

**CHARTER OF THE
HARTSVILLE/TROUSDALE
COUNTY GOVERNMENT**

**AS AMENDED BY
REFERENDUM THROUGH
AUGUST 4, 2016**

1. Consolidation, Territory, and Powers

- § 1.01 Consolidation
- § 1.02 Territory
- § 1.03 Powers Given the Metropolitan Government
- § 1.04 Restrictions Upon the Power of the Hartsville/Trousdale Government

2. The Hartsville/Trousdale County Commission

- § 2.01 Hartsville/Trousdale County Commission - Power and Authority
- § 2.02 Commission Terms, Qualifications, and Compensation
- § 2.03 Presiding Officer
- § 2.04 Urban Council
- § 2.05 Procedure - Meetings
- § 2.06 Staff
- § 2.07 Vacancies
- § 2.08 Public Office Vacancies

3. Hartsville/Trousdale County Mayor

- § 3.01 Hartsville/Trousdale County Mayor Established-Power and Authority
- § 3.02 Term - Qualifications - Compensation
- § 3.03 Vacancy in Office of Mayor
- § 3.04 Approval of Ordinances - Veto Power
- § 3.05 Staff
- § 3.06 Independent Board Selections

4. Metropolitan Executive Department and Boards

- § 4.01 Enactment and Amendment of Plan of Administrative Organization
- § 4.02 Directors and Administrations
- § 4.03 Allocation of Duties
- § 4.04 Members of the Boards
- § 4.05 Review, Modification, and Dissolution of Boards
- § 4.06 Minimum Requirements
- § 4.07 Purchases
- § 4.08 Metropolitan Attorney
- § 4.09 Metropolitan Auditor

5. Constitutional Offices

- § 5.01 Continuation of Offices

9. Metropolitan Government Budget

- § 9.01 General Budget Authority
- § 9.02 Fiscal Year
- § 9.03 Budget Proposal - Procedure
- § 9.04 Scope and Form of Budgets
- § 9.05 Adoption of the Annual Operating and Capital Improvements Budgets
- § 9.06 Levy of Taxes
- § 9.07 Public Records

10. Metropolitan Government Debt

- § 10.01 Debt Obligation Authority
- § 10.02 Approval of Issues of Long-Term Debt Obligations
- § 10.03 Terms and Procedures for Long-Term Bond Issuance
- § 10.04 Full Faith and Credit, Allocation of Proceeds and Payments
- § 10.05 Trust Fund
- § 10.06 Debt Service Fund

11. Judicial

- § 11.01 Hartsville/Trousdale County Court of General Sessions
- § 11.02 Metropolitan Juvenile Court
- § 11.03 Chancery and Circuit Courts
- § 11.04 Circuit Court Clerk

12. Hartsville/Trousdale County Government Employees Pension, Retirement, and Civil Service

- § 12.01 Retirement and Pensions
- § 12.02 Existing Pension and Retirement Systems
- § 12.03 Civil Service System

13. Elections

- § 13.01 Election Commission
- § 13.02 Times and Expenses of Elections
- § 13.03 Qualifications of Voters
- § 13.04 Requirements for Inclusion on Ballot
- § 13.05 Regular and Run-off Hartsville/Trousdale County Government Elections
- § 13.06 Questions Subject to Referenda
- § 13.07 Procedures for Referenda Elections
- § 13.08 Requirements for Referenda
- § 13.09 Referendum Petition Requisites and

Assessor of Property
County Clerk
County Register of Deeds
County Trustee
County Sheriff
§ 5.02 County Clerk
§ 5.03 County Sheriff
§ 5.04 County Trustee

6. Authorities

§ 6.01 Certain Authorities Continued
§ 6.02 Creation of Additional Authorities

7. Services Districts

§ 7.01 Services - Taxing Districts
Established
§ 7.02 Allocation of Services Among the
Several Services Districts
§ 7.03 General Services District
§ 7.04 Urban Services District
§ 7.05 Special Services Districts
§ 7.06 Industrial Parks

8. Public Education

§ 8.01 Establishment and Authority of the
School Board
§ 8.02 Terms, Qualifications, and
Compensation of School Board Members
§ 8.03 Selection of Officers for the
Trousdale County Board of Education -
Procedure
§ 8.04 Director of Schools
§ 8.05 Tenure
§ 8.06 Diversion of Funds Prohibited

Procedures
§ 13.10 Amendment of Districts

14. Amendments to Charter

§ 14.01 Amendment Pursuant to Commission
Resolution
§ 14.02 Amendment or Revocation by Petition
§ 14.03 Charter Revision Commission

15. Transition and Effective Date

§ 15.01 Effective Date
§ 15.02 Initial Commission Districts
§ 15.03 Initial School Board Districts
§ 15.04 Initial Mayor, Commission, and Urban
Council
§ 15.05 Initial School Board
§ 15.06 Terms
§ 15.07 Terms of the School Board
§ 15.08 Continued Compensation
§ 15.09 Ordinances Continued
§ 15.10 Legal Obligations
§ 15.11 Property and Liabilities
§ 15.12 Officials of the Town of Hartsville
§ 15.13 Court of General Sessions
§ 15.14 Miscellaneous Provisions

16. Interpretation

§ 16.01 Titles and Subtitles Not Part of Charter
§ 16.02 Severability

ARTICLE I
CONSOLIDATION, TERRITORY, AND POWERS

§ 1.01 - Consolidation: The governmental and corporate functions now vested in the Town of Hartsville, Tennessee, are consolidated with the governmental and corporate functions of Trousdale County, Tennessee. A single government is hereby created which replaces and supersedes the governments of the Town of Hartsville and of Trousdale County. The name of the new Consolidated Government shall be The Hartsville/Trousdale County Government.

§ 1.02 - Territory: The territory of the Hartsville/Trousdale County Government shall be the total area of Trousdale County as established by the Constitution of the State of Tennessee and the Tennessee General Assembly.

§ 1.03 - Powers Given the Metropolitan Government: Except as otherwise provided by this Charter, the Metropolitan Government shall have all the powers granted cities, counties, and metropolitan governments under the Constitution and general laws of the State of Tennessee. These powers shall be construed broadly and the omission of specific powers in this Charter shall not be construed as limiting the general powers of the Hartsville/Trousdale County Government. The Hartsville/Trousdale County Government shall be a public corporation, with perpetual succession, capable of suing and being sued to the same extent as other metropolitan governments, and capable of purchasing, receiving, and holding property, real and personal, and of selling, leasing, or disposing of the same to the same extent as other governmental entities.

§ 1.04 - Restrictions Upon the Power of the Hartsville/Trousdale County Government: The Hartsville/Trousdale County Government shall not: (a) Act in a manner inconsistent with applicable general law. (b) Tax the Hartsville/Trousdale County General Services District for services available solely to residents of the Hartsville/Trousdale County Urban Services District. (c) Impair or diminish the pension or retirement contract rights of persons employed upon the effective date of this Charter by the Town of Hartsville or Trousdale County or their survivors upon the effective date of this Charter. Such employee shall have the option, during such time as may be provided by any Civil Service Plan adopted by the Hartsville/Trousdale County Government, to transfer to the pension, retirement or pay plan of the Hartsville/Trousdale County Government, at which time such employee's coverage under the previous pension plan shall terminate. (d) Impair or diminish the tenure or contract rights of employees of the Trousdale County Board of Education upon the effective date of this Charter, except that all such contract rights shall henceforth be held under the Trousdale County Board of Education. (e) Terminate any employee of the Town of Hartsville or Trousdale County because of the adoption of this Charter and the creation of a single government. All employees of the Town of Hartsville and Trousdale County shall be employees of the Hartsville/Trousdale County Government with no reduction in compensation or benefits which they received as an employee of either the Town of Hartsville or Trousdale County.

ARTICLE 2
THE HARTSVILLE/TROUSDALE COUNTY COMMISSION

§ 2.01 - Hartsville/Trousdale County Commission - Power and Authority: The legislative authority of the Hartsville/Trousdale County Government shall include all legislative authority vested in the former Town of Hartsville and in Trousdale County upon the date of the formation of the Hartsville/Trousdale County Government, as well as all legislative powers vested in metropolitan governments generally, in county governments generally under the Constitution of the State of Tennessee, under laws of general application of the State of Tennessee as the same shall be in effect at or after the date of formation of the Hartsville/Trousdale County Government, or under any private acts applicable to the Town of Hartsville or Trousdale County. The legislative authority of the Hartsville/Trousdale County Government except as otherwise specified in this charter, shall be vested in the Hartsville/Trousdale County Commission, sometimes hereinafter called "Commission."

§ 2.02 - Commission Terms, Qualifications, and Compensation: Members of the Hartsville/Trousdale County Commission shall serve for terms of four years and shall assume office on September 1 following the date scheduled for their election. The Commission shall be composed of twenty (20) members, two (2) from each of the ten (10) districts comprising the Trousdale County Commission at the time of passage of this Charter. Eligibility for candidacy for the Hartsville/Trousdale County Commission shall be limited to qualified voters residing within Trousdale County for a period of at least one (1) year prior to the deadline for qualifying as candidates, and within the district for a period of at least six (6) months prior to the deadline for qualifying as candidates. The compensation of the Commission shall be the same compensation paid to the Trousdale County Commission on the effective date of this Charter. The compensation payable to the members of the Commission may be modified from time to time by the Hartsville/Trousdale County Commission but such modifications shall be effective only at the beginning of the next regular term of office of the members of the Hartsville/Trousdale County Commission.

§ 2.03 - Presiding Officer: The Hartsville/Trousdale County Commission shall, by majority vote, make the decision as to who shall preside as Commission Chairman. The Chairman may be elected from the Commission membership or the Hartsville/Trousdale County Mayor may be elected to serve as Chairman. The Commission shall elect from its membership a Chairman Pro Tempore to act in the absence of the Chairman. The Hartsville/Trousdale County Mayor is empowered with the tie-breaking power upon a tie vote within the Commission as both Chairman and Mayor. However, these are the only instances in which the Mayor has a vote on Commission matters. If the Commission elects a Chairman from within its membership, this Chairman retains voting power on all Commission matters.

§ 2.04 - Urban Council: Each year, three (3) members of the Commission residing within the Hartsville/Trousdale County Urban Services District who were elected to their offices by the largest popular votes shall constitute the Urban Council. In the event of a tie among four or more members of the Commission with the Largest popular vote residing within the Hartsville Trousdale County Urban Services District, or a tie among three or more members of the Commission with the second largest popular vote residing with in the Hartsville Trousdale

County Urban Services District, or a tie among two or more members of the Commission with the third largest popular vote residing with in the Hartsville Trousdale County Urban Services District, the Commission shall appoint the member(s) from among the tied members. In the event there are not three members of the Commission who reside in the Urban Services District, the Commission shall appoint the remaining member(s) from the eligible voters of the Urban Services District. The Urban Council shall meet immediately following any meeting of the Hartsville/Trousdale County Commission at which time an annual tax rate for the General Services District is adopted or amended, and shall in accordance with Article 9 hereof, determine the property tax levy in the Hartsville Urban Services District. Except as otherwise provided in this Charter, the Urban Council shall determine its own rules and order of business.

§ 2.05 - Procedure - Meetings: The Hartsville/Trousdale County Commission shall exercise its legislative power solely through the adoption of written ordinances by the procedures herein provided. However, the Hartsville/Trousdale County Commission at its pleasure may adopt resolutions, lacking the force of law (except as otherwise herein provided), to express its intent in the adoption of prior ordinances and to express its sentiments on matters of interest. Ordinances shall have the force of law and shall be adopted by the Hartsville/Trousdale County Commission only upon consideration and approval on two separate readings. Readings shall occur at separate meetings of the Hartsville/Trousdale County Commission. Ordinances pertaining to an amendment of this Charter, taxation, establishment or expansion of any services district, and allocation of services among the services districts, shall be adopted by the Commission only upon consideration or approval on three separate readings. The Commission may, following approval after a second reading, vote by two-thirds majority of its membership to proceed at the same meeting with the third reading and final vote upon such ordinances. Each ordinance shall bear a caption stating its subject. The provisions of an ordinance shall not include subjects other than those fairly encompassed within its caption. No amendment to any ordinance shall be valid except to the extent that it is germane to the subject matter of the ordinance as expressed in the caption. A quorum for all meetings of the Hartsville/Trousdale County Commission shall consist of a majority of its members. The Hartsville/Trousdale County Commission meetings shall be public and a public record of the Hartsville/Trousdale County Commission and Urban Council proceedings shall be made and maintained by the county clerk. Except as otherwise provided in this Charter, the Hartsville/Trousdale County Commission shall determine its own rules and order of business. By ordinance the Hartsville/Trousdale County Commission shall establish and may from time to time change the schedule for its regular meetings. Such meetings must be scheduled no less than quarterly. Special meetings of the Hartsville/Trousdale County Commission may be called either by a majority of the members constituted, by the Commission Chairman or by the Hartsville/Trousdale County Mayor by such notice as required by the State Sunshine Law.

§ 2.06 - Staff: The Hartsville/Trousdale County Commission may employ, permanently or from time to time, such legal, professional, clerical, research, and administrative staff as it may deem appropriate.

§ 2.07 - Vacancies: The office of a member of the Hartsville/Trousdale County Commission shall become vacant upon ouster, death, resignation, the member moving out of the district from

which the member was elected, or otherwise as provided by law.

§ 2.08 - Public Office Vacancies: Every vacancy in any elective office of the Hartsville/Trousdale County Government shall be filled by public election at the next general election; provided, however, that immediately upon occurrence of a vacancy, the Hartsville/Trousdale County Commission shall elect some person having all the qualifications required by law for such office who shall fill such a vacancy until a replacement shall be duly elected and qualified. Every vacancy in any non-elective office shall be filled in the same manner as the original appointment thereto, and every vacancy in any office, whether elective or appointed, and whether in the government proper or any agency, board, or instrumentality thereof, shall be filled only for the remainder of the unexpired term.

ARTICLE 3 HARTSVILLE/TROUSDALE COUNTY MAYOR

§ 3.01 - Hartsville/Trousdale County Mayor Established - Power and Authority: The executive and administrative authority of the Hartsville/Trousdale County Government, except as otherwise provided by this Charter, shall be vested in a Hartsville/Trousdale County Mayor sometimes hereinafter called "Mayor," who shall be elected at large from the area of the Hartsville/Trousdale County Government as provided in Article 13 below. The Hartsville/Trousdale County Mayor shall be the chief executive, administrative, and fiscal agent of the Hartsville/Trousdale County Government. As such, the Hartsville/Trousdale County Mayor shall supervise and administer all executive departments and boards established pursuant to Article 4 hereof; shall exercise all administrative and executive powers vested by present or future general laws in the position of County Mayor except for such as may be contrary to specific provisions of this Charter; shall, in accordance with any applicable ordinance of the Hartsville/Trousdale County Commission, oversee the authorization and accounting for disbursements from Hartsville/Trousdale County Government funds; shall propose and submit budgets to the Hartsville/Trousdale County Commission in accordance with Article 9 hereof; shall sign and approve all contracts or obligations; shall have the power to appoint the heads of all executive departments and the members of all boards and commissions, subject to confirmation by the Hartsville/Trousdale County Commission, except for such officials whose selection in a different manner is provided by the general laws or by other provisions of this Charter; and shall administer all capital improvements projects as authorized by ordinance. The Hartsville/Trousdale County Mayor may attend meetings of the Hartsville/Trousdale County Commission, may call special Commission meetings as provided by § 2.05, and may recommend to the Commission such resolutions or ordinances that are deemed beneficial.

§ 3.02 - Term - Qualifications - Compensation: The Hartsville/Trousdale County Mayor shall serve for a term of four years, or until a successor is elected and qualified, concurrent with the members of the Commission, and shall assume office on September 1 following election. Should a run-off election occur after September 1, then the Mayor so elected shall take office immediately after the certification of the election results by the Election Commission. The Mayor shall be a qualified voter and a resident of the County for a period of at least three (3) years before the deadline for filing as a candidate for the office of Mayor. The salary of the

Mayor shall be set by the Commission. The minimum salary of the Mayor shall not be less than that established by the General Assembly for a County Mayor of the same population class as Trousdale County established in T.C.A. 8-24-102. The salary of the Mayor shall be modified from time to time by the Commission.

§ 3.03 - Vacancy in the Office of Mayor: If the Mayor is Chairman of the Commission, the Commission is authorized by resolution to designate the Chairman Pro Tempore of the Commission to carry out the necessary duties of the Mayor should there be a vacancy in the Office of the Mayor, as prescribed by private act. If the Mayor is not the Chairman of the Commission, then the Commission may designate the Chairman to carry out such duties of the Mayor during such vacancy.

§ 3.04 - Approval of Ordinances - Veto Power: The Mayor is empowered to approve ordinances by subscribing them or to disapprove ordinances by veto within ten business days of receipt from the Commission. If approved or not acted upon within ten business days, an ordinance shall become effective according to its terms at the end of such ten-day period. If disapproved by veto, an ordinance shall be returned to the Commission by its next meeting accompanied by a written message indicating the reasons for disapproval. Any ordinance vetoed shall become effective only if readopted by roll call vote of a two-thirds majority of the Commission membership.

§ 3.05 - Staff: The Mayor may appoint such staff as may be required subject to the approval of funds by the Commission.

§ 3.06 - Independent Board Selections: As to any independent board previously existing as an agency, authority, or other entity of or in the Town of Hartsville or in Trousdale County, and continued in effect by this Charter, other than those elected by public election, the membership thereof, whether upon the occurrence of a vacancy or the expiration of a term, shall be filled by election by the Commission if such members were previously elected by the legislative bodies of the Town of Hartsville, of Trousdale County, or both; otherwise, such vacancies shall be filled by appointment by the Mayor subject to confirmation by the Commission.

ARTICLE 4

METROPOLITAN EXECUTIVE DEPARTMENTS AND BOARDS

§ 4.01 - Enactment and Amendment of Plan of Administrative Organization: Within the framework created by this Charter, and except as otherwise expressly provided, the powers and duties allocated to the office of the Mayor may be delegated to and discharged through some administrative departments as may from time to time be created. The Commission may by ordinance establish or amend any plan of administrative organization. Any plan of administrative organization or amended plan of administrative organization may establish or abolish any department or board and may divide a department or departments into divisions. Nothing herein shall be construed as authorizing the abolition of any office, department or board required by law.

§ 4.02 - Directors and Administrators: There shall be such directors and administrators as may from time to time be established by ordinance. Each shall be responsible to the Mayor for all duties entrusted to such director or administrator. Each director or administrator shall conduct all departmental affairs in accordance with rules, regulations, and procedures promulgated by the Mayor and in accordance with such additional instructions as the Mayor may give consistent with all applicable ordinances. The directors and administrators shall be appointed by the Mayor subject to confirmation by the Commission and shall serve until removed by the Mayor.

§ 4.03 - Allocation of Duties: Within the framework created by this Charter, and except as otherwise expressly provided, the powers and duties allocated to the office of the Mayor may be delegated and discharged through such administrative boards as may from time to time be created by ordinance.

§ 4.04 - Members of the Boards: Members of the boards shall be appointed by the Mayor, subject to confirmation by the Commission. Vacancies on boards shall be filled for any unexpired term in the same manner. The Mayor shall be an ex officio voting member of all boards created pursuant to this Article. Members shall serve until the expiration of their term of office or until removed by the Mayor.

§ 4.05 - Review, Modification, and Dissolution of Boards: Boards created by the Commission shall be subject to review, modification, or dissolution by the Commission.

§ 4.06 - Minimum Requirements: At a minimum, the departments and departmental functions created under this Article must include the following: (a) A Law Enforcement Department, headed by the Sheriff of Trousdale County, which department shall have the obligation to enforce all criminal laws and ordinances throughout the jurisdiction of the Hartsville/Trousdale County Government. (b) A Highway Department headed by a Highway Superintendent elected as required by law. The Highway Superintendent will receive a minimum salary pursuant to T.C.A. 8-24-102. The Hartsville/Trousdale County Highway Department shall be governed by the Tennessee County Uniform Highway Law, Tennessee Code Annotated, Title 54, Chapter 7, and all subsequent amendments. (c) A Fire Department, headed by the Mayor, or such person as the Mayor may appoint subject to confirmation by the Commission, which department shall be charged with fire fighting and fire prevention obligations throughout Hartsville/Trousdale County. The Commission is empowered to give financial support to such fire departments by providing for capital improvements and equipment needed by such department and salaries for employed personnel thereof selected in accordance with the governing by-laws of such department. (d) A Planning Commission whose functions shall include planning for orderly development of the area within the jurisdiction of the Hartsville/Trousdale County Government so as to minimize the public expense of expanding public services, and to protect the restriction of particular geographic areas to particular uses, industrial uses, and other uses; and the protection of the environment from excessive harmful influences. (e) A Board of Zoning Appeals to carry out the functions normally performed by such boards. (f) A Public Works Department which shall be administered by the Mayor or such persons as the Mayor may appoint subject to confirmation by the Commission and shall administer the building code and zoning enforcement including building code inspection, reports, and certifications; all engineering functions; building rehabilitation programs; parks and recreation; and the sanitation and garbage collection

functions.

§ 4.07 - Purchases: All purchases and all contracts to obtain goods or services entered into on behalf of the Hartsville/Trousdale County Government or any entity funded through the budget of the Hartsville/Trousdale County Government shall be made through each department head or their designated representative. Each department shall continue to purchase for their department in accordance with all rules, regulations procedure, budget and any new regulations that may be adopted from time to time by the Commission. The Mayor by written order, or the Commission by ordinance, may except from the requirements of this section any purchases or contracts which by their nature are more appropriate to handle in another manner and make special provision therefore. The Commission shall establish a committee of five (5) of its members to serve as an oversight committee as to the purchases and expenditures of each department. The Committee shall be charged with the responsibility of assuring by its review that the purchase duties of each department shall be conducted in an ethical and lawful manner consistent with the best interest of the Hartsville/Trousdale County Government and in keeping with established procedures, rules, and regulations.

§ 4.08 - Metropolitan Attorney: The Mayor, subject to the approval of the Commission shall employ such attorney, or attorneys, as may be necessary from time to time to supervise and direct the legal work of the Hartsville/Trousdale County Government including providing legal advice and representation to the Mayor, the Commission, and all offices, departments, boards and commission concerning any matter arising in connection with the Hartsville/Trousdale County Government's business or the exercise of any official's powers or duties including the prosecution or defense of any litigation. It shall further be the duty of the Metropolitan Attorney to prepare, in codified form, a compilation of all private acts and charter provisions which vest power in Trousdale County or in the Town of Hartsville and which are continued in effect by the provisions of this charter, modifying the same to reflect changes in the names of governmental entities or officials. From time to time, such attorney shall certify the correctness of such original compilation and any modification thereof and file the same with the County Clerk. A certified copy thereof shall be prima facie evidence that such compilation is accurate and that the powers therein stated are duly vested in the Hartsville/Trousdale County Government.

§ 4.09 - Metropolitan Auditor: The Mayor, with approval of the Commission, shall employ such Auditor or Auditors as may be necessary from time to time, who shall have such professional qualifications as may be required by the general laws of the state to perform audits of the books and records of municipal corporations. Such auditor shall periodically inspect and audit the accounts and records of financial transactions maintained in each department, board, office, and agency of the Hartsville/Trousdale County Government and shall perform such other duties as may be assigned by the Commission. The Auditor may adopt, without examination, the periodic audits of any independent authority or officer of the Hartsville/Trousdale County Government if the integrity of the same, in the opinion of such auditor, is adequately assured either by such entity's own independent auditor or review by the office of the Comptroller of the State of Tennessee or other such authority.

CONSTITUTIONAL OFFICES

§ 5.01 - Continuation of Offices: All County Constitutional offices except the offices of County Mayor and County Commissioners shall continue as offices of the Hartsville/Trousdale County Government. These offices are that of the Assessor of Property, County Clerk, County Register of Deeds, County Trustee, and County Sheriff. Each such office shall continue to be entitled to fees and taxes pertaining to the office, which shall be remitted as required by law, and each shall have all expenses for the conduct of the office paid from the general funds of the Hartsville/Trousdale County Government in accordance with the annual budget. With such exceptions or additions as are herein provided, each shall continue to function in accordance with the general laws of the State of Tennessee.

§ 5.02 - County Clerk: The County Clerk, in addition to other duties as assigned by the general laws of the State of Tennessee, shall function as general Secretary of the Hartsville/Trousdale County Government, shall prepare the minutes of all meetings of the Commission, and shall be the official custodian of all Commission resolutions and ordinances, all reports of the Trustee and of the Mayor, all executive proclamations and all other documents as the Commission by ordinance may direct to be kept as a part of the permanent official records of the Hartsville/Trousdale County Government.

§ 5.03 - County Sheriff: The Sheriff shall have and exercise all powers and duties assigned to the Office of Sheriff by provisions of the general law including custody and control of all penal facilities, providing deputies to serve the courts, and providing for the transportation of prisoners. The Sheriff shall be the principal conservator of the peace and be responsible for the enforcement of the criminal laws within the territory of the Hartsville/Trousdale County Government. By ordinance, the Commission may assign to the Sheriff other duties not incompatible with those herein set out.

§ 5.04 - County Trustee: The County Trustee shall daily receive and deposit all receipts of the Hartsville/Trousdale County Government entitled to be received into the Hartsville/Trousdale County Government's general funds, except for such funds as are authorized to be maintained separately by authorities independently chartered. The Trustee shall maintain the treasury of the Hartsville/Trousdale County Government, shall be responsible for the disbursement and investment of the Hartsville/Trousdale County Government funds pursuant to the authority of the Commission and shall make such reports to the Commission as may be requested by the Commission from time to time. Any fund received by the Trustee which was initially established to secure the payment of particular debts, such as sinking funds pertaining to bond issues, retirement funds created to protect particular groups of employees, and all other such funds shall be kept separate and intact by the Trustee and invested and used in accordance with the obligations attached to each such fund, whether such obligation shall have arisen from Charter provisions, statutes, bond resolutions, employment contracts or any other obligations recognized as legally binding.

§ 6.01 - Certain Authorities Continued: All authorities, agencies, and committees currently existing, whether independent, under the Town of Hartsville, or under Trousdale County are recognized and continued as agencies of the Hartsville/Trousdale County Government. They shall have the same relationship to the Hartsville/Trousdale County Government as they previously had to the Town of Hartsville or Trousdale County. The name of each such authority shall be modified by substituting the word "Hartsville/Trousdale County" for "Town of Hartsville" or "Trousdale County." To the extent duplication may exist after adoption of this Charter, the Commission is authorized to make such changes by ordinance as it deems appropriate. The charter of each entity, all of which charters (whether created by Private Act, Municipal Ordinance, or both) shall be considered incorporated into and a part of this Hartsville/Trousdale County Government Charter and as such, any and every provision of any such charter shall be subject to amendment by the same procedure as is provided for amendment of this Charter.

§ 6.02 - Creation of Additional Authorities: The Commission may, by ordinance, create other authorities vested with such powers as the Commission may deem appropriate and beneficial to the public interest.

ARTICLE 7 SERVICES DISTRICTS

§ 7.01 - Services - Taxing Districts Established: The Hartsville/Trousdale County Government shall have a General Services District known as the Hartsville/Trousdale County General Services District, an Urban Services District known as the Hartsville/Trousdale County Urban Services District, which latter district shall be a municipal corporation, and any number of Special Services Districts established in accordance with § 7.05 hereof and named or designated as the Commission may direct. The General Services District, the Urban Services District, and each Special Services District created by the Commission shall be considered a separate tax district.

§ 7.02 - Allocation of Services Among the Several Services Districts: The Commission shall by ordinance assign, reassign, and adjust services within the various services districts. Each such ordinance shall include an adjustment of the tax rate in each district to reflect any reallocation of service costs among districts.

§ 7.03 - General Services District: The General Services District shall consist of the total area of Trousdale County. General administrative costs of the Hartsville/Trousdale County Government shall be assigned to the General Services District along with such other services as the Commission may by ordinance direct in accordance with § 7.02 hereof. Such general administrative costs shall include, at a minimum, all expenses relating to the constitutional offices hereinbefore mentioned; the Commission; the Mayor; employment of attorneys, auditors, and other professionals; law enforcement; all expenses pertaining to the operation of the Trousdale County Board of Education; primary health care; and all debt service obligations of

any and all outstanding bond issues of Trousdale County or any instrumentality thereof.

§ 7.04 - Urban Services District: The Urban Services District shall consist initially of the area encompassed by the corporate boundaries of the Town of Hartsville, and the individuals residing within that area shall receive all applicable urban services as of the effective date of this Charter. All debt service obligations pertaining to all outstanding bonds of the Town of Hartsville except any transferable to the General Services District as pertaining to the former Town of Hartsville or Trousdale County entities named in § 7.03, and all accrued obligations of the Town of Hartsville shall be attributable to the Urban Services District. Whenever it shall appear to the Commission that areas outside the Urban Services District shall be in need of urban services, or whenever substantial urban services shall already have been afforded to such areas, the Commission may provide for the enlargement of the Urban Services District by ordinance to add to it such additional areas. Such enlargement shall in all manners comply with the general law then applicable.

§ 7.05 - Special Services Districts: Special Services Districts may be established, expanded, or altered for the purpose of furnishing one or more urban services to an area when the Commission finds that the area needs such services, as well as for the purpose of implementing enlargement of the Urban Services District under § 7.04 of this Charter. The boundaries of Special Services Districts may, but need not, be contiguous with the boundaries of Urban Services District, and may overlap or be coextensive with the boundaries of other Special Services Districts. Creation, expansion, or alteration of Special Services Districts shall be according to the following procedure: (a) The commission shall by ordinance (i) propose the boundaries of such new, altered, or expanded Special Services District; (ii) propose services to be rendered in such new, altered, or expanded Special Services District; (iii) state the Special Services District's share of the cost of such services; and (iv) schedule a public hearing for discussion of the proposed new, altered, or expanded Special Services District. (b) The Commission may authorize a referendum upon the question of whether such Special Services District shall be created or may create the same by ordinance without a referendum but in either event, in the creation of such a Special Services District, the Commission shall take or cause to be taken all steps required by the general laws applicable to Metropolitan Governments, including notice to the property owners within such Special Services District, the levy of annual and ad valorem taxes upon property within such district, and any and all steps as may be required by applicable law.

§ 7.06 - Industrial Parks: The Commission shall have full power to establish, at any location within the Hartsville/Trousdale County Government, industrial parks as contemplated by general law. It shall not be necessary to establish a special services district in order to establish an industrial park.

ARTICLE 8 PUBLIC EDUCATION

§ 8.01 - Establishment and Authority of the School Board: Public education within the area of the Hartsville/Trousdale County Government shall be the responsibility of a single, consolidated school system which shall be controlled and administered by the Trousdale Board of Education.

The cost of public education shall be assigned to the General Services District. The School Board shall be composed of five (5) members elected one from each school district. School District No. 1 shall be comprised of Commission Districts 1 and 2. School District No. 2 shall be comprised of Commission Districts 3 and 4. School District No. 3 shall be comprised of Commission Districts 5 and 6. School District No. 4 shall be comprised of Commission Districts 7 and 10. School District No. 5 shall be comprised of Commission Districts 8 and 9. The School Board shall, in accordance with general law, do all things necessary and proper for the operation of an efficient and accredited school system. The school board shall adopt written rules, regulations, and policies for the operation of the school system; prepare budgets which shall be delivered to the Commission in accordance with Article 9 hereof; shall adopt a pay plan to be applicable to all certified employees employed under teaching certificates both in teaching and in administrative positions; and meet publicly at least monthly to set policy and review the operation of the school system. School Board minutes shall be maintained by the Director of Schools.

§ 8.02 - Terms, Qualifications, and Compensation of School Board Members: Members of the Trousdale County Board of Education shall serve staggered terms of four (4) years and shall assume office on September 1 following their election. Should a run-off election occur after September 1, then the member or members so elected shall take office immediately after the certification of such election. Each candidate for the Trousdale County Board of Education shall be a qualified voter and be at least twenty-one (21) years of age and shall have been a resident of Trousdale County at least three (3) years before the deadline for filing as a candidate for the Trousdale County Board of Education. The Commission shall from time to time fix the amount of compensation, if any, to be paid to Trousdale County Board of Education members.

§ 8.03 - Selection of Officers for the Trousdale County Board of Education Procedure: The Trousdale County Board of Education shall select, from among its members, a chairman and a vice chairman who shall serve for a term of one (1) year. If the office of chairman is vacated, the vice chairman shall become acting chairman until the Trousdale County Board of Education selects a new chairman. The Trousdale County Board of Education shall select such additional officers and establish such committees as it deems advisable. Except as otherwise provided in this Charter, the Trousdale County Board of Education shall determine its own rules and order of business.

§ 8.04 - Director of Schools: A Director of Schools shall be appointed by the Trousdale County Board of Education according to general law. Service as Director of Schools shall not be credited to the acquisition of tenure unless specifically approved by the Trousdale County Board of Education. The Director of Schools shall be the chief administrative employee of the Trousdale County Board of Education. The Trousdale County Board of Education shall, in accordance with general law, assign to the Director of Schools such duties and responsibilities as are necessarily or properly assigned to a city or county Director of Schools.

§ 8.05 - Tenure: Tenure and benefit rights of teachers and employees of the Trousdale County Board of Education are retained.

§ 8.06 - Diversion of Funds Prohibited: No funds which have been appropriated for the use of

or transferred to the school system shall be diverted from that use to any other.

ARTICLE 9
METROPOLITAN GOVERNMENT BUDGET

§ 9.01 - General Budget Authority: The Commission shall provide, by ordinance not inconsistent with this Charter or general law, procedures and requirements for the preparation, adoption, and execution of annual operating and capital improvements budgets. The Commission shall likewise provide such other procedures in connection with the budgets including, but not limited to allotments, appropriations, impoundment of funds, additional appropriations, transfer of appropriations, lapse of appropriations, general fund reserve, and contingent fund reserve, as it, in its discretion, may deem necessary.

§ 9.02 - Fiscal Year: The fiscal year of the Hartsville/Trousdale County Government shall be set by ordinance. The same fiscal year shall apply to all budgeting, accounting, and financial reporting activity of the Hartsville/Trousdale County Government.

§ 9.03 - Budget Proposal - Procedure: The Mayor shall obtain from all offices, departments, boards, and agencies for which appropriations are made by the Hartsville/Trousdale County Government or which collect revenues for the Hartsville/Trousdale County Government (except for independent self-supporting agencies of the Hartsville/Trousdale County Government) such information as shall be necessary to compile the annual operating and capital improvements budgets. All offices, departments, boards and agencies from time to time shall furnish such information and reports as the Mayor may require, in the form prescribed. The Mayor shall propose annual operating and capital improvements budgets to the Commission in writing not less than ninety days before the beginning of each fiscal year. The budget shall include an analysis of the fiscal implications of all tax levies and programs including a breakdown of the amount budgeted for major budget categories, and such other information as may be deemed necessary by the Commission in considering the Mayor's proposal.

§ 9.04 - Scope and Form of Budgets: Both the annual operating and capital improvements budgets shall consist of at least the following parts. Part I shall set forth the revenues, expenditures, and program information for those services, functions, activities, and capital improvements pertaining to the General Services District. Part II shall set forth the same information for the Urban Services District. Part III shall set forth the same information for any Special Services District.

§ 9.05 - Adoption of the Annual Operating and Capital Improvements Budgets: After receiving the annual operating and capital improvements budgets, the Commission shall hold at least one public hearing devoted to the consideration of the budgets. The Commission may amend the proposed budgets but in any event each operating budget is adopted shall provide for all expenditures required by this Charter or by general law pertaining to metropolitan governments and for all debt service requirements for the next fiscal year. The Commission shall adopt by ordinance annual operating budgets and the capital improvements budget before the beginning of the new fiscal year. Should the Commission not approve its fiscal year budgets by

the beginning of the fiscal year then it shall pass a resolution resolving that budget operations be continued from the current fiscal year budgets for the new fiscal year can be approved at which time all revenue and expenditures from the beginning of the fiscal year forward will be considered a part of the new fiscal year budget operations. The Commission may make additional appropriations to the Hartsville/Trousdale County Government, provided that the additional funds are derived from additional revenue or unappropriated funds.

§ 9.06 - Levy of Taxes: The Commission and the Urban Council, before the beginning of the new fiscal year, shall levy taxes sufficient with other available funds to balance the budget as adopted. Should the Commission and the Urban Council fail to adopt a tax levy, the Commission shall pass a resolution maintaining the current tax levy until the budget is adopted for the new fiscal year. The Commission may employ any method of taxation now or hereafter authorized to municipal, county, or metropolitan governments by general law. Within the General Services District and each Special Services District, the Commission shall levy an ad valorem tax so as to be sufficient with other available funds to defray the costs set forth in Parts I and III of the budgets as adopted. As to property within the Urban Services District, the Urban Council shall levy ad valorem taxes on property, so as to be sufficient with other available funds to defray the costs set forth in Part II of the budgets as adopted with respect to the Urban Services District.

§ 9.07 - Public Records: The budgets, budget proposals, and all supporting schedules and all records relative to indebtedness shall be public records and shall be open to public inspection.

ARTICLE 10
METROPOLITAN GOVERNMENT DEBT

§ 10.01 - Debt Obligation Authority: The Hartsville/Trousdale County Government may, when authorized by ordinance of the Commission, issue short-term debt obligations. The Hartsville/Trousdale County Government may issue long-term debt obligations for any public purpose in accordance with the provisions of this Charter or general law. For purposes of this Charter, the term "short-term debt obligation" shall refer to any indebtedness required to be repaid within one (1) year of its being incurred. Long-term debt obligations of the Hartsville/Trousdale County Government may be issued with adjustable or floating interest rates or with specified maximum interest rates and may be marketed by competitive bid or negotiated sale. The Commission shall have the right to delegate the authority to adjust interest rates and the administration of the marketing of long-term debt obligations. The Commission may, by ordinance not inconsistent with the provisions of this Charter, establish additional procedures and conditions for long-term obligations.

§ 10.02 - Approval of Issues of Long-Term Debt Obligations: Long-term debt obligations of the Hartsville/Trousdale County Government shall be issued only following the adoption of a resolution, approved by a vote of the majority of the Commission membership, authorizing the issue and stating the amount, interest terms, and purpose thereof.

§ 10.03 - Terms and Procedures for Long-Term Bond Issuance: For the issuance of long-term debt obligations, the Commission shall adopt a bond resolution by the majority hereinbefore

required. In adopting such resolution, the Commission is authorized to act pursuant to any general law of the State of Tennessee then in effect which generally authorizes counties, cities, or other governmental entities or political subdivisions of the State of Tennessee to issue bonds. The power to issue such bonds shall include as well the power to issue bond anticipation notes and to issue grant anticipation notes if appropriate. The bond resolution must make reference to the particular chapter of the Tennessee Code Annotated being adopted by the Commission as authority for issuance of the bonds, and the Commission shall adhere strictly to all provisions thereof in adopting its bond resolution, except as to any conditions or limitations which shall have been made inapplicable to Metropolitan Governments by general law. If the bonds are to be revenue bonds rather than bonds based upon the Hartsville/Trousdale County Government's taxing powers, the Commission may act under authority of any law authorizing the issuance of revenue bonds for the construction of public utility systems. Any and all provisions authorized or permissible under the law under whose authority the commission shall elect to issue the bonds may be included in the bond resolution and in the bonds themselves. Unless the Commission shall act pursuant to a general law requiring a referendum, the approval of the electorate shall not be required for the issuance of such bonds.

§ 10.04 - Full Faith and Credit, Allocation of Proceeds, and Payments: The full faith and credit of the Hartsville/Trousdale County Government shall be pledged for all long-term debt obligations issued by the Hartsville/Trousdale County Government, based upon its taxing powers, unless otherwise provided in the issue. The proceeds and payment of all debt obligations issued by the Hartsville/Trousdale County Government shall be allocated to the services district for which the proceeds of the debt obligation are intended and set forth by ordinance of the Commission in accordance with this Charter or applicable general law.

§ 10.05 - Trust Fund: The proceeds of all long-term debt obligation issues and the interest earned thereon shall constitute a trust fund, and each issue shall be accounted for and used exclusively for the purposes for which the issue was authorized and in accordance with the terms of the bond ordinance or resolution.

§ 10.06 - Debt Service Fund: All revenue collected for the purposes of servicing or retiring a long-term debt obligation issue shall be used exclusively for the payment of principal and interest; provided, however, that the resolution authorizing the long-term debt obligation issue may allow funding of a reserve for maintenance or replacement of any improvement constructed with said long-term debt obligation issue. A debt service fund and debt service reserve fund may be established for amortization of all issues for each services district having a long-term indebtedness.

ARTICLE 11 JUDICIAL

§ 11.01 - Hartsville/Trousdale County Court of General Sessions: Under this Charter, the Municipal Court of the Town of Hartsville will be consolidated with the General Session Court of Trousdale County as an additional division thereof, and the General Session Court shall be continued as the Hartsville/Trousdale County Court of General Sessions. There shall be one

judge of the said Hartsville/Trousdale County Court of General Sessions. The schedule and procedure for continuing such Court shall be as described in the transitional provisions set out below. The Hartsville/Trousdale County Court of General Sessions shall have jurisdiction over all penal ordinances throughout the Hartsville/Trousdale County General Services District, in addition to all jurisdiction heretofore vested in the Hartsville/Trousdale County Court of General Sessions. Judges of the Hartsville/Trousdale County Court of General Sessions shall be elected by popular vote of the registered voters in the Metropolitan Hartsville/Trousdale County General Services District for terms of eight (8) years as provided by general law with respect to the election of judges of General Session Courts. The Hartsville/Trousdale Commission may from time to time increase the number of judges of the General Sessions Court by ordinance, but such ordinance shall have no effect until the same shall have been approved by referendum under Article 13 of this Charter. The general law pertaining to the General Sessions Court shall govern the qualifications and compensation of judges of the Hartsville/Trousdale County Court of General Sessions and with respect to appeals from the Hartsville/Trousdale County Court of General Sessions.

§ 11.02 - Metropolitan Juvenile Court: The Juvenile Court for Hartsville/Trousdale County has heretofore been conducted by the General Sessions Court of Trousdale County. Under this Charter, such Court shall continue to be conducted by the Hartsville/Trousdale County Court of General Sessions, and shall have the same relationship to the Hartsville/Trousdale County Government that it formerly had to Trousdale County as a Juvenile Court. The Hartsville/Trousdale County Court of General Sessions shall have all the rights, powers, duties, obligations, and responsibilities as provided by the Act creating the said Juvenile Court and any amendments thereto, and all rights, powers, duties, obligations, and responsibilities as now or hereafter may be provided by general law for Juvenile Courts. The schedule and procedure for the creation of the Hartsville/Trousdale County Court of General Sessions shall be as described in the transitional provisions set out herein.

§ 11.03 - Chancery and Circuit Courts: This Charter shall have no effect upon the Chancery of Circuit Courts established for or functioning in Hartsville/Trousdale County upon the effective date of this Charter.

§ 11.04 - Circuit Court Clerk: The Clerk of the Circuit Court shall also serve as Clerk of the General Sessions Court, Clerk of the Juvenile Court, and Clerk of such other Courts of county-wide jurisdiction as may in the future be established, with the exception of the Chancery Court.

ARTICLE 12

HARTSVILLE/TROUSDALE COUNTY GOVERNMENT EMPLOYEES PENSION, RETIREMENT, AND CIVIL SERVICE

§ 12.01 - Retirement and Pensions: The Commission may by ordinance not inconsistent with this Charter provide a system or systems for pension and retirement benefits for employees of the Hartsville/Trousdale County Government. In discharging such obligations, the Commission may establish new retirement and pension systems and provide for participation in existing systems for the Hartsville/Trousdale County Government employees by general law. The Commission

shall maintain in a sound condition all employee retirement and pension systems hereby established or recognized. All benefits payable to members, retired members and their survivors in accordance with any of the retirement plans of the former Town of Hartsville or Trousdale County as such plans exist prior to the effective date of this Charter, shall continue unimpaired for the same duration provided in such plans as they exist prior to the effective date, and such benefits shall be an obligation and liability of the Hartsville/Trousdale County Government.

§ 12.02 - Existing Pension and Retirement Systems: Existing employee pension and retirement systems of the Town of Hartsville and Trousdale County, if any, as of the effective date of this charter are hereby recognized and continued. Each such existing system shall continue in effect until there remain no individuals holding vested rights within the coverage of such system. Any Civil Service Plan shall include provisions for consolidating such city and county pension and retirement systems and their administration, and shall also include provisions for optional transfer from any former city, county, or other plan to the Hartsville/Trousdale County plan, including provisions for fund transfers relating to individual transfers, where appropriate.

§ 12.03 - Civil Service System: A single consolidated Civil Service System may be established by ordinance and shall be administered by a five-member Civil Service Council, whose members shall be nominated by the Mayor and confirmed by the Commission for such terms as the Commission may deem appropriate by ordinance. The system shall be administered in accordance with the provisions of this Charter and in accordance with such ordinances as the Commission may enact consistent with this Charter. The provisions and classifications of any such system shall likewise be established by ordinance.

ARTICLE 13 ELECTIONS

§ 13.01 - Election Commission: The Trousdale County Election Commission is recognized and continued as the Hartsville/Trousdale County Election Commission. It is empowered to call and conduct elections as hereinafter provided, and empowered and obligated to conduct all general and primary elections that may be required by the general laws of the state. Said Election Commission shall select and arrange for the availability of all polling places in such manner as to best serve the public convenience and minimize the expense of elections in accordance with the general laws. Except as otherwise provided herein, Hartsville/Trousdale County Government elections shall be conducted in accordance with general law governing county elections. It shall also be the responsibility of the Election Commission to make recommendations to the Hartsville/Trousdale County Commission for all matters regarding reapportionment.

§ 13.02 - Times and Expenses of Elections: At the expense of the General Services District, the Hartsville/Trousdale County Government shall hold all Hartsville/Trousdale County Government elections and all elections required by the general laws of the state. General elections for Hartsville/Trousdale County Government and constitutional offices shall be held on the first Thursday in August in each even-numbered year as necessary. The elections required by the general laws shall be held at the times required by such laws and the Commission may vary the

dates for Hartsville/Trousdale County Government elections by as much as fourteen days in order to cause them to coincide with elections required by the general laws.

§ 13.03 - Qualifications of Voters: All persons who reside in and are lawfully registered in Trousdale County and are qualified to vote in state elections shall be qualified to vote in state elections shall be qualified to vote in the Commission or school district in which they reside for Hartsville/Trousdale County Government officers elected from districts. All persons who reside in and are lawfully registered in Trousdale County and are qualified to vote in state elections shall be qualified to vote for Hartsville/Trousdale County Government officers elected at large and in other elections at which voters throughout the General Services District cast ballots. In elections to be held in more restricted areas, relative to annexation or Special Services Districts all persons who are lawfully registered to vote in Trousdale County in state elections and live in or own free-hold estates in such restricted areas shall be qualified to vote.

§ 13.04 - Requirements for Inclusion on Ballot: A person shall be included on a ballot as a candidate for Hartsville/Trousdale County Government office if nominated by a petition: (a) signed by twenty-five or more voters qualified to vote for the office in question; (b) filed with the Commission by the first Thursday in the second calendar month before the election; and (c) which contains the candidate's certification that such candidate has all qualifications prescribed for the office.

§ 13.05 - Regular and Run-off Hartsville/Trousdale County Government Elections: All elections for Hartsville/Trousdale County Mayor and School Board shall be non-partisan and the candidate receiving the greatest number of votes cast for each office shall be elected. All elections for Hartsville/Trousdale County Commission shall be non-partisan and the two candidates receiving the greatest number of votes in each Commission district shall be elected. In the event of a tie vote among the two leading candidates for any Hartsville/Trousdale County Government office, the run-off election shall be held between the two candidates receiving the highest number of votes on a date set by the Election Commission not less than fifteen (15) nor more than forty-five (45) days after the regular election, and the candidate receiving the most votes therein shall be elected.

§ 13.06 - Questions Subject to Referenda: The Election Commission shall cause to be placed on the ballot, at a regular election, or if necessary, at a special election, questions subject to referenda. Questions subject to referenda shall be limited to: (a) amendments to this charter in accordance with Article 14 hereof; (b) the creation or alteration of a special services district; (c) certain bond issues; (d) the adoption of ordinances by referendum; (e) those required by this Charter and (f) recall of elected officials subject to conditions in TCA 2-5-151. Any referendum question or proposal shall pass when a majority of the votes cast on the question or proposal are cast in favor of the same.

§ 13.07 - Procedure for Referenda Elections: Upon receipt of an ordinance or resolution requiring a referendum as authorized by this Charter, or whenever under this Charter the requisites for requirement of a special election shall be met, the Election Commission shall cause said proposal to be placed on the ballot at a special referendum election to be scheduled not less than forty-five (45) days nor more than ninety (90) days thereafter. If, however, a county-wide

election is scheduled to be held within 120 days, the proposal shall be included on the ballot at said county-wide election and a special election shall not be scheduled. The Election Commission shall cause the proposal to be published on no less than two separate dates in a newspaper of general circulation within the General Services District. Said publications shall be not more than twenty (40) nor less than five (5) days before the referendum election.

§ 13.08 - Requirements of Referenda: Referenda shall be held within the appropriate area, whether the General Services District or a particular service or election district, upon the filing of a petition meeting the requisites of § 13.09 and seeking the adoption or repeal of any ordinance, except those ordinances adopting or amending any operating budget or tax rate. Petitions seeking to rescind ordinances creating or modifying special services districts must be filed within forty-five (45) days after adoption of such ordinance, and no action shall be taken under such ordinance pending disposition of the referendum petition. The Election Commission shall not be obligated or authorized to conduct a referendum upon any petition for adoption of an ordinance (including a rescinding ordinance, an ordinance proposing a Charter amendment, or any other ordinance) unless the Commission shall fail to adopt such ordinance within forty-five (45) days after the Election Commission shall have determined, under § 13.09, that the referendum petition is proper. Such determination, when made, shall be immediately certified to the Commission.

§ 13.09 - Referendum Petition Requisites and Procedures: For petitions to submit questions subject to referenda to the electorate, the petitions shall: (a) be signed and dated by no fewer than ten percent of that number of qualified voters casting votes in the most recent gubernatorial election within the General Services District or within such more restricted area as may apply to such particular referendum; (b) bear the address of each signatory next to or immediately below each signature; (c) contain on each page a statement reciting the question for referendum.

The affidavit of execution may cover a group of pages bound together. Promptly upon the filing of such referendum petition, the Election Commission shall ascertain whether; (a) it is in proper form; (b) it is signed by the required number of persons; and (c) The signatures are genuine. If the Election Commission shall determine that the petition is insufficient, it shall return the same to the person who filed it, with a written statement of the reasons for its insufficiency, and without prejudice to the filing of a new petition at a later date, provided that any applicable time limitation must be met. If the Election Commission finds the petition sufficient, it shall proceed as required by § 13.08.

§ 13.10 - Amendment of Districts: The Commission and School Board Districts as originally provided under this Charter, and as they may exist from time to time after this charter shall become effective, shall be amended by ordinance of the Commission. Any such proposed redistricting shall be in conformity with the requirements of this Charter and of general law. Any such redistricting shall be completed not later than ninety (90) days prior to the date upon which any election to fill any such office subject to the redistricting is to be held. Any redistricting shall be prospective only and shall not take effect prior to the conclusion of the current term of persons holding any office subject to such redistricting.

AMENDMENTS TO CHARTER

§ 14.01 - Amendment Pursuant to Commission Resolution: Amendments to this Charter may be proposed by resolution passed by a two-thirds majority of the Commission membership on a separate reading at three consecutive meetings. Proposed amendments shall then be submitted to the electorate as provided in Article 13 hereof.

§ 14.02 - Amendment or Revocation by Petition: Amendment of this Charter may be accomplished by petition in the form and subject to the procedure for amendment by petition of the people outlined in Article 13 hereof.

§ 14.03 - Charter Revision Commission: The Commission may by ordinance establish a Charter Revision Commission to hold hearings and to make recommendations to the Commission with respect to amendments of this Charter. The Charter Revision Commission shall consist of ten (10) members, one from each Commission district. Each member should be nominated by the Mayor and confirmed by the Commission and shall serve until replaced by the Mayor.

ARTICLE 15

TRANSITION AND EFFECTIVE DATE

§ 15.01 - Effective Date: The effective date of this Charter, and of each and every step, procedure, and consolidation provided for herein, unless otherwise specifically provided, shall be January 1, 2001.

§ 15.02 - Initial Commission Districts: The ten Commission districts as in effect in Trousdale County for the purpose of election of the County Commissioner as of the date of the adoption of this Charter shall be the initial Commission districts as provided for herein. Each district shall hereafter continue to be the Commission Districts for all purposes, unless and until a redistricting of such is enacted by the Commission.

§ 15.03 - Initial School Board Districts: The five School Board districts as in effect in Trousdale County for the purpose of election of the School Board as of the date of the adoption of this Charter shall be the initial School Board districts as provided for herein. Such districts shall hereafter continue to be the School Board Districts for all purposes, unless and until a redistricting of such is enacted by the Commission.

§ 15.04 - Initial Mayor, Commission, and Urban Council: The initial Mayor shall be the Trousdale County Mayor serving in such office as of the date of this Charter becoming effective. The initial Commission shall be the County Commissioners serving as of the date of this Charter becoming effective, each such former Commissioner becoming the Commission Member to serve the respective district from which he or she was originally elected. The initial Urban Council shall be the three County Commissioners of Trousdale County receiving the largest amount of votes in the last general election who reside in the Town of Hartsville.

§ 15.05 - Initial School Board: The initial School Board shall be those persons serving as the Trousdale County Board of Education on the date upon which this Charter becomes effective with each such School Board member representing the district from which he or she was originally elected.

§ 15.06 - Terms: The Mayor, Commission, Trousdale County Board of Education, and any other elected officials provided for in this Charter, shall continue in their elected capacity, under this Charter, from and after the effective date of this Charter, until the date upon which they would have stood for re-election had this Charter not been adopted.

§ 15.07 - Terms of the School Board: The members of the Trousdale County Board of Education shall continue to serve for such terms and periods of time as they would have served had this Charter not become effective. The Trousdale County Board of Education members presently, prior to the adoption of this Charter, serve a term of four (4) years but the election of such members is staggered so that two (2) or three (3) of such members will stand for election at the time of the general election in August on each even-numbered year. Such provisions for the terms, districts, and election of the School Board are adopted into this Charter. The terms of the School Board members from each respective district shall expire, and their successor be elected, on the same day and date as if this Charter had not been adopted.

§ 15.08 - Continued Compensation: Any and all officials receiving compensation from Trousdale County or the Town of Hartsville as of the date of this Charter becoming effective, including, but not limited to, the Mayor, the Commission, and the School Board, upon this Charter becoming effective, shall continue to receive the same compensation payable in the same manner until the end of their existing term as they would have received had this Charter not become effective.

§ 15.09 - Ordinances Continued: All ordinances and resolutions of the Town of Hartsville and of Trousdale County in effect as of the date that this Charter becomes effective, and not inconsistent with the terms and provision of this Charter, shall be effective as ordinances and resolutions of the Hartsville/Trousdale County Government until they have been repealed, modified, or amended. All rules and regulations of the boards, departments, and agencies of the Town of Hartsville, in effect as of the date this Charter becomes effective, and not inconsistent with the terms and provisions of this Charter, shall be effective as rules and regulations of the appropriate board, department, or agency of the Hartsville/Trousdale County Government until they have been repealed, modified, or amended. Any law, regulation, ordinance or resolution regarding the manufacture, receipt, sale, storage, transportation, distribution and possession of beer and other alcoholic beverages for the Town of Hartsville existing on the effective date of this Charter shall apply to the Urban Services District on the effective date of this Charter. Any law, regulation, ordinance or resolution regarding the manufacture, receipt, sale, storage, transportation, distribution and possession of beer and other alcoholic beverages for Trousdale County existing on the effective date of this Charter shall apply to the General Services District on the effective date of this Charter.

§ 15.10 - Legal Obligations: Except as otherwise provided by this Charter, all contracts, obligations, and instruments entered into by the Town of Hartsville or by Trousdale County

which are in effect as of the date this Charter becomes effective shall continue in full force and effect according to the terms thereof as obligations, liabilities, and assets of the Hartsville/Trousdale County Government. Neither the rights, nor obligations, nor any such contract, obligation, or instrument shall be abated or otherwise affected by the adoption or implementation of this Charter. As to any such contract, obligation, or instrument entered into prior to the effective date of this Charter, the Hartsville/Trousdale County Government shall be considered a third party beneficiary until the effective date of this Charter and shall be regarded as a substitute party after the effective date of this Charter.

§ 15.11 - Property and Liabilities: As of the effective date of this Charter, all right, title and interest in and to any and all real and personal property at that time vested in the Town of Hartsville or in Trousdale County individually or jointly shall be vested in the Metropolitan Government. All assets and liabilities of the Town of Hartsville and of Trousdale County both individually and jointly as of the effective date of this Charter, shall be vested in and accrue to the Hartsville/Trousdale County Government as of the effective date of this Charter.

§ 15.12 - Officials of the Town of Hartsville: As of the effective date of this Charter the authority of the then existing officials of the Town of Hartsville shall terminate and all such authority shall pass to the appropriate officials of the Hartsville/Trousdale County Government. For the purposes of transition, the Commission may provide for the continuation of duties as consultants, or administrative officers, of any of the then existing officials of the Town of Hartsville for such period of time as may be deemed appropriate at such compensation, if any, as may be deemed appropriate.

§ 15.13 - Court of General Sessions: The provisions of Article 11 relating to the continuation of the Hartsville/Trousdale County Court of General Sessions and as to such Court continuing the jurisdiction of the Juvenile Court presently carried out by the Court of General Sessions of Trousdale County shall be effective on the first day of January, 2001. The Trousdale County General Sessions Judge serving on the effective date of this Charter shall be the judge of the Hartsville/Trousdale County Court of General Sessions.

§ 15.14 - Miscellaneous Provisions: From and after adoption of this Charter by the voters, the County Commissioners of Trousdale County prior to the effective date of this Charter, and the Commission from and after such effective date shall have the power by ordinance to make appropriate provision for the implementing of the consolidation into the Commission, including as necessary, any special provisions or appropriations to deal with any problems, duplications, or omissions arising during such process.

ARTICLE 16 INTERPRETATION

§ 16.01 - Titles and Subtitles Not Part of Charter: The titles, subtitles, and captions appearing before the articles and sections of this Charter are not part of the Charter and are not intended to determine or restrict the meaning of any provision. Titles, subtitles, and captions have been

placed in this Charter merely for convenience.

§ 16.02 - Severability: If any section, subsection, paragraph, sentence, clause or phrase of this Charter, or the application of same to any person or circumstance should be declared invalid for any reason, the decision shall not affect the remaining portions or other applications of this Charter, which shall remain in full force and effect; and to this end the provisions of this Charter and the applications thereof are declared to be severable.

Rev. August 2016
Up-to-date through 2016
