

Bond Case Briefs

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ELECTIONS - TENNESSEE

Wallace v. Metropolitan Government of Nashville

Supreme Court of Tennessee, at Nashville - April 10, 2018 - S.W.3d - 2018 WL 1726044

Candidate for mayor filed petition against city's metropolitan government, county, and county election commission, seeking declaratory relief and writ of mandamus ordering commission to set a special election to fill a vacancy in the office of mayor.

The Chancery Court determined that candidate was not entitled to the relief sought. Candidate appealed.

The Supreme Court of Tennessee held that phrases "general metropolitan election" and "general election" in metropolitan charter had distinct meanings for special election purposes.

Phrase "general metropolitan election," as used in metropolitan charter, meant the particular general election at which the mayor, vice mayor, councilmen-at-large, and district councilmen were elected every fourth odd-numbered year, rather than the general election held every year for other officials, and thus, because more than 12 months would elapse between date of vacancy in the office of mayor and the next general metropolitan election in the following year, a special election was required; section governing special elections made a clear distinction between a "general metropolitan election" and a "general election" in specifying when special elections were required to fill vacancies in the offices of mayor and district councilmen.