

First Reading: _____
Second Reading: _____

ORDINANCE NO. _____

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), TITLE 5.3 AND 5.15, TO ESTABLISH THE TIME OF ELECTIONS AND TO CREATE TERM LIMITS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE:

SECTION 1. That the present Charter of the City of Chattanooga, and all Acts and Ordinances amendatory thereof, be and is hereby amending Title 5.3 by establishing the time of elections as follows:

Sec. 5.3. Same—When held; hours polls open.

Elections for Mayor and City Council members shall be held on the first Thursday in August (the Regular August election defined in Tenn. Code Ann. § 2-1-104) beginning on the next even numbered election year beginning in 2026, and every four (4) years thereafter to reduce election costs for City elections. The Mayor and each City Council member shall be elected by a majority of the votes cast for the office he or she seeks during City elections. If no candidate for Mayor or no candidate for one or more City Council districts attains a majority in the regular August elections, a run-off election shall be held on the first Tuesday after the first Monday in November (the Regular November election defined in Tenn. Code Ann. § 2-1-104) beginning on the next even numbered year beginning in 2026. The run-off elections shall be held between the two candidates in each such contest who received the highest number of votes. Those candidates elected either in the first election in August or in the run-off election in November shall file a bond, take the oath of office, and assume their respective duties on the first Monday after the second Tuesday following the November elections, each to serve until the first Monday after the second Tuesday in November for a four (4) year term, or until a successor is elected and qualified. One Mayor and all City Council members shall each be elected to four (4) year terms of office in the same manner following the Regular elections in 2026.

Said primary election shall be held, as far as possible, at the voting places in the various districts, and the polls shall be opened at 8:00 o'clock a.m. and closed at 8:00 o'clock p.m. (as required in Tenn. Code Ann. § 2-3-201.

SECTION 2. That the present Charter of the City of Chattanooga, and all Acts and Ordinances amendatory thereof, be and is hereby adding Title 5.15 by creating term limits for Council members of no more than four consecutive four-year terms of office as follows:

Sec. 5.15 Term Limits.

Term limits for City Council members shall be for no more than four (4) consecutive four-year terms of office.

SECTION 3. BE IT FURTHER ORDAINED, That Sections 1 and 2 of this Ordinance shall not take effect unless and until the second Tuesday in April, 2025, 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. All candidates running for City Mayor and City Council during March and April elections in 2025 shall be informed that their terms of offices shall be limited by the new elections for offices beginning in August and November 2026 on the regular August and November election dates if this Charter amendment is approved by the electorate.

SECTION 4. BE IT FURTHER ORDAINED, That the City Council reserves its right to establishing the time of elections and to set term limits as set forth in these amendments to its Home Rule Charter pursuant to Tenn. Code Ann. § 6-53-105.

FOR THE AMENDMENT ()

AGAINST THE AMENDMENT ()

SECTION 5. BE IT FURTHER ORDAINED, That 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 6. 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 7. 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 8. 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 1, 2024.

SECTION 9. 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 10. 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 11. BE IT FURTHER ORDAINED, That this Ordinance shall take effect, except for Sections 1 and 2, immediately from and after its passage and upon signature of the Mayor.

Passed on second and final reading:_____

CHAIRPERSON

APPROVED:____ DISAPPROVED:____

MAYOR

PAN/mem/v5