

ORDINANCE NO. 13007

AN ORDINANCE TO AMEND THE CHARTER OF THE CITY OF CHATTANOOGA, AND ALL ACTS, ORDINANCES, AND OTHER CHARTER PROVISIONS AMENDATORY THEREOF, PURSUANT TO THE PROVISIONS OF ARTICLE XI, SECTION 9, OF THE CONSTITUTION OF THE STATE OF TENNESSEE (HOME RULE AMENDMENT) SO AS TO CHANGE THE CITY CHARTER BY AMENDING THE VOTER ELIGIBILITY PROVISION IN THE INTEREST OF PUBLIC POLICY AND TO GENERALLY IMPROVE THE CHARTER.

---

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That the Charter of the City of Chattanooga (“City Charter”) pursuant to Article XI, Section 9, of the Constitution of Tennessee, be and is hereby amended as provided herein:

SECTION 1. That the present City Charter, and all Acts and Ordinances amendatory thereof, be and is further amended as follows:

Section 3.1.1. of the City Charter be amended by deleting the section in its entirety, which section now states:

“All employees of the city shall either be registered voters in the State of Tennessee, or eligible to vote in the State of Tennessee, except that those employees currently employed and living outside the State of Tennessee shall be exempted from this provision as of January 18, 1990.”

and by replacing it with the following:

“All employees of the City shall be residents of the State of Tennessee. This Section 3.1.1 shall only apply to those employees working in general government of the City. Those employees who were hired on or before January 18, 1990, and who have lived outside the State of Tennessee continuously since said date, shall be exempted from this Section 3.1.1. ”

FOR THE AMENDMENT ( )

AGAINST THE AMENDMENT ( )

SECTION 2. BE IT FURTHER ORDAINED, That, this with the exception provided in Section 1, all provisions in the present Charter of the City of Chattanooga, not in conflict with this amendatory home rule ordinance, be and the same are continued in full force and effect, and all provisions constituting the Charter of the City of Chattanooga in conflict therewith are hereby repealed.

SECTION 3. BE IT FURTHER ORDAINED, That if any clause, sentence, paragraph, section, or part of this Ordinance shall be held to be unconstitutional or void, it shall not affect the remaining parts of this Ordinance, it being hereby declared to be the legislative intent to have passed the remainder of this Ordinance notwithstanding such part, if any, as may be held to be invalid.

SECTION 4. BE IT FURTHER ORDAINED, That this Ordinance shall be published in full by the Clerk of the City Council in the daily newspaper in the City of Chattanooga after the passage thereof on second and final reading.

SECTION 5. BE IT FURTHER ORDAINED, That the Clerk of the City Council shall certify the passage of this Ordinance to the Hamilton County Election Commission and request that the proposed amendment to the City Charter of the City of Chattanooga, Tennessee, be placed on the ballot to be used in the general state election to be held on or about August 4, 2016.

SECTION 6. BE IT FURTHER ORDAINED, That the City Finance Officer is authorized and directed to pay the *pro rata* cost of this special City election.

SECTION 7. BE IT FURTHER ORDAINED, That the Hamilton County Election Commission shall certify to the Clerk of the City Council of the City of Chattanooga, Tennessee, the result of said election, and the said Clerk shall cause said certification to be made a part of the minutes of the City Council.


SECTION 8. BE IT FURTHER ORDAINED, That Section 1 of this Ordinance shall take effect sixty (60) days after its approval by a majority of the qualified voters of the City voting thereon, as provided by Article XI, Section 9, Constitution of Tennessee, the public welfare requiring it.

SECTION 9. BE IT FURTHER ORDAINED, That this Ordinance shall take effect, except for Section 1, two (2) weeks from and after its passage as provided by law.

Passed on second and final reading: December 15, 2015

  
\_\_\_\_\_  
CHAIRPERSON

APPROVED:  DISAPPROVED:

  
\_\_\_\_\_  
MAYOR