

ORDINANCE NO. O17Ø9-71

**ORDINANCE AMENDING ARTICLE III, SECTION 1 OF THE CITY OF
GALLATIN, TENNESSEE CHARTER AS ESTABLISHED IN CHAPTER 67 OF
THE PRIVATE ACTS OF 1953 AND AS AMENDED THEREAFTER TO ESTABLISH
TERM LIMITS FOR THE OFFICES OF MAYOR, DISTRICT ALDERMAN, AND
ALDERMAN-AT-LARGE**

WHEREAS, the City Council for the City of Gallatin, Tennessee passed Ordinance No. O17Ø1-4 on two readings dated January 17, 2017 and February 7, 2017 requesting an amendment to the Charter to provide term limits of no more than three consecutive terms for the Mayor, District Alderman and Alderman-at-Large, if the Ordinance was approved by referendum vote of the citizens; and

WHEREAS, the City of Gallatin forwarded Ordinance No. O17Ø1-4 to the Tennessee legislature for consideration of the Charter amendment as required by law; and

WHEREAS, the 110th General Assembly of the State of Tennessee passed Private Chapter No. 29 on May 8, 2017, allowing amendment of the City of Gallatin's Charter to include term limits, upon approval of a majority of the number of qualified voters of the City of Gallatin voting in an election on the question of whether or not the amendment should be approved; and

WHEREAS, the 110th General Assembly declared that the local legislative body must determine whether such referendum shall be part of the next regularly scheduled election or if a special election shall be called; and

WHEREAS, the City Council for the City of Gallatin has determined no special election shall be called but instead has determined that the referendum should be placed on the November 6, 2018 federal and state general and municipal election ballot rather than the next regularly scheduled election set for May 1, 2018, the Sumner County Primary, as required by Private Chapter No. 29; and

WHEREAS, to clarify the timing of the referendum for approval or non-approval of the voters of the City of Gallatin and to ensure full compliance with Tennessee Code Annotated Section 8-3-202, the City Council for the City of Gallatin hereby requests that the General Assembly for the State of Tennessee approve amendment of its Charter as set forth herein.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF GALLATIN, TENNESSEE, as follows:

1. Chapter 67 of the Private Acts of 1953, as subsequently amended, **Article III, Section 1** is amended by adding the following language immediately after the sentence “When two (2) or more persons shall have an equal number of votes for any elective office, the election shall be determined by a majority of the votes of the Council-elect.”

“No person elected and qualified to the office of Mayor, District Alderman, or Alderman-at-Large shall be eligible for the succeeding term in the same office if such person has served more than one-half of a four (4) year term and consecutive completion of two (2) four (4) year terms in that particular office. For purposes of this section, the office of District Alderman and Alderman-at-Large shall be considered separate elected offices.”

2. After passage of this Ordinance by the Tennessee General Assembly, this Ordinance shall have no effect unless it shall receive final approval by a majority of the number of voters of the City of Gallatin in a referendum held for the purpose of approval or non-approval of this Charter amendment in the November 6, 2018 municipal election. Following certification of the results of the referendum by the Sumner County Election Commission, the approval or non-approval of this Ordinance and Charter amendment by referendum shall be certified by the Mayor of the City of Gallatin to the Tennessee Secretary of State.

PASSED FIRST READING: September 5, 2017.

PASSED SECOND READING: September 19, 2017.

THIRD READING:

MAYOR PAIGE BROWN

ATTEST:

CONNIE KITTRELL
CITY RECORDER

APPROVED AS TO FORM:

SUSAN HIGH-MCAULEY
CITY ATTORNEY