

ORDINANCE 12-24

AN ORDINANCE TO ESTABLISH MINIMUM AGE REQUIREMENTS FOR ELECTED AND APPOINTED OFFICIALS

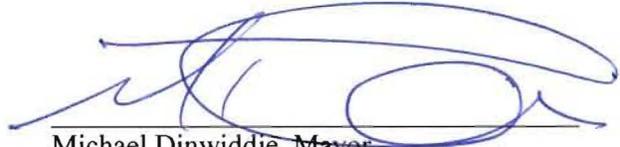
WHEREAS, the City of Spring Hill has not established a minimum age requirement for members of the Board of Mayor and Alderman,

WHEREAS, TCA 6-53-109 affords the City of Spring Hill the authority to establish a minimum age requirement to be no less than eighteen (18) or no more than (21) years of age,

BE IT THEREFORE ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF SPRING HILL, TENNESSEE, that the minimum age of eighteen (18) be established in accordance with TCA 6-53-109.

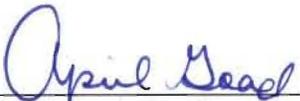
BE IT FURTHER ENACTED, that the minimum age of eighteen (18) be established for all other officials appointed to the various boards, commissions, and committees of the City of Spring Hill.

Passed and adopted by the Spring Hill Board of Mayor and Aldermen, this 22nd day of January, 2013.



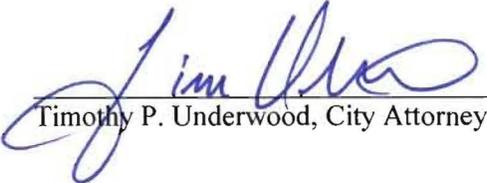
Michael Dinwiddie, Mayor

ATTEST:



April Goad, City Recorder

LEGAL FORM APPROVED:



Timothy P. Underwood, City Attorney

Passed on First Reading: December 17, 2012

Passed on Second Reading: January 22, 2013

Allen,

I looked at TCA 6-53-109 and while I don't think it is dispositive of your question it does give us some guidance. First, that statute does pertain to only elected officials so it is not directly related to an advisory committee member. But the City Code does not have a specific age requirement for BOMA members so according to this statute the applicable age for a candidate to the BOMA would be eighteen (18) years of age.

If that is the case I think it is quite difficult that a candidate to an advisory committee would have to be older. Candidly, I am not even sure where this twenty-one (21) age requirement has come from. I have reviewed both the City Code and City Charter and there is no mention of any age requirement. The only requirement is a residency within the city limits.

It is my opinion that a candidate for the Parks and Recreation Committee would only need to be eighteen (18) years of age and be a resident of Spring Hill.

If you have some additional documents that might add to this please send it to me so I can review.

Thanks.

Timothy P. Underwood

TCA 6-53-109. Minimum age of city and municipal legislators.

(a) Notwithstanding any provision of the general law, private act, or municipal charter to the contrary, no minimum age qualification for membership on the legislative body of any municipality or city shall be greater than twenty-one (21) years of age at the time of taking office nor less than eighteen (18) years of age as a candidate for election to such office; provided, that a minimum age qualification for such membership, within such age range, may be established by a municipality or city by private act, charter provision, or ordinance if authorized by its charter.

(b) This section shall not apply to any county with a metropolitan form of government.

HISTORY: Acts 1981, ch. 477, § 1.