

ORDINANCE NO. 216

Failed

AN ORDINANCE TO AMEND MT. CARMEL
MUNICIPAL CODE SECTION 1-105, TO
CREATE A SINGLE AT-LARGE VOTING
DISTRICT FOR THE ELECTION OF
ALDERMEN FOR THE CITY OF MT.
CARMEL, AND TO SET THE EFFECTIVE
DATE OF THIS ORDINANCE

- WHEREAS, Tenn. Code Anno. §6-54-101 gives municipal governments authority to divide the municipal corporation into as many wards as it may deem necessary; and
- WHEREAS, Tenn. Code Anno. §6-54-102 allows the Board of Mayor and Aldermen to redistrict into new wards whenever, for proper purposes, they deem it expedient to do; and
- WHEREAS, The Town of Mt. Carmel, Tennessee, is a municipality with a population less than fifty (50,000) thousand within the meaning of Tenn. Code Anno. §6-53-110(b)(1) and is therefore allowed to elect aldermen from at-large districts; and
- WHEREAS, At-large election districts for aldermen will be less costly than ward election districts, will assure representation of substantially equal populations and will guarantee the principle of one man/one vote in compliance with the provisions of the Constitution of the United States – all being proper purposes as defined above; and
- WHEREAS, Tenn. Code Anno. §6-3-102 allows municipalities such as the Town of Mt. Carmel, Tennessee, which were incorporated prior to June 30, 1991, to decrease the number of wards in accordance with Tenn. Code Anno. § 6-3-101; and
- WHEREAS, Boundaries of three wards were established by the respective Boards of Mayor and Aldermen of the Town of Mt. Carmel, Tennessee; but, the populations of the wards as defined by those boundaries noted above have become disproportional;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF MAYOR

AND ALDERMEN of the Town of Mt. Carmel, Tennessee, as follows:

SECTION I. Mt. Carmel Municipal Code, Chapter 1, Section 1-105 shall be amended by deleting the entire section and in its place substituting the following:

1-105. Elections. Beginning with the November, 2000, election for aldermen, the entire town shall consist of one ward only. The three candidates for alderman receiving the highest number of votes at that election shall serve four (4) year terms in an at-large district. The other three (3) positions for alderman shall be filled in a like manner by at-large elections in November, and shall also serve four (4) year terms in an at-large district. Municipal elections shall be held on the same date and at the same times as state and federal elections in November of even numbered years.

SECTION II. The Recorder shall notify the Hawkins County Election Commission of such change for municipal elections upon this Ordinance taking effect; and

SECTION III. The terms of those persons elected and installed after the November, 1998 municipal election shall not be effected and the aldermen therein so elected shall serve until the next regularly scheduled municipal election as set in Section I above; and

SECTION IV. LEGAL STATUS PROVISIONS.

A. Conflict With Other Ordinances. In case of conflict between this ordinance or any part thereof, and the whole or part of any existing or future ordinance of the Town of Mt. Carmel, the most restrictive shall in all cases apply.

B. Validity. If any section, clause, provision or portion of this ordinance shall be held to be in doubt or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, provision, or portion of this ordinance which is not of itself invalid or unconstitutional.

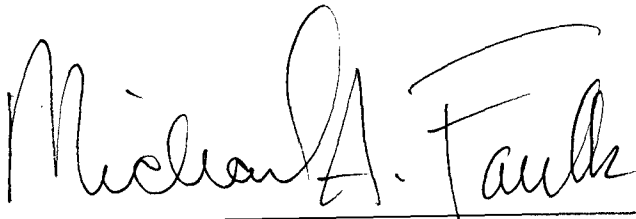
C. Effective Date. This ordinance shall become effective upon passage and publication, the public welfare requiring it.

JAMES L. DEAN, Mayor

ATTEST:

NANCY F. CARTER, Recorder

APPROVED AS TO FORM:

A handwritten signature in black ink, reading "Michael A. Faulk". The signature is written in a cursive style with a large, looping "M" and a long, sweeping "F".

LAW OFFICES OF MICHAEL A. FAULK
112 East Main Boulevard
P.O. Box 2080
Church Hill, TN 37642

PASSED 1ST READING: _____ Ayes _____ Nays _____ Other _____

PASSED 2ND READING: _____ Ayes _____ Nays _____ Other _____

FIRST READING	AYES	NAYS	OTHER
HENRY BAILEY			
EUGENE CHRISTIAN			
JAMES L. DEAN, MAYOR			
GARY LAWSON			
GEORGE E. PIERCE			
THOMAS WHEELER			
CARL WOLFE			
TOTALS			

FIRST READING	AYES	NAYS	OTHER
HENRY BAILEY			
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JAMES L. DEAN, MAYOR			
GARY LAWSON			
GEORGE E. PIERCE			
THOMAS WHEELER			
CARL WOLFE			
TOTALS			

PUBLISHED ON:

DATE:

NEWSPAPER:
