seventeenth Civil District against citizens of the same District.

SECTION 13. That said Law Courts shall be held by the Judge of the First Judicial Circuit, on the fourth Mondays of March, July and November of each and every year, and said Judge shall have and exercise all the powers and perform all the duties provided by law for the Circuit Court Judges of this State, and the practice in said Law Court shall be the same as in the Circuit Courts of the State, and whenever said Law Court has jurisdiction over any cause of action, counterpart of any original writs, may issue from said Court, for joint defendants residing outside of said First, Second, Seventeenth and Nineteenth Districts.

SECTION 14. That the Sheriff of said Sullivan County shall by himself or deputy attend the sittings of said Court, and aid in holding the same as is now provided by law for Sheriffs of this State, requiring them to be present and discharge certain duties, and said Sheriff shall himself or have a deputy who shall reside in said 17th Civil District, and shall himself or deputy perform all the duties pertaining to said Law Court, and have all the fees and emoluments that are now allowed by law to the various Sheriffs of this State.

SECTION 15. That the Clerk of the Circuit Court of Sullivan County shall be the Clerk of said Law Court at Bristol, and shall by himself or deputy keep an office in the Town of Bristol for the transaction of all business pertaining to said court, and shall keep the same open constantly, and shall have and exercise all the powers, and receive all the fees and emoluments that are common to all Clerks of the Circuit Courts of this State.

SECTION 16. That the Justices of the Peace of the said 17th Civil District shall, on the first Saturdays of March, July and November, of each and every year, designate twelve good citizens, free-holders or house-holders, residing in said First, Second, Seventeenth and Nineteenth Districts, to serve as jurors to said Law Court for the term immediately ensuing, after their designation. Said Justices shall hand a list containing said jurors to the Clerk of said Law Court who shall immediately issue a writ of venire facias commanding the Sheriff to summons said jurors, named in said writ, to attend as jurors, if said justices fail to designate said jurors the Judge shall at the opening of said Court at each term when such failure occurs appoint the jurors

for said term out of any of the citizens who are qualified, regardless of whether they reside out of said 17th Civil District or not; that the jurors to said Law Court shall have the same pay as the jurors who attend the Circuit Courts of this State, and be paid as other jurors of said Sullivan County.

SECTION 17. That the citizens of the Town of Bristol shall pay all the expenses incurred or to be incurred

in erecting or providing suitable buildings for a court house and necessary public offices for said Law Court and none of the other citizens of the said Seventeenth Civil District or of Sullivan County, except the citizens of the Town of Bristol shall ever be taxed for said purposes.

SECTION 18. That any suit or suits of a civil nature, now pending in the Circuit Court of Sullivan County, between citizens of the said First, Second, Seventeenth and Nineteenth Districts, may, by consent of the parties or their attorneys, be transferred to the Law Court at Bristol, and said Court shall have and exercise the same jurisdiction over them as if they had been originally brought in said Law Court. That all fines and forfeitures arising from, or growing out of said Law Court, shall be disposed of as the fines and forfeitures which are imposed by the Circuit Court of Sullivan County. That this Act take effect from and after its passage, the public welfare requiring it. Passed: March 18, 1879.

COMPILER'S NOTE: This private act appears to have been mostly superseded by the general law codified at T.C.A. § 16-2-506(2)(A).

Private Acts of 1919 Chapter 737

SECTION 1. That the Tenth, Eleventh, Twelfth, Thirteenth, Fourteenth, and Fifteenth Civil Districts of Sullivan County, shall constitute a Chancery District and the court shall be held in the City of Kingsport by the Chancellor of the First Chancery Division of this State on the third Mondays of March and September of each and every year.

SECTION 2. That the Clerk and Master of the Chancery Court of Sullivan County appointed pursuant to Section 3 of this act by the Chancellor for the Second Judicial District, shall perform all the duties, have all the rights and power, and be subject to all the duties and liabilities now by law imposed upon such officers, and shall have all the fees and emoluments as are now allowed to such officers, and before entering upon the duties of said office, he shall execute the several bonds now required by law for Clerks and Masters to execute, and shall take the oath prescribed by law and shall keep his office in the City of Kingsport.

As amended by: Private Acts of 2000, Chapter 65.

SECTION 3. That the Sheriff of Sullivan county and his deputies shall serve as the officers of the said court, and shall obey all orders and execute all process as now required by law to do, by the orders of the Chancery Courts of said Sullivan County. He shall execute separate bonds for the faithful performance of his duties as such officer of the said court, and shall have all the rights and be subject to the same penalties, and receive the same compensation as now provided by law for the various Sheriffs of this State.

SECTION 4. That the fines and forfeitures arising, or growing out of any business in said court, shall be disposed of as the fines and forfeitures which are now collected in the Chancery Court of this State.

SECTION 5. That any suit now pending or hereafter brought in the Chancery Court of Blountville, may by consent of the parties, or their attorneys be transferred to the Chancery Court at Kingsport. That upon application of the parties, or by their attorneys, for removal, as aforesaid, the Clerk and Master at Blountville shall transmit all the papers in the case, together with a copy of all orders and decrees, to the Clerk of the Chancery Court at Kingsport, also a bill of the costs accrued in said court at Blountville.

SECTION 6. That the citizens of the tenth, eleventh, twelfth, thirteenth, fourteenth and fifteenth civil districts of said Sullivan county shall bring their suits in equity in said court at Kingsport, against any citizens residing within said civil districts, but no citizen residing out of said tenth, eleventh, twelfth, thirteenth, fourteenth and fifteenth civil districts shall be sued in said courts, unless the subject of said suit is situated in said civil districts.

SECTION 7. That no citizen of said tenth, eleventh, twelfth, thirteenth, fourteenth and fifteenth civil districts of said county shall be sued in the Chancery Court at Blountville, for said county, unless it be in a local action, in which last mentioned court has exclusive jurisdiction by reason of the location of the property about which the action may be brought.

SECTION 8. That counter parts of writs may issue from said court against joint defendants residing or living beyond the limits of the said tenth, eleventh, twelfth, thirteenth, fourteenth and fifteenth civil districts in all cases where the court has legal or rightful jurisdiction of the subject matter of the litigation.

SECTION 9. That the expenses of providing a suitable court room and office room for said court, together with heat, lights and water therefor, shall be paid by the city of Kingsport so long as said court shall be continued.

SECTION 10. That there shall be held at Kingsport, in the County of Sullivan, a law court for the Tenth, Eleventh, Twelfth, Thirteenth, Fourteenth and Fifteenth Civil Districts of said county, to be called the law

court of Kingsport, and to constitute one of the courts of the first judicial circuit, and to be held by the Judge thereof, with common law jurisdiction original and appellate over all causes of a civil nature, arising within said Tenth, Eleventh, Twelfth, Thirteenth, Fourteenth and Fifteenth Civil Districts.

SECTION 11. That the citizens of the tenth, eleventh, twelfth, thirteenth, fourteenth and fifteenth civil districts of said county shall bring their civil action in said law court against citizens of said tenth, eleventh, twelfth, thirteenth, fourteenth and fifteenth civil districts, of said county, and said law court shall have, and exercise jurisdiction over the same, and all civil cases heard and determined before any Justice or Justices of the Peace of the said tenth, eleventh, twelfth, thirteenth, fourteenth and fifteenth civil districts, may be appealed or brought up by writs of certiorari or supersedeas; provided, the plaintiff or defendant reside in said tenth, eleventh, twelfth, thirteenth, fourteenth and fifteenth civil districts, and either of them demand such appeal or writ of certiorari or supersedeas; said law court shall have and exercise exclusive, original and appellate jurisdiction over all such cases.

SECTION 12. That the citizens of said county of Sullivan residing outside of said tenth, eleventh, twelfth, thirteenth, fourteenth and fifteenth civil districts, shall not be liable to be sued in said law court at Kingsport, unless in real actions, of which said law court has exclusive jurisdiction or except in cases otherwise provided by law; but any defendant residing outside of said civil district may waive his rights and have his suit returned to said law court, notwithstanding the process issued from and is returnable to the Circuit Court of Sullivan county in any civil action, unless the cause of action is of such a local nature, as to give the Circuit Court peculiar or exclusive jurisdiction in all cases as provided for in this Section where the right so waived to said law court, shall have and exercise jurisdiction over them.

SECTION 13. That said law courts shall be held by the Judge of the First Judicial Circuit Court on the fourth Mondays of March, July and November of each and every year and said Judge shall have and exercise all the powers and perform all the duties provided by law for Circuit Judges of this State, and the practice in said law court shall be the same as in the Circuit Courts of the State, and whenever said law court has jurisdiction over any cause of action, counterpart of any original writs may issue from said court, for joint defendants residing outside of said tenth, eleventh, twelfth, thirteenth, fourteenth and fifteenth civil districts.

SECTION 14. That the sheriff of Sullivan county shall by himself, or deputy attend the sittings of said court, and aid in holding the same as is now provided by law for Sheriffs of this State, requiring them to be present and discharge certain duties, and said Sheriff shall himself, or have a deputy who shall reside in said eleventh, or twelfth civil district, and he himself or his deputy shall perform all the duties pertaining to said law court, and have all the fees and emoluments that are now allowed by law to the various Sheriffs of this State.

SECTION 15. That the Clerk of the Circuit Court of Sullivan county shall be Clerk of the Law Court at Kingsport, and shall by himself or deputy, keep an office in the city of Kingsport, for the transaction of all business pertaining to said court, and shall keep the same open constantly, and shall have and exercise all the powers, and receive all the fees and emoluments that are common to all Clerks of the Circuit Courts of this State.

SECTION 16. That the Clerk of the Circuit Court of Sullivan county shall receive a salary of \$2,500.00 per year in order that he may be able to secure the services of a deputy clerk which will be required by reason of the passage of this Act.

SECTION 17. That the jurors selected to serve from time to time in said law court shall be selected and summoned to appear in the same manner and be subject to the same qualifications as is provided by the laws of this State for jurors who serve in the various Circuit Courts of this State; said jurors, however, shall be citizens, freeholders and householders, residing in the tenth, eleventh, twelfth, thirteenth, fourteenth, and fifteenth civil districts of Sullivan county, that the jurors to said law court shall have the same pay as jurors to said law court shall have the same pay as jurors who attend the Circuit Courts of this State and be paid as other jurors of Sullivan County.

SECTION 18. That the city of Kingsport shall pay the expenses incurred or to be incurred in providing suitable court room and office room for said law court together with heat, light and water therefor.

SECTION 19. That any suit or suits of a civil nature, now pending in the Circuit Court of Sullivan county, between citizens of the tenth, eleventh, twelfth, thirteenth, fourteenth and fifteenth civil districts, may by consent of the parties, or their attorneys, be transferred to the law court at Kingsport, and said court shall have and exercise the same jurisdiction over them as if they had been originally brought in said law court. That all fines and forfeitures arising from, or growing out of said law court, shall be disposed of as the fines and forfeitures which are imposed by the Circuit Court of Sullivan county. That this Act take effect from and after its passage, the public welfare requiring it. Passed: April 14, 1919.

COMPILER'S NOTE: This private act appears to have been mostly superseded by the general law codified at T.C.A. § 16-2-506(2)(A).

Probate Jurisdiction

Private Acts of 1988 Chapter 135

SECTION 1. All jurisdiction relating to the probate of wills and the administration of estates and related matters heretofore vested in the Probate Court of Sullivan County is hereby transferred to the Chancery Court of Sullivan County at Blountville. The Chancery Court at Blountville shall have exclusive jurisdiction over the probate of wills and the administration of estates, and all matters relating thereto, heretofore vested in the Probate Court of Sullivan County. All active probate matters pending before the Probate Court on the effective date of this act shall remain in such court until such matters are completed.

SECTION 2. The Clerk and Master of the Chancery Court at Sullivan County shall serve as clerk for probate matters and shall be vested with the same powers and authority in such matters as provided in Tennessee Code Annotated, Section 16-16-201(b). The Clerk and Master shall receive no additional compensation for the duties for probate matters.

As amended by: Private Acts of 2000, Chapter 65.

SECTION 3. By no later than the last day of the month in which this act becomes effective, the clerk of the Probate Court shall transfer all files and records, except those files and records pertaining to active cases pending before the Probate Court, concerning a probate matter in Sullivan County to the office of Clerk and Master of the Chancery Court at Blountville.

SECTION 4. Chapter 33 of the Private Acts of 1983 is repealed.

SECTION 5. This act shall have no effect unless it is approved by a two-thirds ($\frac{2}{3}$) vote of the county legislative body of Sullivan County. Its approval or nonapproval shall be proclaimed by the presiding officer of such body and certified by him to the Secretary of State.

SECTION 6. 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 5.

Passed: February 18, 1988.

General Sessions Court

Private Acts of 1947 Chapter 349

SECTION 1. That there is hereby created and established a Court for Sullivan County, Tennessee, which shall be divided into four (4) divisions; one of which shall be designated Court of General Session, Division I and IV, and the other, Court of General Sessions, Division II and III. The Court shall be held in the Courthouse at Blountville, Bristol, and Kingsport; and Sullivan County shall provide courtrooms, dockets, furnishings, and necessary supplies, for the equipment and maintenance of said Court, and the Quarterly County Court shall order the expense paid from the General Fund of the County.

As amended by: Private Acts of 1978, Chapter 234
Private Acts of 1997, Chapter 34

SECTION 2. The Judges of the Court of General Sessions, Divisions I and IV, shall hold court at Bristol, Tennessee or such other place within the division they deem necessary. The Judges of the Court of General Sessions, Divisions II and III, shall hold Court at Kingsport, Tennessee.

As amended by: Private Acts of 1978, Chapter 234
Private Acts of 1997, Chapter 34

SECTION 3. That when the defendant in any civil action resides or is served with process in the First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth, Sixteenth, Seventeenth, Eighteenth, Nineteenth, Twentieth, Twenty-first, or Twenty-second voting precinct of Sullivan County, the case shall be tried in Division I or IV of the Court. All criminal actions charged in those districts shall be heard in Division I or IV of the Court.

As amended by: Private Acts of 1973, Chapter 40
Private Acts of 1997, Chapter 34
Private Acts of 1997, Chapter 35

SECTION 4. That when the defendant in any civil action resides or is served with process in the Seventh-A, Tenth, Eleventh, Twelfth, Thirteenth, Fourteenth, or Fifteenth voting precinct of Sullivan County, the case shall be tried at Kingsport, Tennessee. All criminal charges preferred in the Seventh-A, Tenth, Eleventh, Twelfth, Thirteenth, Fourteenth, or Fifteenth voting precinct of Sullivan County shall be heard in Kingsport, Tennessee.

As amended by: Private Acts of 1997, Chapter 35

SECTION 5. All cases coming within the jurisdiction of the Juvenile Court, shall be presented to the Court of General Sessions, Division I and IV, or the Court of General Sessions, Division II, and tried at either Blountville, Bristol or Kingsport, as provided in Sections 3 and 4 hereof.

As amended by: Private Acts of 1978, Chapter 234
Private Acts of 1997, Chapter 34

SECTION 6. That the jurisdiction, powers and authority of said Court shall extend to the entire County of Sullivan and shall be the same as provided by law for Justices of the Peace in civil and criminal actions and the Justices of the Peace of Sullivan County are hereby divested of all such jurisdiction, powers, and authority. The authority of said Justices of the Peace in their capacity as members of the Quarterly Court, or in the performance of the rites of matrimony, is in no wise affected by this Act.

In addition to the jurisdiction, power and authority set forth in this section, the jurisdiction and power of said court is extended to all claims and demands, of whatever nature, of One Thousand Dollars (\$1,000.00), or less, in value.

As amended by: Private Acts of 1949, Chapter 436

SECTION 7. That the Court of General Sessions, Division I and Division II, shall have the jurisdiction, powers and authority as provided by Sections 10275, 11371, 11372, 11373, 11380, 11381, 11382, of the Official Code of Tennessee to hear and enter judgment in cases of juvenile delinquency and cases of nonsupport; and the County Judge of Sullivan County is hereby divested of all such jurisdiction, powers, and authority as provided by said sections of the Code herein cited.

SECTION 8. That the Court of General Sessions, in addition to the jurisdiction of a Justice of the Peace to try and determine small offenses, is hereby vested with the jurisdiction to try and determine and render final judgement in all misdemeanor cases brought before the Court by warrant or information, wherein the person charged with such misdemeanor offenses enters a plea of guilty, or request a trial upon the merits and expressly waives an indictment, presentment, and a Grand Jury investigation, and a jury trial.

The final judgment of the Court in all misdemeanor cases tried as herein provided may be appealed to the Circuit Court at Blountville provided the person charged and found guilty enters into bond with good and solvent surety to pay said cost and cost of appeal if the judgment is affirmed. All judgments of the Court shall become final on the date and hour announced and unless appealed instanter shall be final thereafter and shall not be subject to change or modification except for error.

As amended by: Private Acts of 1947, Chapter 755
Private Acts of 2023, Chapter 33

SECTION 9. That it shall be the mandatory duty of the Judges of the Court of General Sessions when a defendant is brought before such Court upon arraignment or trial, in all cases in which the Court has jurisdiction, to advise such defendant of his constitutional right to the aid of counsel, the right to be tried only upon presentment or indictment by a Grand Jury, the right to make a statement, or the right to remain silent and the right to a trial by jury.

Upon the defendant agreeing in writing to waive the right to be put to trial by presentment or indictment by a Grand Jury and the right to be tried by a jury of his peers, the Judge may proceed to hear and determine said case as provided in Section 8 hereof.

Said waiver shall be written on or attached to the warrant or complaint substantially as follows:

The defendant, _____, pleads guilty to the offense of _____, and waives his right to be tried only by indictment or presentment preferred by a Grand Jury, and likewise waives trial by a jury of his peers.

This _____ day of _____, 19 _____

Defendant

SECTION 10. That the court in Divisions I and IV shall be open from 9:00 a.m. until 5:00 p.m. each week day. The Court at Kingsport shall be open from 9 A.M. until 5 P.M. each week day.

The Judges in their respective divisions may at any time, day or night, issue warrants, mittimus, or grant bail to a person charged with a criminal offense.

All cases shall be set for an hour certain, and the practice heretofore prevailing of allowing one hour for

the parties to appear in Courts of Justices of the Peace shall not apply to the Court created under the provisions of this Act.

As amended by:

Private Acts of 1997, Chapter 34

SECTION 11. That before the issuance of any warrant in a civil case, the plaintiff shall execute a cost bond with good security in the sum of Twenty-Five Dollars (\$25.00) or in lieu thereof, make a cash deposit with the Clerk of not less than Two and 50/100 Dollars (\$2.50) or more than Twenty-Five Dollars (\$25.00) to secure the cost, or take the oath prescribed for poor persons. On motion, the Court may qualify the bond and require further security of the plaintiff for cost.

SECTION 12. That the laws now regulating pleading and practice, stay of judgements, writs, and processes in civil cases in the Courts of Justices of the Peace shall apply to and govern said Court; and all the statutes regulating the conduct of Justices of the Peace in civil and criminal cases shall apply to the Judges of said Court.

Any party to a civil action may appeal from an adverse decision to the Circuit Court at Blountville when the judgement is entered by the Court at Blountville, the Law Court at Bristol when the judgement is entered by the Court at Bristol, the Law Court at Kingsport when the judgment is entered by the Court at Kingsport within a period of five days after entry of judgement upon complying with the law as now provided for appeals from Justice of the Peace Courts, provided that within five days a motion for rehearing may be filed which shall be heard by the Court as soon as practicable, and the judgment rendered thereon shall be considered the final judgment from which an appeal may be taken within a five day period. No execution shall issue until the expiration of five days from the date of final judgment, except for causes as now provided by statute.

All process in civil cases shall be returnable the fifth day after issuance provided service has been had on the person named as defendant therein.

SECTION 13. That in all matters the cost and fees of said Court of General Sessions shall be the same as those now provided or which may be hereafter provided for Justices of the Peace in civil and criminal cases and the same as allowed to the County Judge of Sullivan County in cases of juvenile delinquency and nonsupport.

The fees and other compensation of the Sheriff, his deputies, constables, game wardens, and State highway patrolmen for the execution of writs and process of said Court, fees for attendance and mileage of witness shall be the same in said Court as those provided by law for the Courts of Justices of the Peace; provided, however, the Judge may in his discretion disallow the fees of mileage of any salaried game warden, State highway patrolman, or City policeman when it appears that said fee is not assigned and paid to the State or other governmental unit employing the officer claiming such fee or mileage.

The fees and compensation due for service rendered by the Judges of the Court shall accrue to the Clerk of the Circuit Court of Sullivan County. All cost, fees, and mileage of witnesses, the fees and commissions and emoluments of the Sheriff, his deputies, constables, game wardens, and state highway patrolmen for services to said Court, and the fines and forfeitures adjudged by it shall be paid to the Clerk and by said Clerk handled, accounted for and disbursed the same as required by law.

SECTION 14. That there shall be one Civil Docket, one Criminal Docket, one Juvenile and one Nonsupport Docket kept at Blountville, Bristol, and Kingsport, in which all cases shall be entered immediately upon the issuance of the warrant or process. Upon said dockets shall be entered the style and number of each case, the date of the issuance of the warrant or process, the name of the officer to whom delivered, the return of process in brief form, the action of the Court both interlocutory and final, orders, judgments, executions, garnishments, lists of fees of Court, of the Sheriff, and all other officers, for their respective services, fees of witnesses and credits on judgments.

The judgment of the Court shall be entered on the warrant and docket and signed by the Judge.

On the Criminal Docket there shall be kept a column wherein the Criminal warrant is charged to the officer taking said warrant for execution, and the officer, who received the warrant, shall give a receipt for same. No warrant, criminal or civil, shall be taken from the office of the Court until its issuance has been properly entered on said respective docket.

The Court will keep on the Juvenile and Nonsupport Docket orders and judgments entered in such cases and for this the Court of General Sessions of Sullivan County shall be a court of record.

SECTION 15. That the Judges of the Court of General Sessions shall be persons licensed to practice law in Tennessee, of good moral character, and shall take the same oath as prescribed for Circuit Judges and Chancellor.

SECTION 16. The compensation of the judges of sessions court shall be the same as eighty-five percent (85%) of the annual compensation paid to circuit judges and chancellors by the state as provided for in

Section 8-2303 of Tennessee Code Annotated, payable in equal monthly installments from the General Fund of Sullivan County. Said Judge shall devote all his working time to the duties of the office, and shall not engage in the practice of law in any capacity whatsoever during his tenure of office; provided, either Judge may complete or finish any legal business undertaken before assuming the office.

As amended by: Private Acts of 1949, Chapter 435
Private Acts of 1957, Chapter 161
Private acts of 1974, Chapter 176

SECTION 17. That the judges of Divisions I and IV of such court shall each be elected by a majority of all the qualified voters in the territory embraced in the First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth, Sixteenth, Seventeenth, Eighteenth, Nineteenth, Twentieth, Twenty-first, and Twenty-second voting precincts of Sullivan County; the judges of Divisions II and III of such court shall each be elected by a majority of all the qualifies voters in the territory embraced in the Seventh-A, Tenth, Eleventh, Twelfth, Thirteenth, Fourteenth, and Fifteenth voting precincts of Sullivan County.

The Judge of Division III of said court shall be elected by a majority of all the qualified voters in the territory embraced in the Tenth, Eleventh, Twelfth, Thirteenth, Fourteenth, and Fifteenth voting precincts of Sullivan County.

The judge of each Division shall be a resident, citizen, and practicing attorney within the jurisdiction of the territory embraced in his division.

The candidates for the four (4) divisions of the court shall qualify with the election commission of Sullivan County as required by law in general elections and shall be designated on the official ballot as "Candidates for Judge of the Court of General Sessions, Division I", and "Candidates for Judge of the Court of General Sessions, Division II" and "Candidates for Judge of the Court of General Sessions, Division III" and "Candidates for Judge of the Court of General Sessions, Division IV."

As amended by: Private Acts of 1973, Chapter 40
Private Acts of 1978, Chapter 234
Private Acts of 1997, Chapter 34
Private Acts of 1997, Chapter 35
Private Acts of 1998, Chapter 140

SECTION 18. The Governor shall appoint the Judge of the Court of General Sessions, Division III, effective September 1, 1978, who shall serve until the first day of September, 1980, and until his successor shall be elected by the qualified voters of the County, as set forth in Section 17 of this act.

The judges of the Court of General Sessions, Division I and Division II, shall continue in office until their successors are elected and qualified.

Their successors shall be elected by the qualified voters as set forth pursuant to Section 17, as amended, at the August general election in 1982, for the term provided for Circuit Judges and Chancellors in this state.

The term of office of Judge of the Court of General Sessions, Division IV, shall begin on September 1, 1998, and shall be filled by the voters, as set forth in Section 17, at the regular August election in 1998.

As amended by: Private Acts of 1978, Chapter 234
Private Acts of 1997, Chapter 34

SECTION 19. That if the Judge of either division of said Court cannot preside in a pending case or is unable to attend Court because of sickness or cannot attend Court for any other reason and the Judge of the other division cannot sit by interchange, which said Judges are empowered to do at any time, then a majority of the lawyers present in that division of Court may elect one of their number who has the qualifications of such Judge, and when elected, shall have the same authority as the regular Judge to hold the Court for the occasion or time the regular Judge is absent. The Clerk of the Circuit Court or his deputy shall preside at said election and shall keep in his office a permanent record of the election of such special Judges. Such special Judges shall not be entitled to compensation for their services.

To promote the efficient and orderly disposition of cases coming before the Court of General Sessions, Divisions II and III, the Judge with the maximum number of years of service on said court shall have the authority and responsibility to see that the administrative functions of the court are carried out in the most efficient manner, and his duties shall include: the preparation of the budget request for Divisions II and III, and their submission to the appropriate authorities; the preparation and submission of all requisitions for equipment and supplies; the establishment of efficient procedures to insure maximum efficiency in docket control including the direct and exclusive authority and responsibility for the assignment of cases and courtrooms within each of said Divisions II and III, to maintain a proper case load balance. There shall be no additional compensation to said judge for these administrative duties.

As to Divisions I and IV of the Court, the Judge with the greater number of years of service as Judge of

the Court shall be the Presiding Judge. If they should have the same amount of service, the Judge of Division I shall be the Presiding Judge. The Presiding Judge shall be responsible for the administrative duties of the Court including the assignment of cases and courtrooms and responsibility for division of the workload.

As amended by: Private Acts of 1978, Chapter 234
Private Acts of 1997, Chapter 34

SECTION 20. That in case of a vacancy in the office of Judge in either division of said Court the Governor may appoint a qualified attorney at law to fill such vacancy from the division of the Court where the vacancy exists to hold office until the next general August election, when the vacancy will be filled for the remainder of the unexpired term.

SECTION 21. That the Clerk of the Circuit Court of Sullivan County shall act as the Clerk of the Court of General Sessions, and when acting as Clerk of said Court in each division thereof shall be designated "Clerk of Court of General Sessions." The fees, commissions, and emoluments of said Court of General Sessions accruing to the Clerk provided in Section 13 hereof shall constitute a part of the fees, commissions, and emoluments of the office of the Clerk of the Circuit Court of Sullivan County, Tennessee. The Clerk of the Circuit Court shall receive no additional compensation for his services; however, such additional deputies and assistants as may be necessary for the proper operation and administration of the duties of said office shall be appointive and compensated in the manner as now provided by law for appointment and compensation of Deputy Circuit Court Clerks.

SECTION 22. That the Clerk of said Court shall have concurrent authority with the Judges to issue warrants and other process and writs other than search warrants and other process and writs which the law requires shall be issued only by a judicial officer. Deputy Clerks shall have concurrent authority with the Judges to issue process to the same extent as the Clerk but only for the division in which the Deputy Clerk is appointed to serve.

SECTION 23. That the Sheriff of Sullivan County or any Deputy Sheriff or Constable thereof, shall serve all legal process, writs, and papers issued by said Court with the same authority as provided by law in the other inferior courts of Tennessee.

SECTION 24. That this act shall in no wise impair the right, title, or interest of any Justice of the Peace in Sullivan County or County Judge of Sullivan County to any unpaid fees, or funds in which he had a right or interest in any proceeding, judgement, or suit, whether said cause is disposed of or pending when this Act becomes effective.

SECTION 25. That all official dockets, records, and papers in cases that are disposed of, or which are undisposed of and pending, belonging to Justices of the Peace or former Justices of the Peace of Sullivan County, shall be delivered by the Justices residing in the First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth, Sixteenth, Seventeenth, Eighteenth, Nineteenth, Twentieth, Twenty-first, and Twenty-second Civil Districts to the Court of General Sessions, Division I, and by the Justices residing in the Tent [sic], Eleventh, Twelfth, Thirteenth, Fourteenth, and Fifteenth Civil Districts to the Court of General Sessions, Division II, as the successors of said Justices of the Peace.

SECTION 26. That the Judges appointed shall have authority to hear and determine all undisposed cases pending in the Courts of Justices of the Peace of Sullivan County on the effective date of this Act as if such cases had originated in Division I or Division II of the Court of General Sessions.

SECTION 27. That the Judge of either division shall have the power to hear and determine any case of juvenile delinquency or nonsupport case pending upon the effective date of this Act as if such case had originated in either Division I or Division II of said Court.

SECTION 28. That the Legislature expressly declares that each section, subsection, paragraph, and provision of this Act is severable, and that should any portion of this Act be held unconstitutional or invalid, the same shall not affect the remainder of this Act, but such unconstitutional or invalid portions shall be elided, and the Legislature declares that it would have enacted this Act with such unconstitutional or invalid portions elided therefrom.

SECTION 29. That all laws or parts of laws in conflict with this Act be and the same are hereby repealed.

SECTION 30. That this Act take effect from and after the 15th day of April, 1947, the public welfare requiring it.

Passed: February 24, 1947.

Juvenile Court

Private Acts of 1951 Chapter 411

SECTION 1. That there is hereby created and established in and for Sullivan County, Tennessee, a Court with the title and style of the Juvenile Court of Sullivan County, Tennessee. Said Court shall be a Court of Record, presided over by a Judge who shall have qualifications hereinafter set out and who shall be elected as hereinafter provided and whose salary shall be provided and paid as hereinafter provided. Said Judge shall be known and have the title of Judge of the Juvenile Court of Sullivan County and shall devote all time necessary to the duties of such office as may be necessary; that the County Court Clerk of Sullivan County shall act as the clerk of said Court, and all deputy clerks are authorized to act as deputy clerks of the Court. The Court shall have a seal and shall have power and authority to administer oath and affirmation whenever the same are required by law in connection with any case, procedure, process or otherwise, in such Court.

SECTION 2. That when used in this Act unless the context otherwise require:

- (a) "The Court" shall mean the Juvenile Court of Sullivan County, Tennessee;
- (b) The "Judge" shall mean the Judge of the Juvenile Court of said county;
- (c) "Child" shall mean any person under seventeen years of age;
- (d) "Adult" shall mean a person who is seventeen years of age or over;
- (e) "County" shall mean Sullivan County in the State of Tennessee;
- (f) "Peace Officer" shall mean the Sheriff of Sullivan County or any of its deputies, any constable of said county and any police or truant officer of the municipalities of any municipal corporation of the county;
- (g) The singular shall include the plural; the plural, the singular; and the masculine, the feminine, when not inconsistent with the intent of this Act.

SECTION 3. That the Court shall have the exclusive original jurisdiction in Sullivan County of all cases arising in or triable in said County of any person under the age of seventeen years who may, by reason of any offense committed against the State, except wherein the offense charged is an offense for which capital punishment may be inflicted; any such case which may come before the Court wherein any person under the age of seventeen years of age is charged with murder in the first degree or rape or any other capital offense, the Court shall certify the same to the Court of General Sessions, which Court shall proceed as now provided by law, and if probable cause is found that such offense has been committed, the accused shall be bound to the action of the Grand Jury, and the case shall proceed as such cases are tried and determined in the Circuit or other Court having jurisdiction of the offense in Sullivan County, Tennessee. The Court shall have exclusive jurisdiction, power and authority of a Juvenile Court in said County contemplated in Sections 10269 to 10309 of the official Code of Tennessee, and any other general laws of the State of Tennessee now in force and effect or hereinafter to become in force and effect; and the Court shall have exclusive, original jurisdiction of all non-support and abandonment cases wherein any person is charged with the non-support of any children under the age of sixteen years; or is charged with the abandonment of said child and leaving the State of Tennessee, as provided by the laws of the State of Tennessee. The Court shall have exclusive original jurisdiction;

(1) concerning any child within the county or any case arising or triable in said county, concerning any child;

- (a) whose parents or other person legally chargeable with the care and support of such child neglects or refuses, according to his means or ability, to provide proper or necessary support, education, medical or surgical, or other necessary care, as contemplated by the general laws of the State, or who is abandoned by his or her parents or other person having the legal charge and care of such child;
- (b) whose occupation, behavior, environment or association are injurious to the welfare of the child;
- (c) who deserts, or is habitually disobedient, or beyond control of parents or teacher or other person exercising control over such child;
- (d) who, being required by law to attend school, willfully violates the rules of the school or absents himself therefrom, or who in any manner shall be charged with, or designated as a delinquent, as defined, contemplated or included in the laws of the State of Tennessee;

(2) To determine the custody or guardianship of the person of any child in said County or in connection with whom any question, case or controversy may arise in said County, or in any such question, case or controversy may arise in said County or any such question, case or controversy, which by the general law is triable in the County.

(3) That such Court shall have original jurisdiction concurrent with other Courts having such jurisdiction, for and in adoption of children and for granting judicial consent to marriage of any child when such consent is required by law; that whenever it shall be determined by the Judge of the Juvenile Court that a child is so mentally defective or mentally disordered that such child should be committed to an institution for such cases, the Court may commit such child to such institutions as

are provided to care for such cases, and wherein the Court is authorized so to do by provisions of general law, or to such institution otherwise made available to it through arrangements with the County or State authorities and where no such institution is made available to the Court, the Judge shall certify the facts and need to such authority as may have such child committed and shall, if it is the opinion of the Judge that such care is needed, recommend the commitment of such child. Nothing contained in this Act is intended to deprive the Circuit, Criminal or Chancery Court of any right, by habeas corpus, to determine the custody or guardianship of the child as is now provided by law.

That there is hereby created a Juvenile Court Commission of said County composed of twelve members, who shall be residents of the County and who shall serve without compensation. The members of this Commission shall be elected by the Quarterly County Court. Four members shall be elected for a period of two years; four, for a period of three years; four, for a period of four years; and each of said members of the Board shall serve until his or her successor is elected. As the term of the members expire, their successors shall be elected for the term of four years. No member of the County Court or other person holding a State, County or Government office shall be eligible to serve on the Commission. The Quarterly County Court shall elect four members of said Commission from the City of Bristol, four members from the City of Kingsport, and four members from the County at large outside of the municipalities herein named. In the event of death, resignation, removal or other cause, the vacancy or vacancies shall be filled by the Quarterly County Court for such unexpired term. The Juvenile Court Commission shall organize by choosing a Chairman and Secretary, and shall have power to make rules and regulations for its government. It shall be the duty of said Commission to see to the enforcement of all laws for the purpose of prohibiting and restraining inhuman treatment of children and protecting children deserted by guardians or parents. The Commission may accept donations to carry on the duties imposed, but shall not have the power or authority to create any indebtedness in any manner whatsoever against Sullivan County. If given authority by the Quarterly County Court, the Commission may prepare and maintain proper detention homes for delinquent and dependent white and colored children. The Commission, however, is prohibited from accepting any such children from another county or from outside the State of Tennessee, unless ordered to do so by the Judge of this Court and having the expense thereof approved by the County Judge of Sullivan County.

SECTION 4. That the Judge of this Court shall be elected by the Quarterly County Court at any regular or adjourned session and shall serve for a term of four years and until his successor is elected and qualified, and shall receive a salary of Three Thousand Six Hundred (\$3600.00) Dollars per annum, payable in equal monthly installments. Said Judge shall be not less than thirty years of age and shall possess the same qualifications as Circuit and Criminal Judges and Chancellors in the State of Tennessee. Said Judge shall take and subscribe to the same oath of office as prescribed for other Judges in the State. Said Judge, if a licensed attorney at law shall not be precluded from practicing in any other Court in the State of Tennessee, or elsewhere, or before any Board or Commission in Tennessee or elsewhere. In the event the office of Judge of this Court shall become vacant by reason of death, resignation or other cause, before the expiration of the term, the County Judge of Sullivan County shall serve until the next regular term of the Quarterly County Court, at which term a successor will be elected for the unexpired term of the Judge of this Court. In the event of temporary inability to serve because of illness, or other cause, the County Judge of Sullivan County shall serve during the period of such disability. The Judge of this Court shall hold Court at Blountville, Bristol and Kingsport and is hereby authorized and empowered to make and promulgate rules and regulations for the government of the Juvenile Court, to fix the time at which said Court shall be held at Blountville, Bristol and Kingsport. The Judge shall have the power by order to fix a hearing at any place in the County to hear a given case, but the proceedings, orders and judgments shall be recorded in the Court where said case originated, and shall have binding effect as if such case had been heard and determined at either Blountville, Bristol or Kingsport. All money derived from fines assessed upon the conviction of any person by the Judge shall be deposited with the County Trustee of Sullivan County and thereafter belong to the County.

SECTION 5. That the Judge of this Court, provided funds are appropriated and made available by the Quarterly County Court in Sullivan County from any other source as herein provide, shall appoint a Chief Administrative officer, hereinafter referred to as the Director, who with the approval of the Judge shall appoint a sufficient number of technical and professional assistants and other employees to carry on the professional, clerical and other non-judicial work of the Court. Such assistants or employees are only appointed if funds are appropriated and made available for their monthly salaries, allowances and/or compensation. The Director and other employees shall be appointed from lists of eligible persons established through examinations conducted by the Juvenile Court Commission. Such examination shall have reference to education, previous experience, ability, character, and aptitude for the work to which they are assigned. An employee of the Court may be removed, discharged, reduced in pay or position upon the order of the Judges.

SECTION 6. That the Director under the general supervision of the Judge shall organize, direct and develop the administrative work of the Court, including the social, financial and clerical work, and shall perform such other duties as the Judge may direct. The technical and professional employees shall have charge of such cases and other work assigned to them for investigation or treatment and shall perform all such other duties as may be assigned to them by the Director.

SECTION 7. That whenever any person informs the Court that a child is within the purview of this Act, the Court shall make preliminary inquiry to determine whether the interest of the public or the child requires that further action be taken. Whereupon, the Court may make such informal adjustment as is practical without petition or may authorize a petition to be filed by any person.

The proceedings shall be entitled "In the Matter of _____, a Child under Seventeen Years of Age." The petition shall be verified and may be upon information and belief. It shall set forth plainly:

- (1) The facts which bring the child within the purview of this Act;
- (2) The name, age and residence of the child;
- (3) The name and residence of the parents, if known;
- (4) The name and residence of the legal guardian, if it be known;
- (5) Of the person or persons having custody and control of the child; and,
- (6) The nearest known relative if no parent or guardian can be found. If any of these facts herein required are not known by the petitioner, the petition shall so state.

SECTION 8. That after a petition shall have been filed and after such further investigation as the Court may direct, unless the parties hereinafter named will voluntarily appear, the Court shall issue a summons reciting briefly the substance of the petition, and requiring the person or persons who have custody or control of the child to appear and personally bring the child before the Court at the time and place stated. If the person so summoned be other than the parent or guardian, both shall also be notified of the pendency of the case and of the time and place appointed, by personal service before the hearing, except as hereinafter provided. Summons may be issued requiring the appearance of any other person whose presence in the opinion of the Judge is necessary. To the end that all petitions, process, orders, subpoenas and notices may be executed or served, the Chief Administrative Officer and/or any regularly appointed officer or employee of the Court, or any peace officer of Sullivan County is empowered and authorized to serve such notice, summons, order or decree of the Court, within the confines of Sullivan County, but no charge for making such service will be made; however, such officer and employee will be entitled to receive not in excess of seven (7c) cents per mile for travel in making such service, the same to approved by the Judge of this Court. If it appears that the child is in such condition or surroundings that his welfare requires immediate custody by the Court, the same shall be ordered by endorsement upon the summons and the officer serving same shall at once take the child into custody.

SECTION 9. That the Court shall have all powers of Courts now established in Tennessee to bring any person before the Court and by proper process to punish those who refuse to obey the lawful orders and to punish by summary procedure those who are guilty of contempt, as the same is now defined by law, and such contempt is in the presence of the Court. The Court shall have the power to compel the attendance of witnesses and others whose presence in court is necessary, and to enforce its lawful orders, judgments, and decrees, the Court shall have all power and authority to issue writs of attachment and other process to bring such persons before the Court. This character of service will not be made by any officer or employee of this Court, but will be served and executed by the Sheriff of Sullivan County, or a duly qualified deputy or constable and for such service said officer will be entitled to receive fees as are now provided by law.

SECTION 10. That whenever a child is taken into custody, unless it is impractical or inadvisable or has been otherwise ordered by the Court, he or she shall be released to the custody of the parent, guardian or other person designated by the Court. Upon the written promise of such person, the child will be before the Court at such time fixed by order. If not so released, such child shall be taken immediately to the Court or to the place of detention designated by the Court. Pending further disposition of the case, a child whose custody has been assumed by the Court may be released in such manner as the Court by order may direct, or may be detained in such place as shall be designated by the Court, subject to further order. Nothing in this Act shall be construed as forbidding any peace officer from immediately taking into custody any child who is found violating any law of the State or ordinance of a municipality within Sullivan County. In every case an officer taking a child into custody shall immediately report the fact to the Court and the case shall then proceed as provided by this Act.

SECTION 11. That all cases of children shall be heard separately from the trial of cases against adults and without a jury. The hearings may be conducted in informal manner, to either be in public or in private, and may be adjourned from time to time. Stenographic notes or other transcripts of the hearing

shall be required only if the Court so ordered. Nothing herein shall preclude the parent, guardian or attorney regularly employed or appointed, to be present at any hearing before the Court.

SECTION 12. That if the Court shall find that the child is within the purview of the Act, it shall so decree, and may by order duly proceed as follows:

- (1) place the child on probation or under supervision of a suitable person upon such condition as the Court shall determine;
- (2) commit the child to the custody of the parent or to the guardianship of a public or private institution or agency authorized to care for children or to place them in family homes. In committing the child to a private institution or agency, the Court shall select one that is approved by the Juvenile Court Commission;
- (3) order such other care and treatment as the Court may deem to be for the best interest of the child.

The Court may dismiss the petition or otherwise terminate its jurisdiction at any time for good cause shown. Whenever the Court shall commit a child to any institution or agency, it shall transmit with the order of commitment a summary of its information concerning the child and such institution or agency shall give to the Court such information concerning such child as the Court may from time to time require.

SECTION 13. That any decree or order of the Court may be modified at any time.

SECTION 14. That the Court may cause any person or child to be within its jurisdiction to be examined by a physician or physicians, or such other persons as the Court may direct.

SECTION 15. That all expenses incurred in complying with the provisions of this Act shall be within the budget established and approved as provided by law by the Quarterly County Court of Sullivan County. No obligation will be incurred on the part of Sullivan County for the maintenance of the Court, the salary of the Judge or any officer or employee thereof, unless funds are made available by the Quarterly County Court of Sullivan County; however, should the municipalities of Kingsport and Bristol appropriate funds for the expenses and/or operation of this Court, such funds may be used together with any voluntary contribution of any person, firm, charitable institution or society to defray the expense of the Court, including the payment of salaries of a Judge or any officer or employee of the Court. In the event such funds are made available by the municipality of Kingsport, Bristol or any other person or institution, the same shall be deposited with the Trustee of Sullivan County and disbursed as provided herein in accordance with all statutes, providing for the disbursement of other county funds.

SEC. 16. That the Court shall keep records of all cases brought before it. Such records shall be open to inspection only by the order of the Court to persons having legitimate interest therein. The Court shall devise and cause to be printed such forms for social and legal records and such other papers as may be required. The County Court Clerk shall establish at Blountville, Bristol and Kingsport such books, files, etc., as necessary to keep and preserve all of the records of the Court.

SECTION 17. That appeals from the judgment and decrees may be taken as now provided by Laws.

SECTION 18. That if for any reason any word, clause, paragraph or section of this Act shall be held unconstitutional, it shall not invalidate the effect of the remainder of said Act.

SECTION 19. That this Act take effect from and after the first Monday in September, 1951, the public welfare requiring it. Passed: March 6, 1951.

Court System - Historical Notes

Board of Jury Commissioners - Jurors

The following acts once affected jurors or boards of jury commissioners in Sullivan County, but are no longer operative.

The following acts once affected jurors or boards of jury commissioners in Sullivan County, but are no longer operative.

1. Private Acts of 1831, Chapter 72, directed the Sullivan County Court to pay jurors of the circuit and county courts, \$1.00 per day for their services.
2. Acts of 1905, Chapter 341, created a board of jury commissioners for Sullivan County. This act prescribed the duties of members of said board and of the judges, provided jury lists and jury boxes. This act was amended by Private Acts of 1935, Chapter 296, so as to provide that the jury commissioners be appointed by the circuit judge instead of the governor of the State of Tennessee. Private Acts of 1943, Chapter 173, amended Acts of 1905, Chapter 341, so as to make it the duty of the jury commissioners to provide a jury list which comprised of names not numbering less than one-twentieth the whole number of votes cast in said county. Private

- Acts of 1951, Chapter 311, further amended Acts of 1905, Chapter 341, so as to increase the salary of the jury commissioners to \$5.00 per day.
3. Private Acts of 1943, Chapter 60, fixed the compensation of jurors in Sullivan County at \$3.00 per day. This act was amended by Private Acts of 1949, Chapter 6, so as to increase the salary of the jurors to \$5.00 per day.
 4. Private Acts of 1955, Chapter 382, would have amended Acts of 1905, Chapter 341, so as to increase the salary of the jury commissioner to \$10 per day, however, this act was rejected or disapproved by Sullivan County and therefore never became law.

Chancery Court

The following acts form an outline of the development of equity jurisdiction in Sullivan County, although they no longer have the force of law since they have either been superseded by general law, repealed, or failed to receive local ratification. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Public Acts of 1824, Chapter 14, set the time for holding the Sullivan County Chancery Court on the first Monday in May and November at Rogersville.
2. Public Acts of 1835-36, Chapter 4, established and divided the state into chancery districts. The counties of Sullivan, Carter and Washington composed the first chancery district of the Eastern Division. The time for holding said court for Sullivan County was set on first Mondays in February at Jonesborough.
3. Acts of 1851-52, Chapter 5, established a separate chancery district for Sullivan County. The chancery court was held in Blountville on the third Monday in May and November.
4. Public Acts of 1857-58, Chapter 88, set the time for holding the Sullivan County Chancery Court on the third Monday in May and November at Blountville.
5. Public Acts of 1865-66, Chapter 41, set the time for holding the Sullivan County Chancery Court on the third Monday in May and November.
6. Public Acts of 1869-70, Second Session, Chapter 32, divided the state into twelve chancery districts. The counties of Sullivan, Washington, Johnson, Carter, Hawkins, Greene, Hancock, Claiborne, Grainger, Jefferson, Cocke, Powell and Hamblen composed the first congressional district.
7. Public Acts of 1869-70, Second Session, Chapter 47, fixed the time for holding the Sullivan County Chancery Court on the third Monday in May and November.
8. Public Acts of 1877, Chapter 151, changed the time for holding the Sullivan County Chancery Court to the second Monday in June and December. This act was repealed by Public Acts of 1879, Chapter 140, Section 3.
9. Public Acts of 1879, Chapter 128, provided that the seventeenth civil district of Sullivan County constitute a chancery district and that said chancery court be held on the second Monday in June and December in Bristol.
10. Public Acts of 1879, Chapter 140, set the time for holding the Sullivan County Chancery Court on the fourth Monday in June and December at Blountville.
11. Acts of 1885 (Ex. Sess.), Chapter 20, divided the state into eleven chancery divisions. The first chancery division was composed of the counties of Sullivan, Washington, Johnson, Carter, Hawkins, Greene, Hancock, Claiborne, Grainger, Jefferson, Cocke, Hamblen and Unicoi. The time for holding said court in Sullivan County was set for the fourth Monday in June and December at Bristol.
12. Public Acts of 1899, Chapter 264, gave concurrent jurisdiction with the chancery and circuit courts of Sullivan County to the chancery and law courts at Bristol, of all civil actions which arose between persons who resided in the third and sixteenth civil districts of Sullivan County.
13. Public Acts of 1899, Chapter 427, divided the state into ten chancery divisions. The counties of Sullivan, Washington, Johnson, Carter, Unicoi, Greene, Hawkins, Hancock, Claiborne, Grainger, Hamblen and Cocke composed the first chancery division. The time for holding said court in Sullivan County was set for the third Monday in February and August in Bristol and on the fourth Monday in February and August in Blountville.
14. Acts of 1907, Chapter 230, changed the time for holding the Sullivan County Chancery Court to the first Monday in May and November at Blountville and on the first Monday in June and December in Bristol.

15. Private Acts of 1919, Chapter 737, established a chancery and a law court at Kingsport, in Sullivan County which was held on the third Monday of March and September.
16. Private Acts of 1927, Chapter 407, changed the time for holding the Sullivan County Chancery Courts to the first Monday in June and December at Bristol; the second Monday in April and October at Blountville, and on the second Monday in March and September at Kingsport.
17. Private Acts of 1929, Chapter 517, detached Sullivan County from the first chancery division and created a separate chancery division designated, The Chancery Division of Sullivan County. The time for holding said court in Sullivan County was set for the first Monday in January, May and September at Bristol; the fourth Mondays in March, July and November at Kingsport; and the fourth Mondays in January, May and September at Blountville. This act was amended by Private Acts of 1931, Second Extra Session, Chapter 40, so as to place Sullivan County in the first chancery division and set the time for holding said court on the first Monday in June and December at Bristol; the first Monday in May and November at Blountville; and on the second Monday in April and October.
18. Public Acts of 1931 (2nd Ex. Sess.), Chapter 38, completely reorganized the entire lower court system of the state. The first chancery division consisted of the counties of Sullivan, Washington, Johnson, Carter and Unicoi. The time for holding said court in Sullivan County was set for the first Monday in June and December at Bristol; the first Monday in May and November at Blountville; and on the second Monday in April and October in Kingsport.
19. Public Acts of 1961, Chapter 161, created a chancery district for Blountville and provided for the division into two parts of the chancery districts for Bristol, Kingsport and Blountville. This act also created a law court of Blountville and divided the law courts of Bristol, Blountville and Kingsport into two parts and fixed the time for holding said courts.
20. Private Acts of 1983, Chapter 33, created and established the Sullivan County Probate Court. This act defined the court's powers and jurisdiction and divested the county judge of the same; provided the court a judge and fixed the compensation the judge's additional duty and provided a clerk for said court. This act was repealed by Private Acts of 1988, Chapter 135.
21. Private Acts of 1994, Chapter 198, would have amended Private Acts of 1988, Chapter 135, relative to the Sullivan County Probate Court, however, this act was not ratified by Sullivan County and therefore never became law.

Chancery Court - Clerk

The reference list below contains acts which once applied to the clerk and master in Sullivan County. Also referenced below is an act which repealed prior law without providing new substantive provisions.

1. Private Acts of 1921, Chapter 521, set the salary of the Sullivan County Chancery Court Clerk at \$1,000 per annum. This act was amended by Private Acts of 1927, Chapter 142, to increase the salary of the chancery court clerk to \$1,500 per annum.
2. Private Acts of 1929, Chapter 338, fixed the compensation of the clerk and master of the chancery court at Kingsport, in Sullivan County, at \$1,800 per annum. This act was repealed by Private Acts of 1947, Chapter 480.
3. Private Acts of 1939, Chapter 186, fixed the compensation of the clerk and master of the Sullivan County Chancery Court at \$2,400 per annum. This act was amended by Private Acts of 1953, Chapter 383, so as to increase the salary of the clerk and master to \$3,600 per annum.

Circuit Court

The following acts were once applicable to the circuit court of Sullivan County but now have no effect, having been repealed, superseded, or having failed to win local approval. Also referenced below is an act which repealed prior law without providing new substantive provisions.

1. Acts of 1809 (1st Sess.), Chapter 49, divided the state into five judicial circuits. The counties of Sullivan, Greene, Carter, Washington, Hawkins, Grainger, Claiborne and Campbell composed the first judicial circuit. The time for holding said court in Sullivan County was set on the fourth Monday in the months of April and October.
2. Public Acts of 1835-36, Chapter 5, established and divided the state into eleven judicial circuits. The first judicial circuit was composed of the counties of Sullivan, Greene, Carter, Johnson, Washington, Hawkins, Grainger, and Claiborne. The time for holding said court in Sullivan County was set for the first Monday April, August and December.
3. Acts of 1837-38, Chapter 116, set the time for holding the Sullivan County Circuit Court on the third Mondays in March, July and November.

4. Public Acts of 1857-58, Chapter 98, placed Sullivan County in the first judicial circuit and set the time for holding said court on the third Monday in March, July and November.
5. Public Acts of 1865-66, Chapter 41, set the time for holding the Sullivan County Circuit Court on the first Monday in July, November and March.
6. Public Acts of 1868-69, Chapter 35, changed the time for holding the Sullivan County Circuit Court to the fourth Monday in November, March and July.
7. Public Acts of 1869-70 (2nd Sess.), Chapter 31, divided the state into fifteen judicial circuits. The counties of Sullivan, Washington, Hancock, Hawkins, Greene, Carter, Johnson and Boone composed the first judicial circuit.
8. Public Acts of 1869-70 (2nd Sess.), Chapter 46, set the time for holding the Sullivan County Circuit Court on the fourth Monday in March, July and November. This provision of Public Acts of 1869-70 (2nd Sess.), Chapter 46, was repealed by Public Acts of 1879, Chapter 140, Section 3.
9. Public Acts of 1879, Chapter 140, Section 3, set the time for holding the Sullivan County Circuit Court on the first Monday after the fourth Monday of July, November and March at Blountville.
10. Acts of 1885 (Ex. Sess.), Chapter 20, divided the state into fourteen judicial circuits. The first judicial circuit was composed of the counties of Sullivan, Washington, Johnson, Carter, Unicoi, Greene, Hawkins and Hancock. The time for holding said court in Sullivan County was set for the fourth Mondays in March, July and November at Bristol.
11. Public Acts of 1899, Chapter 427, divided the state into fourteen judicial circuits. The counties of Sullivan, Washington, Johnson, Carter, Unicoi, Greene, Hawkins, Hancock and Claiborne composed the first judicial circuit. The time for holding said court in Sullivan County was set for the third Monday in January, May and September at Bristol and on the fourth Monday in January, May and September in Blountville.
12. Acts of 1903, Chapter 198, set the time for holding the Sullivan County Circuit Court on the third Monday in January, May and September at Bristol; and on the fourth Monday in January, May and September in Blountville.
13. Acts of 1909, Chapter 49, placed Sullivan County in the first judicial circuit, along with the counties of Greene, Washington, Carter, Hawkins, Grainger, Claiborne and Campbell. The time for holding said court in Sullivan County was set for the fourth Monday in March and September.
14. Private Acts of 1911, Chapter 303, fixed the time for holding the Sullivan County Circuit Court on the fourth Monday in January, May and September at Blountville.
15. Private Acts of 1921, Chapter 303, fixed the time for holding the Sullivan County Circuit and Law Courts on the third Monday in January, May and September at Bristol and on the fourth Monday in March, July and November at Kingsport.
16. Public Acts of 1925, Chapter 96, provided for the holding of an election in the twentieth judicial circuit, which was composed of Sullivan, Greene, Hamblen and Hawkins counties, to fill the offices of circuit judge and attorney general. This act also set the time for holding the Sullivan County Circuit Court on the fourth Monday in January, May and September At Blountville; on the third Monday in January, May and September at Bristol; and on the third Monday in March, July and November at Kingsport. This act was amended by Private Acts of 1927, Chapter 306, to change the time for holding the Sullivan County Circuit Court at Blountville to third Monday in January, May and September.
17. Public Acts of 1931 (2nd Ex. Sess.), Chapter 38, divided the state into twenty judicial circuits. The twentieth judicial circuit was composed of the counties of Sullivan, Greene, Hawkins and Hamblen. The time for holding said court in Sullivan County was set for the second Monday in September, January and May in Bristol; the third Monday in November, March and July at Kingsport; and on the third Monday in September, January and May at Blountville.

Circuit Court - Clerk

The following acts have no current effect, but once applied to the Sullivan County Circuit Court Clerk. They were repealed, superseded, or never received local approval.

1. Private Acts of 1831, Chapter 205, directed the treasurer of East Tennessee to pay William Anderson, clerk of the Sullivan County Circuit Court, \$71 for his, the sheriff's and state's witnesses' cost in the case of the state against James Harron on charge of murder, out of money not otherwise appropriated.
2. Private Acts of 1911, Chapter 675, amended Acts of 1903, Chapter 255, the general law which provided and regulated the compensation of circuit court clerks, so as to set the salary of the

Sullivan County Circuit Court Clerk at \$1,500 per annum.

3. Private Acts of 1927, Chapter 771, fixed the salary of the Sullivan County Circuit Court at \$3,600 per annum.
4. Private Acts of 1935, Chapter 715, provided for Sullivan County, through the county judge or chairman of the county, to pay from the general fund of the county, the premiums on the official bonds of the circuit court clerk and his deputies of Sullivan County.

Criminal Court

The following acts once pertained to the Sullivan County Criminal Court, but are no longer current law. Also referenced below is an act which repealed prior law without providing new substantive provisions.

1. Public Acts of 1867-68, Chapter 90, Section 5, created a judicial criminal district which was composed of the counties of Sullivan, Washington, Johnson, Carter, Hawkins, Hancock, Greene, Jefferson, Grainger and Claiborne. Section 5 of this act was repealed by Public Acts of 1869-70 (1st Sess.), Chapter 11.
2. Public Acts of 1899, Chapter 427, set the time for holding the Sullivan County Criminal Court on the on the third Monday in January, May and September in Bristol and on the fourth Monday in January, May and September in Blountville.
3. Private Acts of 1925, Chapter 131, created a criminal court for Sullivan County. The time for holding said court on the second Monday in April, August and December at Blountville.
4. Public Acts of 1951, Chapter 73, created a criminal court for the counties of Sullivan, Greene, Hamblen and Hawkins which was known as the criminal court of the twentieth judicial circuit.
5. Public Acts of 1967, Chapter 228, removed Sullivan County from the jurisdiction of the criminal court of the twentieth judicial circuit and placed the county in its own criminal jurisdiction in the twenty-sixth judicial circuit.

District Attorney General - Assistants and Criminal Investigators

The following acts once affecting Sullivan County are no longer in effect but are listed here for historical purposes.

1. Acts of 1817, Chapter 65, established ten solicitorial districts in the state. The counties of Sullivan, Greene, Washington and Carter composed the first solicitorial district.
2. Private Acts of 1967-68, Chapter 55, authorized Sullivan County to provide one part-time administrative assistant for the office of district attorney general. Said administrative assistant received \$4,800 per annum.
3. Public Acts of 1968, Chapter 546, provided for an assistant district attorney general for the district attorney general of the twenty-sixth judicial circuit, which included Sullivan County.
4. Public Acts of 1969, Chapter 277, provided for an assistant district attorney general and for a criminal investigator for the twentieth judicial circuit, which included Sullivan County.
5. Private Acts of 1971, Chapter 98, authorized Sullivan County to supplement the salary of the office of assistant district attorney general for the twenty-sixth judicial circuit.
6. Public Acts of 1971, Chapter 139, provided an additional assistant district attorney general and a secretary to the district attorney general for the twenty-sixth judicial circuit, which included Sullivan County.
7. Public Acts of 1976, Chapter 528, provided two additional assistant district attorneys general for the district attorney general for the twenty-sixth judicial circuit, which contained Sullivan County.

Secretarial Assistance

The following act is no longer in effect but is listed here for historical purposes.

1. Private Acts of 1971, Chapter 166, would have authorized Sullivan County to supplement the salary of the secretary of the district attorney general of the twenty-sixth judicial circuit, however, this act was not ratified by Sullivan County and therefore never became law.

Chapter VI - Education/Schools

Board of Education

Private Acts of 1971 Chapter 163

SECTION 1. The County Board of Education of Sullivan County shall consist of seven (7) members, with one to be elected from each of seven (7) school districts. The school districts shall be composed of the precincts as follows:

SCHOOL DISTRICT ONE

- 12 Lynn Garden
- 12 Old Kingsport
- 12 West View
- 12 Bell Ridge
- 12 Clouds Bend
- 11 West

SCHOOL DISTRICT TWO

- 15 Sullivan
- 13 Pactolus
- 13 Childress
- 13 Long Island
- 11 South
- 11 Central

SCHOOL DISTRICT THREE

- 10 Bloomingdale
- 10 Orebank
- 11 Cedar Grove
- 11 Dickson
- 11 East

SCHOOL DISTRICT FOUR

- 14 Miller Perry
- 14 Colonial Heights
- 18 Holston Jr. High
- 11 Andrew Johnson
- 11 Ross Robinson

SCHOOL DISTRICT FIVE

- 7 Indian Springs
- 6 Central Heights
- 5 South
- 5 North
- 8 Fairview
- 17 Rosemont

SCHOOL DISTRICT SIX

- 4 Avoca
- 16 Bluff City
- 16 Chinquapin
- 21 Weavers
- 3 Holston Point
- 1 Emmett
- 2 Valley Pike
- 22 Cold Springs
- 19 Friendship
- 19 Harr
- 9 Mary Hughes
- 20 Rocky Springs

SCHOOL DISTRICT SEVEN

- 17 South
- 17 Central
- 17 West
- 17 East

17 & 2 Holston Hgts.

The members of the County Board of Education shall be elected by the qualified voters of each district for a term of six (6) years, beginning on September 1, following their election and continuing until their successors have been elected and qualified. Successors shall be elected at the county general election in August of each even numbered year to replace board members whose terms expire September 1, following the election. Successor shall be elected from the school district wherein reside the board members whose terms are expiring. In accordance with the provisions of Chapter 262 of the Public Acts of 1961, at the county general election of August, 1972, there shall be elected one board member each from school districts two and five for the members whose terms expire September 1, 1972. At the county general election in August, 1974, there shall be elected one board member each from school districts three and six for the members whose terms expire September 1, 1974. At the county general election of August, 1972, there shall be elected one (1) board member each from school districts three (3) and five (5) for the members whose terms expire September 1, 1972. At the county general election in August, 1974, there shall be elected one (1) board member each from school districts one (1) and four (4) for the members whose terms expire September 1, 1974. At the county general election in August, 1976, there shall be elected one (1) board member each from school districts two (2), six (6) and seven (7) for the members whose terms expire September 1, 1976. Members of the board shall have the qualifications as provided in Chapter 2 of Title 49 of Tennessee Code Annotated.

SECTION 2. The County Superintendent of Schools of Sullivan County shall be the secretary of the County Board of Education and perform all of the duties of such office as now provided by law.

SECTION 3. In the event a vacancy occurs in said County Board of Education, either by resignation, death or otherwise, such vacancy shall be filled by the Quarterly County Court of Sullivan County at the next regular term of the court by electing a member of said board who resides in the school district where the vacancy exists, until the next regular election.

SECTION 4. The County Board of Education of Sullivan County shall have the rights, duties and authority as provided for school boards as provided by law.

SECTION 5. The compensation of the members of the Sullivan County Board of Education shall be four hundred and eighty dollars (\$480.00) per year for each member payable in monthly installments of forty dollars (\$40.00), for actual attendance at the meetings of the board transacting business imposed and required by law. Prior to each monthly payment, each member shall make a statement in writing, that he or she has served as a member of the board and has discharged all duties imposed or required by law. On receipt of this statement, the county executive officer shall cause the monthly installment to be paid. Such compensation shall be in lieu of all other compensation to board members except as may be directed by the county legislative body. The compensation of the chairman of the board shall be six hundred dollars (\$600.00) per year, payable in monthly installments of fifty dollars (\$50.00) under the procedure detailed above.

As amended by: Private Acts of 1978, Chapter 308.

SECTION 6. Chapter 418 of the Private Acts of 1933 and Chapter 799 of the Private Acts of 1937 are repealed.

SECTION 7. This Act shall have no effect unless it is approved by a two-thirds ($\frac{2}{3}$) vote of the Quarterly County Court of Sullivan County before September 1, 1971. Its approval or non-approval shall be proclaimed by the presiding officer of the quarterly county court and certified by him to the secretary of state.

SECTION 8. For the purpose of approving or rejecting the provisions of this Act, as provided in Section 7, it shall be effective on becoming a law, the public welfare requiring it. For all other purposes it shall become effective upon being approved as provided in Section 7.

Passed: May 18, 1971.

Education/Schools - Historical Notes

Board of Education

The following acts once affected the board of education in Sullivan County but are no longer operative. Also referenced below is an act which repealed prior law without providing new substantive provisions.

1. Private Acts of 1933, Chapter 418, created a county board of education for Sullivan County. This act defined the powers and duties of said board and fixed their compensation and tenure of office, and provided for the appointment of members to said board. This act was amended by Private Acts of 1937, Chapter 799, so as to set the compensation of the members of the county board of

education at \$100 per annum and the compensation of the chairman of said board at \$125 per annum. Private Acts of 1933, Chapter 418, was repealed by Private Acts of 1971, Chapter 163.

Superintendent or Director of Schools

The acts referenced below once affected the office of superintendent of education in Sullivan County, but are no longer operative. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Private Acts of 1925, Chapter 654, provided for and regulated the election of superintendents of schools in Sullivan County. This act was repealed by Private Acts of 1929, Chapter 103.
2. Private Acts of 1933, Chapter 417, provided for the election of a county superintendent of public instruction by popular vote in Sullivan County. This act was amended by Private Acts of 1937, Chapter 525, so as to set the compensation of the county superintendent at \$2,400 per annum. Private Acts of 1937, Chapter 525, was repealed by Private Acts of 1949, Chapter 437.

General Reference

The following acts constitute part of the administrative and political heritage of the educational structure of Sullivan County but are no longer operative since 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 1806, Chapter 8, established Jefferson Academy in Sullivan County appointed William Snodgrass, John Punch, Elkanah R. Dulaney, Abraham Looney and William Bond as trustees for said academy. This act was amended by Acts of 1807, Chapter 56, so as to name William King Jr., William Deery, Nicholas Fain and David Yearsly trustees of Jefferson Academy.
2. Acts of 1807, Chapter 78, appointed John Rhea and James Kings as two of the thirty trustees appointed to the College of East Tennessee.
3. Private Acts of 1832, Chapter 76, directed the clerk and treasurer of the board of common school commissioners of Sullivan, Bledsoe, Marion, Washington, Greene, Cocke and Sevier counties to perform all the duties that were required of the late agents in said counties, under the same rules, regulations and restrictions as were provided for the bank agency of Campbell County.
4. Acts of 1851-52, Chapter 150, allowed the children of the several common school districts, near Cedar Spring Academy in Sullivan County, to draw from the common school fund to attend said academy.
5. Acts of 1853-54, Chapter 209, provided that the academic fund belonging to Sullivan County be equally divided between the Jefferson Male Academy and the Masonic Female Institute.
6. Acts of 1905, Chapter 452, created an independent school district, the twenty-third, in Sullivan County.
7. Acts of 1907, Chapter 325, created and established the twenty-fourth school district in Sullivan County.
8. Acts of 1909, Chapter 380, created an independent school district in the third civil district of Sullivan County.
9. Private Acts of 1917, Chapter 274, provided for the furnishing of free school books to children whose parents were unable to furnish the same up to and including the eighth grade in Sullivan County.
10. Private Acts of 1929, Chapter 388, was a \$350,000 bond issue for the purpose of building, purchasing and repairing high schools in Sullivan County. These bonds matured in fifty years and bore an interest rate which did not exceed 6%.
11. Private Acts of 1931 (2nd Ex. Sess.), Chapter 37, authorized the County Court of Sullivan County to borrow money in amounts not to exceed $\frac{2}{3}$ of current expected revenues for school and general purposes.
12. Private Acts of 1933, Chapter 234, required all county officials, including justices of the peace, constables, sheriffs, deputy sheriffs and other police officers in Sullivan County to perform the duties and functions of truant officers as provided in Public Acts of 1925, Chapter 115, the general school law. Private Acts of 1933, Chapter 234, was repealed by Private Acts of 1945, Chapter 253.
13. Private Acts of 1933, Chapter 29, abolished the position of truant officer in Sullivan County.
14. Private Acts of 1937, Chapter 152, validated the issuance by the county court of Sullivan County of \$15,000 in tax anticipation notes. These notes matured twelve months after the issuance date and had a rate of interest which did not exceed 5%.

15. Private Acts of 1937, Chapter 189, validated the actions of the county court of Sullivan County in the issuance of \$500,000 in school bonds.
16. Private Acts of 1937, Chapter 710, validated the action of the Sullivan County Court in the issuance of \$300,000 in school bonds.
17. Private Acts of 1937, Chapter 859, created the position of attendance officer for Sullivan County and provided for their appointment, term of office, compensation and duties. This act was repealed by Private Acts of 1945, Chapter 252.
18. Private Acts of 1937, Chapter 867, authorized the county court of Sullivan County to issue bonds in the amount of \$200,000 for the purpose of building, repairing, furnishing and equipping school house in the county. These bonds were required to be approved by the voters, mature within 50 years, and not to exceed 6%.
19. Private Acts of 1941, Chapter 419, provided for teacher's tenure in Sullivan County.
20. Private Acts of 1941, Chapter 470, authorized Sullivan County to establish a system or contributory retirement, annuity or pension for school teachers, principals, superintendents, supervisor and other school employees.
21. Private Acts of 1943, Chapter 102, authorized Sullivan County to issue \$21,000 in bonds for the purpose of constructing and equipping the Manual Arts Building at Holston Institute, a county high school. These bonds bore an interest rate which did not exceed 3½% per annum.
22. Private Acts of 1947, Chapter 657, authorized Sullivan County to issue \$2,645,819 in bonds for the purpose of purchasing grounds, erecting and furnishing school buildings and to provide for the payment of a proportional part of the funds realized from the sale of said bonds. These bonds bore an interest rate which did not exceed 3%.
23. Private Acts of 1949, Chapter 434, fixed the salary of the Sullivan County Superintendent of Public Instruction at \$5,000 per annum. This act was amended by Private Acts of 1951, Chapter 702, so as to authorize the quarterly county court to increase the salary of the county superintendent to \$6,000 per annum. Private Acts of 1953, Chapter 212, further amended Private Acts of 1949, Chapter 434, so as to authorize the quarterly county court to increase the salary of the county superintendent to \$7,000 per annum. Private Acts of 1949, Chapter 434, was amended by Private Acts of 1959, Chapter 164, so as to increase the salary of the county superintendent to \$8,200 per annum. Private Acts of 1967-68, Chapter 36, amended Private Acts of 1949, Chapter 434, so as to increase the salary of the Sullivan County Superintendent of Public Instruction to \$15,000 per annum.

Chapter VII - Elections

Elections - Historical Notes

Districts - Reapportionment

The acts listed below have affected the civil districts in Sullivan County, but are no longer operative regarding elections.

1. Private Acts of 1857-58, Chapter 37, established the seventeenth and eighteenth civil districts in Sullivan County.
2. Private Acts of 1929, Chapter 221, as amended by Private Acts of 1933, Chapter 317, Private Acts of 1939, Chapter 527, and Private Acts of 1941, Chapter 165, divided the eleventh civil district of Sullivan County into three (3) voting precincts, to be known as the South, East and West precincts. This act was superseded by general law.

Elections

The following is a listing of acts for Sullivan County which affected the elective process, but which have been superseded or repealed. They are listed here for historical and reference purposes. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Acts of 1796, Chapter 4, provided for the election of electors to elect a president and vice president of the United States. John Scott, Richard Gammons and James Gains of Sullivan County were appointed as electors to elect an elector for the Washington District.
2. Acts of 1799, Chapter 16, apportioned the number of senators and representatives to represent the citizens of the state in the general assembly. One senator and two representatives were

- apportioned from Sullivan County.
3. Acts of 1799, Chapter 46, appointed electors to elect a president and vice president of the United States. John Rhea, John Spurgen and Robert Allison of Sullivan County were appointed electors to elect an elector for the Washington District.
 4. Acts of 1801, Chapter 82, authorized the inhabitants of the lower end of Sullivan County to meet and hold elections for governor, representatives to congress and members to the general assembly at the house of Walter James. This act was amended by Acts of 1805, Chapter 15, so as to changed the place of holding elections from the house of Walter James to the house of Frederick Brumstrutter.
 5. Acts of 1803, Chapter 24, divided the state into five electoral districts for the purpose of electing electors of a president and vice president of the United States. The counties of Sullivan, Greene, Carter and Washington composed the first electoral district and elected one elector.
 6. Acts of 1805, Chapter 64, apportioned the representation of the state in the Tennessee State Legislature. The counties of Sullivan and Hawkins composed one district and elected one senator. In addition, Sullivan County elected two representatives.
 7. Acts of 1807, Chapter 74, divided the state into five electoral districts for the purpose of electing electors of a president and vice president of the United States. The counties of Sullivan, Greene, Carter, Washington and Hawkins composed the first electoral district and elected one elector.
 8. Acts of 1812, Chapter 5, divided the state into eight electoral districts for the purpose of electing electors of a president and vice president of the United States. The counties of Sullivan, Washington, Carter, Greene and Hawkins composed the first electoral district and elected one elector.
 9. Acts of 1812, Chapter 27, divided the state into congressional districts for the election of representatives to the United States Congress. The first district was composed of the counties of Sullivan, Washington, Hawkins, Carter and Greene.
 10. Acts of 1812, Chapter 57, apportioned the representation of the state in the Tennessee State Legislature. The counties of Sullivan and Hawkins composed one election district and elected one senator. In addition, Sullivan County elected one representative alone.
 11. Acts of 1817, Chapter 59, provided that all elections which were authorized to be held at the house of Frederick Brunstutter be held at the house of William Busket in Sullivan County.
 12. Public Acts of 1819, Chapter 69, apportioned the representation of the state in the Tennessee State Legislature. The counties of Sullivan and Hawkins composed one election district and elected one senator. In addition Sullivan County elected one representative to the state legislature.
 13. Public Acts of 1822, Chapter 1, divided the state into eight congressional districts for the election of representatives to the United States Congress. The first congressional district was composed of the counties of Sullivan, Washington, Carter, Greene and Hawkins.
 14. Public Acts of 1823, Chapter 47, divided the state into eleven electoral districts for the purpose of electing electors of a president and vice president of the United States. The first electoral district was composed of the counties of Sullivan, Washington, Carter, Hawkins and Greene which elected one elector.
 15. Public Acts of 1824, Chapter 1, divided the state into eleven electoral districts for the purpose of electing electors of a president and vice president of the United States. The first electoral district was composed of the counties of Sullivan, Washington, Carter, Hawkins and Greene which elected one elector.
 16. Public Acts of 1826, Chapter 3, apportioned the representation in the state legislature. The counties of Sullivan, Carter and Hawkins composed one election district and elected one senator. In addition, Sullivan and Carter counties jointly elected one representative.
 17. Public Acts of 1827, Chapter 17, divided the state into eleven electoral districts for the purpose of electing electors of a president and vice president of the United States. The first electoral district was composed of the counties of Sullivan, Washington, Carter, Hawkins and Greene which elected one elector.
 18. Public Acts of 1832, Chapter 4, divided the state into thirteen congressional districts for the purpose of electing representatives to the United States Congress. The second congressional district was composed of the counties of Sullivan, Hawkins, Grainger, Claiborne and Campbell.
 19. Public Acts of 1832, Chapter 9, divided the state into fifteen electoral districts for the purpose of

- electing electors of a president and vice president of the United States. The counties of Sullivan, Hawkins, Grainger and Claiborne composed the second district.
20. Public Acts of 1833, Chapter 71, divided the state into representative and senatorial districts. The counties of Sullivan and Hawkins composed one election district, and elected one senator. In addition, the counties Sullivan and Hawkins composed one election district and elected one representative.
 21. Public Acts of 1833, Chapter 76, provided for the calling of a state convention for the purpose of revising and amending the state constitution. Sullivan County composed one district and elected one delegate to the state convention.
 22. Public Acts of 1835-36, Chapter 39, divided the state into fifteen electoral districts for the purpose of electing electors of a president and vice president of the United States. The counties of Sullivan, Hawkins, Grainger and Claiborne composed the second electoral district.
 23. Acts of 1842 (Ex. Sess.), Chapter 1, apportioned the representation in the general assembly. The counties of Sullivan, Washington, Johnson and Carter composed the first senatorial district and elected one senator. Sullivan County elected one representative to the general assembly. This act was repealed by Public Acts of 1978, Chapter 597.
 24. Acts of 1842 (Ex. Sess.), Chapter 7, divided the state into eleven congressional districts for the purpose of electing representatives to the United States Congress. The first congressional district was composed of the counties of Sullivan, Washington, Johnson, Carter, Hawkins, Greene and Cocke.
 25. Acts of 1851-52, Chapter 196, divided the state into ten congressional districts for the purpose of electing representatives to the United States Congress. The first congressional district was composed of the counties of Sullivan, Washington, Johnson, Carter, Hawkins, Greene, Cocke, Jefferson, Hancock and Sevier.
 26. Acts of 1851-52, Chapter 197, apportioned the representation in the general assembly of the state. Sullivan County elected one representative and composed a senatorial district with Johnson, Carter and Washington counties.
 27. Public Acts of 1865, Chapter 34, divided the state into eight congressional districts for the purpose of electing representatives to the United States Congress. The first congressional district was composed of the counties of Sullivan, Johnson, Carter, Washington, Hawkins, Greene, Cocke, Jefferson, Hancock, Grainger and Sevier.
 28. Public Acts of 1871, Chapter 146, apportioned the senatorial and representative districts in the state. Sullivan County elected one representative. The second senatorial district was composed of Sullivan, Hawkins, Hamblen, Hancock and Claiborne counties.
 29. Acts of 1872 (Ex. Sess.), Chapter 7, divided the state into nine congressional districts for the purpose of electing representatives to the United States Congress. The first congressional district was composed of the counties of Sullivan, Johnson, Carter, Washington, Hawkins, Greene, Hancock, Claiborne, Union, Grainger, Hamblen and Cocke.
 30. Public Acts of 1873, Chapter 27, divided the state into ten congressional districts for the purpose of electing representatives to the United States Congress. The first congressional district was composed of the counties of Sullivan, Washington, Johnson, Carter, Hawkins, Greene, Hancock, Claiborne, Grainger, Hamblen and Cocke.
 31. Public Acts of 1881 (Ex. Sess.), Chapter 6, apportioned the state into senatorial and representative districts. Sullivan County elected one representative and jointly elected a representative with Carter, Johnson, Unicoi, Greene and Washington counties. Sullivan, Washington, Carter, Johnson and Unicoi counties composed the first senatorial district.
 32. Public Acts of 1882 (2nd Sess.), Chapter 27, divided the state into ten congressional districts for the purpose of electing representatives to the United States Congress. The first congressional district was composed of the counties of Sullivan, Washington, Johnson, Carter, Unicoi, Hawkins, Greene, Hamblen, Hancock, Claiborne, Cocke and Grainger.
 33. Public Acts of 1891, Chapter 131, divided the state into ten congressional districts for the purpose of electing representatives to the United States Congress. The first congressional district was composed of the counties of Sullivan, Washington, Johnson, Carter, Hawkins, Greene, Hancock, Claiborne, Grainger, Unicoi, Hamblen and Cocke.
 34. Acts of 1891 (Ex. Sess.), Chapter 10, apportioned the counties of the state into senatorial and representative districts. Sullivan County elected one representative and jointly elected a representative with Johnson, Washington, Unicoi, Greene, Hawkins and Hancock counties in

- the first representative district. The counties of Sullivan, Hawkins and Hamblen composed the second senatorial district.
35. Public Acts of 1901, Chapter 109, divided the state into ten congressional districts for the purpose of electing electors to the United States Congress. The counties of Sullivan, Washington, Johnson, Carter, Unicoi, Greene, Hawkins, Hancock, Claiborne, Grainger, Cocke and Sevier composed the first congressional district.
 36. Public Acts of 1901, Chapter 122, apportioned the counties of the state into senatorial and representative districts. The counties of Sullivan and Hawkins composed the second senatorial district. Sullivan County elected one representative and jointly elected one representative with Hawkins County in the second representative district.
 37. Private Acts of 1933, Chapter 236, regulated the registering of voters in all elections in the cities of Sullivan County.
 38. Private Acts of 1935 (Ex. Sess.), Chapter 13, established a compulsory legalized primary election for the Democratic Party in Sullivan County so as to make political nominations in the Democratic Party for all county offices; and to provide the maximum amount each candidate in such Democratic primary may expend and provided for the filing of statements as to expenditures by each candidate and created agencies for the operation of this act. This act was repealed by Private Acts of 1939, Chapter 525.
 39. Private Acts of 1943, Chapter 59, fixed the compensation of election officials in Sullivan County at \$2.00 per day. This act was amended by Private Acts of 1949, Chapter 7, so as to increase the salary of the election officials to \$5.00 per day.
 40. Private Acts of 1943, Chapter 72, fixed the compensation of each registrar registering the voters in Sullivan County at \$3.00 per day. Private Acts of 1949, Chapter 10, increased the compensation of the registrar to \$5.00 per day.
 41. Private Acts of 1945, Chapter 55, fixed the hours of voting in Sullivan County for all statewide primary elections from 9:00 A.M. to 7:00 P.M.
 42. Private Acts of 1945, Chapter 450, regulated and provided for the registration of voters in Sullivan County.
 43. Private Acts of 1959, Chapter 227, would have amended Private Acts of 1943, Chapter 59, so as to increase the salary of the election officials to \$10 per day, however, this act was rejected or disapproved by Sullivan County and therefore never became law.
 44. Private Acts of 1965, Chapter 130, prohibited certain activities within prescribed distances of polling places on election days or other days when an issue was to be decided by vote in Sullivan County.

Chapter VIII - Health

Massage Establishments

Private Acts of 1978 Chapter 202

SECTION 1. As used in this act, unless the context otherwise requires:

- (a) "Massage" means the art of body massage, by hand or with a mechanical or vibratory device, for the purpose of massaging, reducing, or contouring the body, and may include the use of oil rubs, heat lamps, salt gloves, hot and cold packs, tub, shower or cabinet baths. The procedures involved include, but are not limited to, touching, stroking, kneading, friction, vibration, percussion and medical gymnastics.
- (b) "Massage establishment" means a business where in the practice of massage, as defined in subsection (a) is practiced.

SECTION 2. A massage establishment shall be physically located and operated inside a building with permanent walls and roof which is permanently affixed to the ground and shall be a distance of greater than one-half (1/2) mile from all of the following:

- (a) the place of location and operation of any regulated business;
- (b) the nearest boundary line of any property upon which is located any educational institution or school;
- (c) any terminal of a public carrier which transports passengers;
- (d) any building used as a place of worship by an organized congregation;
- (e) the nearest boundary line of any property upon which is located any single or twofamily dwelling

house in use as a place of residence.

(f) any property used for the production of food or raising of livestock;

(g) and any hotels, motels, inns, boarding houses or places of public lodging.

SECTION 3. For any massage establishment in existence to the passage of this act, the establishment shall have a period of six (6) months from the effective date of this act to come into compliance with the provisions of this act.

SECTION 4. This act shall have no effect unless it is approved by a two-thirds ($\frac{2}{3}$) vote of the Quarterly County Court of Sullivan County before September 1, 1978. Its approval or nonapproval shall be proclaimed by the presiding officer of the Quarterly County Court and certified by him to the Secretary of State.

SECTION 5. 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 4.

Passed: March 6, 1978.

Massage Registration Board

Private Acts of 1979 Chapter 56

SECTION 1. This act shall be known and may be cited as "The Massage Registration Act of 1979".

SECTION 2. As used in this Act, unless the context otherwise requires:

(a) "Massage" means the art of body massage, by hand or with a mechanical or vibratory device, for the purpose of massaging, reducing, or contouring the body, and may include the use of oil rubs, heat lamps, salt gloves, hot and cold packs, tub, shower or cabinet baths. The procedures involved include, but are not limited to, touching, stroking, kneading, friction, vibration, percussion, and medical gymnastics.

(b) "Masseur" or "masseuse" means a person engaged in activity defined in subsection (a).

(c) "Massage establishment" means a place of business wherein the practice of massage, as defined in subsection (a) is practiced.

(d) "Board" means the Massage Registration Board.

(e) "Compensation" means payment, loan, advance, contribution, deposit or gift of money or anything of value.

(f) "Erogenous Area" means the pubic area, penis, scrotum, vulva, perineum or anus.

SECTION 3. There is created in each county to which this Act may apply the Massage Registration Board. The Board shall consist of the County Attorney, the County Sheriff or his designee, and the permanent members of the County Board of Health. The terms of the Board members shall be coextensive with their respective terms as County Attorney, County Sheriff, or County Board of Health member. A majority of the members to which the Board is entitled shall constitute a quorum. The Board shall serve without compensation but the members shall receive their actual expenses for attending Massage Registration Board meetings. The Board shall select a chairman from among its members and the chairman shall notify interested persons and members of Board meetings. The Board shall meet as often as required to carry out the provisions of this act.

SECTION 4. All persons or massage establishments engaged in massage for compensation in any applicable county shall be required to register with the County Massage Registration Board. It shall be unlawful for any person to engage in massage for compensation without a current valid certificate of registration from the Massage Registration Board.

SECTION 5. The Board shall establish procedures and criteria for the issuance of certificates of registration to persons and establishments engaged in massage for compensation in any applicable county. No person or establishment shall be issued a certificate of registration until the applicant and each person engaged in massage at a massage establishment has provided evidence satisfactory to the Board that:

(a) the applicant is eighteen (18) years of age or older;

(b) the applicant presently holds a current valid health certificate as provided in Tennessee Code Annotated, Section 52-1012;

(c) that the certificate holder is engaged in massage as a bona fide occupation or vocation and is not utilizing the title masseuse or masseur, or Turkish bath or any other title as subterfuge to engage in unlawful activity;

(d) has paid the required fees.

SECTION 6. In order to effectuate the provisions of this Act the Board, or its authorized representative shall be empowered to conduct investigation of persons engaged in massage or massage establishments and inspect the registration of practitioners and establishments for compliance. Refusal of a practitioner or establishment to permit inspections shall be grounds for revocation, suspension or refusal to issue certificates of registration provided by this Act.

SECTION 7. The Board shall provide applicants denied issuance of a certificate or practitioners whose certificate is revoked or not renewed a hearing on such refusal, revocation or nonrenewal, which is consistent with due process of law. All decisions of the Board on the revocation, refusal to issue or nonrenewal of certificates of registration shall be reviewable in the circuit court of the county wherein the Board is located only as to the existence of any substantial evidence upon which the Board could base its decision. Provided, however, that upon a decision of the Board to refuse to issue, revoke, or not to renew a certificate, the practitioner or establishment shall be prohibited from engaging in massage until the Board's decision is overturned.

SECTION 8. The following classes of persons shall not be required to register under this Act:

- (a) Persons authorized by the laws of this state to practice any branch of medicine, surgery, osteopathy, chiropractic or chiropody, or persons holding a drugless practitioner's certificate.
- (b) Barbers duly licensed under the laws of this state.
- (c) Beauticians duly licensed under the laws of this state.
- (d) Registered physical therapists under the laws of this state.
- (e) Recreational facilities or their employees associated with the YWCA or YMCA religious organizations. Any exemption granted under this Act is effective only insofar as and to the extent that the bona fide practice of the profession or business of the person exempted overlaps into the field comprehended by this Act, and exemptions under this act are only for those activities which are performed in the course of the bona fide practice of the business or profession of the person exempted.
- (f) Health care institutions, duly licensed under the laws of this state, and employees of such institutions, while engaged in the course of their employment at such institutions.

SECTION 9. The Board may charge a fee for each certificate or registration in massage which shall be sufficient to defer the expenses of administering this Act but in no case shall the fee for a certificate exceed ten dollars (\$10.00).

SECTION 10. If the Board ascertains that any masseur or masseuse may be in such physical condition as to jeopardize the health of those who seek massage from him or her, the Board may require an applicant or certificate holder to have a physical examination by a competent medical examiner, and if found to have had, or has, any communicable disease, shall disqualify such person from obtaining, or renewing, a certificate to practice massage in this state. The granting of renewal of such certificate shall be denied until such person furnishes due proof of being physically and mentally competent and sound to practice massage. The Board may adopt reasonable rules and regulations regarding personal cleanliness of masseurs and masseuses, and the sanitary conditions of towels, linen, creams, lotion, oils and other materials, facilities, and equipment used in the practice of massage.

SECTION 11. The certificate of registration of a masseur or masseuse may be revoked, suspended, or annulled, by the Board for any of the following reasons:

- (a) The registrant is guilty of fraud in the practice of massage, or fraud or deceit in his admission to the practice of massage.
- (b) The registrant has been convicted in a court of competent jurisdiction of an offense which constitutes a felony under the laws of this state.
- (c) The registrant is engaged in the practice of massage under a false or assumed name, or is impersonating another practitioner of a like or different name.
- (d) The registrant is addicted to the habitual use of intoxicating liquors, drugs or stimulants to such an extent as to incapacitate such person for the performance of his or her professional duties.
- (e) The registrant is guilty of fraudulent, false, misleading or deceptive advertising, or that he or she prescribes medicines or drugs, or practices any licensed profession without legal authority.
- (f) The registrant is guilty of willful negligence in the practice of massage, or has been guilty of employing, allowing or permitting any unregistered person to perform massage in his or her establishment.
- (g) The registrant has violated any of the provisions of this act. Charges may be preferred by any person, or the Board may, on its own motion, direct the Chairman of the Board to prefer charges. An accusation may be filed with the Chairman of the Board, charging any registered masseur or masseuse with any of the offenses herein enumerated. Such accusation shall be in writing, signed

by the accuser, and duly verified under oath.

SECTION 12. (a) It is unlawful for any person or persons or massage establishment to engage in the practice of massage for compensation without a valid certificate issued pursuant to the provisions of this Act.

(b) It is unlawful for any person or persons to operate or conduct any massage establishment which does not conform to the sanitary rules and regulations adopted by the Board, or to employ any person as a massage practitioner who does not hold a certificate of registration.

(c) No masseur or masseuse shall place his or her hands upon, or touch with any part of his or her body, or fondle in any manner, or massage, an erogenous area of any other person.

(d) It shall be unlawful for any person, in a massage establishment, to expose his or her erogenous area, or any portion thereof, to any other person. It shall also be unlawful for any person in a massage establishment, to expose the erogenous area, or any portion thereof, of any other person.

(e) It shall be unlawful for any person, while in the presence of any other person in a massage establishment, to fail to conceal with a full opaque covering the erogenous area of his or her body.

(f) It shall be unlawful for any masseur or masseuse to massage any person of the opposite sex.

(g) Any person who shall violate any of the provisions of this act shall upon conviction be guilty of a misdemeanor punishable by a fine of not more than fifty dollars (\$50.00) or imprisonment for not more than eleven months and twenty-nine days, or both, at the discretion of the trial court.

As amended by: Private Acts of 1981, Chapter 185.

SECTION 13. 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 provisions or application, and to this end the provisions of this Act are declared to be severable.

SECTION 14. This Act shall apply to any county having a population of not less than 120,000 nor more than 130,000 according to the Federal Census of 1970 or any subsequent Federal Census.

SECTION 15. This Act shall have no effect unless it is approved by a two-thirds ($\frac{2}{3}$) vote of the legislative body of any county to which it may apply before September 1, 1979. Its approval or nonapproval shall be proclaimed by the presiding officer of such legislative body and certified by him to the Secretary of State.

SECTION 16. 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 15.

Passed: March 22, 1979.

Health - Historical Notes

The following summary is included herein for reference purposes.

1. Private Acts of 1976, Chapter 213, would have regulated the practice of massage in Sullivan County, established a massage registration board and required the registration of practitioner, however, this act was rejected or disapproved by Sullivan County and therefore never became law.

Chapter IX - Highways and Roads

Commissioner of Highways

Private Acts of 167-68 Chapter 35

SECTION 1. The salary of the Commissioner of Highways of Sullivan County shall be Nine Thousand (\$9,000.00) Dollars a year, payable in equal monthly installments out of the treasury of the county. If at any time the General Assembly shall by general law increase the maximum compensation of other elected county officials by amendment to Section 8-2403, Tennessee Code Annotated, the compensation of the Commissioner of Highways of Sullivan County shall automatically be increased to the amount specified for elected officials in Section 8- 2403, effective at the same time as the increase provided by any such amendment.

SECTION 2. Chapter 432 of the Private Acts of 1949, Chapter 703 of the Private Acts of 1951, Chapter 211 of the Private Acts of 1953, and Chapter 3 of the Private Acts of 1961 are repealed.

SECTION 3. 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 this end the provisions of this act are declared to be severable.

SECTION 4. This act shall have no effect unless it is approved by a two-thirds ($\frac{2}{3}$) vote of the quarterly county court of Sullivan County at or before the next regular meeting of the court occurring more than thirty (30) days after its approval by the governor. Its approval or non-approval shall be proclaimed by the presiding officer of the court and certified by him to the Secretary of State.

SECTION 5. For the purpose of ratifying this act as provided in Section 4, it shall take effect on becoming a law, the public welfare requiring it, and for all other purposes, on September 1, 1970.

Passed: March 22, 1967.

Regulation of Traffic

Private Acts of 1921 Chapter 538

SECTION 1. That for the purpose of this Act, the improved public roads shall include those roads commonly known as pike roads, have been or shall hereafter be improved by the use of funds arising from bond issues or better special funds for the improvement of such roads, including all macadamized, hard surface, or graded roads.

SECTION 2. That it shall be unlawful for any person, firm or corporation to operate or transport any vehicle whether motor driven or not, upon any of the improved public roads or bridges within the Counties to which this Act applies which vehicle and its load combined, shall weigh more than five tons except as hereinafter provided, and this tonnage shall include also, any trailers as part of said vehicle and its load, which are drawn close enough to the main vehicle or propelling power to admit of both or all being on the same span of any bridge at the same time.

SECTION 3. That any person, firm or corporation, who desires to transport heavier load than that provided in Section 2 of this Act, shall make application to the Board of Public Road Commissioners for a special permit to transport such load or loads over any of the said improved roads in said Counties. The application shall be made in writing and specified as nearly as possible. The extent of such transportations desired and on what roads. When such applications is made, the Board of Public Road Commissioners shall have the power in their discretion to issue such permit in writing, stating what roads and what tonnage may be used, any transported and for what length of time provided the person, firm or corporation making application for such permit shall keep the roads and bridges thus used by them in as good repair as when the permit was granted, and in addition shall make a monthly report on oath to the County Court Clerk of the number of days, or parts of days such heavy vehicles shall have been operated on said road or roads, during the preceding month, and pay to the said Clerk, in addition to other taxes now required by law, a special privilege tax of \$1.00 per day or part of day, for each vehicle operated, carrying a tonnage of more than five tons, which special privilege tax shall be paid by the Clerk into the pike roads repair fund of the County to be used by the Board of Public Roads Commission in the repair of the pike roads in the County. Said report shall be filed and said tax aid not later than the 5th day of the succeeding month. Said Commissioners may revoke said permit at any time.

SECTION 4. That it shall be unlawful for any person, firm or corporation, to use or operate any vehicle, upon any hard surfaced road or macadamized road in said Counties with such corrugations, cleats or rough surface on the tires as will injure the said road surface.

SECTION 5. That it shall be unlawful for any vehicle, the combined weight of which and its load shall exceed three tons to be used upon any of the said roads immediately after a hard freeze and a thaw comes and breaks the land and softens the road or after a hard rain which softens the road bed, until the roads shall have had time to settle back to their usual strength and normal condition. And that its shall be unlawful for any Motor Truck the combined weight of which and its load shall exceed three tons, to be used upon any of said roads between December fifteenth and April fifteenth following of each and every year.

As amended by: Private Acts of 1925, Chapter 384. .

SECTION 6. That all persons, firms or corporations operating a regular daily line of passenger traffic with motor driven vehicle or vehicles, over any of said roads, in addition to other taxes now required by law, a special monthly privilege tax of \$1.00 per month for each seat according to the seating capacity of such vehicle operated at any time during the month and the person, firm or corporation operating such line, shall make their report on oath to the County Court Clerk, and pay the said taxes not later than the 5th day of each succeeding month and said taxes shall be paid over by the Clerk into the pike road repair fund

of the County to be used as other pike repair funds.

SECTION 7. That all persons, firms or corporations, who violate any of the provisions of this Act shall be guilty of a misdemeanor and upon conviction thereof, shall be fined not less than \$25.00 nor more than \$50.00 for each offense. Which fine shall be paid into the pike road repair fund of said County to be used as other repair funds in the repair of said pike roads. They shall also be liable to the County for damage for transporting excessive loads over the said roads in violation of this Act, which shall include any actual damage to the said roads and such punitive damages as the jury may think proper under the circumstances, and the Court may, in its discretion, revoke the license of such person, firm or corporation, obtained for the purpose of operating such vehicles, as has been run in violation of this Act.

SECTION 8. That the provisions of this Act shall not apply to the moving of engines and threshing machines used for threshing purposes, nor to machinery or vehicles and their loads used in the construction or repairing of roads in the County.

SECTION 9. That this Act shall apply only to Counties having a population of not less than 36,000 nor more than 37,000 according to the Federal Census of 1920, or any subsequent Federal Census, nor shall it apply within the limits of incorporated towns within the Counties affected by this Act.

SECTION 10. That it shall be the duty of the sheriff, deputy sheriffs and constable of the County to apprehend all violation of this Act, and to see that the criminal provisions hereof, are enforced and to this end in case such officer has a well grounded belief that an excessive load is being transported in violation of this Act, he may require that the load be weighed at the most convenient place, and if it cannot be done at a more convenient place, the officer may require the load to be taken to the nearest scales belonging to the County for that purpose, and it shall be a misdemeanor for any person in charge of said vehicle or load to refuse to transport it to the place of weighing.

SECTION 11. That the declaring of any section of this Act to be unconstitutional by the Courts of the State shall not invalidate the remainder of this Act.

SECTION 12. That all laws and parts of laws in conflict with this Act be and the same are hereby repealed, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed: March 29, 1921.

Road Law

Private Acts of 1929 Chapter 201

SECTION 1. That Chapter 73 of the Private Acts of 1913 and all amendments thereto be, and the same are hereby repealed and the present road overseers will make their final settlement with the Judge of the County Court not later than March 20, 1929, and turn over to the Commissioner of Highways for said County all books, papers, tools, money and other effects of the County which are in their hands.

SECTION 2. That all roads heretofore laid out by statute as public roads and have been declared by law to be public roads, outside of incorporated towns, be, and the same are, declared to be public roads when classified under this Act, but no road which is not taken charge of and classified under this Act shall be considered as a public road; and all public roads are hereby declared to be the property of the County.

SECTION 3. That the Quarterly County Court at its April term, 1929, the Magistrates of each district preparing and filing a classified road map or sketch of the roads in their respective districts, shall classify the various public roads in the County.

This classification shall be as follows:

- (a) State Highways.
- (b) Improved Public Roads.
- (c) District Roads.

All roads when classified and declared to be public roads by the Quarterly County Court at its April term, 1929, or any succeeding term, shall be under the supervision and control of the Commissioner of Highways except where the State Highway Department has taken over the maintenance and control of the State Highways.

SECTION 4. That no citizen of said Counties, either inside or outside the incorporated towns, shall be subject to road labor, except the Commissioner of Highways shall have the authority to request assistance from the citizens living upon any district road to assist in the improvement of the road at such time as the Commissioner may have funds and material available for the improvement of said road.

SECTION 5. That all road work upon all of the improved roads and district roads of the County shall be

under the supervision and control of the Commissioner of Highways for said County and in the improvement and maintenance of the improved roads and district roads the Commissioner of Highways shall have authority to employ such assistants as in his judgement may be necessary and pay them such salary as to him may seem advisable and which would be proper and customary for the amount of work desired. All amounts paid by the Commissioner of Highways to be paid by warrant of the County Judge, upon requisition issued by Commissioner of Highways.

SECTION 6. That all applications to open, change, or close a highway shall be made to the Judge or Chairman of the County Court by petition who shall, within ten days thereafter, appoint three disinterested householders or freeholders and citizens of the County who shall, within ten days after such appointment, notify the person first named on the petition of the date on which they will be present at the beginning point mentioned in the petition to act upon the application. Five days written notice of the date and beginning point shall be given by the petitioners to all resident persons owning or controlling any land to be affected by the proposed change or new road, as the case may be, and non-resident persons whose lands will be affected thereby shall be notified by publication as now provided by law. It shall be the duty of the said three Commissioners to attend at the appointed time and place and, if the proper notices have been given to the interested parties, they shall first take and subscribe to an oath to view out the said proposed new road or change to be made without favor or prejudice toward any person interested and with a view to doing justice to all parties concerned, to the best of their ability. They shall then act upon the application, lay out the said road or change if they think it advisable, assess damages if in their judgement there should be any, and report their action to the next quarterly term of the County Court; and with their report they will file the original petition, the notices, and all other papers in their possession pertaining to said work. The Quarterly Court shall consider the whole matter and make just such order opening, changing or closing the said road as they deem most advisable, and they shall appropriate a sufficient amount of the Countys funds to pay the cost of said proceeding and damages to landowners or other persons affected by such change. Any person aggrieved by the action of the County Court shall have the right to appeal to the next term of the Circuit Court; provided, he shall perfect his appeal within ten days after the decision of the County Court by giving bond or taking the pauper oath. The Commissioners shall each receive one dollar per day for their services.

SECTION 7. That the Commissioner of Highways in his discretion shall have authority to recommend the opening, closing, changing or relocating of any of the district roads of the County, and such recommendation when transmitted to the Judge of the County Court, shall be treated as a petition under Section (6) hereof.

SECTION 8. That the Commissioner of Highways in the discharge of his duties over the district roads shall have full authority to employ all necessary engineering help, to locate, relocate, map and designate all of the district roads in the County, and shall have the authority to make all property owners set back their fences to such point as will allow the improvement of the road in proper manner to be maintained.

SECTION. 9. That the Commissioner of Highways for said County shall, for his services in looking after the district roads above placed under his care, receive as compensation the sum of \$50.00 per month to be paid from the road fund of the County.

SECTION 10. That all laws and parts of laws in conflict with this Act be, and the same are hereby, repealed.

SECTION 10a. That this Act shall apply to each county in the State having a population of not less than 36,200 nor more than 36,265, according to the Federal Census of 1920, or any subsequent Federal Census.

As amended by: Private Acts of 1929, Chapter 488..

SECTION 11. That this Act take effect from and after its passage, the public welfare requiring it.

Passed: February 19, 1929.

Sullivan Court Department of Highways

Private Acts of 1925 Chapter 663

SECTION 1. That there is hereby created and established a Department of Highways for Sullivan County, Tennessee; that all the powers necessary for the administration of said Department of Highways shall be vested in an administrative officer, whose title shall be Commissioner of Highways; that said Commissioner of Highways shall be elected by the Quarterly County Court of Sullivan County, on the first Monday in April, 1923, and he shall hold his office by virtue of such election until the next regular county

election to be held in August, 1924, at which election a Commissioner of Highways shall be elected by a vote of the people of the county, in the same manner as other county officers are elected, and each succeeding four (4) years thereafter, to assume office on September 1 following his election. Said Commissioner, however, shall hold his office until his successor is elected and qualified. In case of vacancy in said office at any time between sessions of the Quarterly County Court, either by death or otherwise, the County Judge or Chairman shall fill said vacancy by appointment until the next term of the County Court, at which time the County Court will fill said vacancy by electing a Commissioner to serve until the next regular election. Before entering upon the duties of his office, the said Commissioner shall give bond in the sum of Twenty Thousand (\$20,000.00) Dollars, with two or more good and solvent sureties or in some reputable guarantee company for the faithful performance of his duties as such Commissioner, and the proper handling and paying out of all funds that may come into his hands as such Commissioner, which bond shall be approved by the Judge of the County Court, and filed with the County Court Clerk, who shall be the custodian of the bond. He shall also subscribe to an oath to faithfully perform the duties of his office without favoritism and to the best of his skill and ability, and to be filed along with the said bond.

As amended by: Private Acts of 1965, Chapter 257.

SECTION 2. That the salary of said Commissioner of Highways shall be Twenty-Four Hundred (\$2,400.00) Dollars per annum, and his expenses while actually engaged in the duties of the office. However, if such Commissioner shall also act as Engineer for the county, which he may do if he is a civil engineer, and has had experience in road building, and in that case if said Commissioner of Highways performs the duty of Commissioner and Engineer, his salary shall be Three Thousand (\$3,000.00) Dollars per annum, and his necessary expenses while in actual performance of his duty. His expense account, however, shall be itemized and sworn to and audited by the Judge of the County Court before payment. The salary of said Commissioner, and all salaries and expenses incident to the running of said Department of Highways, shall be paid out of the ordinary funds of the county, unless the Quarterly County Court shall provide a different fund therefor, which they may do by special levy or from any road funds that may be on hand; said salaries and all administrative cost of said Department of Highways may be paid monthly by the County Judge by warrant or voucher drawn upon the Trustee of the County, but a copy or duplicate of such monthly statements shall be filed with the County Court Clerk and presented to the Quarterly County Court in the miscellaneous accounts under the head of salaries, etc., and certified by said Clerk along with other allowances made by the court for salaries in other departments of the county.

As amended by: Private Acts of 1925, Chapter 450,
Private Acts of 1929, Chapter 924,
Private Acts of 1933, Chapter 461,
Private Acts of 1935, Chapter 600.

SECTION 3. That the Quarterly County Court of said county shall, by resolution, provide for the necessary Engineers, Clerk and Bookkeepers or other assistants for said department, by designating the offices and fixing the salaries of such employees; but said Engineers, Clerks and Bookkeepers or employees shall be selected or employed by the Commissioner of Highways, and shall hold office at his pleasure and be subject to his directions, it being the intention of this Act that all questions arising in said Department of Highways that are not delegated to the Commissioner of Highways shall be settled by the Quarterly County Court if the Court should so desire.

SECTION 4. That said Commissioners of Highways shall have charge of all the public highways within the county, including both the improved or pike roads and the unimproved public roads of the county. He shall be charged with the construction and maintenance of all said roads, and for this purpose he shall have charge of all the machinery, tools and road equipment belonging to the county, all quarries and quarry sites. He shall have charge of all county road funds that may come into his hands by order of the County Court or by any laws now existing or hereafter passed, that provide funds to be placed in the hands of the Department of Highways provided, that after this Act takes effect all funds belonging to or appropriated by the Quarterly County Court for the use of the Department of Highways shall be placed in the custody of the Trustee of the county, and credited by said Trustee to the Department of Highways; and no expenditures shall be made from these funds, except upon an itemized statement signed by the Commissioner of Highways, which statement shall be submitted to the Judge of the County Court who shall, if he approved the same, issue a voucher or vouchers upon the Trustee of the county directing said Trustee to make payment. The Commissioner of Highways shall succeed to all the duties of the present Board of Public Road Commissioners of the county, and assume and perform all duties now imposed on said Board of Public Road Commissioners by law and by orders and resolutions of the Quarterly County Court not in conflict with the provisions of this Act. The Commissioner of Highways shall be the custodian of all the records, books and papers of every kind and character now in the hands of the Board of Public Road Commissioners of the county, and all other records pertaining to public road matters in the county

which do not properly belong in the County Court Clerks office, and it shall be the duty of the present Board of Public Road Commissioners upon the election and qualification of the Commissioner of Highways, as provided in this Act, to turn over to said Commissioner of Highways all the papers, documents, books and records and all machinery, tools and other property belonging to the county now in the hands of said Board of Public Road Commissioners. The Department of Highways for Sullivan County shall be authorized to own and operate a plant or facility for the manufacture or production of hot mix asphalt. Within the funds available for such purpose, the Department of Highways shall be authorized to expand, replace, or alter such plant or facility. It shall be authorized to sell, trade, barter, loan or give away the product of any such plant or facility to any municipality within the boundaries of Sullivan County as may be authorized by resolution of the Quarterly County Court.

As amended by: Private Acts of 1977, Chapter 52.

SECTION 5. That the Quarterly County Court shall have the power at any and all times, to pass resolutions or orders, setting out and designating the duties of the Commissioner of Highways and the entire working of the Department of Highways in so far as the same are not otherwise designated by law; provided, that the Commissioner of Highways shall make to the Quarterly County Court at each regular meeting a report covering the work done by his department during the past three months and giving a classified statement of all moneys expended by his department during this period; such report shall also show in detail the amount and cost of work done on each road or section of road in the county.

SECTION 6. That the Commissioner of Highways shall be the proper authority enter into, and execute all contracts for the construction and maintenance of highways either with the Federal Government, State Government or with local contractors, unless otherwise provided by order of the Quarterly County Court.

SECTION 7. That the Quarterly County Court shall provide all rules and regulations under which the Commissioner of Highways and the Department of Highways shall operate, where the same is not clearly designated and set out by law.

SECTION 8. That Chapter 530 of the Private Acts of the General Assembly of the State of Tennessee, of 1919, and all other Acts in conflict with this Act, be and the same are hereby repealed.

SECTION 9. That this Act take effect on the 2nd day of April, 1923, the public welfare requiring it.

Passed: February 15, 1923.

Trees and Shrubbery

Private Acts of 1925 Chapter 663

SECTION 1. That, in all counties of this State having a population of not less than 36,000, nor more than 37,000, according to the Federal Census of 1920, or any subsequent Federal Census, the County Court be, and is hereby, given the authority to plant trees and shrubbery along the State highways already constructed, and along others now being constructed, or those which may be hereafter constructed, and as hereinafter provided, in order to beautify and adorn said State highways and make them attractive to tourists.

SECTION 2. That in selecting trees to be planted, special attention should be paid to the selection of trees of rapid growth, as well as good shade and beautiful trees. Said trees to be planted on either side of said State highways, not more than seventy-five (75) feet apart, with beautiful shrubbery alternating between said trees to be so planted as not to interfere with telephone or electrical wires, ditches, etc., along said State highways, so as not to injure lands abutting there on, and so as not to interfere with the rights of abutting land owners building on or living along said State highways.

SECTION 3. That the planting of trees and shrubbery along said State highways shall at all times be under the supervision and control of the State Highway Commission, but subject to the general supervision and control of the State Highway Commission, the County Court shall have and exercise full and complete authority and control as to the selection of trees and shrubbery to be planted hereunder, as to the way and manner in which they are planted, and as to the way and manner in which they are looked after and cared for.

SECTION 4. That the purchase, planting and caring for trees and shrubbery along the State highways in all counties of this State, coming under the provisions of this Act, shall be paid for by the County Court out of any moneys in its hands, or that may come into its hands, available for State highway purposes.

SECTION 5. That this Act shall only apply to the county or counties of this State, having a population of

not less than 36,000 nor more than 37,000, according to the Federal Census of 1920, or any subsequent Federal Census, and shall only apply to State highways; that is, highways built in whole or in part by State or Federal aid, or both.

SECTION 6. That this Act take effect from and after its passage, the public welfare requiring it.
Passed: April 9, 1925.

Highways and Roads - Historical Notes

The following is a listing of acts which once had some effect upon the county road system in Sullivan 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 1829-30, Chapter 94, compelled the citizens of the towns and corporations in Sullivan County to work on public roads.
2. Private Acts of 1829-30, Chapter 303, provided for the upkeep of the Ford Road in Sullivan and Hawkins County.
3. Private Acts of 1831, Chapter 138, stated that it would be the duty of the solicitor general of the first and second solicitorial districts to give charge to the grand jury at each and every county and circuit court term of Hawkins and Sullivan counties to inquire if observers were regularly appointed for the Ford Road near Frederick A. Ross' bridge.
4. Private Acts of 1857-58, Chapter 131, Section 10, extended the benefits of this act to Sullivan County which called for the maintenance of public roads through taxation. This act was amended by Private Acts of 1859-60, Chapter 91, so as to make legal the result of the vote to tax the public for the up keep of roads and to appoint road supervisors.
5. Private Acts of 1859-60, Chapter 54, provided that the amount of road tax collected from each civil district in Sullivan County be used in the district where levied and collected.
6. Public Acts of 1883, Chapter 172, authorized Sullivan County to build a turnpike road from Bristol to Kingsport, and to issue bonds in denominations of \$50, \$100, \$200, \$500 and \$1,000, bearing an interest rate of 6%, payable annually.
7. Public Acts of 1899, Chapter 262, authorized the Sullivan County Court to issue bonds not to exceed \$100,000 for the purpose of building roads and bridges. These bonds were to mature from 10 to 30 years after issuance and to bear interest at a rate not to exceed 5% per annum. This act was amended by Private Acts of 1901, Chapter 476 and Acts of 1907, Chapter 336.
8. Public Acts of 1901, Chapter 136, regulated the working and laying out of public roads in all counties in the state except those having a population of 70,000 inhabitants and over according to the Federal Census of 1900.
9. Acts of 1903, Chapter 452, authorized Sullivan County, through its county court, to inaugurate general improvements in its public roads by the levy and expenditure of a special tax of 50 cents on every \$100 upon all taxable property, for the payment of the improvements so made.
10. Acts of 1909, Chapter 169, authorized the Sullivan County Court to issue bonds in the amount of \$300,000 to build public roads and bridges. These bonds were to bear interest at a rate not to exceed 5%. Actions taken pursuant to this act by the county court were validated by Private Acts of 1915, Chapter 56.
11. Private Acts of 1911, Chapter 620, was a bond issuance of \$200,000 for purposes of building, upgrading and maintaining roads and bridges in Sullivan County. These bonds bore an interest rate not greater than 5%; road commissioners were appointed to superintend the work performed under the act. This act was amended by Private Acts of 1913, Chapter 295, and Private Acts of 1915, Chapter 39, to extend the term of the road commissioners and clarify their duties.
12. Private Acts of 1913, Chapter 73, regulated the laying out and maintaining of a public road system in Sullivan County. This act was amended by Private Acts of 1915, Chapter 296, by providing that the refusal of any person to do road work, according to the provisions of the act, constituted a misdemeanor. Private Acts of 1913, Chapter 73, was repealed by Private Acts of 1929, Chapter 201.
13. Private Acts of 1913, Chapter 322, authorized and empowered Sullivan County to levy +and collect special taxes to repair, improve and maintain macadam roads.
14. Private Acts of 1915, Chapter 543, authorized the Sullivan County Court to issue bonds in the amount of \$100,000, at an interest rate not to exceed 5%, for the purpose of building, upgrading and maintaining roads.

15. Private Acts of 1917, Chapter 115, regulated travel over the county highways in Sullivan County and prescribed penalties for those who violated this act.
16. Private Acts of 1919, Chapter 409, authorized Sullivan County to issue \$200,000 for the purpose of locating and building all public roads and bridges. These bonds matured in a period from 10 to 30 years and bore interest at a rate which did not exceed 5%.
17. Private Acts of 1919, Chapter 530, authorized the county court of Sullivan County to create and elect a board of public road commissioners, and gave the county court full and complete power to fix the salaries of the commissioners and to make all rules under which said commissioners work. This act was repealed by Private Acts of 1923, Chapter 111.
18. Private Acts of 1921, Chapter 514, authorized the county court of Sullivan County to issue interest bearing county warrants to build and improve roads. The warrants were to be issued in the amount the county desired and bore interest at a rate which did not exceed 6%.
19. Private Acts of 1921, Chapter 536, provided for locating and building or re-building all public roads and bridges in Sullivan County by issuing \$700,000 in bonds for the purpose of building and improving roads. These bonds matured within 10 to 40 years and bore interest at a rate which did not exceed 5%. This act was duplicated by Private Acts of 1921, Chapter 892.
20. Private Acts of 1923, Chapter 542, authorized the county court of Sullivan County to issue \$25,000 in interest bearing county warrants to repair roads. These warrants bore an interest rate which did not exceed 6%.
21. Private Acts of 1927, Chapter 47, regulated traffic upon the public roads of Sullivan County.
22. Private Acts of 1927, Chapter 270, authorized the county court of Sullivan County to levy a special tax for the purpose of grading and macadamizing the public roads in the county. This act was repealed by Private Acts of 1967-68, Chapter 139.
23. Private Acts of 1927, Chapter 271, authorized the county court of Sullivan County to issue \$25,000 in interest bearing county warrants for the purpose of providing funds to cooperate with the citizens in grading, macadamizing and improving any of the public roads of said county, and provided a special levy to pay said warrants.
24. Private Acts of 1929, Chapter 597, authorized the Sullivan County Court to issue interest bearing warrants to pay off previously issued interest bearing warrants which were outstanding.
25. Private Acts of 1931, Chapter 67, authorized Sullivan County to issue and sell \$10,000 of bonds to build and upgrade roads. These bonds bore an interest rate which did not exceed 5%. This act was repealed by Private Acts of 1935, Chapter 274.
26. Private Acts of 1937, Chapter 309, fixed and regulated the compensation of the commissioner of highways for Sullivan County at \$3,000 per annum. This act was amended by Private Acts of 1947, Chapter 756, so as to increase the salary of the commissioner of highways to \$4,000 per annum.
27. Private Acts of 1937, Chapter 857, authorized Sullivan County to issue \$9,000 in negotiable, interest bearing tax anticipation notes for the purpose of acquiring rights of way for a road leading from Blountville via Tri-City Airport to the Johnson City to Kingsport Highway. These notes bore an interest rate which did not exceed 5% per annum.
28. Private Acts of 1943, Chapter 101, authorized Sullivan County to issue \$50,000 in bonds for the purpose of reimbursing the county for expenditures made through its highway department for the construction of roads in said county. These bonds bore an interest rate which did not exceed 3½%.
29. Private Acts of 1947, Chapter 262, authorized Sullivan County to transfer funds not in excess of \$50,000 from the general or ordinary fund of the county to the highway and road department and authorized the county officials to use the transferred money to purchase necessary machinery and equipment for the building and repair of the county roads.
30. Private Acts of 1947, Chapter 677, authorized Sullivan County to issue bonds in the amount of \$750,000 to improve the county roads. These bonds were required to be approved by the voters and bore an interest rate which did not exceed 5% per annum.
31. Private Acts of 1949, Chapter 432, fixed the salary of the Sullivan County Highway Commissioner at \$5,000 per annum. This act was amended by Private Acts of 1951, Chapter 703, so as to authorize the quarterly county court to increase the salary of the highway commissioner to \$6,000 per annum. Private Acts of 1953, Chapter 211, further amended Private Acts of 1949, Chapter 432, so as to authorize the quarterly county court to increase the salary of the highway commissioner to \$7,000 per annum. Private Acts of 1953, Chapter 211, was amended by Private

- Acts of 1961, Chapter 3, so as to increase the salary of the highway commissioner to \$8,200 per annum. Private Acts of 1949, Chapter 432, was repealed by Private Acts of 1967-68, Chapter 35.
32. Private Acts of 1949, Chapter 902, authorized Sullivan County to issue \$400,000 in bonds to build and improve roads and bridges. These bonds matured within 25 years and bore an interest rate which did not exceed 3% per annum.
 33. Private Acts of 1959, Chapter 238, would have amended Private Acts of 1953, Chapter 211, so as to increase the salary of the Sullivan County Highway Commissioner to \$8,200 per annum, however, this act was rejected or disapproved by Sullivan County and therefore never became law.
 34. Private Acts of 1963, Chapter 10, would have amended Private Acts of 1923, Chapter 111, so as to provide for the election of the Sullivan County Highway Commissioner for a four year term from and after the next regular county election to be held in August, 1964; however, this act was rejected or disapproved by Sullivan County and therefore never became law.
 35. Private Acts of 1967-68, Chapter 139, authorized the quarterly county court of Sullivan County to levy a special highway tax of 50 cents on every \$100 which was collected by the county trustee and paid into the county highway fund.

Chapter X - Law Enforcement

Offenses

Alcoholic Beverages

Private Acts of 1978 Chapter 317

SECTION 1. In counties having a population of not less than 127,300 nor more than 127,400, according to the Federal Census of 1970 or any subsequent federal census, no beer or alcoholic beverages may be sold, given away or consumed in county parks.

SECTION 2. Any person who violates the provisions of this Act shall be subject to a fine not to exceed fifty dollars (\$50).

SECTION 3. This Act shall have no effect unless it is approved by a two-thirds ($\frac{2}{3}$) vote of the Quarterly County Court of Sullivan County. Its approval or nonapproval shall be proclaimed by the presiding officer of the Quarterly County Court and certified by him to the Secretary of State.

SECTION 4. 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 3.

Passed: April 26, 1978.

Automobile Graveyards

Private Acts of 1979 Chapter 110

SECTION 1. As used in this Act "automobile graveyard" means any lot or place which is exposed to the weather and upon which more than five (5) motor vehicles of any kind, incapable of being operated, and which it would not be economically practical to make operative, are placed, located or found. The term "automobile graveyard" or "automobile junkyard" shall not be construed to mean an establishment having facilities for processing iron, steel or nonferrous scrap and whose principal produce is scrap iron, steel or nonferrous scrap for sale for remedying purposes only.

SECTION 2. The legislative body of Sullivan County, by resolution, may regulate and license the maintenance of automobile graveyards, as defined above, and may prescribe civil fines for violations of such regulations, which civil fines shall not be in excess of fifty dollars (\$50.00) for each violation; provided, however, that such regulations shall be at least as stringent as required by Tennessee Code Annotated, Section 54-2313.

SECTION 3. No resolution authorized by Section 2 of this Act shall be adopted until after notice of intention to propose the same for adoption shall have been published prior to its adoption once a week for two (2) successive weeks in a newspaper of general circulation in Sullivan County, and no such resolution

shall become effective until it shall have been published in full for two (2) successive weeks in a like newspaper.

SECTION 4. This Act shall have no effect unless it is approved by a two-thirds ($\frac{2}{3}$) vote of the county legislative body of Sullivan County before July 1, 1979. Its approval or nonapproval shall be proclaimed by the presiding officer of the Sullivan County legislative body and certified by him to the Secretary of State.

SECTION 5. 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 on July 1, 1979.

Passed: May 2, 1979

Curfew Laws

Private Acts of 1937 Chapter 522

SECTION 1. That in all counties of the State of Tennessee having a population of not less than 51,080, nor more than 51,100, according to the Federal Census of 1930, or any subsequent Federal Census from and after the passage of this Act, it shall be unlawful for those persons who shall not have obtained their sixteenth birthdays to be on, upon, or along the public streets, by-ways, highways and/or public roadways later than the hour of nine o'clock P. M. Eastern Standard Time, except in those cases hereinafter provided.

SECTION 2. That those children who have not reached their sixteenth birthdays who shall be accompanied by their parents, guardians and/or other responsible adult, and/or those persons who have not reached their sixteenth birthdays who shall be on a lawful mission discharging lawful duties to his or her parents, guardians, and/or other responsible adults, shall not be included within purview of this Act.

SECTION 3. That every parent, guardian, or any other person having charge or control of any child before he shall have reached the age of sixteen, shall cause such child to be on, upon, about and/or within his home or place of abode not later than nine o'clock P. M. Eastern Standard Time, unless excepted as provided by Section 2 of this Act.

SECTION 4. That any parent, guardian, or other person embraced within the provisions of this Act who fails or refuses to comply with the provisions of this law shall be guilty of a misdemeanor and shall be fined not less than Three (\$3.00) Dollars, nor more than Twenty-five (\$25.00) Dollars, and the costs of the suit.

SECTION 5. That if any parent, guardian, or any other person having charge or control of a child under the age of sixteen within the provisions of this Act prove in defense that he is unable to compel the child under his control to remain, on, upon, about and/or within the home or abode of such child; he may thereupon be discharged from liability, and such child shall thereafter be proceeded against as a delinquent child under the statutes for such cases made and enacted.

SECTION 6. That it is the legislative intent in passing this Act to protect the morals, insure the safety, and promote the general character of those under the age of sixteen in those counties coming within the provisions of this Act.

SECTION 7. That the County Judge or Chairman of those counties embraced in this Act, or the Juvenile Judge, shall have the sole, original and exclusive jurisdiction of all cases coming within the terms of this Act, and it shall be the duty of any Justice of the Peace to bind those infants falling within the scope of this Act over to the County Judge, or County Chairman, or Juvenile Judge of those counties embraced within this Act, and any person interested may demand a Jury, or the Judge may of his own motion order a Jury to try cases within the scope of this Act.

SECTION 8. That all laws and parts of laws in conflict with this Act be, and the same are hereby repealed.

SECTION 9. That this Act take effect from and after its passage, the public welfare requiring it.

Passed: May 12, 1937.

Pyrotechnics

Private Acts of 2010 Chapter 72

SECTION 1. Chapter 16 of the Private Acts of 1953, and any acts amendatory thereto, is repealed.

SECTION 2. This act shall have no effect unless it is approved by a two-thirds ($\frac{2}{3}$) vote of the legislative

body of Sullivan County. Its approval or nonapproval shall be proclaimed by the presiding officer of the Sullivan County legislative body and certified to the secretary of state.

SECTION 3. 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 as provided in Section 2.

Passed: May 13, 2010.

Law Enforcement - Historical Notes

Jails and Prisoners

The following acts once affected jails and prisoners in Sullivan County, but are no longer operative.

1. Private Acts of 1831, Chapter 30, directed the treasurer of East Tennessee to pay Montgomery Irvin, a former jailor of Sullivan County, the sum of \$48.12½ for boarding James Havion in the Sullivan County Prison.
2. Private Acts of 1831, Chapter 127, directed the treasurer of East Tennessee to pay Montgomery Irvin, a former jailor of Sullivan County, the sum of \$41.37½, and to William Hartman, a former jailor of Sullivan County, the sum of \$17.50 for the keeping of Wm. Crutchfield in the Sullivan County Jail.
3. Private Acts of 1978, Chapter 279, would have provided a referendum in Sullivan County on the question of the location of a regional prison, however, this act was not ratified by Sullivan County and therefore never took effect.

Militia

Those acts once affecting Sullivan County, which related to the militia and to other law enforcement agencies other than the sheriff, are mentioned below in chronological order. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Acts of 1803, Chapter 1, provided for the establishment and regulation of the militia throughout the state. The militia of Sullivan County composed the second regiment and held regimental musters on the first Thursday in October.
2. Acts of 1815, Chapter 119, provided for the better establishment and regulation of the militia of the state by dividing the militia of the state into regiments and revising the militia laws of the state. The militia of Sullivan County composed the second regiment of the state.
3. Public Acts of 1819, Chapter 68, revised and amended the militia laws of the state. The militia of Sullivan County composed the second regiment and held regimental musters on the second Thursday in the month of October. This act was repealed by Public Acts of 1978, Chapter 595.
4. Public Acts of 1825, Chapter 69, revised and amended the militia laws of the state. The militia of Sullivan County composed the second regiment and held regimental musters on the first Thursday in October.
5. Private Acts of 1827, Chapter 248, set the time for holding the county drills in Sullivan County on the Friday and Saturday after the fourth Monday in September in each year.
6. Private Acts of 1829-30, Chapter 155, provided for an election to determine if the second regiment of Sullivan County should be divided to form an additional regiment.
7. Public Acts of 1835-36, Chapter 21, divided the militia of the state into companies, battalion, regiments, brigade and divisions and prescribed the times and modes of electing officers. The militia of Sullivan County composed the third and fourth regiments, first brigade of the first division.
8. Acts of 1837-38, Chapter 157, placed the militia of Sullivan County in the first brigade and set the time for holding regimental musters on the second Friday and Saturday in September. This act was repealed by Public Acts of 1978, Chapter 595.
9. Acts of 1839-40, Chapter 56, condensed and brought into one view the militia laws of the State of Tennessee. The militia of Sullivan County composed the third and fourth regiments of the first brigade and held musters on the Tuesday after the first Monday in October for the third regiment; the fourth regiment held musters on Wednesday the next day.
10. Private Acts of 1861, Chapter 1, divided the state militia into companies, battalion, regiments, brigade and divisions and prescribed the times and modes of electing officers. The militia of Sullivan County formed the third and fourth regiments of the first brigade and held musters on the Tuesday after the first Monday in October for the third regiment and on Wednesday the next

day for the fourth regiment.

Offenses

Some counties in Tennessee have made various activities illegal within their boundaries by the enactment of private legislation. Some of these were billiard playing, operating dance halls, shooting fireworks, and things of a similar nature.

The acts briefly summarized below fell into this category in Sullivan County. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Private Acts of 1935, Chapter 554, prohibited, regulated and licensed the sale of beer within 2,000 feet of any church or school in Sullivan County, and prohibited the sale and drinking of beer in any dance hall in said county.
2. Private Acts of 1947, Chapter 618, regulated the possession, storage, use, manufacture, or sale of pyrotechnics in Sullivan County. This act was repealed by Private Acts of 1951, Chapter 305.
3. Private Acts of 1953, Chapter 16, authorized the possession, storage, use, manufacture, transportation or sale of fireworks. This act was repealed by Private Acts of 2010, Chapter 72.
4. Private Acts of 1978, Chapter 191, prohibited beer and alcoholic beverages from being sold, given away or consumed in Sullivan County Parks. This act was duplicated by Private Acts of 1978, Chapter 317.
5. Private Acts of 1985, Chapter 77, would have authorized the possession, use, manufacture and sale of pyrotechnics in Sullivan County, however, this act was not ratified by Sullivan County and therefore never became law.
6. Private Acts of 1985, Chapter 78, made it lawful to possess, store, use and manufacture, transport or sell pyrotechnics in Sullivan County from June 20, 1985, through January 2, 1987.

Sheriff

The following acts have no current effect but are included here for reference purposes since they once applied to the Sullivan County Sheriff's Office.

1. Private Acts of 1833, Chapter 111, authorized the Sullivan County Sheriff to appoint a deputy to collect moneys which were due to the estate of Samuel W. Netherland.
2. Acts of 1843-44, Chapter 4, authorized the sheriff of Sullivan County to appoint an additional deputy.

Chapter XI - Taxation

Assessor of Property

Building Permits

Private Acts of 1965 Chapter 35

SECTION 1. That from and after the effective date of this Act, any person or persons desiring to erect or have erected, constructed, or reconstructed, any building or structure in Sullivan County, or any person or persons desiring to alter or have altered any existing building or structure in Sullivan County, where the value of such alteration will exceed the sum of Five Hundred Dollars (\$500.00), shall first apply to the Tax Assessor of Sullivan County for a building permit for such erection, construction, reconstruction, or alteration. Said application shall be in a form to be prescribed by the 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 alteration; (3) the identity of the owner or owners of the premises; (4) the cost of the completed structure in the case of new construction, or in the case of the alteration of an existing structure, the value of such structure before and after such alteration; and (5) such other information as the Tax Assessor shall prescribe. Upon proper application, duly filed, the 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. The Tax Assessor may charge a fee of One Dollar (\$1.00) for the issuance of such permit, if the County Court so directs. No new or additional property tax shall be assessed against such premises unless and until the same are complete 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 therefore on the tax books of the county, or against which no property tax has been assessed, the 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.

SECTION 2. That this Act shall not apply to the erection, construction, reconstruction, or alteration of buildings or other structures in cities requiring permits for the same, providing that copies of such permits are made available to the office of the Tax Assessor of Sullivan County.

SECTION 3. That the Quarterly County Court of Sullivan County shall by appropriate resolution of said court create and establish uniform set-back regulations for all buildings or additions thereto which may be hereinafter erected facing upon or adjacent to any State or County maintained roads or rights-of-way in said county.

SECTION 4. That violation of the provisions of this Act shall be punishable as a misdemeanor.

SECTION 5. That this Act shall have no effect unless the same shall have been approved by a two-thirds ($\frac{2}{3}$) vote of the Quarterly County Court of Sullivan County on or before the next regular meeting of such Court occurring more than thirty days (30) after its approval by the Chief Executive of this State. 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. That this Act shall take effect from and after its passage, the public welfare requiring it.
Passed: February 16, 1965.

Deeds

Private Acts of 1933 Chapter 235

SECTION 1. That in all counties of this State having a population of not less than 51,075 nor more than 51,100, according to the Federal Census of 1930, or any subsequent Federal Census, the Tax Assessor of such counties shall be required to furnish to the Register of Deeds suitable and proper forms so that the Register of Deeds may issue at the time of recording each and every deed or other instrument conveying real estate in such counties, a certificate showing the names of the vendor and vendee and the description of the property, together with the consideration named in such deed, so that the Tax Assessor may have a record of the transfers of all real property in said counties to which this Act shall apply, and it shall be the duty of the Register of Deeds of such counties to make this certificate as provided for herein without additional compensation.

SECTION 2. That it shall be the duty of the Tax Assessor of such county to have prepared and furnished the Register of Deeds the proper form of certificates to keep a record of all transfers of all property by deeds in such county, and provided further the cost of furnishing the forms herein provided shall be paid by the County as other county expenses are paid.

SECTION 3. That this Act shall take effect from and after its passage, the public welfare requiring it.
Passed: March 27, 1933.

Real Estate

Private Acts of 1951 Chapter 185

SECTION 1. That, in counties of this State having a population of not less than 94,000 nor more than 100,000, according to the Federal Census of 1950 or any subsequent Federal Census, all persons, firms or corporations, who for the purpose of sale or disposal, shall subdivide real estate into three or more lots or parcels of land, each containing one acre or less, shall at a date not later than the sale date of any of said lots or parcels of lands, have placed on record in the Register's Office a map of said subdivision; and shall furnish a copy of the map of said subdivision to the Tax Assessor of said county a date not later than the sale date of any of said lots or parcels of land.

SECTION 2. That any person, firm or corporation, violating any of the provisions of this Act shall be guilty of a misdemeanor, and upon conviction be subject to a fine of not less than Two (\$2.00) Dollars nor more than Ten (\$10.00) Dollars and costs, at the discretion of the Court. Each day that any part of this Act is not complied with shall constitute a separate misdemeanor.

SECTION 3. That the provisions of this Act are severable, and if any section, paragraph, sentence, or provision thereof be held invalid by any Court of competent jurisdiction, the decision of the Court shall not affect the validity of this Act as a whole, or any part thereof other than the portion so held to be invalid.

The Legislature declares that it would have passed the Act had any such invalid portion been omitted.

SECTION 4. That this Act take effect on and after the date of its passage, the public welfare requiring it.
Passed: February 13, 1951.

Real Property

Private Acts of 1951 Chapter 172

SECTION 1. That the Tax Assessor of Sullivan County, Tennessee is hereby authorized to assess all real property in Sullivan County, Tennessee, annually instead of biennially as now provided by law; and that all Acts of all officials or other persons relating to the assessments and equalization of assessments of all property in Sullivan County heretofore required to be done and performed under existing laws biennially, may be done and performed annually.

SECTION 2. That all laws or parts of laws in conflict with the provisions of this Act be, and the same are hereby repealed; and that this Act take effect from and after its passage, the public welfare requiring it.
Passed: February 13, 1951.

Road Tax

Private Acts of 1985 Chapter 10

SECTION 1. The board of county commissioners of any county to which this Act applies is authorized to levy and collect a tax for constructing and maintaining roads, highways, bridges and streets in the county. The tax shall be set by the board of county commissioners, shall be a part of the tax levy of the county and shall be collected as all other taxes are collected. The tax shall be levied on all the taxable property in the county for the purposes set forth in this act, and the money so collected shall go into and become a part of the general highway fund of the county. The board of county commissioners is authorized to disburse funds to any city in the county which constructs or maintains roads, highways, bridges or streets.

SECTION 2. The provisions of this Act shall apply to any county having a population of not less than one hundred forty-three thousand nine hundred (143,900) persons nor more than one hundred forty-four thousand (144,000) persons according to the 1980 Federal Census, or any subsequent Federal Census.

SECTION 3. This Act shall have no effect unless it is approved by a two-thirds ($\frac{2}{3}$) vote of the county legislative body of any county to which it may apply before October 1, 1985. Its approval or nonapproval shall be proclaimed by the presiding officer of the legislative body of the county and certified by him to the Secretary of State.

SECTION 4. 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 3.
Passed: February 21, 1985.

Tax Rolls

Private Acts of 1951 Chapter 184

SECTION 1. That in all counties in the State having a population of not less than Ninetyfour Thousand (94,000) nor more than One Hundred Thousand (100,00), according to the Federal Census of 1950, or any subsequent Federal Census, the Tax Assessor shall prepare a tax roll from the tax assessment records, which said roll shall be made out by districts and shall show the names of owners in alphabetical order, and shall list the property that has been assessed, showing the number of acres and location, the number of lots and blocks and their location, the valuation of each lot, tract or parcel of land, the valuation of personal property and the total assessment against each owner. The tax roll shall be made out in duplicate and each page shall be consecutively numbered and bound in permanent books, and shall show a total assessment of each class of property in each district, and shall show a total assessment of each class of property in all districts, and shall show a total assessment of all classes of property in all districts. The total assessment of all classes of property in all the districts shall be the tax aggregate as assessed by the Tax Assessor, and shall be the basis for fixing and determining the tax rate to be fixed by the County Court.

SECTION 2. That the Tax Assessor shall retain one copy of the tax roll as a permanent record and shall deliver one copy to the Trustee on or before the first Monday in September of each and every year,

provided the Trustee shall have, at the time of his induction into office, entered into the several bonds in the amounts as required by law.

SECTION 3. That the Trustee shall prepare and make up from the tax roll a tax ledger showing the total assessed against each owner and the amount of the tax due thereon; also he shall prepare a tax ticket in triplicate, one copy of which shall be a statement of the amount assessed against the owner and the tax due thereon, one copy to be used as a tax receipt when properly stamped and signed, and one copy to be retained by the Trustee as a permanent record of the payment of the tax. The Trustee shall determine that the total valuation shown on all of the tax tickets so prepared by him shall equal the total assessment of all classes of property in all the districts as shown by the tax roll.

SECTION 4. That the County Court shall appropriate out of the ordinary funds of the County a sum sufficient to pay the cost of making up and preparing the said tax roll and tax aggregate as hereinbefore provided; and that the salary or salaries of the person or persons required to make up and prepare the said roll in the Tax Assessor's office, shall be fixed and determined by the County Judge, Tax Assessor, County Attorney, and the Finance Committee of the County Court.

SECTION 5. That all laws or parts of laws in conflict with this law be and the same are hereby repealed in so far as they shall apply to any county or counties within the population range mentioned in the caption hereof, but nothing as contained herein shall be construed as repealing the general law as applied to counties in other population ranges.

SECTION 6. That should any section, paragraph, sentence, clause, or word, contained herein be determined to be unconstitutional or void for any reason, the remainder of this Act shall remain in full force and effect as though this Act had been enacted by the General Assembly without using such section, paragraph, sentence, clause or word.

SECTION 7. That any violation of this law shall be a misdemeanor and the penalties as prescribed by general law relating to making the tax rolls, tax aggregates and tax books, shall apply against anyone violating any of the provisions of this Act.

SECTION 8. That this Act take effect from and after its passage, the public welfare requiring it.

Passed: February 12, 1951.

Taxation - Historical Notes

Assessor of Property

The following acts were superseded, repealed or failed to win local ratification, but they are listed here as a reference to laws which once affected the Sullivan County Assessor. Also referenced below are acts which repeal prior law without providing new substantive provisions.

1. Private Acts of 1921, Chapter 911, set the salary of the Sullivan County Tax Assessor at \$2,500 per annum.
2. Private Acts of 1927, Chapter 289, set the salary of the Sullivan County Tax Assessor at \$4,000 per annum. This act was repealed by Private Acts of 1929, Chapter 90.
3. Private Acts of 1927, Chapter 827, required notice to be given to the Sullivan County Tax Assessor of all deeds conveying real estate by all persons, firms or corporations. The county tax assessor was given 50 cents for each certificate issued by the person, firm or corporation offering such deed or conveyance of real estate. This act was repealed by Private Acts of 1933, Chapter 28.
4. Private Acts of 1929, Chapter 90, provided for the employment of a deputy tax assessor for Sullivan County. This act fixed and provided for the payment of the salary of the deputy tax assessor, which was set at \$3,600 per annum.
5. Private Acts of 1933, Chapter 238, fixed and regulated the compensation of the Sullivan County Tax Assessor at \$3,000 per annum. This act was amended by Private Acts of 1937, Chapter 526, so as to set the compensation of the county tax assessor at \$4,000 per annum.
6. Private Acts of 1941, Chapter 277, fixed the compensation of the Sullivan County Tax Assessor at \$4,000 per annum.
7. Private Acts of 1949, Chapter 433, fixed the salary of the Sullivan County Tax Assessor at \$5,000 per annum. This act was amended by Private Acts of 1951, Chapter 701, so as authorize the quarterly county court to increase the salary of the county tax assessor to \$6,000 per annum. Private Acts of 1953, Chapter 213, further amended Private Acts of 1949, Chapter 433, so as authorize the quarterly county court to increase the salary of the county tax assessor to \$7,000

per annum. Private Acts of 1961, Chapter 2, amended Private Acts of 1953, Chapter 213, so as to increase the salary of the Sullivan County Tax Assessor to \$8,200 per annum. Private Acts of 1949, Chapter 433, was repealed by Private Acts of 1967-68, Chapter 34.

8. Private Acts of 1959, Chapter 170, would have amended Private Acts of 1953, Chapter 213, so as to increase the salary of the Sullivan County Tax Assessor to \$8,200 per annum; however, this act was rejected or disapproved by Sullivan County and therefore never became law.
9. Private Acts of 1963, Chapter 11, would have amended Private Acts of 1953, Chapter 213, so as to increase the salary of the Sullivan County Tax Assessor to \$8,200 per annum, however, this act was rejected or disapproved by Sullivan County and therefore never became law.
10. Private Acts of 1967-68, Chapter 34, set the salary of the Sullivan County Tax Assessor at \$9,000 per annum.

Taxation

The following is a listing of acts pertaining to taxation in Sullivan County which are no longer effective.

1. Acts of 1903, Chapter 452, authorized Sullivan County, through its county court, to inaugurate general improvements in its public roads by the levy and expenditure of a special tax of 50 cents on every \$100 upon all taxable property, for the payment of the improvements so made.
2. Private Acts of 1911, Chapter 620, authorized and empowered Sullivan County to levy and collect special taxes to repair, improve and maintain macadam roads.
3. Private Acts of 1911, Chapter 471, provided a privilege tax on automobiles in Sullivan County for road repairing purposes.
4. Private Acts of 1927, Chapter 270, authorized the county court of Sullivan County to levy a special tax for the purpose of grading and macadamizing the public roads in the county.
5. Private Acts of 1965, Chapter 242, would have provided for a tax of \$2.00 to be levied on all civil and criminal actions filed in either the general sessions court, the chancery court or the circuit court of Bristol, Tennessee, to be placed in a fund designated as the legal library fund; however, this act was rejected or disapproved by Sullivan County and therefore never became law.
6. Private Acts of 1984, Chapter 249, would have authorized the levy and collection of a tax in Sullivan County for the construction of highways, roads, bridges and the purchase of equipment, however, this act was not ratified by Sullivan County and therefore never became law.

Chapter XII - Utility Districts

Blountville Utility Districts

Private Acts of 1947 Chapter 244

SECTION 1. That all Acts and proceedings heretofore taken in connection with the organization of the Blountville Utility District of Sullivan County, Tennessee, are hereby legalized and validated and said District is hereby constituted a valid utility district under the provisions of Chapter 248 of the 1937 Public Acts of Tennessee.

SECTION 2. That the boundaries of the Blountville Utility District of Sullivan County, Tennessee, shall consist as follows: Beginning in the State line between Tennessee and Virginia at the west corporate limit line of the City of Bristol, Tennessee; thence S 55° 00' W 43,220 feet to a stake west of Blountville; thence S 35° 00' E 4,000 feet to a stake southwest of Blountville; thence N 55° 00' E 44,180 feet to a stake in corporate limit line of the City of Bristol, Tennessee; thence N 88° 00' W 3,000 feet with the corporate limit line of the City of Bristol, Tennessee, to the southwest corner of said corporate limits; thence With said corporate limit line of the City of Bristol, Tennessee, N 2° 00' E 2,600 feet to the point of beginning.

SECTION 3. That all acts and proceedings heretofore had or taken in connection with the selection of the members of the Board of Commissioners of said District, together with all proceedings by said Board relative to the selection of officers thereof and designation of a corporate seal, are hereby legalized and validated.

SECTION 4. That all acts and proceedings heretofore had or taken by the Board of Commissioners of said District in connection with the letting of contracts for the acquisition and construction of a Waterworks System for said District are hereby legalized and validated.

SECTION 5. That all acts and proceedings heretofore had or taken by the Board of Commissioners of said District in connection with the authorization and sale of Two Hundred and Seventy-Five Thousand (\$275,000) Dollars Waterworks Revenue Bonds of said District are hereby legalized and validated and said bonds when delivered in accordance with the provisions of such proceedings shall constitute the valid and binding obligations of said District payable from the sources provided in such proceedings.

SECTION 6. That said District shall operate under the provisions of Chapter 248 of the 1937 Public Acts of Tennessee as same may be amended from time to time.

SECTION 7. That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: February 13, 1947.

Kingsport - Long Island Utility District

Private Acts of 1949 Chapter 688

SECTION 1. That the Kingsport Long Island Utility District of Sullivan County, Tennessee, heretofore created by decree of the County Judge of said County, rendered on March 26, 1943, pursuant to a petition, notice, and hearing, is hereby found and declared to be a validly organized and existing utility district of the State of Tennessee under the provisions of the Utility District Act of 1937, same being Chapter 248 of the 1937 Public Acts of Tennessee, together with all amendments thereto.

SECTION 2. That the boundaries of The Kingsport Long Island Utility District of Sullivan County, Tennessee, shall be as follows: BEGINNING at the northwest corner of the southwest abutment of the bridge over the Holston River on the Horse Creek Road, said point of beginning being a corner in the boundaries of the city limits of the City of Kingsport, thence with the low water marks or line of the southwest side of the Holston River as it meanders, upstream in a southeasterly direction 5,300 feet more or less to a stake where the Holston River and the slough on the southwest side of Long Island (Cherokee Island) [sic] divide; thence in a northwesterly direction with the low water marks or line of said slough, as it meanders 3,400 feet to a stake in the southeast line of Mason Road extended; thence in a northwesterly direction with the low water marks or line of the slough as it meanders 2,700 feet to a stake in the center line of Horse Creek Road and the low water line of the slough; thence with the low water mark or line on the southwest side of Long Island (Cherokee Island) in a northwesterly direction as it meanders, 16,500 feet to a stake at the intersection of the low water lines of the slough and the Holston River at the most westerly point of Long Island (Cherokee Island); thence in an easterly direction with the low water marks or line of Holston River, upstream, as it meanders 4,000 feet more or less to a stone monument on the southwest bank of the Holston River, said monument being a corner in the boundaries of the city limits of the City of Kingsport; thence with the boundaries of the city limits of the City of Kingsport, following said northwest bank, its several courses and distances, in a general southeastern direction and along the northeast edge of Long Island (Cherokee Island) and with the boundaries of the city limits of Kingsport 13,600 feet more or less to the point or place of beginning.

SECTION 3. That all proceedings heretofore taken by the Board of Commissioners of said District in connection with obtaining a water system for said District and in the authorization and sale of \$275,000 Waterworks Revenue Bonds of said District, dated March 1, 1949, are hereby validated and legalized.

SECTION 4. That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: April 8, 1949.

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