

- (a) Any action required by general law to be by ordinance;
- (b) Any action required by this charter to be by ordinance;
- (c) Any action that levies a tax;
- (d) Any action that makes a special assessment;
- (e) Any action that is permanent in nature; and
- (f) Any action that has a regulatory or penal effect. [As amended by Priv. Acts 1994, ch. 165, § 1; Priv. Acts 2001, ch. 24; and Priv. Acts of 2009, ch. 17]

ARTICLE III

Elections

Section 1. Date of general city election. A general city election shall be held on the same date as the regular August election in 1996 and each even-numbered year thereafter. [As replaced by Priv. Acts 1994, ch. 165, § 2]

Section 2. General election laws apply. All elections shall be conducted by the commissioners of elections of Bradley County in accordance with the general election laws of the state and this charter.

Section 3. Voter qualification requirements. Persons meeting the residency requirements prescribed by the election laws of the State of Tennessee and persons owning at least fifty percent (50%) fee simple interest in a parcel of real property of at least five thousand (5,000) square feet or having an appraised value for tax purposes of at least thirty-five thousand dollars (\$35,000) within one (1) of the councilmanic districts of the City of Cleveland for a period of six (6) months prior to an election and who are otherwise qualified to vote in State elections shall be eligible to vote in city elections, provided the person is properly registered in accordance with the applicable laws of the State of Tennessee. Non-resident property owners who own property in more than one (1) councilmanic district must declare both the district in which the owner elects to vote, and the piece of property being utilized to provide such voting privilege, and such declaration shall be permanent unless the owner sells the property in the district. The city council may authorize the ballots for these non-resident property owners be cast by mail. [As amended by Priv. Acts 1997, ch. 12, § 1 and ch. 85, § 1, and replaced by Priv. Acts 2019, ch. 22, § 1]

Section 4. Election and transition procedure. At the first regular city commission meeting in September, 1993, following the general city election held on August 5, 1993 the two commissioners elected in that general city election and the incumbent two commissioners and the mayor shall be officially known and designated as the city council of the City of Cleveland. The two (2) council members elected in the general city election held on August 5, 1993 shall have their term of office extended until their successors are elected in the general city election held on the first Thursday following the first Tuesday of August of 1998. The mayor and the two council members whose terms of office are scheduled to end when their successors are elected in the general city election held on the first Thursday of August of 1995, shall have their term of office extended until their successors have been elected in the general city election held on the first Thursday following the first Tuesday of August of 1996.

Following the action of the mayor and council members at the first council meeting in December, 1993, to establish and adopt councilmanic districts, the city council shall consist of a mayor and seven (7) council members. The mayor and two (2) council members shall be elected at large and five (5) council members shall be elected from their respective councilmanic districts; the term of office for the mayor and council members shall be four (4) years and shall be staggered. Districts shall be reviewed and adjusted decennially by ordinance following each national census. The mayor and four (4) council members who hold office on the date of the first regular council meeting in September, 1993 shall define and adopt councilmanic district descriptions by November 1, 1993. Following the establishment and adoption of five (5) councilmanic districts, the mayor and four (4) council members shall, at the first regular council meeting in December, 1993, appoint three (3) additional council members, one (1) each respectively from councilmanic district numbers 1, 2, and 3, who shall immediately take office and become council members, and who shall serve until their successors have been elected in the general city election in August, 1996. The two (2) council members elected in the general city election held on August 5, 1993 shall be designated the council members at large and the other two council members who were elected in the general city election held in August, 1991, shall be designated council members for councilmanic districts 4 and 5 respectively.

In the general city election held on the first Thursday following the first Tuesday of August 1996 the mayoral candidate and the council candidates from each of the five councilmanic districts receiving the highest number of votes shall be declared to be elected; the mayor and the council members elected from councilmanic districts 1 and 2 shall serve for a term of two (2) years. The council members elected from councilmanic districts 3, 4, and 5 shall be elected for a term of four (4) years. However, at each and every city election thereafter the successors to the office of mayor and councilmanic district members shall be

elected for a term of four (4) years, unless they are being elected to fill an unexpired term. In the general city election held on the first Thursday following the first Tuesday of August 1998, the council member candidate at large receiving the highest number of votes shall be elected for a term of four (4) years and the council member candidate at large receiving the second highest number of votes shall be elected for a term of two (2) years. However, at each and every city election thereafter, the successors to the office of council member at large shall be elected for a term of four (4) years, unless they are being elected to fill an unexpired term. Any mayor and council member shall be eligible for re-election. Nothing in this act shall be construed as having the effect of removing an incumbent from office or abridging the terms of any official prior to the end of the term for which such incumbent was elected. The mayor and council members elected in any general city election shall commence their term by taking their oath of office at the beginning of the first regular council meeting in September following the regular city election or at 3:00 p.m. on the second Monday of September following the regular city election, whichever occurs first. At the first regular city council meeting in September following the regular city election in August 1993, the city clerk shall become acting city manager and shall hold such position until a city manager has been appointed or until the city council appoints a different person as acting city manager. The city council shall proceed with the recruitment and appointment of a city manager and shall have made such appointment by March 31, 1994. During the period of transition the mayor shall retain his right to vote as a member of the city council and shall forfeit his veto power until the five (5) councilmanic districts have been established and the three (3) additional council members have been appointed.

ARTICLE IV

City Council

Section 1. Composition. In accordance with Article III, Section 4, paragraphs 2 and 3, the governing body of Cleveland shall consist of the mayor and seven (7) council members elected by the voters of Cleveland pursuant to the provisions of this charter, and shall be known as the city council. As provided herein, the mayor and two (2) council members shall be elected from the city at-large and the remaining five (5) council members shall be elected from their respective councilmanic districts. The term of office for the mayor and all council members shall be four (4) years; and as herein provided their terms shall be staggered.

Section 2. Election of vice-mayor. The city council, at the first regular meeting in October, 1993, and at the first regular meeting in October following the general city election in every even numbered year thereafter, shall elect one of their number as vice-mayor to carry out the duties of mayor in his/her