

EXHIBIT A

§ 6-51-104. Resolution; notice

(a)(1) A municipality, when petitioned by interested persons, or upon its own initiative, by resolution, may propose extension of its corporate limits by the annexation of territory adjoining to its existing boundaries; provided, however, no such resolution shall propose annexation of any property being used primarily for agricultural purposes. Notwithstanding this part or any other law to the contrary, property being used primarily for agricultural purposes shall be annexed only with the written consent of the property owner or owners.

(2) A referendum is not required to effectuate annexation of territory if:

(A) All of the property owners within the territory proposed for annexation consent in writing; or

(B) Repealed by its own terms eff. Jan. 1, 2023.

(b)(1) The municipality shall send a copy of the resolution describing the territory proposed for annexation to the last known address listed in the office of the property assessor for each property owner within the territory proposed for annexation, each adjoining property owner, the county mayor, and the county commissioners whose district includes the territory.

(2)(A) No later than twenty-one (21) calendar days prior to the scheduled date of the first hearing on such proposed annexation, the resolution, which must include a plan of services for the area proposed for annexation, must be:

(i) Sent by first class mail pursuant to subdivision (b)(1);

(ii) Posted in at least three (3) public places in the territory proposed for annexation and in a like number of public places in the municipality proposing such annexation; and

(iii) Published in a newspaper of general circulation, if there is one, in such territory and municipality.

(B) A person with personal knowledge of the mailing of the resolutions pursuant to subdivision (b)(2)(A)(i) may submit a notarized affidavit to the presiding officer of the municipality attesting that such resolutions were mailed in accordance with this subsection (b). Failure of a property owner to receive a notice that was mailed pursuant to subdivision (b)(2)(A)(i) is not a reason to invalidate the annexation.

(3)(A) No later than twenty-one (21) calendar days prior to the scheduled date of the first hearing on such proposed annexation, the municipality shall post signage that informs

viewers of the proposed annexation, the date, time, and location of the public hearing on the proposed annexation, and a website address for additional information.

(B) The signs used pursuant to subdivision (b)(3)(A) must be a minimum of three feet (3') wide by two feet (2') tall, be affixed to a sturdy base with the top of the sign no less than five feet (5') from the ground, and be posted within the territory proposed for annexation and along any thoroughfare bordering the territory. The signs must remain until the territory is annexed or the annexation is abandoned.

(4) As used in this subsection (b), "adjoining property owner" means a person who owns real property that shares a common boundary with the territory proposed for annexation or that any part of the property lies within two hundred feet (200') of the territory proposed for annexation.

Tenn. Code Ann. § 6-51-102 Plan of Services

(b)(1) Before any territory may be annexed under this part, the governing body of the municipality shall adopt a plan of services establishing at least the services to be delivered and the projected timing of the services. Upon adoption of the plan of services, the municipality shall cause a copy of the plan of services to be forwarded to the county mayor in whose county the territory being annexed is located. The plan of services shall be reasonable with respect to the scope of services to be provided and the timing of the services.

(2) 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 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.

(3) 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.

(4) Before the adoption of the plan of services, a municipality shall:

- (A) Submit the plan of services to the local planning commission, if there is one, for study and to compile 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. The local planning commission shall hold a public hearing on the plan of services at least seven (7) days prior to the public hearing pursuant to subdivision (b)(4)(B); and
- (B) Hold a public hearing, with the notice of the time, place, and purpose of the public hearing to be published in a newspaper of general circulation in the municipality not less than twenty-one (21) days before the hearing. The notice must include the locations of a minimum of three (3) copies of the plan of services, which the municipality shall provide for public inspection during all business hours from the date of notice until the public hearing.
- (5) A municipality may not annex any other territory if the municipality is in default on any prior plan of services.
- (6) If a municipality 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.
- (e) After receiving the notice from the municipality, as provided in subdivision (b)(1), the county mayor shall notify the appropriate departments within the county regarding the information received from the municipality.

§ 13-7-203. Ordinance or amendment; notice and public hearing; changes or departures

- (a) Before enacting the zoning ordinance or any amendment thereof, the chief legislative body shall hold a public hearing thereon, at least twenty-one (21) calendar days' notice of the time and place of which shall be published in the official municipal journal or in a newspaper of general circulation in the municipality.
- (b) No change in or departure from the text or maps as certified by the planning commission shall be made, unless such change or departure be first submitted to the planning commission and approved by it, or, if disapproved, shall receive the favorable vote of a majority of the entire membership of the chief legislative body.