

October 2, 2014

City of Loretto Tennessee
Mr. Keith A. Smith
City Manager
415 North Military
Loretto, Tennessee 38469

VIA ELECTRONIC MAIL

Dear Mr. Smith:

Responsive to your inquiry regarding annexation plan of services, the following samples are provided:

- Bartlett – Annexation plan of services
- Bell Buckle - A resolution adopting a plan of services for an area of approximately 15 acres adjoining the town limits on the west side
- Bristol – A plan of services for the Addington-Humphreys Annexation, Egypt Road
- Knoxville – Plan of service for a tract of land north of Woodson Drive and east of Buena Vista Drive

An MTAS sample plan of services is likewise included for your review and information. I was unable to locate a plan of services involving a single residence.

As you are aware, the adoption of a plan of services is required before any territory may be annexed (T.C.A. § 6-51-102, enclosed). The plan is required to establish the services to be delivered and the projected timing of the services, which are to be reasonable. Upon adoption, the plan is to be sent to the county mayor.

Before a plan of services may be adopted, the city is required to submit it to the local planning commission, if there is one, for study and a written report, to be rendered within ninety (90) days after such submission, unless by resolution of the governing body a longer period is allowed. Before the adoption of the plan of services, the city shall hold a public hearing. Notice of the time, place, and purpose of the public hearing shall be published in a newspaper of general circulation in the city not less than fifteen (15) days before the hearing. The notice shall include the locations of a minimum of three (3) copies of the plan of services, which the city shall provide for public inspection during all business hours from the date of notice until the public hearing.

The plan of services shall include, but not be limited to: police protection, fire protection, water service, electrical service, sanitary sewer service, solid waste collection, road and street construction and repair, recreational facilities and programs, street lighting, and zoning services. If the municipality maintains a separate school system, the plan shall also include schools and provisions specifically addressing the impact, if any, of annexation on school attendance zones. If the municipality does not maintain a separate school system, then the municipality shall provide written notice of the annexation to all

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affected school systems as soon as practicable, but in no event less than thirty (30) days prior to the public hearing requirement set forth in subdivision (b)(4). The plan of services may exclude services that are being provided by another public agency or private company in the territory to be annexed other than those services provided by the county.

As noted, the plan of services shall include a reasonable implementation schedule for the delivery of comparable services in the territory to be annexed with respect to the services delivered to all citizens of the municipality. A city may not annex any other territory if it is in default on any prior plan of services.

Finally, please be advised that if a city operates a school system, and if the municipality annexes territory during the school year, any student may continue to attend such student's present school until the beginning of the next succeeding school year unless the respective boards of education have provided otherwise by agreement.

Please let me know if you have questions or require any additional assistance on this matter.

Very truly yours,

A handwritten signature in blue ink, consisting of a series of loops and a long horizontal stroke extending to the right.

Jeffrey J. Broughton
Municipal Management Consultant