

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) SO AS TO CHANGE THE CITY'S CHARTER RELATING TO CITIZEN INITIATIVES.

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 are hereby further amended by repealing the current Title 11, Chapter II, Section 11.24, Initiative, and Section 11.25, Referendum, in their entirety and inserting in lieu a new Section 11.24 as follows:

11.24 Initiative and Referendum; procedure.

Any proposed ordinance to change the charter of the City of Chattanooga shall first be submitted to the City Council of the City of Chattanooga for approval. If the City Council fails to approve the proposed changes to the charter, the proponents may follow all applicable provisions of state law as may then exist to have the proposed charter revision placed on an election ballot as a referendum.

FOR THE AMENDMENT { }

AGAINST THE AMENDMENT { }

SECTION 2. BE IT FURTHER ORDAINED, That all laws constituting 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be and the same are continued in full force and effect, and all laws or parts of laws in conflict therewith are hereby repealed.

SECTION 3. 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 4. 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 5. 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 home rule 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 November 6, 2012.

SECTION 6. 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 7. 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 8. BE IT FURTHER ORDAINED, That Section 1 of this Ordinance shall take effect sixty (60) days 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.

SECTION 9. BE IT FURTHER ORDAINED, That this Ordinance shall take effect, except for Section 1, immediately upon its passage.

PASSED on Second and Final Reading

_____, 2012 _____

CHAIRPERSON

APPROVED: _____ DISAPPROVED: _____

DATE: _____, 2012

S/ _____

MAYOR

KOF/mms