

ARTICLE VII. TRANSITION PROVISIONS

Section 7.01. Repeal of contrary laws.

This charter shall occupy, as far as the Constitution of the State of Tennessee permits, the entire field of self-government for Shelby County, and all laws relating to or affecting this county or its agencies, officials or employees, and all county private acts, public acts of local application, ordinances, resolutions, orders and regulations which are in force when this charter becomes fully effective are repealed to the extent that they are inconsistent with or interfere with the effective operation of this charter or of ordinances or resolutions adopted by the board of county commissioners under the provisions of this charter.

Section 7.02. Referendum.

This charter shall be submitted to the vote of the qualified electors of Shelby County, Tennessee, at an election which shall be held on August 2, 1984. The election shall be conducted by the offices and officers charged with conducting elections in the county. The ballots used in the election shall have printed on them a brief summary of the proposed charter as required by T.C.A. § 2-5-208(5). The ballots shall be prepared so as to provide a choice for voters as follows:

For a charter form of county government_____.

Against a charter form of county government_____.

Section 7.03. Effective date.

This charter shall become effective September 1, 1986, and shall be effective prior thereto to the extent necessary to permit elections to be held as otherwise provided herein during the year 1986. The state laws relating to nominations and elections shall apply to the nomination and election of all officers required to be elected under this charter commencing with the primary and general elections of the year 1986.

Section 7.04. Restructure act.

All provisions of Chapter 260 of the Private Acts of 1974 (the Restructure Act) which are not inconsistent with the terms of this charter, including all purchasing procedures, shall remain in full force and effect after the effective date of this charter until and unless they are amended, deleted, or otherwise changed by ordinance of the board of county commissioners. All divisions and departments of county government set forth in Chapter 260, Private Acts of 1974, shall remain in existence until and unless changed by the county commission.

Section 7.05. Delivery of documents.

The head of a department or office or an agency or commission, the functions, powers and duties whereof are assigned and transferred by this charter or by ordinance pursuant to this charter, shall deliver to the department to which such assignment and transfer is made, all contracts, books, maps, plans, papers, records and property of whatever description within the jurisdiction or under the control of that person or entity pertaining to or used in connection with the exercise or

performance of the functions, powers and duties so assigned and transferred; and the head of the department to which such assignment and transfer is made shall be authorized to take possession thereof.

Section 7.06. Resolutions and regulations.

All resolutions, orders, regulations and directives of the board of county commissioners and all other county officers and offices in full force at the time this charter takes effect, to the extent they are not inconsistent with the provisions of this charter, shall remain and be in force and effect until altered, modified or repealed in accordance with this charter.

Section 7.07. Pending matters.

All matters pending before or under consideration by the board of county commissioners at the time this charter takes effect, to the extent they are not inconsistent with the provisions of this charter, may be acted upon and disposed of as if they had originated and had been introduced under this charter.

Section 7.08. Judicial proceedings.

All judicial proceedings of any kind or character, and all condemnation proceedings for the taking or damaging of private property for public use, and all proceedings to incur debt and issue bonds, begun or pending at the time this charter takes effect, all contracts for the doing of any kind of public work, not completed and performed at the time this charter takes effect, and all contracts or bids for the purchase or sale of property entered into prior to the time this charter takes effect but not consummated at such time shall in no way be affected by the adoption of this charter but the same may be completed in every respect as nearly as may be in accordance with the provisions of this charter.

Section 7.09. Rights and obligations.

All rights of action, contracts, obligations, titles, fines, penalties, forfeitures, and fees, accrued to or in favor of the county, or against the county, before this charter goes into effect, shall remain in existence in full force and effect as fully in every respect as if this charter had not taken effect. All recognizances, contracts and obligations lawfully entered into or executed by or to the county, and the lien thereof, all taxes due or owing to the county, and the lien thereof, and all writs, prosecutions, actions and causes of action shall continue and remain unaffected by this charter.

Section 7.10. Elected and appointed officers.

All officers elected or appointed for definite terms under the provisions of this charter shall continue to hold office unless lawfully removed, until their respective successors are duly elected or appointed and qualified.

Section 7.11. Commission districts.

The districts from which the board of county commissioners shall be elected in August, 1986, shall be the same as the districts existing in August, 1982.

Section 7.12. Salaries.

A. The salary of the first board of county commissioners elected under this charter shall be as prescribed by state general law for boards of county commissioners; the expenses or any other form of remuneration provided for the first board of county commissioners elected shall be that as provided on June 15, 1984.

B. The compensation of the first county mayor elected under this charter shall be set by the board of county commissioners at their first meeting on or after September 1, 1986.

Section 7.13. Depositories.

The procedure for selecting depositories or custodial institutions for county funds in force as of January 1, 1986, shall remain in effect until and unless changed by ordinance of the board of county commissioners.

Section 7.14. Private acts.

All private acts of the General Assembly of Tennessee which affect Shelby County and which are in effect on September 1, 1986 shall, to the extent not inconsistent with this charter, be deemed ordinances of Shelby County, and shall remain in effect until and unless repealed or amended by the board of county commissioners.