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# Posting of Charters on Municipal Web Sites Now Required

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THE UNIVERSITY of TENNESSEE
MUNICIPAL TECHNICAL ADVISORY SERVICE

*...in cooperation with the Tennessee Municipal League*

#162
HOT topic

**May 21, 2008**

# POSTING OF CHARTERS ON MUNICIPAL WEB SITES NOW REQUIRED

**Josh Jones, Legal Consultant**

The Internet is the most useful tool for promoting effective democracy since Gutenberg's printing press. And as our communities rely increasingly on the Internet as their primary source of information, our consideration of Web sites as a primary repository of public information is critical to an informed electorate. For years federal and state governments have taken steps to require an increasing amount of public and governmental information be accessible via the Internet. Following inevitably in lockstep are similar requirements for local governments.

Recognition of this by the Tennessee Legislature occurred late last month with the passage of Public Chapter No. 808. This act requires each Tennessee municipality and county to post, no later than Jan. 1, 2009, its charter of incorporation on a Web site maintained by the municipality or county. If no such Web site is maintained, the charter must be posted on the Tennessee secretary of state's Web site.

A local charter is the legislatively granted foundation of every local government. Being the expression of municipal power and responsibility, it is imperative that every resident have unfettered access to a charter's contents. Charters are, of course, open to public inspection under our state's open records laws. T.C.A. §§ 10-7-501 *et seq*. Hence, this new requirement is merely an extension of an already existing duty to make public records readily available to your constituents. Logistically, this should pose no significant expenditure of time or resources to city personnel. There are currently electronic copies of the charters of every Tennessee city posted on the MTAS Web site.

If you have any questions or require assistance in obtaining or posting an electronic copy of your charter, please contact your MTAS management consultant. If your city does not maintain its own Web site and you need assistance posting your charter on the secretary of state's Web site, contact Robert Greene, publications liaison, at (615) 253-4571 or robert.a.greene@state.tn.us.

THE UNIVERSITY of TENNESSEE

MUNICIPAL TECHNICAL ADVISORY SERVICE

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The Municipal Technical Advisory Service (MTAS) is a statewide agency of the University of Tennessee Institute for Public Service. MTAS operates in cooperation with the Tennessee Municipal League to provide technical assistance services to officials of Tennessee's incorporated municipalities. Assistance is offered in areas such as accounting, administration, finance, public works, ordinance codification, and water and wastewater management.

MTAS *Hot Topics* are information briefs that provide a timely review of current issues of interest to Tennessee municipal officials. *Hot Topics* are free to Tennessee local, state, and federal government officials and are available to others for $2 each. Photocopying of this publication in small quantities for educational purposes is encouraged. For permission to copy and distribute large quantities, please contact the MTAS Knoxville office at (865) 974-0411.

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