

SYNOPSIS OF  
CHARTER OF THE UNIFIED GOVERNMENT OF  
KNOXVILLE AND KNOX COUNTY

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**Article I. Powers and Functions**

- ▶ Vests the corporate and governmental functions of Knoxville and Knox County in the Unified Government.
- ▶ Unified Government has all the rights, powers and functions of both a county government, a municipality, or unified or consolidated government.
- ▶ Three-branch government: executive, legislative, judicial.

**Article II. Legislative Branch**

- ▶ Nineteen members from nine districts, exactly the same as current Knox County Commission districts.
- ▶ Partisan elections.
- ▶ Term limits of three 4-year terms.
- ▶ Full traditional authority to pass ordinances, resolutions, budgets, and tax rate of the unified government.
- ▶ Committee composed of Commissioners from Urban Services Area makes initial review and recommendations of property tax rate for urban services area.

**Article III. Executive Branch**

- ▶ Elected county-wide.
- ▶ Term limits of three 4-year terms.
- ▶ Traditional authority to act as chief administrative and fiscal officer as exists now in both County and City.
  - ▶ Submits proposed budgets to County Commission
  - ▶ Line item veto of budgets



- ▶ Charter creates executive departments, sets minimum qualifications.
  - ▶ Finance Department
  - ▶ Law Department
  - ▶ Law Enforcement Department
  - ▶ Fire Department
    - ▶ responsible for fire protection within urban services area
    - ▶ volunteer, contract or subscription fire protection continues outside urban services area
  - ▶ Directors of executive departments are appointed by Mayor, but appointments are subject to confirmation by County Commission
  
- ▶ Ombudsman appointed for first two years of Charter to assist citizens in dealings with new government.
  
- ▶ Assures compliance with Title VI; requires economic disparity study to be made.

**Article IV    Judicial Branch**

- ▶ No change from existing court structure in County and City.
- ▶ Municipal Court renamed and included as “Local Ordinance Court.”

**Article V    Education**

- ▶ Nine member Board of Education elected from nine school board districts, in accordance with state law (non-partisan, 4-year terms)
- ▶ Term limits of three 4-year terms.
- ▶ Board of Education to adopt a plan/procedures for supervision of non-tenured and non-certificated personnel.
- ▶ “Private Tenure Act” of Tennessee state law adopted regarding discipline of teachers, supervisors, principals.

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## **Article VI. Pension System**

- ▶ No pension rights existing before unification shall be impaired or diminished by adoption of Charter.
- ▶ Creates Unified Government Retirement and Pension Board
  - ▶ Composed of the Mayor, 3 members of County Commission, 4 government employees (divided among uniformed services, general government, school system, and “at large”), and 1 member who need not be an employee, elected official or member of a plan, elected by the other 8 members.
  - ▶ Unified Board may adopt new pension plans.
- ▶ Currently existing pension boards continue to operate, until unified board is constituted and gives notice that it is ready to assume its duties.
- ▶ All County and City pension plans open immediately before unification continue to be open.
  - ▶ Employees hired on or after the date of unification may choose to enroll in any open plan.
  - ▶ Employees (whether pre or post unification) may transfer between plans.
- ▶ Obligation to pay pre-unification unfunded pension liability remains with the entity which originally incurred the liability.
  - ▶ Unfunded City liability remains the obligation solely of the urban services area as that area exists on the date of unification.
  - ▶ Unfunded County liability remains the obligation of the general services area as that area exists on the date of unification.
  - ▶ If the City pension enhancements are approved in November, 1996, future service costs attributable to those enhancements are to be divided equally between the urban services and general services area, paid over a time period approved by the County Commission.

## **Article VII. Elections**

- ▶ Partisan elections for all offices except school board (which are non-partisan according to existing state law).
- ▶ Term limits for Mayor, County Commissioners, School Board.
- ▶ Elections occur on the same cycle as state elections, eliminating odd-year City elections.
- ▶ Provides for citizen referendum and mechanism to amend charter.
- ▶ Ouster and recall of public officials provided for.

## **Article VIII. Finance and Revenue**

- ▶ Financing of services.
  - ▶ On date of unification, the City of Knoxville and City limits cease to exist.
  - ▶ Two service areas will be created: the General Services Area, which shall consist of the total area of Knox County, and the Urban Services Area, which shall consist of the area within the corporate boundary of the City of Knoxville as it exists on the date of unification.
  - ▶ In the General Services Area, a property tax rate will be set so that sufficient revenue (together with other anticipated revenues, fund balances, and applicable reserves) will be generated to pay the expense of delivering the general services throughout the entire area of the unified government.
  - ▶ In the Urban Services Area, a property tax rate will be set so that sufficient revenues will be available to provide the higher level of services that are delivered in the Urban Services Area.
  
- ▶ Expansion of services areas that do not have them.
  - ▶ The Urban Services Area can be expanded beyond its initial limits.
  - ▶ Likewise, Special Services Areas can be created to provide only designated services to an area, or for other distinct reasons.
  - ▶ State law gives the power to expand the Urban Services Area or to create Special Services Area to the Commission.
    - the failure to deliver new services to an expanded area within 18 months will result in a refund of taxes paid by citizens in anticipation of delivery of new services.
  
- ▶ As with debt and pension obligations, City of Knoxville contract obligations which exist on the date before unification will be collected only within the Urban Services Area.

## **Article IX. Human Resource and Civil Service**

- ▶ No employees' rights or privileges as employees of the County or City shall be impaired or diminished by the adoption of unified government.
  
- ▶ All employees of government are covered by comprehensive civil service unless exempted.
  
- ▶ Seven-member civil service merit board, appointed by Mayor, subject to confirmation by County Commission.
  - ▶ Board to adopt rules and regulations for exemptions, eligibility and promotion lists, examinations, hearing procedures, appeals of disciplinary action.
  
- ▶ On date of unification, all existing employees shall retain their status without taking an examination.
  
- ▶ Nepotism defined and prohibited.

**Article X. Knoxville Utilities Board**

- ▶ Essentially unchanged.
- ▶ Shall pay to the general fund of the unified government in lieu of taxes payments equal to an amount that would ordinarily be assessed as property taxes.

**Article XI. Boards and Commissions**

- ▶ Continues existence of boards, authorities and commissions created by state law (e.g. Airport Authority, Agricultural Extension Committee, Air Pollution Control Board, etc.). County Commission is urged to combine boards for efficiency where possible.
- ▶ Authorizes nine additional boards (MPC, KUB, Library Board, Unified Government Investment Committee, PBA, Civil Service Merit Board, Unified Government Retirement and Pension Authority, Board of Education, Unified Government Transportation Authority.)
- ▶ All other boards cease to exist 180 days after unification unless the Commission extends their duration.

**Article XII. Metropolitan Planning Commission**

- ▶ MPC to prepare long-range, medium-range and short-range plans, and to administer zoning and land subdivision regulations.
- ▶ Continues to exist as 15-member commission, appointed by Mayor, subject to confirmation by State Regional Planning Board.
  - ▶ However at least one, but no more than two members from each of the nine Commission districts.
- ▶ One-year plan element extended throughout County.
- ▶ All existing zoning to remain in effect and by undisturbed by unification.
- ▶ MPC to merge County and City zoning ordinances for future zoning within 18 months of unification. New ordinance to be voted on by County Commission.

### **Article XIII. Constitutional Officers**

- ▶ Maintains constitutional offices of Property Assessor, Sheriff, Register of Deeds, County Clerk, Trustee and Clerks of Courts.
- ▶ Budgets of constitutional offices subject to review and approval of County Commission.
- ▶ All constitutional officers to continue to handle the duties delegated to them under state law.
  - ▶ Law enforcement duties handled by the Sheriff prior to unification transferred to the Department of Law Enforcement.
  - ▶ Trustee is responsible for investment of funds received by his office, subject to review of the Unified Government Investment Committee.
  - ▶ Trustee authorized to collect delinquent taxes due to the unified government.

### **Article XIV. General Provisions**

- ▶ Discrimination prohibited.
- ▶ Merges all legal rights and obligations of City of Knoxville and Knox County into new unified government.
- ▶ Provides method of amending charter and authorizes ongoing charter revision committee.
- ▶ Legal status of sale, manufacture, consumption of alcoholic beverages not changed by adoption of unified government.
- ▶ Unified government and KUB may assume and take over utility services provided in Knox County by providers located outside of Knox County in accordance with existing state law.
- ▶ Effective date of unification is December 20, 1997.

### **Article XV. Future Merger with Other Municipalities**

- ▶ Provides procedure for smaller incorporated towns (i.e. Farragut) to vote on merger with unified government.
- ▶ If the smaller town merges, it shall pay its debt that exists on the date of the merger. If the revenues of the smaller town are insufficient to pay the debt, the Commission shall designate the area of the smaller town as a special taxing district and shall levy additional taxes to pay the cost of providing unified government services and the existing debt and liabilities.

**Article XVI. Transition**

- ▶ First elections set: primary on September 30, 1997; general election on November 4, 1997.
- ▶ Existing ordinances and rules and regulations of Knox County or City of Knoxville continue in effect unless amended, repealed or modified by unified government Commission.
- ▶ Authorizes a transition committee to carry out necessary work in preparation for unified government.
- ▶ Imposes a ceiling on effective real property tax rates for three years from the date of unification.

