

ORDINANCE NO. 237

**AN ORDINANCE TO AMEND MOUNT CARMEL
MUNICIPAL CODE SECTION 1-105, TO CREATE A SINGLE
AT-LARGE VOTING DISTRICT FOR THE ELECTION OF
ALDERMEN FOR THE TOWN OF MOUNT 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 Mount 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 Mount 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 Mount Carmel, Tennessee; but, the populations of the wards as defined by those boundaries noted above have become disproportional; and

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

SECTION I. Mount 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, 2002, election for aldermen, the entire town shall consist of one ward only. The three candidates for aldermen 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 aldermen shall be filled in a like manner by at-large elections in November, 2004, 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, 2000, municipal election shall not be effected and the aldermen therein so elected shall serve until the next regularly municipal election as set in Section I above; and

SECTION II. LEGAL STATUS PROVISIONS.

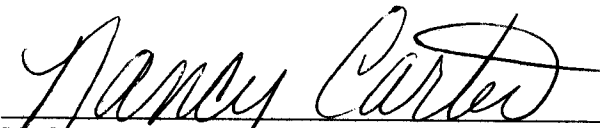
A. Conflict With Other Ordinances. In case of conflict between this ordinance or any part thereof, and the whole or part of any existing or future ordinance of the Town of Mount Carmel, the most restrictive shall in all cases apply.

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.

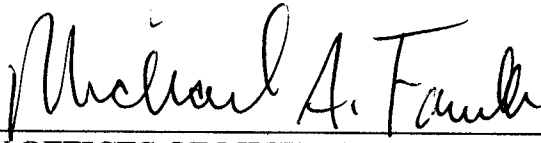


GARY LAWSON, Mayor



NANCY CARTER, Recorder

APPROVED AS TO FORM:



LAW OFFICES OF MICHAEL A. FAULK

112 East Main Boulevard

P.O. Box 2080

Church Hill, TN 37642

Date of public hearing: N/A

Publication: _____

Published on: _____

FIRST READING	AYES	NAYS	OTHER
Alderman Henry Bailey	✓		
Vice-Mayor Eugene Christian	✓		
Alderman Paul Hale	✓		
Mayor Gary Lawson	✓		
Alderman George Pierce	✓		
Alderman Thomas Wheeler	✓		
Alderman Wanda Worley	✓		
TOTALS	7	0	0

PASSED FIRST READING 12-20-01

SECOND READING	AYES	NAYS	OTHER
Alderman Henry Bailey	✓		
Vice-Mayor Eugene Christian	✓		
Alderman Paul Hale	✓		
Mayor Gary Lawson	✓		
Alderman George Pierce	✓		
Alderman Thomas Wheeler	✓		
Alderman Wanda Worley	✓		
TOTALS	7		

PASSED SECOND READING 1-24-02

PUBLISHED ON:

Date: 1-30-02

Newspaper: Kingsport Times News