Street Improvement Ordinances 9, 10, 11

The Commercial, Union City, Tenn.

FRIDAY, JUNE 9, 1922.

Street Improvement Ordinance No. 9.

An ordinance to provide for the improvement of FIRST STREET, in the town of Union City, Tennessee, from the south line of Lee street to the north line of Palmer street in said town, all of said street to be improved by repairing, curbing, guttering, draining and paving with Sheet Asphalt on Concrete Base; and doing all necessary work incident to said street improvement pursuant to Chapter 18 of the Acts of the First Extra Session of the Legislature of the State of Tennessee for the year 1913; to provide for the maintenance of same pursuant to Chapter 121 of the Acts of the Legislature of the State of Tennessee for the year 1919; and to provide for the payment of the expenses thereof and the collection of same so provided by Chapter 18 of the Acts of the First Extra Session of the Legislature of the State of Tennessee for the year 1913; as amended by the Acts of the Legislature for the State of Tennessee for the year 1921.

SECTION 1. Be it ordained by the Board of Mayor and Aldermen of Union City, Tennessee, that First street in said town of Union City, from the south line of Lee street in said town of Union City, to the north line of Palmer street in the said town of Union City, be improved by repairing, curbing, guttering, draining and paving all of said section of said street with Sheet Asphalt on Concrete Base; and doing all necessary work incident thereto, and said section of said street is hereby made an improvement district for this purpose.

The said Board of Mayor and Aldermen reserve the right as provided by said statute to do all or any part of said improvement by labor hired by the town of Union City, Tennessee, and with material purchased as other municipal purchases are made, or to have said improvements done by contract as provided in said statute.

This improvement shall include all the work done on all street and alley intersections between the terminals of said improvements and said work shall be included in and paid for as a part of the said improvement.

SECTION 2. Be it further ordained that the improvement designated in Section One of this ordinance shall be constructed under and by virtue of the power and authority given said Board of Mayor and Aldermen by said Chapter 18 of the Acts of the First Extra Session of the Legislature of the State of Tennessee for the year 1913.

SECTION 3. Be it further ordained, that the Board of Mayor and Aldermen may require from the contractor constructing the said work a sufficient and satisfactory guarantee to maintain and keep in repair the work done by him on the said street for a period not exceeding three years from the date of completion as provided in Chapter 121 of the Acts of the Legislature of the State of Tennessee for the year 1919.

SECTION 4. Be it further ordained that the cost of the said improvement shall be borne as follows: Two-thirds of the cost of the said improvements exclusive of intersections shall be borne by the property abutting on the street improved; and two-thirds of the cost of the improvement at each intersection shall be borne by the property abutting on the street improved and by the property abutting on the intersecting street for one-half block in every direction, all in direct proportion to the frontage of the said abutting properties, and the property abutting on the said street and on the intersecting streets within the limits named is hereby bound for two-thirds of the cost of said improvement; and a lien is hereby retained and declared to be in effect from and after the date of confirmation of this ordinance, upon the same to secure payment of its pro rata share of the proper cost of said improvement, including all costs of engineering, printing, advertising, clerical services, court costs, property damages, pavements, curbs, gutters, changes in sewers and water pipes and drains or new ones, and all items authorized to be embraced in the cost of constructing said improvements as defined in Chapter 18 of the Acts of Tennessee at the First Extra Session of the Legislature for the year 1913, and the cost of the said maintenance and repair guarantee on the said street shall be borne in like manner and proportion as the aforementioned cost of improvement as provided in Chapter 121 of the Acts of the Legislature of the State of Tennessee for the year 1919.

SECTION 5. Be it further ordained that the Recorder of the town of Union City is hereby directed to publish a notice of the adoption of this ordinance two consecutive times in the Union City Commercial, a newspaper of general circulation published in the town of Union City, Tennessee, and said notice shall notify all persons whose property will be affected by said improvement to appear before said Board of Mayor and Aldermen on Tuesday, the 20th day of June, 1922, at 8:00 p.m., at which time the said Board will hear any objections or remonstrances that may be made to the said improvement, the manner of making the same or character of material used. On the date of the said meeting which may be adjourned from time to time all persons whose property may be affected by such improvement or improvements, may appear in person or by attorney, or by a petition, and protest against the making of the said improvements, the material to be used or the manner of making same. And said Board shall consider such objections and protests, if any, and may confirm, amend, modify or rescind such original order. Failure to object or protest at the time of confirmation of the original ordinance shall constitute a waiver of all and any irregularities, omissions and defects in the proceedings taken prior to such time.

SECTION 6. Be it further ordained that the City Engineer, or such other person as may be secured for this purpose on or before said date is hereby ordered to prepare full details, drawings, plans, specifications and surveys of such work, and estimates of the cost thereof and to file the same with the City Recorder. And said plans and specifications and estimates shall be subject to the inspection of any property owner interested at any time within office hours of said Recorder.

SECTION 7. Be it further ordained, That the owners of all abutting real estate are hereby ordered to connect their several premises with water mains and sewers located in the street adjacent to their several premises, and upon the default of such owners for thirty days after such order to make connection, the said Board of Mayor and Aldermen may contract for and make the connections aforesaid at such distances under such regulations and in accordance with such specifications as may be prescribed by the said Board of Mayor and Aldermen, and the whole cost of each connection shall be assessed against the premises with which the connection is made .

SECTION 8. Be it further ordained, That after the completion of the work of this improvement, the Board of Mayor and Aldermen shall proceed to assess two-thirds of the cost of said improvements, exclusive of intersections, against the property abutting on the street improved, and two-thirds of the cost of the improvement of each intersection against the property abutting on the street improved and against the property abutting on the intersecting street for one-half block in every direction, in direct proportion to the frontage of the said abutting properties; and when such assessment shall have been completed shall direct the City Recorder to publish in the Union City Commercial a notice that such assessment list has been completed and is on file in the office of the City Recorder, and may be inspected during the hours that said office is open for business. Said publication shall notify all persons that the Board of Mayor and Aldermen will meet on a date therein named not less than ten days after the publication of the said notice to consider written objections or defense to the proposed assessment or the amount thereof. On the date named in the notice, or such date as said meeting may be adjourned to, the Board of Mayor and Aldermen shall consider said assessment and the written objections thereto, and shall confirm, modify, or set aside said asssment as shall be deemed right and proper. If no objections to the pro rata or the amount thereof is filed, or if the property owner fails to appear in person or by attorney, and insist upon the same, the assessment shall be made final and the owners who do not file objections in writing or protest against the same, shall be held to have consented to the same, and to be forever barred to attack the regularity, validity or legality of such assessment.

SECTION 9. Be it further ordained, That all assessments levied under this ordinance for the purposes herein specified shall be due and payable within thirty days after said assessment is made final as herein provided, but at the election of a property owner, by an agreement in writing with said town of Union City, that in consideration of such privilege he will make no objection to any illegality, or irregularity with regard to the assessment against his property, and will pay the same as required by law, with the specified interest, said assessments may be paid in ten annual installments, and shall bear interest at the rate of six per cent per annum, interest payable semi-annually, and such agreement shall be filed with the City Recorder. In all cases where such agreement has not been signed and filed within the time limited, the entire assessment shall be paid in cash without interest before the expiration of said thirty days.

SECTION 10. Be it further ordained, That any property owner who shall have elected to pay his assessments in ten annual installments shall have the right and privilege of paying up the assessments in full at any installment period by paying the full amount of the installments, together with all accrued interest, and an additional sum equal to one-half the annual interest thereon.

SECTION 11. Be it further ordained, That if any property owner make default in the payment of any installment and interest thereon, all of said installments, with interest, and an additional sum equal to one-half the annual interest shall become immediately due and payable.

SECTION 12. Be it further ordained, That this ordinance take effect from and after its passage, the welfare of the Corporation demanding it.

Passed and approved this 6th day of June, 1922.

J. W. WOOSLEY, Mayor.

W. D. KEISER, Recorder.

(Published in the Union City Commercial June 9, 1922.

Street Improvement Ordinance No. 10.

An Ordinance to provide for the improvement of Church street in the town of Union City, Tennessee, from the west line of Second street to the east line of Home street in said town, all of said section of said street to be improved by repairing, curbing, guttering, draining and paving with Sheet Asphalt on Concrete Base; and doing all necessary work incident to said street improvement pursuant to Chapter 18 of the Acts of the First Extra Session of the Legislature of the State of Tennessee for the year 1913; to provide for the maintenance of the same pursuant to Chapter 121 of the Acts of the Legislature of the State of Tennessee for the year 1919; and to provide for the payment of the expenses thereof and the collection of same so provided by Chapter 18 of the Acts of the First Extra Session of the Legislature of the State of Tennessee for the year 1913, as amended by the Acts of the Legislature for the State of Tennessee for the year 1921.

SECTION 1. Be it ordained by the Board of Mayor and Aldermen of Union City, Tennessee, that Church street in said town of Union City, from the west line of Second street in said town of Union City to the east line of Home street in the said town of Union City, be improved by repairing, curbing, guttering, draining and paving all of said section of said street with Sheet Asphalt on Concrete Base; and doing all necessary work incident thereto, and said section of said street is hereby made an improvement district for this purpose.

The said Board of Mayor and Aldermen reserve the right as provided by said statute to do all or any part of said improvement by labor hired by the said town of Union City, Tennessee, and with material purchased as other municipal purchases are made, or to have said improvements done by contract as provided in said statute.

This improvement shall include all the work done on all street and alley intersections between the terminals of said improvements and said work shall be included in and paid for as a part of the said improvement.

SECTION 2. Be it further ordained, That the improvement designated in Section One of this ordinance shall be constructed under and by virtue of the power and authority given said Board of Mayor and Aldermen by said Chapter 18 of the Acts of the First Extra Session of the Legislature of the State of Tennessee for the year 1913.

SECTION 3. Be it further ordained that the Board of Mayor and Aldermen may require from the contractor constructing the said work a sufficient and satisfactory guarantee to maintain and keep in repair the work done by him on the said street for a period not exceeding three years from the date of completion, as provided in Chapter 121 of the Acts of the Legislature of the State of Tennessee for the year 1919.

SECTION 4. Be it further ordained, That the cost of the said improvements shall be borne as follows: Two-thirds of the cost of the said improvements exclusive of intersections shall be borne by the property abutting on the street improved; and two-thirds of the cost of the improvement at each intersection shall be borne by the property abutting on the street improved and by the property abutting on the intersecting street for one-half block in every direction, all in direct proportion to the frontage of the said abutting properties, and the property abutting on the said street and on the intersecting streets within the limits named is hereby bound for two-thirds of the cost of said improvement; and a lien is hereby retained and declared to be in effect from and after the date of the confirmation of this ordinance upon the same to secure payment of its pro rata share of the proper cost of said improvement, including all costs of engineering, printing, advertising, clerical services, court costs, property damages, pavements, curbs, gutters, changes in sewers and water pipes and drains or new ones, and all items authorized to be embraced in the cost of constructing said improvements as defined in Chapter 18 of the Acts of Tennessee at the First Extra Session of the Legislature for the year 1913, and the cost of the said maintenance and repair guarantee on the said street shall be borne in like manner and proportion as the aforementioned cost of improvement as provided in Chapter 121 of the Acts of the Legislature of the State of Tennessee for the year 1919.

SECTION 5. Be it further ordained, That the Recorder of the town of Union City is hereby directed to publish a notice of the adoption of this ordinance two consecutive times in the Union City Commercial, a newspaper of general circulation published in the town of Union City, Tennessee, and said notice shall notify all persons whose property will be affected by said improvement to appear before said Board of Mayor and Aldermen on Tuesday, the 20th day of June, 1922, at 8:00 p.m., at which time the said Board will hear any objections or remonstrances that may be made to the said improvement, the manner of making the same or character of material used. On the date of said meeting which may be adjourned from time to time all persons whose property may be affected by such improvement or improvements, may appear in person or by attorney, or by a petition, and protest against the making of the said improvements, the material to be used or the manner of making same. And said Board shall consider such objections and protests, if any, and may confirm, amend, modify or rescind such original ordinance. Failure to object or protest at the time of confirmation of the original ordinance shall constitute a waiver of any and all irregularities, omissions and defects in the proceedings taken prior to such time.

SECTION 6. Be it further ordained, That the City Engineer, or such other person as may be secured for this purpose on or before said date, is hereby ordered to prepare full details, drawings, plans, specifications and surveys of said work, and estimates of the cost thereof and to file the same with the City Recorder. And said plans, specifications and estimates shall be subject to the inspection of any property owner interested at any time within office hours of said Recorder.

SECTION 7. Be it further ordained, That the owners of all abutting real estate are hereby ordered to connect their several premises with water mains and sewers located in the street adjacent to their several premises, and upon the default of such owners for thirty days after such order to make connection, the said Board of Mayor and Aldermen may contract for and make connections aforesaid at such distances under such regulations and in accordance with such specifications as may be prescribed by the said Board of Mayor and Aldermen and the whole cost of each connection shall be assessed against the premises with which the connection is made.

SECION 8. Be it further ordained, That after the completion of the work of this improvement, the Board of Mayor and Aldermen shall proceed to assess two-thirds of the cost of said improvements, exclusive of intersections against the property abutting on the street improved, and two-thirds of the cost of the improvement of each intersection against the property abutting on the street improved and against the property abutting on the intersecting street for one-half block in every direction, in direct proportion to the frontage of the said abutting properties; and when such assessment shall have been completed shall direct the City Recorder to publish in the Union City Commercial a notice that such assessment list has been completed and is on file in the office of the City Recorder, and may be inspected during the hours that said office is open for business. Said publication shall notify all persons that the Board of Mayor and Aldermen will meet on a date therein named, not less than ten days after the publication of the said notice to consider written objections or defense to the proposed assessment or the amount thereof. On the date named in the notice, or such date as said meeting may be adjourned to, the Board of Mayor and Aldermen shall consider said assessment and the written objections thereto, and shall confirm, modify or set aside said assessment as shall be deemed right and proper. If no objections to the pro rata or the amount thereof is filed, or if the property owner fails to appear in person or by attorney, and insist upon the same, the assessment shall be made final and the owners who do not file objections i writing or protest against the same, shall be held to have consented to the same, and to be forever barred to attack the regularity, validity or legality of such assessment.

SECTION 9. Be it further ordained, That all assessments levied under this ordinance for the purposes herein specified shall be due and payable within thirty days after said assessment is made final, as herein provided, but at the election of a property owner, by an agreement in writing with said town of Union City, that in consideration of such privilege he will make no objection to any illegality or irregularity with regard to the assessment against his property, and will pay the same as required by law, with the specified interest, said assessments may be paid in ten annual installments, and shall bear interest at the rate of six per cent per annum, interest payable semi-annually, and such agreement shall be filed with the City Recorder. In all cases where such agreement has not been signed and filed wtihin the time limited the entire assessment shall be paid in cash, without interest, before the expiration of said thirty days.

SECTION 10. Be it further ordained, That any property owner who shall have elected to pay his assessments in ten annual installments shall have the right and privilege of paying up the assessments in full at any installment period by paying the full amount of the installments, together with all accrued interest, and an additional sum equal to one-half the annual interest thereon.

SECTION 11. Be it further ordained, That if any property owner make default in the payment of any installment and interest thereon, all of said installments with interest and an additional sum equal to one-half the annual interest shall become immediately due and payable.

SECTION 12. Be it further ordained, That this ordinance take effect from and after its passage, the welfare of the Corporation demanding it.

Passed and approved this 6th day of June, 1922.

J. W. WOOSLEY, Mayor.

W. D. KEISER, Recorder.

Published in the Union City Commercial, June 9, 1922.

Street Improvement Ordinance No. 11.

An Ordinance to provide for the improvement of Main street, in the town of Union City, Tennessee, from the east line of First street to the east line of Home street in said town, all of said street to be improved by repairing, curbing, guttering, draining and paving with Sheet Asphalt on Concrete Base; and doing all necessary work incident to said street improvement pursuant to Chapter 18 of the Acts of the First Extra Session of the Legislature of the State of Tennessee for the year 1913; to provide for the maintenance of same pursuant to Chapter 121 of the Acts of the legislature of the State of Tennessee for the year 1919; and to provide for the payment of the expenses thereof and the collection of same so provided by Chapter 18 of the Acts of the first extra session of the legislature of the State of Tennessee for the year 1913, as amended by the Acts of the Legislature for the State of Tennesse for the year 1921.

SECTION 1. Be it ordained by the Board of Mayor and Aldermen of Union City, Tennessee, that Main Street in said town of Union City, from the east line of First street in said town of Union City, to the East line of Ury street in said town of Union City, be improved by repairing, curbing, guttering, draining and paving all of said section of said street with Sheet Asphalt on Concrete Base, and doing all necessary work incident thereto, and said section of said street is hereby made an improvement district for this purpose.

The said Board of Mayor and Aldermen reserve the right as provided by said statute to do all or any part of the said improvements by labor hired by the said town of Union City, Tennessee, and with material purchased as other municipal purchases are made, or to have said improvements done by contract as provided in said statute.

This improvement shall include all the work done on all street and alley intersections between the terminals of said improvement, and said work shall be included in and paid for as a part of the said improvement.

SECTION 2. Be it further ordained, That the improvement designated in Section One of this ordinance shall be constructed under and by virtue of the power and authority given said Board of Mayor and Aldermen by said Chapter 18 of the Acts of the first extra session of the Legislature of the State of Tennessee for the year 1913.

SECTION 3. Be it further ordained, That the Board of Mayor and Aldermen may require from the contractor constructing the said work a sufficient and satisfactory guarantee to maintain and keep in repair the work done by him on the said street for a period not exceeding three years from the date of completion, as provided in Chapter 121 of the Acts of the Legislature of the State of Tennessee for the year 1919.

SECTION 4. Be it further ordained, That the cost of the said improvement shall be borne as follows: Two-thirds of the cost of the said improvements exclusive of intersections shall be borne by the property abutting on the street improved; and two-thirds of the cost of the improvement at each intersecton shall be borne by the property abutting on the street improved and by the property abutting on the intersecting street, for one-half block in every direction, all in direct proportion to the frontage of the said abutting properties, and the property abutting on the said street and on the intersecting streets within the limits named is hereby bound for two-thirds of the cost of said improvement; and a lien is hereby retained and declared to be in effect from and after the date of confirmation of this ordinance, upon the same to secure payment of its pro rata share of the proper cost of said improvement, including all costs of engineering, printing, advertising, clerical services, court costs, property damages, pavements, curbs, gutters, changes in sewers and water pipes and drains, or new ones, and all items authorized to be embraced in the cost of constructing said improvement as defined in Chapter 18 of the Acts of Tennessee at the First Extra Session of the Legislature for the year 1913, and the cost of the said maintenance and repair guarantee on the said street shall be borne in like manner and proportion as the aforementioned cost of improvement as provided in Chapter 121 of the Acts of the Legislature of the State of Tennessee for the year 1919.

SECTION 5. Be it further ordained, That the Recorder of the town of Union City is hereby directed to publish a notice of the adoption of this ordinance two consecutive weeks in the Union City Commercial, a newspaper of general circulation published in the town of Union City, Tennessee, and said notice shall notify all persons, whose propetry will be affected by said improvement to appear before said Board of Mayor and Aldermen on Tuesday, the 20th day of June, 1922, at 8:00 p.m., at which time said Board will hear any objections or remonstrances that may be made to the said improvement, the manner of making the same, or character of material used. On the date of said meeting, which may be adjourned from time to time, all persons whose property may be affected by such improvement or improvements may appear in person or by attorney, or by a petition, and protest against the making of said improvement, the material to be used, or the manner of making same. And said Board shall consider such objections and protests, if any, and may confirm, amend, modify or rescind such original order. Failure to object or protest at the time of confirmation of the original ordinance shall constitute a waiver of all and any irregularities, omissions and defects in the proceedings taken prior to such time.

SECTION 6. Be it further ordained, That the City engineers, or such other person as may be secured for this pupose on or before said date, is hereby ordered to prepare full details, drawings, plans, specifications and surveys of said work, and estimates of the cost thereof, and to file the same with the City Recorder. And said plans, specifications and estimates shall be subject to the inspection of any property owner interested at any time within office hours of said Recorder.

SECTION 7. Be it further ordained that the owners of all abutting real estate are hereby ordered to connect their several premises with water mains and sewers located in the street adjacent to their several premises, and upon the default of such owners for thirty days after such order to make connection, the said Board of Mayor and Aldermen may contract for and make the connections aforesaid as such distances under such regulations and in accordance with such specifications as may be prescribed by the said Board of Mayor and Aldermen and the whole cost of each connection shall be assessed against the premises with which the connection is made.

SECTION 8. Be it further ordained that after the completion of the work of this improvement, the Board of Mayor and Aldermen shall proceed to assess two-thirds of the cost of said improvements exclusive of intersections against the property abutting on the street improved and two-thirds of the cost of the improvement of each intersection against the property abutting on the street improved and against the property abutting on the intersecting street for one-half block in every direction, in direct proportion to the frontage of the said abutting properties; and when such assessment shall have been completed shall direct the City Recorder to publish in the Union City Commercial a notice that such assessment list has been completed and is on file in the office of the City Recorder and may be inspected during the hours that the said office is open for business. Said publication shall notify all persons that the Board of Mayor and Aldermen will meet on a date therein named not less than ten days after the publication of the said notice, to consider written objections or defense to the proposed assessment or the amount thereof. On the date named in the notice, or such date as said meeting may be adjourned to, the Board of Mayor and Aldermen shall consider said assessment and the written objections thereto, and shall confirm, modify or set aside said assessment as shall be deemed right and proper. If no objections to the pro rata or the am unt thereof is filed, or if the property owner fails to appear in person or by attorney, and insist upon same the assessment shall be made final and the owners who do not file objections in writing or protest against the same, shall be held to have consented to the same, and to be forever barred to attack the regularity, validity or legality of such assessment.

SECTION 9. Be it further ordained that all assessments levied under this ordinance for the purposes herein specified shall be due and payable within thirty days after said assessment is made final, as herein provided, but at the election of a property owner, by an agreement in writing with said town of Union City that in consideration of such privilege he will make no objection to any illegality or irregularity with regard to the assessment against his property, and will pay the same as required by law, with the specified interest, said assessments may be paid in ten annual installments and shall bear interest at the rate of six per cent per annum, interest payable semi-annually, and such agreement shall be filed with the City Recorder. In all cases where such agreement has not been signed and filed within the time limited the entire assessment shall be paid in cash without interest, before the expiration of thirty days.

SECTION 10. Be it further ordained that any property owner who shall have elected to pay his assessments in ten annual installments shall have the right and privilege of paying up the assessment in full at any installment period by paying the full amount of the installments together with all accrued interest, and an additional sum equal to one-half the annual interest thereon.

SECTION 11. Be it further ordained that if any property owner make default in the payment of any installment and interest thereon, all of said installments with interest and an additional sum equal to one-half the annual interest shall become immediately due and payable.

SECTION 12. Be it further ordained that this ordinance take effect from and after its passsage, the welfare of the Corporation demanding it.

Passed and approved this 6th day of June, 1922.

W. D. KEISER, Recorder.

J. W. WOOSLEY, Mayor.

(Published in the Union City Commercial June 9, 1922.