

CITY OF OKOLONA, MISSISSIPPI
CODE OF ORDINANCES

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CHARTER

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To amend an act entitled an Act to reduce into one the several Acts incorporating the Town of Okolona in the County of Chickasaw approved February 3rd, 1860 and all acts amendatory thereto and for other purposes.

SECTION 1.

(A) The municipal boundaries of the City of Okolona, Chicksaw County, Mississippi, shall be as follows:

Beginning at the Southwest corner of Section 34, Township 12 S., Range 5 E., and run thence North along the West line of Sections 34, 27, and 22 to the Northwest corner of the South Half of Section 22; thence run East along the North line of the South Halves of Sections 22 and 23, and the North line of the Southwest Quarter of Section 24 to the Northeast corner of the Southwest Quarter of Section 24; thence run south along the East line of the Southwest Quarter of Section 24 and the East line of the Northwest Quarter of Section 25 to the Southeast corner of the Northwest Quarter of Section 25; thence run West for 50 feet; thence run south, parallel with and 50 feet West of the East line of the Southwest Quarter of Section 25, to the South line of the Southwest Quarter of Section 25; thence run East for 50 feet to the Southeast corner of the West Half of Section 36; thence run West along the South line of the West Half of Section 36 and South line of Sections 35 and 34 to the Southwest corner of Section 34, which is the point of beginning, enclosing six and one-quarter (6¼) square mile, more or less, and situated in Sections 22, 23, 24, 25, 26, 27, 34, 35, and 36, Township 12 S., Range 5 E., Chickasaw County, Mississippi.

(B) The City Council may enlarge or contract the boundaries of said City by ordinance, defining with certainty, the territory which it proposed to include in, or exclude from, the corporate limits and also defining the entire boundary as changed. The ordinance shall not become operative until one month after its passage, and until it shall have been published for three weeks on some newspaper of said City, if there be one, and if none, by publication in a newspaper having a general circulation therein for that time, and in either case, by posting, printed or written copies of the ordinance for said time in not less than three public places in said city, when it shall become operative unless an appeal be prosecuted. Any person interested may prosecute an appeal from such ordinance, at any time before it comes operative, but not thereafter, by executing a bond, payable to said City in the penalty of two hundred dollars with two or more good and sufficient sureties, conditioned to pay all costs of Suit in case the appeal be unavailing, the bond shall be approved by the President of said Council, and the appeal shall operate as supersedeas.

(Am. Act, approved 7-19-1892; Am. Act, approved 5-11-06; Am. Ord. 1970-2, approved 6-2-70)

SECTION 2.

Be it further enacted, That the inhabitants of said City as above laid out and defined, and their successors forever are hereby constituted a corporation and body politic in fact and in law by the name and style of the City of Okolona and by that name shall have perpetual succession, and shall sue and be sued, plead and be impleaded, defend and be defended, in all the Courts of law and equity and in all actions whatever. May purchase and hold property, real and personal in said city, and may purchase and hold property, real and personal beyond the limits of said city, to be used for the burial of the dead of the City, for Hospital and other buildings for the reception of persons and things infected with contagious and other diseases, and for establishing and erecting other suitable buildings for the care, protection and maintenance of the paupers of the City, and for any and all other public purposes and uses of said city, and may sell, lease or dispose of such property for the benefit of the City, and shall have a common seal, and may break, change or alter and make a new seal at pleasure.

SECTION 3.

The City of Okolona be, and the same is hereby apportioned and divided into six (6) wards, numbered respectively from one (1) to (6) and described as follows:

WARD 1:

Begin at a Point where the West corporate boundary line intersects the centerline of Monroe Avenue and run thence in a Easterly direction along the centerline of Monroe Avenue to the intersection of Monroe Avenue and Rockwell Drive; thence in a Northerly direction along the centerline of Rockwell Drive to a point where Rockwell Drive turns in an Easterly direction; thence continue in an Easterly direction along and with the centerline of Rockwell Drive to the intersection of Rockwell Drive and Church Street; thence North along the centerline of Church Street to West Drive; thence West along the centerline of West Drive to Robertson Street; thence North along the centerline of Robertson Street to Main Street; thence East along the Centerline of Main Street to Stonewall Street; thence in a Southerly direction along the centerline of Stonewall Street to Monroe Avenue; thence in an Easterly direction along the centerline of Monroe Avenue to the intersection of Monroe Street and Olive Street; thence South along the center line of Olive Street to the intersection of Olive Street and Adams Street; thence in an Easterly direction along the centerline of Adams Street to the intersection of Adams and Hillcrest Drive; thence in a Southerly direction along the centerline of Hillcrest Drive to the intersection of Murphy Circle and Hillcrest Drive; thence along the centerline of Murphy Circle to Murphy Avenue; thence continue in an Easterly direction along the centerline of Murphy Avenue to a point where the centerline of Murphy Avenue and Silver Street insects; thence South along the centerline of Silver Street to the intersection of Hawkins Street and Silver Street; thence East along the centerline of Hawkins Street to the point of intersection of Hawkins and Gatlin Streets; thence South on Gatlin Street to the South corporate limits; thence West along and with the South corporate limits to the Southwest corner of the corporate limits; thence North along the West boundary of the corporate limits to the point of beginning of Ward 1.

WARD 2:

Begin at a point on the South corporate limits at the intersection of Filgo Road and Gatlin Street and run thence in a northerly direction along the centerline of Gatlin Street to the intersection of Gatlin and Hawkins Street; run thence West along the centerline of Hawkins Street to the intersection of Hawkins and Silver Street; run thence North along the centerline of Silver Street to the intersection of Murphy and Silver Street; thence West along the center line of Murphy Street through Murphy Circle to the intersection of Murphy Circle and Hillcrest Drive; thence North along the centerline of Hillcrest Drive to the intersection of Adams Street and Hillcrest Drive; thence West along the center line of Adams Street to the intersection of Adams and Olive Street; thence North along the centerline of Olive Street to the intersection of Monroe Avenue and Olive Street; thence East along the centerline of Monroe Avenue to the East corporate limits; thence South along the East corporate limits to the Southeast Corner of the corporate limits; thence West to the Point of Beginning.

WARD 3:

Begin at the intersection of Monroe Avenue and Carter Street and run thence North along the centerline of Carter Street to the intersection of Main and Carter Streets; thence West along the center line of Main Street to the intersection of Main and Child Street; thence North along the centerline of Child Street to the intersection of Child Street and Jefferson Avenue; thence East along the centerline of Jefferson Avenue to the intersection of Jefferson Avenue and Carter Street; thence North along the centerline of Carter Street to the intersection of Carter Street and Washington Avenue; thence West along the centerline of Washington Avenue to the intersection of Washington Avenue and Northeast Street; thence in a northerly direction along the centerline of Northeast Street to the intersection of Northeast Street and Wheeler Street; thence due West to the centerline of the ICG Railroad; thence in the northerly direction along the centerline of the ICG Railroad to a point where said railroad intersects the North corporate boundary line; thence East along the North corporate boundary line to the Northeast corner of the corporate limits; thence South along the East corporate limits to a point where Monroe Avenue intersects said corporate limits; thence West along the centerline of Monroe Avenue to the point of beginning.

WARD 4:

Begin at a point where the ICG Railroad intersects the North corporate boundary and run thence South along the center of the railroad right-of-way to a point that is due West of Wheeler Avenue; run thence due East to the centerline of Northeast Street; thence South along the centerline of Northeast Street to the intersection of Washington and Northeast Street; thence East along the centerline of Washington Street to the intersection of Washington and Carter Streets; thence South along the centerline of Carter Street to the intersection of Carter Street and Jefferson Avenue; thence West along the centerline of Jefferson Avenue to the intersection of Jefferson Avenue and Child Street; thence South along the centerline of Child Street to the intersection of Child and Main Streets; thence East along the centerline of Main Street to the intersection of Main and Carter Streets; thence South along the centerline of Carter Street to the intersection of Carter Street and Monroe Avenue; thence West along the centerline of Monroe Avenue to a point in the center of the road at the intersection of Monroe Avenue and Fleming Street; thence North along the centerline of Fleming Street to the intersection of Fleming Street and Jefferson Avenue; thence in a westerly direction along the centerline of Jefferson Avenue

to the intersection of Jefferson Avenue and Olive Street; thence North along Olive Street to the intersection of Olive Street and Wheeler Avenue; thence westward along the centerline of Wheeler Avenue to the intersection of Wheeler Avenue and School Street; thence run along the centerline of School Street to a point at the Northwest Corner of Lot 3, Block 1, according to the Randolph survey and map of the City of Okolona, and which is also the Northwest Corner of the Odd Fellow Cemetery; thence in an easterly direction along the cemetery property line to the Northeast Corner of said cemetery; thence North due to the North corporate boundary line; thence East along the North corporate boundary line to the centerline of the ICG Railroad.

WARD 5:

Begin at a point where North Church Street intersects the North corporate limits and run thence in a Southerly direction along the centerline of Church Street to Main Street; thence East along the centerline of Main Street to Stonewall Street; thence South along the centerline of Stonewall Street to Monroe Avenue; thence East along the centerline of Monroe Avenue to North Fleming Street; thence North along the centerline of North Fleming Street to Jefferson Avenue thence West along the centerline of Jefferson Avenue to North Olive Street; thence North along the centerline of North Olive Street to Wheeler Avenue; thence West along the centerline of wheeler Avenue to School Street; thence North along the centerline of School Street to the Northwest Corner of the Odd Fellow Cemetery; thence East along the North line of said cemetery to the Northeast Corner thereof; thence North to the North corporate boundary line; and thence West along the North corporate boundary line to the centerline of Church Street.

WARD 6:

Begin where Church Street intersects the North corporate boundary and run thence South along the center line of Church Street to the intersection of Main and Church Streets; thence West on Main Street to the intersection of Main and Robertson Street; thence South on Robertson Street to the intersection of Robertson Street and West Drive; thence East along the center line of West Drive to the intersection of West Drive and Church Street; thence South on Church Street to the intersection of Church Street and Rockwell Drive; thence West along the centerline of Rockwell Drive to the intersection of Rockwell Drive and Monroe Avenue; thence West along the centerline of Monroe Avenue to the West corporate boundary line; thence North along the West corporate boundary line to the Northwest Corner of the corporate limits; thence East along the North boundary line to the point of beginning.

(Am. Res., approved 5-2-85)

SECTION 4.

Be it further enacted, That the Officers for the government of said City shall consist of a Mayor, Marshal, six Councilmen, Clerk, Assessor, Treasurer, Tax Collector, City Attorney, City Physician and City Engineer. The Clerk may be the Tax Collector if the Mayor and City Council shall so elect.
(Am. Act, approved 4-6-33)

SECTION 5.

Be it further enacted, That the Mayor and Marshal shall be elected biennially by the qualified electors of said City and shall hold their offices for a term of two years, from and after their election or until their successors are fully elected and qualified.

SECTION 6.

Be it further enacted, That six Councilmen shall be elected by the qualified electors of said City at the first election under this act, three of whom shall continue in office for a term of one year, and the other three for a term of two years. Said Councilmen, thus elected, shall cast lots for the long and short term, and annually thereafter, there shall be an election for three Councilmen, whose term of office shall be two years.

SECTION 7.

Be it further, enacted, That the Clerk, Assessor, Treasurer, Tax Collector, City Attorney, City Physician and City Engineer shall be elected by the City Council, by ballot, immediately after the organization of said City Council, as hereinafter provided, whose term of office shall be two years. Provided however, that said City Council may if deemed best employ a City Engineer for such period and at such times as his services may be required; and provided further that said City Council may if advisable elect the Clerk and Treasurer from their own body.

SECTION 8.

Be it further enacted, That any qualified Elector of said City, shall be eligible to the offices of Mayor, Marshal, Councilman, Clerk, Treasurer, Assessor and Tax Collector; and that any practicing attorney and physician, of good moral and professional standing, shall be eligible to the offices of City Attorney and City Physician, respectively; and that any person of capacity, and possessing the necessary professional qualifications shall be eligible to the office of City Engineer, whether resident or nonresident.

SECTION 9.

Be it further enacted, That when any two or more persons have an equal number of votes for Mayor, Marshal or Councilman of said City, the City Council in office at the time of such election, shall decide which of the persons so voted for shall hold such office.

SECTION 10.

Be it further enacted, That each ward of said City shall have a representative in the City Council, who shall be a resident of the ward which he or she may be elected to represent six (6) months proceeding such election, and that every elector shall vote for one (1) person only for such office which person shall be a resident of such election ward.

(Am. Act, approved 9-14-1898; Am. Res., approved 5-2-85)

SECTION 11.

Be it further enacted, That all male inhabitants of said City who are not disqualified by the Constitution of the United States and of the State of Mississippi, and shall have resided within the corporation there of one month next proceeding the election at which said inhabitant offers to vote and who are qualified electors of the State, and who are registered according to the provisions of this act are hereby declared to be qualified electors of said City.

SECTION 12.

Be it further enacted, That it shall be the duty of the City Council to appoint one or more Registrars, not to exceed three in number, whose term of office shall be one year, and for whose compensation said City Council may, by ordinance provide, who shall take and subscribe the oath of office prescribed for Registrars by the Constitution and laws of this State, and who shall before every election, either general or special, register the qualified electors of said City at the time and in the manner, said City Council may by ordinance appoint.

SECTION 13.

Be it further enacted, That any and all persons presenting themselves for registration, as an elector of said City, shall take and subscribe to the following oaths or affirmation, which shall be administered and proved by any one of the Registrars appointed as herebefore provided, To Wit! I _____

do solemnly swear (or affirm) in the presence of Almighty God, that I am twenty-one (21) years old, and that I have resided in this State six months and in the City of Okolona one month and am a resident of Ward No. of said City: that I will faithfully support and obey the Constitution and laws of the United States and of the State of Mississippi, and of the Ordinances of the City of Okolona, and will bear true faith and allegiance to the same so help me God.

(Am. Act, Ch. 327, approved 2-27-1878)

SECTION 14.

Be it further enacted, That the name of all the registered electors of said City shall, with the number of their ward, respectively be written in numerical order, in one book to be kept for that purpose, which shall be known as the City Registration Book of the City of Okolona. At each general

and special election held in and for the City, the City Registrar shall furnish the inspectors of such election with a separate poll book for each ward interested in such election, containing a full and correct list of the legal voters of such wards.

(Am. Act, Ch. 439, approved 3-13-1884)

SECTION 15.

Be it further enacted, That if either of the Registrars be of the opinion that any person applying for registration is not a citizen of the City of Okolona, or by reasons of any disability has no right to register, said Registrar shall have power to require of such person additional evidence. And any citizen of said City shall have the privilege of challenging the right of any person to register, and to introduce proof in relation thereto, and in either case the Registrar or Registrars shall hear and determine the application on the evidence introduced, with fairness and justice.

SECTION 16.

Be it further enacted, That the City Clerk shall be the custodian of the Poll Books of the City of Okolona, and that said books shall be open at all times for the inspection of the citizens of said City, but such inspection to be made only in the presence of said custodian.

SECTION 17.

Be it further enacted, That the City Council shall sit for a period of five days, if necessary, after each registration of voters under this act, for the purpose of revising and correcting the Poll Books, and if it shall appear, to the satisfaction of said City Council, that any person or persons have been illegally registered, said Council shall have power to erase said name or names, and said City Council shall sit in public, and before striking the name of any person from the Poll Books, said person shall have notice and be permitted to introduce testimony and to be heard by himself or by Council or by both.

SECTION 18.

Be it further enacted, That the Mayor of said City shall at a convenient time, not less than ten days before any election, give time and place of holding any elections, give time and place of such election by publication in a newspaper published in said City, and if there shall be no newspaper published in said City, then by posting such notice in five or more public places in said City, and the Mayor shall appoint one qualified elector of said City as an Inspector of said election, the President of the City Council shall also appoint one qualified elector in said City as an Inspector, and the City Council shall also appoint one qualified elector of said City as an Inspector, making three Inspectors to hold the said election, a majority of whom may act, who upon entering upon the discharge of their duties, shall take and subscribe before the Mayor or other officer authorized to administer an oath the oath authorized for Registrars and Inspectors of Elections by the Constitution and laws of the State. The Inspectors

aforementioned may be appointed at a regular or special session of the City Council. At any election in which the City Marshal shall be a candidate for office he shall not be the Bailiff of the elections being held, But the City Council shall appoint a special Bailiff to act at such election. In all elections where the City Marshal is not a candidate for office he shall be the Bailiff at such election. The said Inspectors with the assistance of the Bailiff and such other officers as shall be specially appointed by the City Council, shall hold and preside over such election, decide upon the qualifications of electors, and return and certify the poll lists and number of votes cast, for each candidate for office at such election, which return shall be canvasses and verified by the City Council, who shall cause the same to be entered in full on their minutes.

(Am. Act, approved 1-29-08)

SECTION 19.

Be it further enacted, That in all elections held in said City, the polls shall be opened at 8 o'clock A.M. and closed at 5 o'clock P.M. on the day appointed; that a recess of one hour may be had at noon if practicable.

SECTION 20.

Be it further enacted, That in all provisions of Section 367 of the Revised Code of Mississippi for the year 1871, regulating the holding of State elections, shall be and the same are hereby made applicable to the holding of elections in said City.

SECTION 21.

Be it further enacted, That vacancies in the City offices, required to be elected by the electors thereof, shall be immediately filled by special elections, to be held at such time and place, in said City, as the Mayor shall direct, under the regulations provided by this act, for holding other elections; Provided the Mayor shall give ten days notice thereof as provided herein for other elections.

SECTION 22.

Be it further enacted, That said City Council shall judge of the qualifications of all officers elected, and the validity of their election; and shall also have power to remove from office, for malfeasance or misfeasance, incompetency or neglect of duty, an officer of said city, by a recorded vote of two thirds of said City Council; provided such officer shall have at least three days notice of such proceedings, and shall have the right to be heard by himself or counsel or both.

SECTION 23.

Be it further enacted, That the elections of said City may be contested as follows: A petition by ten qualified electors of said City, setting forth fully the nature of the illegality complained of shall within three days after such election, be presented to said City Council, and thereupon said City Council shall appoint a day for the hearing of said petition, and shall immediately give notice to the person elected, and on trial shall determine whether such person be legally elected or not, and to this end shall have power to compel the attendance of witnesses, and the production of all papers touching such contested election. Provided however, that if upon the hearing, said City Council shall find that such election was proceeded or carried by fraud, bribery, tumult or other illegal practice, they may set aside and annul such election, and shall forthwith order an election, as in case of vacancies.

SECTION 24.

Be it further enacted, That the officers of said City shall, within the first five days of August next succeeding their election, take and subscribe before the Mayor or other officer authorized by the laws of the State to administer oaths, the oath of office prescribed by the Constitution of the State of Mississippi; and shall execute bonds as follows: The Mayor, Marshal, Assessor and Treasurer, each, in a sum not less than five hundred dollars as the City Council may ordain and direct, which shall be approved by the City Council, elect, in Council or by the President thereof in vacation, the penalties of which said bonds may be increased as the responsibilities of each officer may require, and said bonds may be made payable to the City of Okolona, with two or more good and sufficient securities, and shall be conditioned for the faithful performance of the offices respectively, and all officers bonds and oaths shall be recorded in full on the minutes of the City Council, a copy of which shall be furnished to any person desiring the same, on payment of fifty cents each to the Clerk for transcribing the same, which copy, when certified by the Clerk, under the seal of the City, shall be taken as evidence in all the courts of laws and equity in this state, to the same extent as the original if produced. Said bonds may be put in suit by the City or any person sustaining damages by a breach thereof, in any court of competent jurisdiction.

(Am. Act, Ch. 327, approved 2-27-1878)

SECTION 25.

Be it further enacted, That the other officers of said City not mentioned in the proceeding section, shall execute such bonds as the City Council may by ordinance provide, to be made payable, conditioned and recorded as provided in Section 24 of this Act, and may be put in suit in the manner therein provided.

SECTION 26.

Be it further enacted, That the City Council shall have power to make and establish rules and bylaws for its own government; to appoint and regulate the time of its meetings; and manner of being convened in special meetings, and to alter the same at pleasure; and to create such subordinate offices

as may be necessary, for such terms and with such regulations, and to be elected as said Council may by ordinance prescribe. A majority of said Council shall constitute a quorum, and the Mayor shall be the ex-officio President and the presiding officer thereof, and shall vote at all elections of officers, and shall give the casting vote when a tie occurs in voting on any question or business matter of said Council. Said Council may delegate the administration of the various affairs of said City to subordinate officers, and committees of its own members with adequate powers.
(Am. Act, approved 3-2-16)

SECTION 27.

Be it further enacted, That the legislative and contracting power of said City shall be vested in the City Council, and that all deeds and contracts necessary to be made by said corporation, in writing, shall be authorized by resolution of said City Council, and shall be signed by the President, attested by the Clerk, and be under the seal of the City.

SECTION 28.

Be it further enacted, That the City Council of the year proceeding each election, shall, before retiring from office, and within three days after every election, cause to be recorded upon the minutes of said Council, the returns and certificates of the Inspectors of the election as hereinbefore in this act provided. And the City Council elect, shall as soon as may be within five days after such election, assemble and organize in Council, appoint the time of regular meeting, adopt rules for their government, and transact such other business as may be necessary for their permanent organization.
(Am. Act, Ch. 439, approved 3-13-1884)

SECTION 29.

Be it further enacted, That all resignations by the officers of said City except when made by the President of the City Council, shall be made and addressed to said President, and when by the President, to the Clerk, and whenever the Mayor shall be absent from the City or unable or from any cause shall fail or refuse to discharge the duties of said office, whenever said office shall be vacated by death or otherwise, the City Council shall have power by resolution, to appoint any member of the City Council, or any Justice of the Peace residing in said City, Mayor Pro Tempore; who until the return to duty of the Mayor, or office, or in a case of a vacancy, until the election and qualification of his successor, shall be by such appointment invested with all the powers and rights, and shall perform all the duties and receive all the compensation and perquisites belonging and appertaining to such office.

SECTION 30.

Be it further enacted, That the officers of said City shall for their services, respectively, receive such compensation by salary or perquisites, or both, as may be by the City Council established and

ordained. Provided that no ordinance increasing the compensation of Councilmen shall take effect during the term in which it passed.

SECTION 31.

(A) Be it further enacted, That the City Council shall have power by ordinance, to levy and collect taxes upon real and personal property by law taxable for state purposes, sufficient for the legitimate uses and general purposes of said City. Said City Council may also levy an Ad Valorem tax, upon the sales of all transient merchants, vendors and auctioneers, on the payment of which a license shall be issued as may be deemed best, and shall have power to levy a special tax of not exceeding one dollar upon each horse or mule sold, or exhibited for sale in said City; and of not exceeding fifty cents per head upon all cattle brought to the city for sale or slaughter, or may issue license on payment of such privilege tax as may be levied in lieu thereof is deemed best.

(B) The City shall be authorized to levy and collect not exceeding one hundred percentum tax on the State tax on dealers in spirituous, vinous and malt liquors for City purposes.

(C) Said Council may at a regular or special meeting to be held in September or October of each year, increase or diminish the valuation of property assessed for taxation, ten days notice of the meeting at which such changes are to be made shall be given by posting written notices thereof in five or more public places in said city, which said notice shall also be published in a newspaper if one be published therein.

(Am. Act, Ch. 439, approved 3-13-1884; Am. Act, approved 7-19-1892)

SECTION 32.

Be it further enacted, That said City Council shall have power to levy a special tax of not more than one hundred dollars per annum, upon each foreign and nonresident insurance company or other corporation doing business in said City.

SECTION 33.

(A) Be it further enacted, That said City Council shall have power to open, alter, abolish, widen, establish, grade, level, pave, or otherwise improve, clean and keep in repair, roads, streets, avenues, lanes and alleys, within the City; to fix and establish a permanent grade or grades for said roads, streets, avenues, lanes and alleys, and to cut, raise and level said roads, streets, avenues, lanes and alleys, to such permanent grade or grades, or to such grade approximating thereto as shall be deemed fit; to provide for lighting the streets and erecting lamps thereon, and to remove all obstructions from sidewalks, and streets, and to provide for the construction and repair of all necessary sidewalks, curbstones and gutters, along the roads, streets, avenues, lanes and alleys and may do so at the expense of the owners of the ground fronting thereon; to make reasonable appropriations for the repair of roads outside of and contiguous to the City limits, whenever the business of the City shall require such repairs; to erect market-houses establish markets and market places, and may provide for the

government and regulation of the same; to regulate the vending of meats, poultry, butter, vegetables, and other commodities brought into the City for sale, to license, tax, regulate and suppress, theatricals and other amusements, shows and exhibitions; to license, tax and regulate inns, taverns, boarding houses, ordinaries, victualling houses, fruit shops and stalls, beer saloons and beer gardens and oyster saloons; to make all necessary regulations for the retailing of intoxicating liquors, not inconsistent with the laws of the state; to tax, license, or suppress hawkers and peddlers, and hawking and peddling in said City; to tax, license, regulate and suppress billiard tables, nine or ten pen alleys, Jenny Lind tables or any other similar contrivance for gaming or other purposes; kept for public use, play, amusement or exhibition, and may tax, license, regulate or suppress all places of public amusement; to restrain, prohibit and suppress disorderly and indecent tippling houses and dram shops, and may restrain, prohibit and suppress all gaming and gaming houses, and all other disorderly houses; to tax and license, or to restrain, prohibit and suppress bawdy houses, to tax, license and regulate hacks, carriages, omnibuses, wagons, carts and drays, and to fix the rate to be charged for the carriage of persons and the transportation of things within said City, and to and from said City, and burying grounds, hospitals and places of quarantine, thereof, to license, tax and regulate porters, and fix the rate of portage; to prevent dogs, hogs and other animals from running at large in the streets of said City; by killing or impounding the same; and to tax, license and regulate the keeping of dogs in said City to sell under such regulations as may be ordained all dogs, hogs or other animals that may be impounded by the ordinances of said City, the remaining proceeds of sale, after paying all proper charge and expenses thereon, to be paid to the owner, respectively, of the property so sold. Provided that any money arising from any such sale, that shall remain unclaimed for a period of six months after the date of sale, shall be transferred to the general funds of the city, and all claims and actions therefor be forever barred; to regulate the keeping, carting, and transportation of gun powder and other combustible and dangerous materials; the use of lights, lamps and candles in livery and other stables; to remove or prevent the construction of any hearth, fireplace, chimney, stovepipe, oven, boiler, kettle or apparatus used in any house, manufactory or business which may be dangerous in causing or promoting fires; to appoint one or more officers at reasonable times to enter and examine all dwelling houses, yards, lots, enclosures and buildings of every description in order to discover whether any of them are in a dangerous condition, and to cause such as may be dangerous, to be put in a safe and secure condition; to regulate and prevent the carrying on of manufactories dangerous in causing and promoting fire; to appoint fire wardens with such duties and power as shall be, by ordinance, prescribed; to appoint firemen to take charge and management of fire engines and apparatus thereto belonging, under such regulations as they shall deem necessary; to compel the owners and occupants of houses and other buildings to have scuttles on the roof of such houses or buildings, and stairs leading to same; to regulate the dimensions of chimneys hereafter erected, so as to admit chimney sweeps and clean the same; to require the inhabitants of the City such and so many fire buckets, and in such manner and time as may be, by ordinance prescribed, and regulate the use of them in time of fire, and to adopt such measures for the prevention and suppression of fires as said City Council shall deem expedient, and to this end to prevent the erection of wooden buildings within the prescribed limits of said City, and prescribe and regulate the manner and order of building of partition and parapet walls and partition fences; to appoint property guards within power to remove and keep away from the vicinity of any fire all idle and suspicious persons collecting near the same, and to compel any person present to aid in extinguishing any such fire, or in the preservation of any property exposed to the danger of the same, and to prevent goods from being purloined thereat, with such other powers and duties as may be prescribed by ordinance; to provide for the inclosing, improving and ornamenting and regulating all public grounds belonging to the City, and for the erection of all needful buildings

and the repair and improvement of the same, from time to time to establish, erect and keep in order and repair bridges, bridges, culverts, sewers, walks and causeways, and regulate the use of the same; of water courses and drains, and wall them up and cover them over, and regulate and arrange with uniformity such buildings as shall be erected in the City; to make regulations to secure the general health of the inhabitants, and to prevent and remove to some place without the City, or to such place as may be appointed, all damaged cotton, cotton seed, stable manure, tainted provisions of flesh, fish or vegetables or all or any kind of commodity or matter prejudicial to health, comfort or safety, under such rules and penalties as they may, by ordinance, establish; to require the opening or filling up of all ponds, drains, vaults, cellars or gutters, which by their condition tend to produce or increase, disease, by the owners of the lots upon which they are situated; and generally to require the owners of lots to remove or abate all nuisances thereon of any kind or description, under such rules or penalties as said City Council may ordain; to establish such regulations as may be deemed proper to prevent the introduction and spread of contagious, epidemic, or infectious diseases, and to make quarantine laws, and to enforce the same with their own officers within five miles of the City; and to establish hospitals and ware houses for the reception and detention of sick persons, goods, wares and merchandise restrained by quarantine regulations at the place of quarantine, and have the same jurisdiction and control at all places of quarantine without, as if the same were within the jurisdiction of the City; to take and apply, on making just compensation therefor to the owner; all laws that may be necessary for the quarantine regulations; to appoint health officers with powers to administer oaths to parties and witnesses in all matters coming under their inspection and supervision, and to prescribe and define the duties and provide and compensate such officers; to designate lay out, enclose and regulate all such burying grounds as they may deem necessary for the interment of the dead of said City; within or without the limits thereof, and to appoint sextons to such burying-grounds, and prescribe their duties and compensation and to take and apply, on making just compensation to the owners, all lands necessary for such burying grounds; to prevent any proper regulations and penalties the interment of the dead within the limits of said City; to require the attending physician or surgeon, in all cases of death, to report in writing, to the Sexton or City Physician or to the City Council, specifying the name and age of the person and the disease or casualty by which such person died, under adequate regulations; to prevent the introduction into the City of paupers and persons liable to become public charges, and to prohibit and prevent, by suitable regulations and penalties, dangerous and suspicious persons from coming into the City or lurking about the same; to establish and regulate a City watch, with power to arrest suspicious and disorderly persons, and to commit them to the City jail, under proper restrictions, and to appoint and regulate patrols, and to ordain all needful regulations for preventing and suppressing disorderly conduct, and unlawful assemblages in said City; to provide for taking from time to time an enumeration of the inhabitants of said City, and to make ordinances and to adopt by laws and resolutions not repugnant to or inconsistent with the laws of the United States or of this State, which the said City Council may deem necessary and proper for the good order, health and safety of said City and its inhabitants.

(B) For the purpose of boring or drilling an artesian well in the City, but for no other purpose, the City Council may issue the bonds of the City to the amount of ten thousand dollars (\$10,000), to bear interest at a rate not to exceed eight percentum per annum, to become due and payable at such times and in such installments as the Council may by ordinance provide.

(C) The Council of said City, for the purpose of raising money, for the erection of municipal and school buildings, and the purchase of such buildings or land therefor, and the improvement and

adornment thereof, for the erection or purchase of Water Works, Gas Electric or other plants, the establishment of a sewerage system, the protection of said City from overflow, from caving banks, or any other like dangers, improving or paving streets, and for the liquidation of existing debts of said City, may issue the bonds or other obligations of the City, not to exceed an amount including all outstanding bonds, seven percentum of the assessed value of the taxable property of said City, unless authorized by two thirds of the qualified electors thereof, but in no case shall the amount issued exceed ten percentum of the assessed value. But the limit of the amount shall not apply to bonds issued on liquidation, or to raise funds to liquidate any existing indebtedness when the amendments to said Charter become operative.

(D) Said bonds shall not mature not later than twenty years from the date of their issuance, and bear interest at a rate not exceeding six percentum per annum, payable annually or semi-annually, as said Council shall elect, and such bonds or any part thereof, may be made payable after five years at the option of the City Council, provided the City Council shall so elect and state on the face of the bonds. All such bonds shall be lithographed with suitable device to prevent counterfeiting, shall be in sums of one hundred dollars, or five hundred dollars each, and shall be registered as they are issued, be numbered in regular series from one upward, be signed by the President of the City Council and countersigned by the Clerk, who shall, as it is issued, impress the seal of said City upon each bond, and every such bond shall specify on its face the purpose for which it was issued, and the total amount authorized to be issued, and each shall be made payable to a person by name, the purchaser, followed by the words "or bearer." Said Council may levy annually a special tax to be used exclusively in paying the interest on such bonds, and in providing a sinking fund for the redemption of the bonds issued. Said bonds may be used and applied to refunding or taking up outstanding bonds that can be refunded or taken up.

(E) Before providing for the issuance of any bonds, said Council shall publish notice of the proposal to issue the same in a newspaper published in said City, or having a general circulation therein, if none be published there, for three weeks next preceding, and if within that time twenty percentum of the adult taxpayers of said City shall petition against the issuance of the bonds, then the bonds shall not be issued, unless authorized by a majority of the electors voting in an election to be ordered for that purpose. All the expenses of preparing bonds publishing notices and holding such elections shall be paid out of the Treasury of said City.

(F) The City Council, if it elects, may issue bonds making a part of them mature annually and running through a series of not more than twenty years from their issuance. All the interest in such case and a part of the principal to be fixed by said Council as the bonds are issued, shall be paid annually, and the bonds shall be issued accordingly in which case a part of the principal shall not be called in and paid by the City Council until the maturity of the bonds.

(G) The City Council shall have the power to purchase or otherwise acquire a suitable site for a library building, and to maintain one or more libraries for public use, and to regulate the use thereof. (Am. Act, Ch. 439, approved 3-13-1884; Am. Act, approved 7-19-1892; Am. Act, approved 1-11-02; Am. Act, approved 3-21-14)

SECTION 34.

Be it further enacted, That the City Council shall have power, by ordinance, not inconsistent with the laws of the State, to provide for the apprehension and punishment of vagrants.

SECTION 35.

Be it further enacted, That said City Council shall by ordinance, prescribe and define, the fees, duties and liabilities of all City officers, and may direct the manner of proceeding for the recovery of the penalties when the conditions are broken of the official bonds.

SECTION 36.

(A) Be it further enacted, That said City Council shall have power, to prescribe, by ordinance, such fines and forfeitures for the violation of any ordinances or bylaws of said City, as may be deemed expedient, not to exceed Two Hundred and Fifty dollars for each offense; or may provide for imprisonment for such violation, not exceeding ninety days for each offense; or may provide for both such fines and imprisonment; and may amend or repeal all ordinances and bylaws at pleasure.

(B) The City is authorized and empowered to repress and punish all violations of the criminal laws of the State under the grade of felonies, which may occur within its corporate limits, under existing ordinances and such other ordinances as may hereafter be adopted, and to change, alter or amend all such ordinances as the good order of the city may in its judgement demand.

(Am. Act, approved 3-12-1900; Am. Act, approved 5-14-12)

SECTION 37.

Be it further enacted, That when it becomes necessary to open, extend or widen or otherwise change any street, road, avenue, lane or alley, the City Council shall make the persons or persons damaged, adequate compensation therefor.

SECTION 38.

Be it further enacted, That the City Council in providing by ordinance, the manner of proceeding for the opening, extending or otherwise changing any street, road, avenue, lane or alley, shall conform as near as may be to the manner prescribed by the laws of the State for laying out, opening, widening or changing public roads, that six good lawful and discreet citizens of said City, and who are not directly or indirectly interested in such change shall constitute a jury for such purposes, and provided further, that when such jury shall be legally empaneled, they shall ascertain the following points; 1st the value of the lands, sought to be condemned, and the value of the improvements situated thereon, and shall make, return and otherwise discharge the duties, as may be by ordinance provided; and provided further that any owner or owners of land condemned, under this section, feeling aggrieved

by the verdict of the jury, may, at any time, within five days after such finding, have an appeal to any court of competent jurisdiction upon giving such bond as may be required by the ordinances of said City.

SECTION 39.

(A) Be it further enacted, That the City Council shall have power, by ordinance, to prescribe and regulate the time and mode of assessing and collecting the taxes levied by them, and to subject by levy, seizure and sale, any personal effects, and in default thereof any real property said person may possess in said City, to the satisfaction of all taxes due and owing by such person.

(B) The City Council shall have authority, by ordinance, to provide for the appointment of three (3) Commissioners, whose duty it shall be to canvass and make personal examinations of the assessment of taxes in and for said City, and may equalize the valuation in such assessment in such manner and under such restrictions as may be by ordinance provided; provided however, that the appointment of said Commissioners shall be made by the Mayor, with the advice and consent of the City Council.

(Am. Act, Ch. 327, approved 2-27-1878)

SECTION 40.

Be it further enacted, that all taxes levied by said City Council upon real and personal property shall, from the date of the assessment until paid be and remain subsisting liens, respectively upon the property so taxed, and in default of the payment of the taxes upon such property, and in default of the taxes upon any such property, said City Council shall have power, under proper regulations, to cause such property or so much thereof as may be necessary for the payment of said taxes, to be sold at public sale, on not less than thirty days previous public notice, and shall invest the Tax Collector with power to transfer by conveyance the property so sold to the purchaser; provided, however, that the owner of any real property sold and conveyed as aforesaid, may at any time within two years after the execution of the deed of conveyance by the Tax Collector redeem the same by the tender or payment, to the City Clerk of the purchase money paid and twenty-five percentum thereon with costs of tax sale and also five percentum on the whole amount of redemption money; and provided further that the surplus purchase money, if any, after the satisfaction of all taxes due, and all costs which may have accrued up to the day of the sale of the property sold by said Collector, shall be paid to the Treasurer of said City, and by him paid to the owner of the property on demand; and provided further, that all conveyances made in pursuance of this Section and Section 42 following shall be by the Collectors deposited with the City Clerk to be retained by him during the time allowed for the redemption of the property conveyed, and to be cancelled by him and delivered to the owner upon payment of the purchase money, the percentum, and all costs, or in default thereof to the purchaser or his assigns for record.

(Am. Act, approved 10-12-11)

SECTION 41.

(A) Be it further enacted, That said City Council shall have power to provide by ordinance for the sale of all lots in said City, along which they may construct any sidewalks, pavements or gutters, or upon or from which, they may fill up or open any pond, drain, cellar, gutter, vault privy, or abate or remove any nuisance, dangerous to the health of the inhabitants or prejudicial to the property of said City upon the default of the owner; on sufficient notice from the proper authorities to construct, open or fill the same, in the same manner and to the same extent as said Council is authorized to provide for the sale thereof for taxes; provided such owner shall have the right to redeem on the same terms and within the same time and in the same manner, as is provided in cases of land sales for taxes.

(B) When the City Council shall deem any improvement, which requires unusual outlay and costs, in excess of the general improvement fund, of which said Council shall be the judge on any street, avenue, lane, alley or sidewalk, or part thereof, necessary, a special tax therefor may be levied; in such case the Council shall by resolution, declare such work or improvement, describing it necessary, and publish the resolution as an ordinance is required is to be published, and if a majority of the resident owners of the property on said street, avenue, lane, alley, sidewalk or part thereof, to be benefited by such improvement, do not, within twenty days after the resolution has been passed, file with the Clerk of said City, their protest in writing against such improvement, said Council shall have power to cause such improvement to be made, and to contract therefor and to levy the special assessment of taxes provided for in the next section, and the work may be done before, during or after the collection of the special assessment, as may be determined by said Council.

(C) If the owner of the property fails to make the special improvements within twenty days after the ordinance becomes operative, then the street commissioners shall, upon order of said Council, after giving five days notice to the owner or occupant of each piece of property to be assessed, or in case of unoccupied property, by posting a written notice thereon to such time, of the necessity therefor, make the repairs or construct the improvement, or cause to be done, keeping an account of the cost thereof, and reporting the same to said City Council at its next regular meeting thereafter, for assessment, and each lot or piece of ground abutting on said street, avenue, lane, alley, sidewalk, or part thereof, shall be liable, and bound by a lien, paramount to all other liens, state and county taxes excepted, for the cost of improvement to all other liens, state and county taxes excepted, for the cost of the improvement, or repairs made along or in front of such lot or piece of ground, as reported to and approved by said Council, with ten percentum interest thereon from thirty days after its approval, which may be enforced in the Chancery Court after ten days notice to the owner if a resident, or the occupant of the property, or agent, if the owner be nonresident, and when so enforced, to be fixed by the Chancery Court, shall be taxed in the costs in the complainants favor.

(D) Whenever any special improvement shall be made, and the piece or pieces of land abutting on such improvement shall not be divided into lots or blocks, the special assessment shall be made on the piece or pieces of ground adjoining such improvement through which the same may be located, to the distance of three hundred feet from the street, avenue, lane, alley, or sidewalk, the distance improved or to be improved.

(Am. Act, approved 7-19-1892)

SECTION 42.

Be it further enacted, That said City Council shall have power to levy a street tax upon each male inhabitant of said City liable to road duty under the laws of this State, of not less than three nor more than ten dollars, and if said City Council shall deem it for the best interest of said City, said Council may provide for the working and grading of the streets thereof by contract, such contract to be let to the lowest responsible bidder, who shall be required to give bond conditioned for the faithful performance of such contract, and any person failing or refusing to pay such street tax shall be subject to such pains and penalties as may be provided by ordinance, not inconsistent with the laws of this State.

SECTION 43.

Be it further enacted, That said City Council shall have power when necessary, to cause a complete survey of said City to be made and mapped by the City Engineer, or other competent person in case such office is vacant, or may adopt any map and survey already made in whole or in part, and when completed, such adopted map and survey, or new map and survey as the case may be, is hereby declared the legal map and survey of said City; and said City Council may provide for the recording of the same as is required by the law for deeds; and may make such other provisions for the prevention and safe keeping of the same as may be practicable.

SECTION 44.

Be it further enacted, That said City shall cause to be made full and complete itemized statement of all moneys received and expended in behalf of said City on or before the fourth Monday of October, January, April and July, or each year by the proper officer, all of which statement shall be copied in full, in a book to be kept for that purpose, and said book shall be open at all times for the inspection of any citizen of said City, and said City Council shall cause to be published in some newspaper published in said City or by posting copies of the same in three or more public places in said City, a full and complete itemized annual statement of all monies received and expended on or before the fourth Monday of July of each year.

SECTION 45.

(A) Be it further enacted, That the style of the ordinances of the City shall be, "Be it Ordained by the Council of the City of Okolona". That all ordinances passed by said Council shall be signed by the President, and attested by the City Clerk; and shall be entered in a book of ordinances to be kept by the Clerk, which shall be deemed a sufficient publication of the same, and when so entered, shall be received as evidence in all the courts of law and equity in this State. Provided that said Council if deemed best, may be published in a newspaper published in said City, or by posting copies in three or more public places in said City.

(B) The Council may from time to time authorize the revision of the ordinances and their publication in pamphlet form, and they may cause to be published in connection therewith, the laws relating to said City, with such annotations of Supreme Court decisions thereon, as may be proper, and such forms and instructions, as they shall deem advisable, the whole may be preceded with a historical history of said City.

(Am. Act, approved 7-19-1892)

SECTION 46.

Be it further enacted, That said City Council shall have power to grant any person, who shall be deemed suitable, having in view their moral standing, capacity and honesty, a license as cotton weigher of said City, under such rules, regulations and restrictions as may be by ordinance provided, and said Council may fix a uniform system of fees for said weigher or weighers; provided, that every such suitable person, who shall pay into the City Treasury that tax levied, and execute and deliver such bond as may be required by the ordinances of said City, shall be entitled to such license, and shall be deemed a cotton weigher within the provision of this Act; and provided further that nothing in this Act shall be construed so as to permit the compulsion of any one to patronize such weigher or weighers.

SECTION 47.

Be it further enacted, That said City Council shall not hold regular meetings more often than twice a month, but the President or any three Councilmen, in his absence or indisposition, may call a special meeting whenever business may require. Provided, that at any meeting whether regular or special, in the absence of the President said Councilmen may elect one of their number, President Pro Tem, who shall preside with the same powers and duties as the President.

SECTION 48.

Be it further enacted, That the City Council shall, from time to time, by ordinance prescribe the duties of the City Attorney, City Physician and City Engineer.

SECTION 49.

[Repealed by an Act approved 3-2-16]

SECTION 50.

Be it further enacted, That the Mayor shall be the chief executive officer of said City, and the ex-officio President of City Council, and shall inspect the conduct of subordinate officers, and see that their duties are performed; and shall take care that the ordinances of said City, and the laws of the State, are duly enforced, respected and observed within his jurisdiction as Mayor and Justice of the

Peace respectively, and shall from time to time report to the City Council all delinquencies on the part of City Officers, and communicate such information and recommend such measures as he may deem beneficial to the health, security and good order and government of said City.
(Am. Act, approved 3-2-16)

SECTION 51.

(A) There is hereby established for the said City of Okolona, Mississippi, a municipal court, which shall have all the duties, responsibilities and powers set forth in Sections 21-23-1 et seq. of the Mississippi Code of 1972 as enacted and hereafter amended.

(B) Said court shall be known as the Okolona Municipal Court and the chief officer of said court shall be known as the Okolona Municipal Judge. The Okolona Municipal Judge shall be appointed by the governing authority of the City of Okolona.

(C) If the governing authority appoints a Municipal Judge, he or she may be a licensed attorney of Chickasaw County, a licensed attorney of a county adjacent to Chickasaw County, or a justice Court Judge of Chickasaw County. If the Municipality shall not approve a Municipal Judge, the Mayor or Mayor Pro Tempore shall be the Municipal Judge but shall not receive additional compensation for such service.

(Am. Res., approved 6-22-87)

SECTION 52.

(A) Be it further enacted, That said Mayor shall keep a well bound book, styled a docket in which shall be entered in full all proceedings had before him as Mayor. He shall Ex-Officio a Justice of the Peace in and for the County of Chickasaw, and shall be commissioned as such by the Governor of the State; and shall keep a well bound book styled a Docket, in which shall be entered in full all proceedings had before him as such Justice of the Peace, and, in discharge of such duties, shall be subject to and governed by the laws of the State.

(B) The Mayor be, and he is hereby, made a notary public in and for the State of Mississippi, and, as such notary public, may make protests, take acknowledgments of deeds, and all other instruments required by law to be acknowledged, and may administer oaths, and do all other acts proper to be made and done by such officers, and who shall have a seal of office with which all of his acts as such notary public shall be attested.

(Am. Act, Ch. 327, approved 2-27-1878)

SECTION 53.

Be it further enacted, That if upon the trial of any person charged with a breach or violation of any ordinance of said City, it shall appear to the satisfaction of the Municipal Judge that such person is guilty as charged, said Municipal Judge shall enter a fine against such person, for such an amount

as he may deem an adequate punishment therefor, not inconsistent with the ordinances of said City and shall immediately enter judgement for the same.

(Am. Res., approved 6-22-87)

SECTION 54.

Be it further enacted, That it shall be the duty of said Municipal Judge to sentence all persons who have adjudged to pay a fine for the breach or violation of any ordinances of said City, and who shall fail, refuse or neglect to pay the same at the rendition of such judgement, to labor on the streets or wherever such labor may be needed in said City, at fifty cents per diem with rations furnished, until such fines and costs, have in this way been fully paid; or he may order them to stand committed to the City jail, or in the absence of such jail, or insecurity of the same, to the County jail until the payment of such fine and costs as said City Council may provide by ordinance.

(Am. Res., approved 6-22-87)

SECTION 55.

Be it further enacted, That said Mayor shall be responsible on his own bond, as such Mayor for all derelictions of his duties as Justice of the Peace, or shall give a new bond in such capacity, in such penalty and conditioned as required by the laws of the State, if required by the City Council.

SECTION 56.

Be it further enacted, That the Marshal of said City shall execute all process directed to him by the Municipal Judge of said City; shall arrest with or without warrant, any person who shall violate any ordinance of said City, and shall carry them forthwith before the Municipal Judge to answer such charges, and in case a trial can not be had forthwith, shall have power to lodge such offender in the City jail, there to be safely kept until a trial can be had, or may take bond in a sufficient penalty, to be fixed by said Marshal, with one or more good and sufficient securities, to be approved by said Marshal, payable to the City of Okolona and conditioned for the appearance of said person at the appointed time for trial, and from time to time until such trial is had, and in default of such appearance, the Municipal Judge shall enter a forfeiture against such person and his sureties, in the same manner and under the same regulations by which forfeitures, under the laws of the State, are entered in the courts, and on final hearing on notice to his sureties, on failure to show reasonable cause for such failure, shall enter judgement therefor, and after the expiration of five days, if no appeal has been entered, may issue execution for the amount of such judgement and all costs; said Marshal shall have power to summons and compel any citizen to assist him in the arrest of any offender, or in carrying offenders to the City jail, and he shall perform all other duties required of him by the ordinances of said City, said Marshal shall wait upon and attend the Municipal Court, and, when required, the meetings of the City Council, and shall be Chief of Police and the City Watch; and when his business so requires, may appoint, at his own expense, one or more deputies, with all the powers and duties of said Marshal.

(Am. Res., approved 6-22-87)

SECTION 57.

Be it further enacted, That the City Marshal shall and is hereby declared to be Ex-Officio, a Constable of Chickasaw County, and shall be commissioned as such by the Governor, with all the powers, duties and liabilities which other Constables are invested by the laws of the State.

SECTION 58.

Be it further enacted, That said Marshal shall be responsible on his bond as Marshal for all derelictions of duty as Constable, unless the City Council shall require an additional bond in that capacity, in which case he shall execute such bond, payable and conditioned as is required by the laws of the State for Constables; and said Marshal shall be responsible on his own bond or bonds for all the official acts of his deputies.

SECTION 59.

Be it further enacted, That in the absence of the Marshal and in case he shall have no deputy present, the Sheriff or any Constable of Chickasaw County, when required by the Mayor, shall execute and return all processes and discharge all other duties for the time being of said Marshal. And in case no officer is present, who is authorized to serve process and to discharge such other duties, the Mayor shall appoint, when necessary any suitable person in said city, under his hand and seal, to execute and return any process he may issue, or to discharge such other duties as may be required.

SECTION 60.

Be it further enacted, That the City Clerk shall be Clerk of the City Council, attend all meetings of said Council, record all proceedings, bylaws and ordinances, and perform such other duties as may be prescribed by ordinances, and he shall be the custodian of the City seal, and records.

SECTION 61.

Be it further enacted, That the City Treasurer shall receive all monies belonging to the City, and shall pay out the same as ordered by the City Council; and he shall be the custodian of all evidences of debt, securities and choses in action, belonging to the City; he shall keep correct books and render a detailed and itemized report of the funds and other rights of the City, whenever called for by the City Council, and as provided for in this act, and shall at the expiration of his term of office his successor being duly elected and qualified, deliver all the property and funds of said City to his successor.

SECTION 62.

(A) Be it further enacted, That the City Assessor shall assess the real, personal and other property of the City annually, at the time and in the manner prescribed by ordinance, which assessment, when completed, shall be delivered into the keeping of the City Clerk.

(B) The City assessment of property for taxation shall be made by the City Assessor by copying from the County assessment rolls, that portion thereof which embraces property or persons within the corporate limits, the copy may be made at any time after the assessment rolls are approved, and all changes in the County assessment rolls thereafter made shall likewise be made in the copy, and the said copy shall be placed in the hands of the City Tax Collector, and be his warrant for the collection of the City taxes. In all cases where persons or property have escaped taxation for a previous year, the assessor shall assess the same for taxation, and his assessment, when approved by the City Council, on notice to the person assessed, shall be binding and conclusive, unless appealed from in less than five days after its approval, and said Council may provide for a separate assessment to be made annually of said taxable property.
(Am. Act, approved 7-19-1892)

SECTION 63.

Be it further enacted, That the City Tax Collector, shall collect all the taxes levied by the City Council, whether general or special, unless otherwise provided at the time and in the manner prescribed by ordinance and shall make payment of the same to the City Treasurer, and make report of his actings and doings to said Council as the same may require, and shall in all respects, respect and obey all ordinances, in the discharge of his official duties.

SECTION 64.

Be it further enacted, That in any cause tried by said Mayor, and founded on any violation or any breach of any ordinance of said City in which the defendant shall be adjudged or sentenced to pay a fine, and shall feel aggrieved thereby such defendant may at any time within five days from the rendition of such judgement or sentence, have an appeal to a jury of six men, competent as jurors in the Circuit Court as he may elect, upon executing bond with one or more good and sufficient securities, in a penalty of double the fine, not to be less than one hundred dollars, payable to said City, and conditioned that he will prosecute such appeal with effect, and in case he fails therein, will well and truly pay such judgement as may be rendered against him by the Mayor, or the verdict of said jury, or by the Circuit Court as the case may be. If such appeal be to a jury, such jury shall be summoned, empaneled and sworn for the trial of such appeal "de novo" on its merits, forthwith or as soon as practicable; and in all such appeals, the verdict of the jury and the judgement of the Court thereon shall be final; and if to the Circuit Court, the Mayor shall send transcript and papers to the Circuit Clerk, on or before the first day of next succeeding term of the Circuit Court, who shall docket the same, and all appeals so carried to the Circuit Court, shall be subject to the same rules of procedure and trial as provided by law in appeal cases from Justices of the Peace.

SECTION 65.

Be it further enacted, That nonresidents of said City, who own taxable real property in said City shall have the privilege of voting at all elections held by authority of the City for the confirmation or rejection of any special tax to be levied on such property therein.

SECTION 66.

Be it further enacted, That the expenses of supporting the poor of said City shall be exclusively chargeable upon its inhabitants, and the inhabitants of said City shall hereafter be exempt from all taxes levied for pauper purposes except such as may be levied by the authority of said City.

SECTION 67.

Be it further enacted, That the inhabitants of said City, shall be exempt from all road and patrol duty beyond the limits of the City.

SECTION 68.

Be it further enacted, That all ordinances, bylaws and resolutions of the said Town of Okolona not inconsistent with the provisions of this Act, shall remain in force until altered, modified or repealed; that all actions, fine forfeitures and penalties which have accrued to the said Town of Okolona, shall be vested in and prosecuted by said City of Okolona; that all property, real and personal, and all rights and claims heretofore vested in said Town of Okolona, shall be, and the same are hereby vested in the said City of Okolona; that all contracts, liabilities, demands, debts and charges, subsisting against said Town of Okolona shall remain in full force against said City and that all officers of said Town shall continue in the discharge of their duties, as officers of said City until their successors shall be duly elected and qualified.

SECTION 69.

Be it further enacted, That the regular elections of said City shall be held on the first Thursday of June as provided in this Act, and that the first election by authority hereof shall be held on the first Thursday of June A.D. 1876 for Mayor, Marshal and six Councilmen, provided however; that the officers so to be elected at said first election, shall not qualify or assume the functions of office until the expiration of the term of office for which the present incumbents were elected, except in case of a vacancy, when the officer elect shall qualify and immediately enter upon the discharge of his duties.

SECTION 70.

Be it further enacted, That the Governor shall, immediately after the passage of this Act, cause a certified copy thereof to be transmitted to the Mayor of said City.

SECTION 71.

Be it further enacted, That all Acts and parts of Acts, conflicting with the provisions of this Act, be and the same are hereby repealed, and that this Act take effect and be in force from and after its passage.

By Limitation March 6th, 1876.

