

July 24, 2014

City of Fayetteville Tennessee  
Mr. Jeff Siefert  
Planning and Code Enforcement Official  
110 Elk Avenue South  
Fayetteville, Tennessee 37334

VIA ELECTRONIC MAIL

Dear Mr. Siefert:

Responsive to your inquiry regarding training for planning commissioners and staff, the following is provided.

Two statutes set forth the annual training requirement for planning commission members and staff (TCA § 13-3-101(c) for regional planning commissions and TCA § 13-4-101(c) for municipal planning commissions), while TCA § 13-7-205(c) provides a similar requirement for board of zoning appeals members and staff. In each statute board members are required to receive four (4) hours of annual training and staff members are required to receive eight (8) hours of annual training, with the exception of a professional planner who is a member of the American Institute of Certified Planners (AICP) who is exempt from the annual training requirement.

In addition, the statutes require the following:

- Each board and non-AICP staff member to certify by December 31 of each calendar of such individuals attendance in training by a written statement filed with the board secretary the date of each program attended, subject matter, location, sponsors, and time spent in each program.
- Each board is to keep originals of all written document for three years.
- Each board and non-AICP staff member is responsible for obtaining written documentation from the sponsor of the training program acknowledging that the individual attended the program.
- Failure of a board member to complete the required training or to file the required statement shall constitute a cause for the removal of the member from the board.
- The legislative body is to pay the cost of the required training and related travel.

As set forth in the statutes, training subjects include, but are not limited to, land use planning; zoning; flood plain management; transportation; community facilities; ethics; public utilities; wireless telecommunications facilities; parliamentary procedure; public hearing procedure; land use law; natural resources and agricultural land conservation; economic development; housing; public buildings; land subdivision; and powers and duties of the planning commission. Other subjects reasonably related to the duties are also authorized upon approval of the board in the year which credit is sought. Please be aware that at least one (1) hour of the annual education requirement for regional planning commissions and

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staff is required to concentrate on the rights of private property owners and the relationship of those rights to the public planning process.

Many cities address the training requirement for board members by holding quarterly, one-hour sessions in the early evening. Sessions are presented by city staff, the city attorney, and members of community on relevant topics. For example, a city manager or chamber of commerce president might present a session on economic development; the city attorney might present a session on land use law or the city's ethics policy; the utility director on the status of public utilities; and a local architect might lead a walking tour pointing out the various styles and elements of downtown buildings. The possibilities are endless. A light meal may also be provided as a courtesy to the attendees.

You might also look to the Tennessee Chapter of the American Planning Association (TNAPA) to learn how other Tennessee municipalities address this training need. All of their members are faced with the same issue – getting training hours for their commissioners and staff each year. They may have some useful suggestions for you if you reach out. The following link will take you to TNAPA: <http://www.tnapa.org/education.htm> .

Finally, MTAS offers a MAP class on planning and zoning. The next one scheduled in proximity to Fayetteville will be held on October 16 in Nashville. Participants will receive four credit hours at a cost of \$50 per participant.

### **PLANNING AND ZONING: ANNEXATION ISSUES & SMART GROWTH**

Planning is a process that seeks to guide the future. Decisions regarding zoning, annexation, and growth issues affect landowners, neighbors and the entire community, often with significant impact on property values, community character and quality of life and even the municipal budget. This course will address topics which include:

- The comprehensive planning process
- Implementing land use decisions (zoning, annexation regulations and subdivision rules)
- Growth planning policies
- Private property rights (1 hour)

**Who should attend:** City managers, planning directors, codes officials, planning and zoning board members, and any other municipal officials responsible for planning and zoning duties.

#### **Dates/Locations/Times:**

October 8	Johnson City	8:30a.m. - 12:30 p.m EST
October 9	Knoxville	8:30a.m. - 12:30 p.m EST
October 15	Collegedale	8:30a.m. - 12:30 p.m EST
October 16	Nashville	8:30a.m. - 12:30 p.m CST
October 22	Jackson	8:30a.m. - 12:30 p.m CST
October 23	Bartlett	8:30a.m. - 12:30 p.m CST

**Credits:** 4 CEU or 4 CPE/CMFO (Financial Hours)

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Please note that aforementioned statutes allow the city to opt out of the annual training requirement by passage of an ordinance by the legislative body. This may be an option worth consideration given the challenge you've had in satisfying this annual training requirement.

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

Very truly yours,



Jeffrey J. Broughton  
Municipal Management Consultant

[West's Tennessee Code Annotated](#)

[Title 13. Public Planning and Housing](#)

[Chapter 3. Regional Planning \(Refs & Annos\)](#)

[Part 1. Regional Planning Commission \(Refs & Annos\)](#)

T. C. A. § 13-3-101

§ 13-3-101. Regions; membership; expenses; terms; vacancies

Effective: May 20, 2013

[Currentness](#)

(a) The department of economic and community development may create and establish planning regions and define the boundaries respectively of such planning regions. Any such planning region may, in accordance with the boundary definition made by the department, be composed of the territory of a single county or of two (2) or more contiguous whole counties or of a part of a county or of contiguous parts of two (2) or more counties or of one (1) or more counties, together with a part or parts of another county or other counties or any other territory as designated and defined by the department whether the boundaries thereof conform to any existing boundary or boundaries of a county or counties of other political subdivision or subdivisions or do not so conform.

(b) The department may create and establish a regional planning commission of any planning region created and defined under this section, with members selected in accordance with subsections (c)-(h); however, if the planning region consists of a single county, the members of the regional planning commission are to be selected according to provisions of subsection (i).

(c)(1) The number of members of any such commission shall be determined by the commissioner, but shall not be less than five (5) nor more than fifteen (15).

(2) The commissioner may designate, as members of a regional planning commission, persons who are members of county legislative bodies or of boards of aldermen or commissioners or other municipal legislative bodies; provided, that the members of the regional planning commission, so designated from county and municipal legislative bodies shall be less in number than a majority of the commission, and that not less than a majority of the members of the commission shall hold no salaried public office or position whatever, excepting offices or faculty memberships of a university or other educational institution.

(3) Each person shall be nominated in writing by the chief elected officer of any county having a metropolitan form of government, the county mayor of any other county, or the chief elected officer of any municipality lying inside of the boundary of the planning region before being designated by the commissioner.

(4) All nominations must be received by the department within thirty (30) days after the creation of a new regional planning

commission or within thirty (30) days after a position is vacated on an existing commission. Notwithstanding any other provision of law to the contrary, a member of any commission is authorized to continue to serve until the member's successor has been nominated and approved as stated herein.

(5) In making such appointments, the commissioner shall strive to ensure that the racial composition of each regional planning commission is at least proportionately reflective of the region's racial minority population.

(d)(1) Except as provided in subdivision (d)(2), the county or municipal legislative body of a local government participating in a regional planning region may establish the compensation for each member nominated by the respective unit of local government. All reimbursement for travel expenses shall be in accordance with the provisions of the comprehensive travel regulations as promulgated by the department of finance and administration and approved by the attorney general and reporter.

(2) If members of such commission also serve as the zoning board for any county which has adopted zoning, such members may be compensated in an amount to be fixed by the county legislative body of such county and may be allowed necessary traveling and other expenses while engaged in the work of or for the commission or the zoning board.

(e)(1) The term of any member designated from a county or municipal legislative body shall be coterminous with such member's then term as a member of such county or municipal body.

(2) The terms of appointed members, as distinguished from members designated from a county or municipal legislative body, shall be four (4) years, except that the terms of three (3) of the members first appointed to any regional commission shall be one (1), two (2) and three (3) years respectively.

(f) The commissioner may remove a member of such a commission for cause specified in writing served on the member and after hearing, of which such member shall be given not less than fifteen (15) days' written notice.

(g) Any vacancy in the membership of such a commission shall be filled by the commissioner for the unexpired term, except that if such vacancy is filled by designation from a county or municipal legislative body, the term of the member so designated shall be coterminous with such member's then term as member of such body.

(h) Authority granted under this section to the commissioner or to the department shall be exercised with the approval of the local government planning advisory committee.

(i)(1) In the event the boundaries of an existing planning region, as determined by the department of economic and community development, conform to the existing boundaries of a single county, the members of the regional planning commission for that

region shall be appointed by the county mayor, subject to confirmation by the county legislative body.

(2) The number of members of any such commission shall be determined by the county legislative body, but shall not be less than five (5) nor more than fifteen (15).

(3) The composition of such regional planning commission, the compensation of its members and the terms of service are subject to the same restrictions as stated in subdivision (c)(2) and subsections (d) and (e).

(4) Any vacancy in the membership of such regional planning commission shall be filled through appointment by the county mayor, subject to confirmation by the county legislative body.

(5) The county legislative body may remove a member of such a commission for cause specified in writing served on the member and after hearing, of which such member shall be given not less than fifteen (15) days' written notice.

(6) A member of any such regional planning commission who is serving on the date this provision becomes effective may continue to serve for the term to which that person was appointed.

(7) In the event that a county and a municipality or municipalities lying within such county, pursuant to local agreement, statute, or otherwise, participate jointly in a planning region, then members of the planning commission for such a region shall be selected and governed according to subsections (c)-(h).

(j)(1) Each planning commissioner shall, within one (1) year of initial appointment and each calendar year thereafter, attend a minimum of four (4) hours of training and continuing education in one (1) or more of the subjects listed in subdivision (j)(5). At least one (1) hour of the annual education requirement shall concentrate on the rights of private property owners and the relationship of those rights to the public planning process.

(2) Each full-time or contract professional planner or other administrative official whose duties include advising the planning commission shall, each calendar year, attend a minimum of eight (8) hours of training and continuing education in one (1) or more of the subjects listed in subdivision (j)(5). A professional planner who is a member of the American Institute of Certified Planners (AICP) shall be exempt from this requirement.

(3) Each of the individuals listed in subdivisions (j)(1) and (2) shall certify by December 31 of each calendar year such individual's attendance by a written statement filed with the secretary of such individual's respective planning commission. Each statement shall identify the date of each program attended, its subject matter, location, sponsors, and the time spent in each program. A professional planner who is a member of the AICP shall be exempt from this requirement.

(4) The legislative body of a county in a single county regional planning commission, or the legislative bodies of the counties in a multiple county planning commission, or the legislative bodies of the county and the municipality in a joint municipal and county planning commission shall be responsible for paying the training and continuing education course registration and travel expenses for each planning commissioner and full-time professional planner or other administrative official whose duties include advising the planning commission.

(5) The subjects for the training and continuing education required by subdivisions (j)(1) and (2) shall include, but not be limited to, the following: land use planning; zoning; flood plain management; transportation; community facilities; ethics; public utilities; wireless telecommunications facilities; parliamentary procedure; public hearing procedure; land use law; natural resources and agricultural land conservation; economic development; housing; public buildings; land subdivision; and powers and duties of the planning commission. Other topics reasonably related to the duties of planning commission members or professional planners or other administrative officials whose duties include advising the planning commission may be approved by majority vote of the planning commission prior to December 31 of the year for which credit is sought.

(6) Each local planning commission shall keep its official public record originals of all statements and the written documentation of attendance required to comply with these provisions for three (3) years after the calendar year in which each statement and appurtenant written documentation is filed.

(7) Each planning commissioner and each professional planner or other administrative official whose duties include advising the planning commission shall be responsible for obtaining written documentation signed by a representative of the sponsor of any training and continuing education course for which credit is claimed, acknowledging the fact that the individual attended the program for which credit is claimed. A member of the AICP shall be exempt from this requirement.

(8) If a planning commissioner fails to complete the requisite number of hours of training and continuing education within the time allotted by this subsection (j) or fails to file the statement required by this subsection (j), then this shall constitute a cause for the removal of the planning commission member from the planning commission.

(9) The legislative body of a county in a single county regional planning commission, the legislative bodies of the counties in a multiple county planning commission or the legislative bodies of the county and the municipality in a joint municipal and county planning commission may, at any time, opt out of this subsection (j) by passage of a resolution or ordinance, as appropriate; provided, that for a multiple county planning commission or joint municipal/county planning commission, all governmental entities included in such multiple or joint planning commission must pass the resolution or ordinance in order to opt out of this provision. Further, any such legislative bodies that have opted out may, at a later date, opt in by passage of a resolution or ordinance in the same manner required to opt out.

### **Credits**

1935 Pub.Acts, c. 43, § 9; 1972 Pub.Acts, c. 542, § 13; 1976 Pub.Acts, c. 806, § 1(137); impl. am. by 1978 Pub.Acts, c. 934, §§ 7, 16, 36; 1982 Pub.Acts, c. 619, § 1; 1983 Pub.Acts, c. 442, §§ 7, 8; 1993 Pub.Acts, c. 135, § 1, eff. July 1, 1993; 1993 Pub.Acts, c. 394, §§ 1, 2, eff. May 19, 1993; 1995 Pub.Acts, c. 98, §§ 1, 2, eff. April 11, 1995; 1995 Pub.Acts, c. 501, § 10, eff. June 12, 1995; 1996 Pub.Acts, c. 977, § 1, eff. July 1, 1996; 1999 Pub.Acts, c. 93, § 1, eff. April 12, 1999; 2002 Pub.Acts, c. 862, § 2, eff. July 17, 2002; 2003 Pub.Acts, c. 90, § 2, eff. July 1, 2003; 2009 Pub.Acts, c. 47, §§ 1 to 3, eff. April 9, 2009; 2013 Pub.Acts, c. 456, § 4, eff. May 20, 2013.

**Formerly** mod. 1950 Code Supp., § 3291.15; Williams' Code, § 552.15; § 13-201.

[Notes of Decisions \(11\)](#)

T. C. A. § 13-3-101, TN ST § 13-3-101

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West's Tennessee Code Annotated

Title 13. Public Planning and Housing

Chapter 4. Municipal Planning (Refs & Annos)

Part 1. Municipal Planning Commission

T. C. A. § 13-4-101

§ 13-4-101. Creation and composition; member appointments; compensation; terms; vacancies

Effective: August 5, 2011

Currentness

(a)(1) The chief legislative body of any municipality, whether designated board of aldermen, board of commissioners or by other title, may create and establish a municipal planning commission. Such planning commission shall consist of not less than five (5) members and not more than ten (10) members, the number of members within the limits to be determined by the chief legislative body. One (1) of the members shall be the mayor of the municipality or a person designated by the mayor and one (1) of the members shall be a member of the chief legislative body of the municipality selected by that body. All other members shall be appointed by such mayor, except as otherwise provided in subsection (b). In making such appointments, the mayor shall strive to ensure that the racial composition of the planning commission is at least proportionately reflective of the municipality's racial minority population. The chief legislative body may determine whether, and in what amount, to compensate members of the planning commission. Any such compensation authorized is in addition to any other compensation received from the municipality. The compensation authorized by this section does not apply to members of a planning commission who also serve as members of a board of zoning appeals. The compensation authorized by this section may not be counted against a salary limitation established by charter or otherwise. The terms of appointive members shall be of such length as may be specified by the chief legislative body; provided, that they shall be so arranged that the term of one (1) member will expire each year. Any vacancy in an appointed membership shall be filled for the unexpired term by the mayor of the municipality, who shall also have authority to remove any appointed member at the mayor's pleasure.

(2) Notwithstanding subdivision (a)(1), any member of a planning commission created by a municipality incorporated under a private act and having a population of not less than seven thousand four hundred (7,400) nor more than seven thousand five hundred (7,500), according to the 2000 federal census or any subsequent federal census, shall be appointed by a majority vote of the legislative body of the municipality.

(b) All appointive members of the municipal planning commission created pursuant to subsection (a) in any municipality incorporated pursuant to title 6, chapter 18, having a population of not less than one thousand six hundred twenty-five (1,625) nor more than one thousand six hundred thirty-five (1,635) which lies within a county having a population of not less than thirty-four thousand four hundred (34,400) nor more than thirty-four thousand five hundred (34,500), both according to the 1970 federal census or any subsequent federal census, or in any municipality having a population of not less than twenty-three thousand nine hundred (23,900) nor more than twenty-four thousand (24,000), according to the 2000 federal census or any subsequent federal census, shall be appointed only by the chief legislative body of the municipality, and likewise any vacancy in an appointive membership shall be filled for the unexpired term only by the chief legislative body of the municipality, which shall also have the authority to remove any appointive member at its pleasure. In making such appointments, the chief legislative body shall strive to ensure that the racial composition of the planning commission is at least proportionately reflective of the municipality's racial minority population. Except as modified by this subsection (b), the provisions of

subsection (a) shall remain in force.

(c)(1) Each planning commissioner shall, within one (1) year of initial appointment and each calendar year thereafter, attend a minimum of four (4) hours of training and continuing education in one (1) or more of the subjects listed in subdivision (c)(5).

(2) Each full-time or contract professional planner or other administrative official whose duties include advising the planning commission shall, each calendar year, attend a minimum of eight (8) hours of training and continuing education in one (1) or more of the subjects listed in subdivision (c)(5). A professional planner who is a member of the American Institute of Certified Planners (AICP) shall be exempt from this requirement.

(3) Each of the individuals listed in subdivisions (c)(1) and (2) shall certify by December 31 of each calendar year such individual's attendance by a written statement filed with the secretary of such individual's respective planning commission. Each statement shall identify the date of each program attended, its subject matter, location, sponsors, and the time spent in each program. A professional planner who is a member of the AICP shall be exempt from this requirement.

(4) The legislative body of the municipality shall be responsible for paying the training and continuing education course registration and travel expenses for each planning commissioner and full-time professional planner or other administrative official whose duties include advising the planning commission.

(5) The subjects for the training and continuing education required by subdivisions (c)(1) and (2) shall include, but not be limited to, the following: land use planning; zoning; flood plain management; transportation; community facilities; ethics; public utilities; wireless telecommunications facilities; parliamentary procedure; public hearing procedure; land use law; natural resources and agricultural land conservation; economic development; housing; public buildings; land subdivision; and powers and duties of the planning commission. Other topics reasonably related to the duties of planning commission members or professional planners or other administrative officials whose duties include advising the planning commission may be approved by majority vote of the planning commission prior to December 31 of the year for which credit is sought.

(6) Each local planning commission shall keep in its official public record originals of all statements and the written documentation of attendance required to comply with these provisions for three (3) years after the calendar year in which each statement and appurtenant written documentation is filed.

(7) Each planning commissioner and each professional planner or other administrative official whose duties include advising the planning commission shall be responsible for obtaining written documentation signed by a representative of the sponsor of any continuing education course for which credit is claimed, acknowledging the fact that the individual attended the program for which credit is claimed. A member of the AICP shall be exempt from this requirement.

(8) If a planning commissioner fails to complete the requisite number of hours of training and continuing education within the time allotted by this subsection (c) or fails to file the statement required by this subsection (c), then this shall constitute a cause for the removal of the planning commission member from the planning commission.

(9) The legislative body of the municipality may, at any time, opt out of this subsection (c) by passage of an ordinance. Further any such legislative body that has opted out may, at a later date, opt in by passage of an ordinance.

#### Credits

1935 Pub.Acts, c. 34, § 1; 1981 Pub.Acts, c. 222, §§ 1 to 3; 1987 Pub.Acts, c. 406, §§ 1, 2; 1994 Pub.Acts, c. 611, § 1, eff. March 16, 1994; 1996 Pub.Acts, c. 977, §§ 2, 3, eff. July 1, 1996; 2002 Pub.Acts, c. 862, § 4, eff. July 17, 2002; 2008 Pub.Acts, c. 734, § 1, eff. April 10, 2008; 2008 Pub.Acts, c. 1150, § 16, eff. June 13, 2008; 2009 Pub.Acts, c. 47, §§ 7 to 9, eff. April 9, 2009.

**Formerly** 1950 Code Supp., § 3493.1; § 13-501.

#### Notes of Decisions (6)

T. C. A. § 13-4-101, TN ST § 13-4-101

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West's Tennessee Code Annotated

Title 13. Public Planning and Housing

Chapter 7. Zoning (Refs & Annos)

Part 2. Municipal Zoning (Refs & Annos)

T. C. A. § 13-7-205

§ 13-7-205. Board of appeals; creation and composition

Effective: July 1, 2011

Currentness

(a)(1) The chief legislative body may create a board of zoning appeals of three (3) or five (5) members, may specify the mode of appointment of members of such board and their terms, which terms shall be of such length and so arranged that the term of one (1) member shall expire each year, or the chief legislative body may designate the planning commission of the municipality as the board of zoning appeals. The compensation of the members of the board shall be as affixed by the chief legislative body; provided, that in those counties having a metropolitan government the chief legislative body may create a board of three (3), five (5), seven (7), or nine (9) members, at least two (2) of whom shall be selected from minorities as well as members of the sex which historically have been under-represented on the board of zoning appeals, subject to this section. If a county with a metropolitan form of government having a population of not less than four hundred seventy thousand (470,000) nor more than five hundred thousand (500,000), according to the 1980 federal census or any subsequent federal census, creates a board of zoning appeals consisting of nine (9) members, at least two (2) of the members thereof shall be appointed consistent with this subsection (a).

(2) In the county town of any county having a population of more than two hundred eighty thousand (280,000), according to the 1990 federal census or any subsequent federal census, the chief legislative body may create a board of zoning appeals of nine (9) members, and may specify the mode of appointment of members of such board and their terms. Such terms shall be of a length and so arranged that the term of one (1) member shall expire each year. This subdivision (a)(2) shall not apply to a county having a charter form of government or any county having a metropolitan form of government.

(3) A municipality having a population of not less than thirty-two thousand eight hundred fifty (32,850) nor more than thirty-four thousand (34,000), according to the 1990 federal census or any subsequent federal census, may increase its board of zoning appeals from five (5) members to seven (7) members, with the terms of such members being arranged in accordance with this subsection (a).

(b)(1) The chief legislative body may provide and specify, in its zoning or other ordinance, general rules to govern the organization and procedure and jurisdiction of the board of appeals, which rules shall not be inconsistent with this part and part 3 of this chapter, and the board of appeals may adopt supplemental rules of procedure, not inconsistent with this part and part 3 of this chapter or such general rules.

(2) The supplemental rules of procedure may address, but shall not be limited to, the following:

(A) Maintenance of a record of the board's resolutions, transactions, motions and actions, which shall be a public record;

(B) Election from its membership of a chair and other officers as the board deems necessary; and

(C) The inclusion of statements of reasons for the board's actions as part of each motion or action, including such findings of fact and statements of material evidence as the board may deem pertinent.

(c)(1) Each board of zoning appeals member shall, within one (1) year of initial appointment and each calendar year thereafter, attend a minimum of four (4) hours of training and continuing education in one (1) or more of the subjects listed in subdivision (c)(5).

(2) Each full-time or contract building commissioner or professional planner or other administrative official whose duties include advising the board of zoning appeals shall, each calendar year, attend a minimum of eight (8) hours of training and continuing education in one (1) or more of the subjects listed in subdivision (c)(5). A professional planner who is a member of the American Institute of Certified Planners (AICP) shall be exempt from this requirement.

(3) Each of the individuals listed in subdivisions (c)(1) and (2) shall certify by December 31 of each calendar year such individual's attendance by a written statement filed with the secretary of such individual's respective board of zoning appeals. Each statement shall identify the date of each program attended, its subject matter, location, sponsors, and the time spent in each program.

(4) The legislative body of the municipality shall be responsible for paying the training and continuing education course registration and travel expenses for each board of zoning appeals member and full-time building commissioner or other administrative official whose duties include advising the board of zoning appeals.

(5) The subjects for the training and continuing education required by subdivisions (c)(1) and (2) shall include, but not be limited to, the following: land use planning; zoning; flood plain management; transportation; community facilities; ethics; public utilities; wireless telecommunications facilities; parliamentary procedure; public hearing procedure; land use law; natural resources and agricultural land conservation; economic development; housing; public buildings; land subdivision; and powers and duties of the board of zoning appeals. Other topics reasonably related to the duties of the board of zoning appeals and the building commissioner or other administrative officials whose duties include advising the board of zoning appeals may be approved by majority vote of the board of zoning appeals prior to December 31 of the year for which credit is sought.

(6) Each local board of zoning appeals shall keep in its official public record originals of all statements and the written documentation of attendance required to comply with these provisions for three (3) years after the calendar year in which each

statement and appurtenant written documentation is filed.

(7) Each board of zoning appeals member and each building commissioner or other administrative official whose duties include advising the board of zoning appeals shall be responsible for obtaining written documentation signed by a representative of the sponsor of any training and continuing education course for which credit is claimed, acknowledging the fact that the individual attended the program for which credit is claimed.

(8) If a board of zoning appeals member fails to complete the requisite number of hours of training and continuing education within the time allotted by this subsection (c) or fails to file the statement required by this subsection (c), then this shall constitute a cause for the removal of the board of zoning appeals member from the board of zoning appeals.

(9) The legislative body of the municipality may, at any time, opt out of this subsection (c) by passage of an ordinance. Further any such legislative body that has opted out may, at a later date, opt in by passage of an ordinance.

#### **Credits**

1935 Pub.Acts, c. 44, § 5; 1979 Pub.Acts, c. 324, § 1; 1988 Pub.Acts, c. 845, §§ 1, 2; 1998 Pub.Acts, c. 721, § 1, eff. April 8, 1998; 1999 Pub.Acts, c. 78, § 1, eff. April 7, 1999; 2002 Pub.Acts, c. 862, § 6, eff. July 17, 2002; 2009 Pub.Acts, c. 47, § 11, eff. April 9, 2009; 2011 Pub.Acts, c. 279, § 2, eff. July 1, 2011.

**Formerly** 1950 Code Supp., § 3407.5; § 13-705.

#### [Notes of Decisions \(5\)](#)

T. C. A. § 13-7-205, TN ST § 13-7-205

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