

RESOLUTION 2011-16

A Resolution To Amend the Franklin City Charter, Article IV, Part I, Subpart I, Section 5 Regarding the Office of Vice Mayor and Vacancies in Office

WHEREAS, the Charter of the City of Franklin, Tennessee, is incorporated by Chapter 126 of the Private Acts of Tennessee for 1967, as amended, of the General Assembly of the State of Tennessee; and

WHEREAS, the interest of the City of Franklin, Tennessee, will be served if the Charter of the City is further amended; and now, therefore;

BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF FRANKLIN, TENNESSEE THAT:

The Honorable Charles M. Sargent, Jr. and Jack Johnson are hereby requested to introduce the following Act to the General Assembly of the State of Tennessee:

AN ACT to amend the Charter of the City of Franklin, Tennessee, being Chapter 126 of the Private Acts of Tennessee for 1967, as amended:

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

Section 1. Article IV, Part I, Subpart I, Section 5 (b) and (c), Subsection shall be amended by deleting text as indicated by ~~strike through~~ and adding text in **bold**, so that it shall read as follows:

Vice-Mayor—Vacancies in Office.

* * * * *

- (b) Each year at its November meeting, the Board of Mayor and Aldermen shall elect an alderman to the office of vice-mayor, who shall serve when the mayor is absent or unable to discharge the duties of the office. The term of vice-mayor shall be for one (1) year. In the case of a vacancy in the office of mayor, the vice-mayor shall **take the oath of mayor and serve as mayor** until the next regular city election, at which time the office of mayor shall be filled for any unexpired term by the voters.
- (c) Any vacancy in the office of aldermen **which occurs a year or longer from a regularly scheduled city election** shall be filled by either affirmative vote of the majority of the remaining members of the Board, by special election, or by any other means allowed by state law. The method of filling the vacancy shall be determined by affirmative vote of the majority of the remaining members of the Board. **Should a vacancy occur within a year of a regularly scheduled city election the Board may elect, by a majority vote of the Board, to fill the vacancy at the next regularly scheduled election.**

Section 2. This act shall become effective when it has been approved by the Board of Mayor and Aldermen of the City of Franklin by a vote of not less than two-thirds of the entire membership of the board (alternatively, by a majority vote in a referendum held for the purpose

of approval of the act) within days of its signing by the governor of this state. The approval or non-approval of the act by the Board of Mayor and Aldermen shall be certified by the mayor (or other chief executive) of the City of Franklin to the Tennessee Secretary of State.

ADOPTED THIS ____ DAY OF _____, 2011.

ATTEST:

CITY OF FRANKLIN, TENNESSEE

By: _____
ERIC S. STUCKEY
City Administrator/Recorder

By: _____
DR. KEN MOORE
Mayor

Approved as to form by:
Shauna R. Billingsley, City Attorney