



Municipal Technical Advisory Service
INSTITUTE *for* PUBLIC SERVICE

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Sample Resolutions

Dear Reader:

The following document was created from the MTAS website ([mtas.tennessee.edu](http://www.mtas.tennessee.edu)). This website is maintained daily by MTAS staff and seeks to represent the most current information regarding issues relative to Tennessee municipal government.

We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with municipal government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other MTAS website material.

Sincerely,

The University of Tennessee
Municipal Technical Advisory Service
1610 University Avenue
Knoxville, TN 37921-6741
865-974-0411 phone
865-974-0423 fax
www.mtas.tennessee.edu

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Sample Resolutions

Reference Number: MTAS-1027

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Vacancy from Death

Reference Number: MTAS-1028

EXAMPLE OF A VACANCY DECLARATION RESOLUTION RESULTING FROM DEATH OF AN ALDERMAN

RESOLUTION NO. _____

A RESOLUTION OF THE ANYTOWN, TENNESSEE, BOARD OF MAYOR AND ALDERMEN TO DECLARE VACANT THE SEAT OF ALDERMAN JOHN DOE.

WHEREAS, Section 10 of the Anytown private act charter stipulates that the Board of Mayor and Aldermen shall declare that a vacancy on the Board exists if the Mayor or an Alderman dies while in office; and,

WHEREAS, Alderman John Doe has recently passed away.

NOW, THEREFORE, in recognition of these facts be it resolved by the *Anytown* Board of Mayor and Aldermen:

1. Vacancy declared. The Anytown Board of Mayor and Aldermen hereby declares the aldermanic seat held by John Doe to be vacant as of the date of this resolution.

2. Vacancy to be filled within thirty (30) days of this Resolution. Pursuant to Section 10 of the Anytown town charter, the Board of Mayor and Aldermen shall, within thirty (30) days of the date of this Resolution, appoint a qualified person to fill this vacancy.

3. Condolences extended to family and friends of Alderman Doe. The Board of Mayor and Aldermen acknowledges Alderman Doe's many years of service to the community and extends its deepest sympathy to his family and friends.

PASSED AND APPROVED THIS 7th DAY OF APRIL, 2011, BY A ROLL CALL VOTE OF THE ANYTOWN BOARD OF MAYOR AND ALDERMEN.

MAYOR

ATTEST: _____
City Recorder

Vacancy from Resignation

Reference Number: MTAS-1029

EXAMPLE OF A VACANCY DECLARATION RESOLUTION RESULTING FROM RESIGNATION OF AN ALDERMAN

RESOLUTION NO. _____

A RESOLUTION OF THE ANYTOWN, TENNESSEE BOARD OF MAYOR AND ALDERMEN TO ACCEPT THE RESIGNATION OF ALDERMAN JOHN DOE AND DECLARING AN ALDERMANIC VACANCY ON THE BOARD OF MAYOR AND ALDERMEN.

WHEREAS, Article IV, Section 11 of the *Anytown* private act charter stipulates that a vacancy shall exist on the Board of Mayor and Aldermen if the Mayor or an Alderman resigns or moves his residence from the Town; and

WHEREAS, Alderman John Doe has advised the Board of Mayor and Aldermen that he has moved his residence from the Town of *Anytown*; and

WHEREAS, Alderman John Doe has submitted his written resignation to the *Anytown* Board of Mayor and Aldermen, and;

WHEREAS, the *Anytown* Board of Mayor and Aldermen respectfully wishes to accept the resignation submitted by Alderman John Doe.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF *ANYTOWN*, TENNESSEE AS FOLLOWS:

- I. The resignation of Alderman John Doe from the *Anytown* Board of Mayor and Aldermen is hereby accepted.
- II. The Board of Mayor and Aldermen hereby declares the aldermanic seat formerly held by John Doe to be vacant.

PASSED AND APPROVED THIS 29TH DAY OF MARCH, 2011 BY A ROLL CALL VOTE OF THE ANYTOWN BOARD OF MAYOR AND ALDERMEN.

MAYOR

ATTEST: _____
City Recorder

Aldermanic Appointment Resolution

Reference Number: MTAS-1030

EXAMPLE OF AN ALDERMANIC APPOINTMENT RESOLUTION

RESOLUTION NO. _____

A RESOLUTION OF THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF ANYTOWN, TENNESSEE APPOINTING MARY SMITH TO FILL THE UNEXPIRED ALDERMANIC TERM OF JOHN DOE.

WHEREAS, Alderman *John Doe* has submitted his resignation from the *Anytown* Board of Mayor and Aldermen; and

WHEREAS, the *Anytown* Board of Mayor and Aldermen has adopted a Resolution to accept the resignation of John Doe from the Board of Mayor and Aldermen; and

WHEREAS, Section 10 of the *Anytown* City Charter requires the Board of Mayor and Aldermen to appoint a qualified citizen to fill the aldermanic vacancy created by John Doe's resignation, and that such appointee shall serve the remainder of the vacant term of office or until the next regular general election, whichever shall occur first; and

WHEREAS, *John Doe's* term of office was scheduled to expire with the election scheduled for November 4, 2014 and the next regularly scheduled general election is scheduled for November 6, 2012; and

WHEREAS, *Mary Smith of 1320 South Columbus Street in Anytown* has agreed to fill the Aldermanic vacancy created by *John Doe's* resignation.

NOW, THEREFORE, IN CONSIDERATION OF THESE FACTS, BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF ANYTOWN, TENNESSEE, AS FOLLOWS:

- 1. Appointment to the Board of Mayor and Aldermen.** Mary Smith is hereby appointed to the position of Alderman in the City of *Anytown*, Tennessee.
- 2. Term of Office.** Pursuant to Section 10 of the *Anytown* Private Act Charter, *Mary Smith* shall serve as Alderman until after the next regular general election, scheduled for November 6, 2012 and until her successor to office has been elected and qualified.
- 3. Effective Date.** This Resolution shall be in full force and effect from and after its date of passage by the Board of Mayor and Aldermen of the City of *Anytown*.

PASSED AND APPROVED THIS 12TH DAY OF AUGUST, 2011 BY A ROLL CALL VOTE OF THE ANYTOWN BOARD OF MAYOR AND ALDERMEN.

MAYOR

ATTEST: _____

City Recorder

DISCLAIMER: The letters and publications written by the MTAS consultants were written based upon the law at the time and/or a specific sets of facts. The laws referenced in the letters and publications may have changed and/or the technical advice provided may not be applicable to your city or circumstances. Always consult with your city attorney or an MTAS consultant before taking any action based on information contained in this website.

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