

Crossville Charter Review

Charter examples allowing non-resident voting rights

KNOXVILLE

Qualified voters. All residents of the City of Knoxville who are lawfully registered and qualified to vote under the general laws of the State of Tennessee shall be eligible to vote in all municipal elections. Nonresidents of the City of Knoxville who have owned a fee interest in a parcel of real property at least four thousand (4,000) square feet in size within the City of Knoxville for at least six (6) months prior to the date of election and who own said property on the day of election and who are otherwise lawfully registered and qualified to vote under the general laws of the State of Tennessee shall be eligible to vote in all municipal elections. Not more than two (2) nonresident voters shall be allowed to vote upon such parcel of real property. (Ord. No. O-167-00, § 2, 5-2-00, ratified 8-3-00)

State law reference— Property owners' authority to vote if charter so provides, T.C.A. § 2-2-107(a).

FRIENDSVILLE

Voter Qualification. Persons living within the corporation and non-residents owning a taxable freehold within the corporation and who are qualified to vote for members of the legislature of Tennessee are qualified voters to vote in any general or special election of the city.

ALCOA

All persons who are bona fide residents of the City of Alcoa and who are qualified to vote for members of the State Legislature and have registered shall be entitled to vote in said election.

Non-residents of the City of Alcoa shall also be allowed to vote in municipal elections; provided, that such persons must own at least a fifty percent (50%) fee simple interest in real property having a total appraised value of two hundred fifty thousand dollars (\$250,000) or more and situated within the municipal limits at the time of registration and election to be able to vote. [As amended by Priv. Acts 1921, ch. 620, § 3; Priv. Acts 1967, ch. 69; replaced by Priv. Acts 1971, ch. 85; and amended by Priv. Acts 2002, ch. 142]

PETERSBURG

Eligible Voters. Eligible voters shall be either residents of the town, or non-resident owners of real estate of the town. Only qualified voters who are citizens and residents of the town of Petersburg, or who may be owners of real estate in said town, shall be entitled to vote in the election for Aldermen. There is a maximum limit of two non-resident property owners per parcel that may vote in elections for Aldermen.

KINGSTON

Qualifications for voting. Any person eighteen (18) years of age or older who is a resident of the City of Kingston for thirty (30) days or more, properly registered and qualified to vote for members of the General Assembly and County Officers of Roane County shall be entitled to vote

in elections for Mayor and Council members. The same qualifications for voting in all other city elections or referenda shall apply unless otherwise provided by law. All natural persons residing outside the corporate limits of the city but within the territorial limits of Roane County, who meet the residency requirements prescribed by the election laws of the State of Tennessee and who own not less than one-half (½) interest in a taxable freehold, or husband and wife who own a taxable freehold as tenants by the entirety within the city limits at time of registration and at the time of the election, shall be entitled to vote in a city election; provided, however, that for the purposes of this subsection, all persons residing outside the corporate limits of the city and owning a time-share estate as it is defined in Tennessee Code Annotated, Section 66-32-102, within the city limits, shall not be considered the owner of a taxable freehold and shall not be entitled to vote in such election. The nonresident qualified voter shall vote in a precinct assigned by the election commission and the voter shall, within the time required for registration of voters on such election, provide evidence, satisfactory to the Roane County Election Commission, that the voter is a qualified voter in the upcoming election. A qualified voter residing outside of the city limits shall not be entitled to run for or hold office to any elective position. [as replaced by priv. acts 1987, ch. 73, sec. 1; and amended by Priv. Acts 2000, ch. 134]

MARTIN

Any person who is qualified to vote for members of the General Assembly and who is a resident of the city shall be entitled to vote in all elections. A non-resident, who is the owner of not less than a one-half (½) interest in a taxable freehold, or husband and wife who shall have owned a taxable freehold by the entireties within the city for a period of one (1) year preceding the date of such election, and who is a qualified voter for members of the General Assembly, may vote in a city election. [As replaced by Priv. Acts 2001, ch. 27, § 1]

GATLINBURG

In any election, only those who are bonafide residents of the city and who conform to the residency requirements of the state statutes and who are otherwise qualified to vote for members of the General Assembly, shall be entitled to vote.

Provided, however, that non-residents of the city who shall have owned a taxable freehold in the city for a sufficient period of time to otherwise qualify under state election laws (rules and regulations and being qualified to vote for members of the General Assembly by the laws of Tennessee), may be entitled to vote in the voting precinct in which said freehold is situated; provided, however that the ownership of real property must be on an individual basis and corporate ownership of real property does not entitle one to vote in municipal elections. No more than two (2) persons shall be entitled to vote based upon the ownership of an individual tract of property regardless of the number of property owners.

SMITHVILLE

All persons living in the municipality who are entitled to vote for members of the General Assembly shall be entitled to vote in municipal elections. Provided, however, any person owning property within the corporate limits of the municipality and residing outside such limits but within DeKalb County may register and vote in municipal elections, if such property ownership is of a residential lot size of not less than thirty-five hundred (3500) square feet or any person owning a commercial property of any size as

long as there are not more than two (2) persons per deed in either property classification.. Multiple floors shall count towards the total square footage residential requirement Such nonresident shall furnish to the Registrar's office proof of ownership and lot size and location by submitting a copy of the municipality's tax notice or such other document deemed acceptable by the Registrar. Such nonresident shall not be eligible to hold any municipal office or serve on any municipal board or commission.

2.03. Persons eligible as mayor and councilman. A qualified voter of the city, who has been a resident of the city for at least two years, other than a person qualified to vote based only on nonresident ownership of real property under the provisions of § 6.20.106(b), shall be eligible for election to the office of council member.

2.04. Disqualification from office. No person shall become commissioner who has been convicted of malfeasance in office, bribery, or other corrupt practice, or crime, or of violating any of the provisions of § 6.20.108 in reference to elections. Any council member so convicted shall forfeit such council member's office.

2.05. Qualifications of voters.—

- (a) In any election of mayor and council under this charter, registered voters of the city may vote.
- (b) All persons residing outside the city limits, owning taxable real property within the corporation for a period of six (6) consecutive months next preceding the date of said election, and being otherwise qualified, shall also be entitled to vote at said election.
- (c) No more than any two owners of such property may vote and the parcel or tract shall be at least 7,500 square feet or having an appraised value for real property tax purposes of at least five thousand dollars (\$5,000).

2.06. Declaration of results. The county election commission shall determine and declare the results of the election. The requisite number of candidates receiving the highest number of votes shall be declared elected. No informality shall invalidate such an election, providing that it is conducted fairly and in substantial conformity with the requirements of this charter and the general election laws of the state.

2.07. Reserved.

2.08. Beginning terms of office. The terms of office of the mayor and councilmen shall begin at 12:01 P.M. on the first day of September next following the election, and they shall serve until their successors have been elected and qualified.

2.09. Vacancies.

- (a) A vacancy shall exist if the mayor or a councilman resigns, dies, moves his residence from the city, is convicted of malfeasance or misfeasance in office, a felony, a violation of this charter or election laws of the state, or a crime involving moral turpitude, fails to attend any meetings of the council for a period of ninety days with no extenuating circumstances, or has been continuously disabled for a