
KNOX COUNTY COMMISSION RULES



Revised March 2011

RULE I. BOARD OF COMMISSIONERS

SECTION A. CONVENING THE COMMISSION:

The Commission shall meeting in the City-County Building on the fourth Monday of each month at 1:45 p.m. for public forum and to consider any and all honorary resolutions on its agenda and at 2:00 p.m. to consider its Legislative Agenda. The Zoning Session shall begin at 6:00 p.m. and all legislative matters not decided from the afternoon session shall be heard at the completion of Zonings. Should any meeting fall on a legal holiday, the Chairman shall adjourn the Commission to a date set by the Chairman. The regular meeting of the Knox County Commission and Zoning Session scheduled for November and December shall be scheduled for the third Monday of November and December.

SECTION B. ORDER OF BUSINESS:

- I. Call to Order/Roll Call (1:45p.m.)
 - A. Public Forum
 - B. Honorary Resolutions

- II. Call to Order/Roll Call (2:00 p.m.)
 - A. Devotional
 - B. Pledge to the Flag
 - C. Approval of Minutes of Previous Meeting
 - D. Amendments to the Agenda
 - E. Drives and Roads
 - F. Line Item Transfers
 - G. Notary Public Applications
 - H. Resolutions
 - 1. Education Consent
 - 2. Consent Calendar
 - 3. Resolutions not on Consent
 - I. Ordinances on First Reading
 - J. Ordinances on Second Reading
 - K. Public Forum
 - L. Other Business

- III. Call to Order/Roll Call (6:00p.m.)
 - A. Zoning Requests
 - B. Zoning Appeals
 - C. Amendments to the Knox County Zoning Ordinance
 - D. Other Business
 - E. Adjournment

SECTION C. GAINING THE FLOOR:

In all cases, the member who shall first address the Chairman shall be entitled to speak first. When two or more members address the Chairman at the same time, the Chairman shall decide who shall speak first.

SECTION D. SPEAKING:

A member recognized by the Chairman shall confine his remarks to the question under debate. A Committee Chairman, his designee or the author of a resolution may speak as often as the situation requires. No other member shall speak longer than five minutes on the same subject in the first speech and three minutes in any succeeding speech.

SECTION E. CONSENT TO YIELD:

A speaker shall not be interrupted, except for a question. The speaker may decline to yield, but shall respond to questions at the end of the presentation.

SECTION F. POINTS OF ORDER:

If any member violates the Rules of the Commission, the Chairman shall call the member to order. A point of order may be raised as provided by Robert's Rules of Order (current edition).

SECTION G. APPEAL ON RULING:

Any member may appeal any ruling of the Chairman. A majority vote of the members present shall decide the appeal, as provided by Robert's Rules of Order (current edition).

SECTION H. REFUSAL TO BE IN ORDER:

If any person refuses to remain orderly, the Chairman shall call that person to order. If such person refuses to come to order, the Chairman shall have the right to order the person's removal from the meeting. This person may return only after approval of the Chairman, or a majority vote of Commissioners present.

SECTION I. PROPOSAL OF RESOLUTIONS AND ORDINANCES:

A resolution, ordinance, or emergency ordinance may be introduced by motion and seconded by any member of the Commission.

SECTION J. COMMITTEE REFERRALS:

Any matter requiring consideration or study by a committee shall be referred to the appropriate committee by the Commission Chairman.

SECTION K. MOTIONS:

MOTIONS MAY BE MADE ONLY BY THE COMMISSIONERS:

1. **Debating Motions:** No motion shall be debated until seconded and stated by the Chairman.
2. **Motions in Writing:** When a motion is made and seconded, it shall be reduced to writing if desired by the Chairman or any member.
3. **Motions During Vote:** After the Chairman begins a voice or roll call vote, no other motion shall be in order until the decision of the Commission is declared by the Chairman.
4. **Requiring Roll Call:** Any motion may be put to the Commission for a voice vote by the Chairman. Upon unanimous consent of the Commission, a voice vote may be recorded as a roll call vote.
5. **Friendly Amendments:** A Friendly Amendment to a motion under debate that is perceived by all parties an enhancement to the original motion is permissible when approved by the Chairman and consented to by the movers of the motion.
6. **Withdrawal of Motions:** A motion that has been seconded may be withdrawn by the maker of the motion. In the event a member objects to the withdrawal, or the person who seconded the motion refuses to withdraw his or her second, then the motion becomes the property of the body and can only be withdrawn by a motion to permit withdrawal which requires a second and a majority vote of the body.

SECTION L. MEMBER MAY CHANGE VOTE:

Any member may change a vote before the result of a roll call is declared by the Chairman. It shall be the duty of the Chair at the end of each roll call to inquire if those who passed or were absent when the roll was called now wish to vote or if a Commissioner wishes to change a vote. The result shall be declared by the Chairman.

SECTION M. RECONSIDERATION OF A MOTION:

When a question has been put to a vote, it shall be in order for any member of the prevailing side to move and another to second a reconsideration at any time prior to adjournment. An affirmative majority vote of the members present shall be required for reconsideration in accordance with Section 36 of Robert's Rule of Order (current edition).

SECTION N. ELECTIONS OR APPOINTMENTS:

When there is an election and/or appointment of Committee Members, Board Members, Officials, or to fill vacancies in public offices where the Commission is authorized to make such election or appointment, a member or the general public may nominate as many persons as are required to fill said vacancies or positions.

1. **Official or appointed officer:** The name of the person nominated will be announced to the Commission.
 - a. Balloting shall be by roll call.
 - b. A majority is required for election.
 - c. If no one is elected on a given ballot, the nominee receiving the smallest number of votes, if there be more than two nominees, will be dropped and the ballots cast again until a person is elected.

2. **Committees:** The names of persons nominated will be announced to the Commission.
 - a. Each member may vote for the number of persons to be elected.
 - b. The Clerk shall tally the votes.
 - c. Persons receiving six votes on any given roll call are elected.
 - d. If all positions are not filled on a given call, the person receiving the smallest number of votes will be dropped and voting will continue until all positions are filled.

3. There shall be a public hearing, time, place and format to be determined, before any elected official vacancy can be filled by the Commission.

SECTION O. AGENDA:

1. Commission members, officials, and others requesting matters be placed on the agenda for the Agenda Work Session Committee meeting or a regular Commission meeting shall submit such requests electronically on Agenda Quick by 12:00 noon on the first Monday of every month. The sponsor of any such matter may withdraw same without Commission approval prior to the final agenda being set.

2. All requests for line item transfers between accounts shall be submitted to the Commission electronically on Agenda Quick by 12:00 noon on the second Monday of every month.

3. Any request for matters to be placed on the Commission agenda after the deadline

shall be approved by the Chair of the Commission or said request will be considered at the next regular meeting.

4. Agendas for Special Committee meetings shall be as set by the Chairman of that Special Committee.
5. Matters may be added to the agenda(s) for all meetings except a special call meeting of the Commission by an affirmative vote of two-thirds (2/3) of the membership of the Commission or two-thirds (2/3) of a quorum of a committee, as applicable. However, any regular agenda item or similar subject matter that has been acted on by the Commission during its regular session may not be placed on the regular Commission agenda for a period of ninety (90) days without the consenting vote of two-thirds (2/3) of the members of the Commission. The only exception to this rule will be a vote on the budget and/or the vote on the tax rate, which would require a majority vote.
6. A request for consideration of a matter submitted by any Commissioner and filed by the deadline must be placed on the next agenda of a regular meeting of the body to which it is addressed.
7. A copy of the agenda including proposed resolutions and attachments shall be available to each Commissioner by 5:00 p.m. on the Thursday before the Agenda Work Session Committee or regular session.
8. Agendas will be sent to the public upon request. Every six months, the request must be renewed in writing. Request for renewal forms shall be enclosed with the agenda at that time.
9. Agenda items shall be arranged in a manner, which shall expedite actions so that Knox County employees may appear at the meeting and return to their workstation as quickly as possible.
10. All matters affecting the zoning of real property, including amendments to the Knox County Zoning Ordinance, and whether such action is to be taken by resolution or ordinance shall be considered as a matter under zonings. If a road closure affects a zoning matter and both items are on the same agenda, both items shall be heard together in the afternoon agenda.

11. It shall be the responsibility of any Commissioner requesting an Honorary or

Memorial Resolution to provide the Commission Office and the Law Director with such information as is necessary for the drafting of the requested resolution. Honorary and Memorial Resolutions shall not be placed on the Agenda Work Session Committee agenda, and instead shall be placed directly on the Consent Agenda of the Commission.

12. Any agenda item that fails in the Agenda Work Session Committee shall be removed from the Commission agenda.
13. Any charter amendment to be considered by the Knox County Commission, whether it derived from a citizen group or a Knox County Commissioner, shall be reviewed by the Knox County Law Director before being considered on first reading and if passed on first reading, a minimum of two public hearings shall be required before the charter amendment is considered on second reading.

SECTION P. PUBLIC FORUM:

The Commission provides the public the opportunity at meetings to address each agenda item during the Commission's discussion of consideration of an item. Citizens are also provided additional opportunities to express an opinion on any matter during Public Forum, namely: As the first Order of Business at the 1:45 p.m. session, before the 6:00 p.m. Zoning Session begins in the event all legislative matters on the 2:00 p.m. Legislative Session agenda have not been considered, and at the end of the 2:00 p.m. Legislative Session. Each person so appearing shall be allowed five (5) minutes unless otherwise provided by the Commission.

SECTION Q. CONSENT CALENDAR:

Any Honorary or Memorial Resolution, and any Resolution, which passes by unanimous vote by the Agenda Work Session Committee shall be placed on the Consent Calendar. All items on the Consent Calendar shall be approved upon a single motion and vote of the Commission. Passage of such motion shall be considered as any other motion before the Commission. Adoption of such a motion shall be considered approval of each item individually, and no later objection may be made for failure to take action by individual motion. The Chairman of the Commission shall direct the Clerk to read all relevant information into the record prior to the vote on the Consent Calendar. Any member of the Commission may require any matter be considered individually by making objection to the motion to collectively consider all consent items prior to the recording of the vote by the Clerk and the announcement of the Commission action by the Chairman.

SECTION R. SUSPENDING THE RULES:

The rules may be suspended at any time by a two-thirds (2/3) majority of the qualified and acting members of the Commission.

SECTION S. AMENDING THE RULES:

Rules may be amended upon report of the Rules Committee after seven (7) days notice of the proposed change. These rules shall be reviewed annually by the Rules Committee.

SECTION T. ROBERT'S RULES OF ORDER:

All matters not covered herein shall be governed by Robert's Rules of Order, (current edition).

SECTION U. COMMISSION OFFICE USE:

The Commission Office shall be used for Commission business only.

SECTION V. MAJORITY VOTES REQUIRED IN COMMITTEES:

Where any Knox County Board or Committee, which is governed by these rules, is voting on a matter which requires no further County Commission action, the issue shall pass only upon receiving an affirmative vote by a majority of the membership of the committee. All other votes by committees shall be in accord with Robert's Rules of Order, (current edition).

RULE II. CHAIRMAN

SECTION A. CALL TO ORDER:

The meeting shall be called to order by the Chairman. In the absence of the Chairman, the Vice Chairman shall preside. In the absence of the Vice Chairman, the Commission shall be called to order by the Clerk and shall elect one of its members to preside until the Chairman or Vice Chairman returns.

SECTION B. THE QUESTION:

The Chairman shall clearly state the question before a vote is taken. A member may ask for clarification of the question before the results of a vote is announced.

RULE III. COUNTY CLERK

SECTION A. MINUTES OF THE COMMISSION:

The County Clerk shall make copies of the minutes of each meeting and distribute them not later than thirty (30) days after the meeting. Minutes of each meeting shall be approved by the Commission. Copies of the minutes shall be distributed as follows upon request:

- To each member;
- To the main library;
- To the general public at cost.

SECTION B. ROLL CALL VOTE:

The Chairman shall require the Clerk to call the roll and record the vote. The Chairman shall alternate districts where roll call begins.

SECTION C. VETO MESSAGE:

The Clerk shall immediately send notice of an Executive veto to the Commission Office and Law Director. The veto message shall appear on the next regular agenda of the Commission and the County Law Director shall prepare a resolution authorizing a veto override.

RULE IV. COUNTY LAW DIRECTOR:

SECTION A. COUNTY LAW DIRECTOR:

The County Law Director or his designee shall attend meetings to advise on matters of the law. He shall also attend committee meetings when called upon by the Chairman of a Standing or Special Committee or a written request signed by a majority of that Committee.

RULE V. COMMITTEES GENERAL

SECTION A. OFFICERS ELECTION:

Upon election of a committee, the members of the committee shall convene and elect a Chairman, Vice Chairman, and a secretary from its membership and adopt rules for its operation not covered under general regulations pertaining to all committees. If a committee has not organized as required within twenty-one (21) days of its appointment, the Chairman shall call the committee into session and serve as a temporary Chairman until the committee elects a Chairman. No Commissioner shall serve as Chairman of more than one Standing Committee. The Vice Chairman shall not serve as an officer of any committee of which he is a member.

SECTION B. COMMITTEE MEETINGS OPEN TO

COMMISSION MEMBERSHIP:

All committee meetings shall be open. Only duly elected members of the committee in session may vote, make motions and count as forming a quorum. A majority of the committee is needed to form a quorum in order to vote on issues to recommend to the full Commission.

A committee without a quorum may have discussions of issues; however, Commissioners who are not members of the committee may participate in the committee meeting. Each member of the commission shall be given at least five (5) days advance notice of the time and place of all committee meetings. Committees with established time and place of regular meetings are deemed to have been given sufficient notice.

SECTION C. AUTHORITY OF COMMITTEES:

The role and jurisdiction of a committee is to investigate and study matters, provide information and present recommendations to the Commission as generally described in the title of the committee and as more specifically defined in the subject areas listed under the title. Should any question arise as to the jurisdiction of any committee, it shall be referred to the Chairman for determination subject to an appeal to the Commission at its regular meeting.

SECTION D. REPORTING PROCEDURE:

The procedure for reporting the findings of a committee shall be as follows:

1. The Committee Chairman or the member designated shall report and move any action recommended by the committee.
2. Upon completion of a report the speaker shall yield to questions.
3. If no committee action is moved by the Committee Chairman, motions from the Commission for action or to receive the report are appropriate, and if made and seconded, may then be discussed and acted upon.

SECTION E. DUTIES OF COMMITTEE AND SUBCOMMITTEE OFFICERS:

The Chairman's responsibility is to call meetings of the committee, to serve as the presiding officer, and to serve as spokesman of the Committee before Commission. If a workshop is held by a committee, the Chairman of that committee shall preside and the Rules of the Commission shall apply. The Chairman should understand and make the committee aware of its areas of jurisdiction. The Vice Chairman is to assume the role and responsibilities of the Chairman in his absence. Should the Chairman's seat be vacated, a new Chairman shall be elected. The secretary shall be responsible for the taking of minutes, and the filing with the Commission office.

SECTION F. COMMITTEE MEETING MINUTES:

The minutes of all committee meetings shall contain the day, time, and place the committee convenes, the members present, a summary of matters considered, a record of the voting on the action taken on each recommendation proposed to the committee, and the time of adjournment.

SECTION G. **VACANCIES ON COMMITTEES:**

Should for any reason one or more members of a committee vacate their positions, the Commission shall fill those vacancies in the same manner as the original members.

SECTION H. **SPECIAL COMMITTEES:**

The Chairman may from time to time appoint such Special Committees as the circumstances require, but such a Special Committee shall be disbanded when it completes its assigned work and in no case shall it exist longer than one year unless extended by the Commission. No Special Committee shall be appointed for any purpose when there is a Standing Committee on the same subject.

SECTION I. **RULES COMMITTEE:**

The committee on Rules shall be appointed annually by the Chairman after the organizational meeting of the Commission. It shall review the Rules of the Commission and report its recommendations to the Commission by the regular November Commission meeting.

SECTION J. **COMMITTEE ON COMMITTEES:**

The Committee on Committees, composed of five members, shall be appointed annually by the Chairman after the organizational meeting selection of the Chairman and Vice Chairman. In even numbered years it shall nominate members for all Standing Committees. In odd numbered years it shall nominate members to fill vacancies for Standing Committees.

SECTION K. **CABLE TV COMMITTEE:**

There shall be a Cable TV Committee comprised of nine (9) members appointed annually by the Chairman.

SECTION L. **FAILURE OF COMMITTEE TO MEET:**

If the Chairman of a committee fails to call a meeting, the Commission Chairman or a majority of the committee may do so.

SECTION M. **COMMITTEE AS A WHOLE:**

The Commission may, by two-thirds (2/3) vote of the members present, resolve itself into a committee as a whole. All workshops conducted by the Commission as a committee as a whole shall be conducted by the Chairman and the Rules of the Commission shall apply.

RULE VI. COMMITTEE SPECIFIC

SECTION A. STANDING COMMITTEES:

All Standing Committees shall be elected by a majority of the Commission bi-annually in even numbered years in September. A list of nominees for each committee shall be presented by the Committee on Committees. Nominations may be made from the floor for committee assignments.

Every Commissioner shall serve on one standing committee, unless he or she waives such right in writing to the Chairman prior to reorganization.

SECTION B. REORGANIZATION MEETING ORDER OF PROCEDURE:

The annual reorganization meeting of the Knox County Commission, as regards the election of the Commission Chairman, The Commission Vice Chairman, and the Chairmen, Vice Chairmen, and Secretaries of the Standing Committees, shall be conducted as follows:

1. Reorganization meeting of the Knox County Commission called to order by the Clerk.
2. Election of Chairman and Vice Chairman pursuant to the Knox County Charter.
3. The Members of the Committee on Committees are appointed by the Chairman.
4. The Chairman recesses the full Commission and convenes a meeting of the Committee on Committees.
5. The Chairman of the Commission shall preside over the meeting of the Committee on Committees.
6. The Committee on Committees shall nominate and elect members of the Standing Committees in even numbered years. In odd numbered years the Committee on Committees shall nominate and elect from the Commission members to fill any vacancies that may have occurred to any Standing Committees.
7. The Committee on Committees shall then be adjourned.

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8. The Chairman shall then convene each Standing Committee separately, one a time, as follows:
 - a. The Chairman of the Commission shall convene the Standing Committee and open the floor for nominations for the position of Chairman of the Standing Committee and from those nominees the Standing Committee will elect a Chairman.
 - b. Once a Chairman is chosen that person will then preside over the meeting of the Standing Committee and open the floor for nominations for the positions of Vice Chairman and Secretary.
 - c. The Chairman of the Standing Committee will then adjourn the meeting of the Standing Committee.
 9. The Chairman of the Commission shall then reconvene the full commission pursuant to any other pending business and adjournment.

SECTION C. SUBCOMMITTEES:

Each committee may, from the membership, select subcommittees to make studies and recommendations to the committee on any specific matter which falls within its authority. Furthermore, it may select interested citizens who wish to help in the study of a given matter (and with the approval of the Commission ask them to work as a part of the subcommittee). The Standing Committee, not its subcommittee, shall have final responsibility for all recommendations.

SECTION D. MEETING TIMES:

Each month, the Agenda Work Session Committee comprised of the entire Commission shall meet at 2:00 p.m. on the Monday one week prior (or the first business day of the week) to the Commission meeting.

RULE VII. MISCELLANEOUS:

SECTION A. RULES FOR THE NEWS MEDIA:

All news media shall be eligible to attend, report, or broadcast meetings of the Commission subject to the following rules:

1. Personnel and equipment shall not interfere with orderly procedure of the meeting.
2. No equipment shall be placed on the stage in front of the Commissioners or in such a location as to interfere with the Commissioners view of the speaker's platform.

SECTION B. CONFLICT OF THESE RULES WITH LAW:

If any part of these rules conflict with state or federal law, that part in conflict shall be null and void.

SECTION C. ROAD AND RIGHT OF WAY CLOSURE:

Before a road closure shall be considered by the Commission and placed on its agenda, the following requirements must be met:

1. A written request for closure giving the name of the road, the right of way width, the length of the section to be closed, location of the road in relation to any existing roads with which it intersects, the person to whom the right of way is to be transferred, and the name of the person requesting the closure, shall be filed with the Commission office within the time request of Rule I, Section P.4.

2. A copy of the request will be sent to the Director of Highways who will send a copy of the request to all utilities serving the area and any other governmental unit which may have adjoining road right of ways.

3. The request will be accompanied by a signed statement of all adjoining property owners who agree with the request or do not object to the closure. The request shall also state all other adjoining property owners to the road right of way who have not filed a written statement agreeing to the closure.

4. The request for closure must be accompanied by a recordable plat showing the right of way to be abandoned with a metes and bounds description and the boundaries of the lots of the person to whom the right of way is to be transferred as they will exist if the right of way is closed as requested.

5. Road and right of way closures shall be approved in two (2) separate Commission meetings before being final. Upon final approval, the party requesting closure shall submit a metes and bounds description of each portion of the right of way closed with the name of the person to whom it is to be transferred as approved by the Commission to the Law Department for preparation and execution of quit claim deeds. A recordable plat showing the boundaries of the lots of the persons to whom the right of way is transferred as approved shall be filed with MPC and recorded with the Register of Deeds in compliance with the Subdivision Regulations of Knox County.

SECTION D. NATIONAL ASSOCIATION OF COUNTIES:

The Commission Chairman, or his designee, and one other member of the Commission as designated by the Chairman, shall attend the annual meeting of the National Association of Counties, the expense coming from the Commission budget.

SECTION E. HONORARY RESOLUTIONS:

Each Commissioner shall be entitled to one (1) primary sponsorship of an Honorary Resolution per calendar year quarter to be presented on the regular agenda. Such presentations shall not be cumulative. The primary sponsor of an Honorary Resolution shall be that Commissioner whose name appears first on the Resolution as requesting the Resolution. This Section does not apply to Memorial Resolutions.

RULE VIII. REZONING REQUESTS AND APPEALS:

SECTION A. TIME LIMITS:

The applicant for zoning and those opposed to the zoning shall be given a maximum of five (5) minutes to present their case and three (3) minutes for rebuttal. An extension may be allowed by a vote of Commission upon request. If an extension is granted, each will be given an equal specified amount of time. (Time will be kept by the Clerk.)

SECTION B. WITNESSES:

No witness shall be permitted to testify on the same matter more than once, except by special permission given by vote of the Commission. This shall not preclude attorneys or others representing applicants or opponents from asking questions of witnesses.

SECTION C. ORDER OF PROCEDURE:

1. Matter called by Clerk.
2. MPC staff representative reports MPC's recommendation.
3. Applicant or appellant states name and address, and presents relevant testimony.
4. Opposition speaker(s) states name and presents relevant testimony for opposing the requested action.
5. Applicant rebuts opposition arguments, states any compromise or conditions he or she is willing to accept. No new matters may be introduced. Opposition may agree to any offered compromise. Neither should exceed two (2) minutes.
6. County Commissioners may ask questions of any speakers.
7. Motion and second followed by Commission deliberations which shall not be interrupted from the audience.

SECTION D. REAPPLICATION AFTER DENIAL:

Following denial by the Commission, no rezoning request, appeal, or subdivision plan approval request may be resubmitted for a period of at least twelve (12) months. Provided, however, a petition for a different zoning would be considered.

SECTION E. RECONSIDERATION AFTER DECISION:

Once a decision has been made by this Commission, the matter will not be reconsidered until it has been back before MPC.

SECTION F. APPLICANT ATTENDANCE REQUIRED FOR ACTION:

Attendance at the Zoning session by the applicant or a representative for a rezoning or plan amendment shall be required for Commission Action. If the applicant is not present when the item is read, it shall automatically be placed at the end of the current agenda. If the applicant still is not present when the item is reached again, then the item shall be placed on the Commission Agenda for the following month.

RULE IX. SUBDIVISION APPEALS:

SECTION A. PROCEDURE:

The County Law Director or his/her designee shall chair the subdivision appeal hearing for the purpose of taking evidence and ruling upon evidentiary objections. Upon the close of the proof, the County Law Director shall relinquish the chair to the Commission Chairperson.



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