



HISTORIC  
FRANKLIN  
TENNESSEE

ITEM #10  
WRKS  
07/08/14

## MEMORANDUM

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July 1, 2014

**TO:** Board of Mayor and Aldermen

**FROM:** Eric Stuckey, City Administrator *ES*  
Shauna R. Billingsley, City Attorney  
Kristen L. Corn, Staff Attorney

**SUBJECT:** Ordinance 2014-20, An Ordinance Directing Nonresident Property Owner Voters to Cast Ballots in City of Franklin Elections By Mail As Absentee Voters

### Purpose

The purpose of this memo is to provide information to the Franklin Board of Mayor and Aldermen (BOMA) concerning Ordinance 2014-20, which directs property rights voters (that is, individuals who own property within City limits but do not reside within the City limits) to cast ballots in City elections by absentee by-mail ballot.

### Background

As you are aware, the City Charter provides that along with residents of the City of Franklin, all citizens of the State of Tennessee who own real property subject to property taxes within the City limits of Franklin are entitled to vote in all municipal elections.

State law (Tennessee Code Annotated §2-6-205) authorizes cities to require, by ordinance, property rights voters to vote by absentee by-mail ballot for municipal elections. The Law Department was contacted by Williamson County Election Administrator Ann Beard who requested that the City consider adopting such an ordinance. If adopted by the City, all property rights voters will be notified by the Election Commission no later than forty-five (45) days before each municipal election. The Election Commission will include an application for ballot for the municipal election. The voter will not have to drive to any location to cast their ballot in a municipal election; they will simply mail in the request for ballot and subsequently the ballot when completed.

### Financial Impact

There is little to no financial impact to the City associated with the adoption of this ordinance.

### Options

The Board may approve, modify or reject the proposed Ordinance.

### Recommendation

Staff recommends adoption of Ordinance 2014-20 as presented.

**ORDINANCE 2014-20**

**TO BE ENTITLED: "AN ORDINANCE DIRECTING NONRESIDENT PROPERTY OWNER VOTERS TO CAST BALLOTS IN CITY OF FRANKLIN ELECTIONS BY MAIL AS ABSENTEE VOTERS."**

**WHEREAS**, Section 2-6-205 of the Tennessee Code Annotated authorizes cities to direct nonresident property owners to cast municipal ballots as absentee by-mail ballots; and

**WHEREAS**, the Williamson County Election Commission has determined that the use of by-mail ballots for nonresident property owners would be beneficial to both the voters and the City of Franklin; and

**WHEREAS**, no later than forty-five (45) days before each election, the Election Commission will mail a notice to each voter registered as a nonresident property owner of the City, advising the voter of the voting process and include an application for ballot for the municipal election; and

**WHEREAS**, the Board of Mayor and Aldermen believe it is in the best interest of the citizens of the City of Franklin to direct nonresident property owners to cast their ballots in municipal elections as absentee by-mail ballots.

**NOW, THEREFORE, BE IT ORDAINED** by the Board of Mayor and Aldermen of the City of Franklin, Tennessee that individuals who are registered to vote in the City of Franklin as nonresident property owners shall cast their municipal ballots as absentee by-mail ballots.

**BE IT FURTHER ORDAINED** by the Board of Mayor and Aldermen of the City of Franklin, Tennessee, that this Ordinance shall take effect from and after its passage on second and final reading, the health, safety and welfare of the citizens of Franklin requiring it.

**ATTEST:**

**CITY OF FRANKLIN, TENNESSEE**

**BY:** \_\_\_\_\_  
**ERIC S. STUCKEY**  
**CITY ADMINISTRATOR**

**BY:** \_\_\_\_\_  
**DR. KEN MOORE**  
**MAYOR**

**PASSED FIRST READING**  
**PASSED SECOND READING**

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**Approved as to Form:**

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**Kristen L. Corn, Staff Attorney**