

DRAFT

RESOLUTION 2023-598

A RESOLUTION OF THE TOWN OF WALDEN, TENNESSEE ESTABLISHING RULES
AND PROCEDURES FOR ADDING TO A PUBLICALLY NOTICED AGENDA IN
ACCORDANCE WITH 2023 PUBLIC CHAPTER 213

WHEREAS, 2023 Public Chapter 213 (hereafter, the “Act”) effectively establishes a public policy that the upcoming business of “legislative body” of the Town be disclosed to the public at least forty-eight (48) hours prior to a public meeting; and

WHEREAS, the Act provides that “[a] local government legislative body may deliberate or act upon matters not listed on the agenda if the local government legislative body follows its bylaws or properly adopted rules and procedures and complies with all other applicable state laws.” Items may not be withheld “for the purpose of avoiding public disclosure of business to be considered by the legislative body.”

WHEREAS, for the purposes of this policy, the “legislative body” is the Town of Walden Board of Mayor and Alderman.

Therefore, BE IT RESOLVED BY THE TOWN OF WALDEN AS FOLLOWS:

In order to comply with Public Chapter 213 in instances where matters unavoidably arise within forty-eight (48) hours prior to a public meeting, the following procedure is established.

1. All matters that may be reasonably anticipated to arise at an upcoming meeting of the legislative body shall be placed on the agenda and published on the Town’s website no later than no later than forty-eight (48) hours prior to the meeting.
2. In the case of a special called meeting, or a workshop or agenda meeting of the legislative body, the general topics of the workshop/agenda meeting should be placed on the agenda and the agenda published on the Town’s website no later than forty-eight (48) hours prior to the meeting.
3. If a matter arises less than forty-eight (48) hours prior to the legislative body’s meeting, it may only be placed upon the agenda in an emergency or when there is an urgent public necessity. An emergency or an urgent public necessity exists only if immediate action is required of the legislative body because of:
 - (a) An imminent threat to public health and safety; or
 - (b) A reasonably unforeseeable situation.

In such a case, the notice for the meeting, or the supplemental notice for a subject added as an item to the agenda posted on the Town’s website in accordance with the Act, is sufficient if it sets forth the subject matter and is posted on the Town’s website for at least six (6) hours before the meeting is convened.

4. Items may be placed on the agenda published no later than forty-eight (48) hours prior to the meeting by the Mayor, any aldermen, the town administrator, or the town recorder. An item may be added to the agenda in case of an emergency or urgent public necessity only by the Mayor or the town administrator.
5. This resolution shall take effect from and immediately after its passage, the public welfare requiring it.

08/08/2023

Yea:

Nay:

Mayor

Town Recorder