

ORDINANCE NO. 189

AN ORDINANCE ESTABLISHING DATE FOR MUNICIPAL ELECTIONS

WHEREAS, Tenn. Code Anno. §6-2-201(31) gives municipal governments authority to establish dates for and establish municipal elections; and

WHEREAS, Tenn. Code Anno. §6-3-104 allows the Board of Mayor and Aldermen to schedule the date of municipal elections by Ordinance; and

WHEREAS, by tradition, the Mount Carmel Board of Mayor and Aldermen elections have been conducted in October bi-annually; and

WHEREAS, since changing to staggered terms for Aldermen, such elections have been conducted on various dates in October; and

WHEREAS, to comply with the above-noted provisions of Tenn. Code Anno. and to provide consistency so that candidates for municipal office will have certainty as to the bi-annual date of Town elections;

NOW, THEREFORE, **BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN of the Town of Mount Carmel, Tennessee**, as follows:

SECTION I. The bi-annual municipal election to be conducted in 1998 will be held on November 3, 1998, and the Recorder is to inform the Hawkins County Election Commission of such election date upon the passage of this Ordinance;

SECTION II. Mount Carmel Municipal Code, Chapter 1, Section 1-105 shall be amended by adding thereto subsection 5 which shall read: "After the 1998 bi-annual municipal election, municipal elections shall be conducted on the first Tuesday after the first Monday in even-numbered years at the same time as state and federal general elections."

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

SECTION IV. The terms of those persons elected and installed after the November 3, 1998, municipal election shall serve four (4) year terms until the next regularly scheduled municipal election as set in Section II above; and

SECTION V. 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 Mount 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, the public welfare requiring it.

JAMES DEAN, Mayor

ATTEST:

Nancy Carter
NANCY CARTER, Recorder

APPROVED AS TO FORM:

Michael A. Faulk
LAW OFFICES OF MICHAEL A. FAULK

PASSED 1ST READING: 3-26-98 Ayes 4 Nays 0 Other 0

PASSED 2ND READING: 4-29-98 Ayes 6 Nays 0 Other 0

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Town of Mt. Carmel

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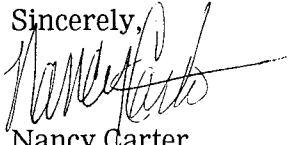
Friday, May 01, 1998

Peggy Herndon
Election Commission
150 Washington St.
Rogersville, Tn 37857

Dear Peggy:

This letter is to inform the Election Commission that an Ordinance has been passed by the Board of Mayor and Aldermen of the Town of Mount Carmel establishing the date for municipal elections.

The biannual municipal election to be conducted in 1998 will be held on November 3, 1998. We have enclosed a copy of the ordinance passed. If you have any questions, please call (423)357-7311.

Sincerely,

Nancy Carter
City Recorder

cc: James Dean
Ronald Waller

nc