

**THE  
TOWNSEND  
MUNICIPAL  
CODE**

Prepared by the



**Municipal Technical Advisory Service**

*In cooperation with the Tennessee Municipal League*

August 2022

**CITY OF TOWNSEND, TENNESSEE**

**MAYOR**

Don Prater

**VICE MAYOR**

Rindi Martin

**COMMISSIONERS**

Ted Godfrey  
Becky Headrick  
Kelsey Satterfield

**RECORDER**

Gayla Webb

**CITY ATTORNEY**

Will Carver

## PREFACE

The City of Townsend Municipal Code contains the codification and revision of the ordinances of the City of Townsend, Tennessee. By referring to the historical citation appearing at the end of each section, the user can determine the origin of each particular section. The absence of a historical citation means that the section was added by the codifier. The word "modified" in the historical citation indicates significant modification of the original ordinance.

The code is arranged into titles, chapters, and sections. Related matter is kept together, so far as possible, within the same title. Each section number is complete within itself, containing the title number, the chapter number, and the section of the chapter of which it is a part. Specifically, the first digit, followed by a hyphen, identifies the title number. The second digit identifies the chapter number, and the last two digits identify the section number. For example, title 2, chapter 1, section 6, is designated as § 2-106.

By utilizing the table of contents, code index and the analysis preceding each title and chapter of the code, together with the cross references and explanations included as footnotes, the user should locate all the provisions in the code relating to any question that might arise. However, the user should note that most of the administrative ordinances (e.g. Annual Budget, Zoning Map Amendments, Tax Assessments, etc..) do not appear in the code. Likewise, ordinances that have been passed since the last update of the code do not appear here. Therefore, the user should refer to the city's ordinance book or the city recorder for a comprehensive and up to date review of the city's ordinances.

Following this preface is an outline of the ordinance adoption procedures, if any, prescribed by the city's charter.

The code has been arranged and prepared in loose-leaf form to facilitate keeping it up to date. MTAS will provide updating service under the following conditions:

- (1) That all ordinances relating to subjects treated in the code or which should be added to the code are adopted as amending, adding, or deleting specific chapters or sections of the code (see section 7 of the adopting ordinance).
- (2) That one copy of every ordinance adopted by the city is kept in a separate ordinance book and forwarded to MTAS annually.
- (3) That the city agrees to pay the annual update fee as provided in the MTAS codification service charges policy in effect at the time of the update.

When the foregoing conditions are met MTAS will reproduce replacement pages for the code to reflect the amendments and additions made by such ordinances. This service will be performed at least annually and more often if justified by the volume of amendments. Replacement pages will be supplied with detailed instructions for utilizing them so as again to make the code complete and up to date.

The able assistance of the codes team: Kelley Myers and Nancy Gibson is gratefully acknowledged.

Codification Consultant

**ORDINANCE ADOPTION PROCEDURES PRESCRIBED BY THE  
CITY CHARTER**

Section 4.1. Style of ordinances. All ordinances shall begin: "Be it ordained by the city of Townsend, as follows:".

Section 4.2. Ordinance procedure.

(a) Every ordinance shall be introduced in writing, in the form required for final adoption. Prior to or upon the introduction of said ordinance, a copy shall be distributed to each member of the board of commissioners, the city manager, if one is appointed, the city recorder, and the city attorney. The body of the ordinance may be omitted from the official minutes, but reference thereto shall be made to the ordinance by title or subject matter.

(b) Every ordinance shall be read on two (2) different days in open session before its adoption, and not less than one (1) week shall elapse between the first and second readings; and any ordinance not so read shall be null and void. By ordinance, the board may establish a procedure to read only the caption of an ordinance, instead of the entire ordinance, on both readings. Copies of all ordinances shall be available during regular business hours at the office of the city recorder and during sessions in which the ordinance has its second reading.

(c) An ordinance shall not take effect until fifteen (15) days after the first passage thereof, except in case of an emergency ordinance. An emergency ordinance may be effective upon the day of its final passage; provided, that it shall contain the statement that an emergency exists and shall specify the distinct facts and reasons constituting such emergency.

(d) The unanimous vote of all members of the board present shall be required to pass an emergency ordinance.

(e) No ordinance making a grant, renewal, or extension of a franchise or other special privilege or regulating the rate to be charged for services by any public utility shall be passed as an emergency ordinance.

(f) No ordinance shall be amended or repealed except by a new ordinance.

Section 4.3. Voting by board. The affirmative vote of the majority of the members is necessary to adopt any ordinance or resolution. Every ordinance or

resolution passed by the board of commissioners shall be signed by the presiding officer and shall be filed with the recorder. All elections by the board of commissioners and all other actions shall be by majority vote of said board.

Section 4.4. Recording of ordinances. All votes on ordinances shall be determined by yeas and nays, and the names of the members voting for or against ordinances shall be entered upon the journal.

Every ordinance shall be immediately taken charge of by the recorder, and shall be numbered, copied in an ordinance book, filed, and preserved in the recorder's office by the recorder.

Section 4.5. Publication of penal ordinances-effective date. Each ordinance of a penal nature or the caption of each ordinance of a penal nature shall be published after its final passage in a newspaper of general circulation in the city.

No such ordinance shall take effect until the ordinance or the caption is so published except as otherwise provided in Tennessee Code Annotated, title 6, chapter 54, part 5.

# TABLE OF CONTENTS

PAGE

## INTRODUCTION

OFFICIALS OF THE CITY AT TIME OF CODIFICATION.....	ii
PREFACE.....	iii
ORDINANCE ADOPTION PROCEDURES PRESCRIBED BY THE CITY CHARTER.....	v

## CHARTER

CHARTER TABLE OF CONTENTS.....	C-1
TEXT OF CHARTER.....	C-3

## CODE OF ORDINANCES

CODE-ADOPTING ORDINANCE.....	ORD-1
TITLE 1. GENERAL ADMINISTRATION.....	1-1
<b>CHAPTER</b>	
1. BOARD OF COMMISSIONERS.....	1-1
2. MAYOR.....	1-3
3. RECORDER/PURCHASING AGENT.....	1-4
4. CODE OF ETHICS.....	1-5
TITLE 2. BOARDS AND COMMISSIONS, ETC.....	2-1
RESERVED FOR FUTURE USE	
TITLE 3. MUNICIPAL COURT.....	3-1
<b>CHAPTER</b>	
1. CITY JUDGE.....	3-1
2. COURT ADMINISTRATION.....	3-2
3. SUMMONSES AND SUBPOENAS.....	3-3
4. BONDS AND APPEALS.....	3-4

	<u>PAGE</u>
<b>TITLE 4. MUNICIPAL PERSONNEL</b> .....	4-1
<b>CHAPTER</b>	
1. PERSONNEL RULES AND REGULATIONS.....	4-1
2. TRAVEL REIMBURSEMENT REGULATIONS.....	4-2
<b>TITLE 5. MUNICIPAL FINANCE AND TAXATION</b> .....	5-1
<b>CHAPTER</b>	
1. MISCELLANEOUS.....	5-1
2. REAL AND PERSONAL PROPERTY TAXES.....	5-2
3. WHOLESALE BEER TAX .....	5-3
<b>TITLE 6. LAW ENFORCEMENT</b> .....	6-1
<b>CHAPTER</b>	
1. POLICE DEPARTMENT .....	6-1
2. ARREST PROCEDURES .....	6-3
3. CITATIONS, WARRANTS, AND SUMMONSES .....	6-4
<b>TITLE 7. FIRE PROTECTION AND FIREWORKS</b> .....	7-1
<b>CHAPTER</b>	
1. FIREWORKS.....	7-1
<b>TITLE 8. ALCOHOLIC BEVERAGES</b> .....	8-1
<b>CHAPTER</b>	
1. INTOXICATING LIQUORS .....	8-1
2. BEER .....	8-4
3. WINE BY THE DRINK; INSPECTION FEE AND PRIVILEGE TAX.....	8-10
4. WINE IN RETAIL FOOD STORES .....	8-13
<b>TITLE 9. BUSINESS, PEDDLERS, SOLICITORS, ETC.</b> .....	9-1
<b>CHAPTER</b>	
1. COMMERCIAL TUBING OPERATIONS .....	9-1
2. HELICOPTERS.....	9-4
3. CABLE TELEVISION.....	9-6
4. MOBILE FOOD VENDORS .....	9-7



	<u>PAGE</u>
<b>TITLE 10. ANIMAL CONTROL</b> .....	10-1
<b>CHAPTER</b>	
1. IN GENERAL .....	10-1
<b>TITLE 11. MUNICIPAL OFFENSES</b> .....	11-1
<b>CHAPTER</b>	
1. ALCOHOL .....	11-1
2. OFFENSES AGAINST THE PEACE AND QUIET.....	11-2
3. TRESPASSING AND INTERFERENCE WITH TRAFFIC .....	11-5
4. LITTERING.....	11-7
<b>TITLE 12. BUILDING, UTILITY, ETC. CODES</b> .....	12-1
<b>CHAPTER</b>	
1. BUILDING CODE.....	12-1
2. PLUMBING CODE.....	12-8
3. PROPERTY MAINTENANCE CODE .....	12-14
4. RESIDENTIAL CODE .....	12-17
5. MECHANICAL CODE .....	12-29
6. ENERGY CONSERVATION CODE.....	12-32
<b>TITLE 13. PROPERTY MAINTENANCE REGULATIONS</b> .....	13-1
<b>CHAPTER</b>	
1. MISCELLANEOUS.....	13-1
2. SLUM CLEARANCE.....	13-5
3. JUNKYARDS .....	13-10
<b>TITLE 14. ZONING AND LAND USE CONTROL</b> .....	14-1
<b>CHAPTER</b>	
1. MUNICIPAL PLANNING COMMISSION .....	14-1
2. ZONING ORDINANCE.....	14-3
3. FLOOD DAMAGE PREVENTION ORDINANCE.....	14-4
<b>TITLE 15. MOTOR VEHICLES, TRAFFIC AND PARKING</b> .....	15-1
<b>CHAPTER</b>	
1. MISCELLANEOUS.....	15-1
2. EMERGENCY VEHICLES.....	15-11
3. SPEED LIMITS.....	15-12
4. TURNING MOVEMENTS .....	15-13

	<u>PAGE</u>
5. STOPPING AND YIELDING .....	15-14
6. PARKING .....	15-18
7. ENFORCEMENT .....	15-20
<b>TITLE 16. STREETS AND SIDEWALKS, ETC. ....</b>	<b>16-1</b>
<b>CHAPTER</b>	
1. MISCELLANEOUS .....	16-1
2. EXCAVATIONS AND CUTS .....	16-4
<b>TITLE 17. REFUSE AND TRASH DISPOSAL .....</b>	<b>17-1</b>
RESERVED FOR FUTURE USE	
<b>TITLE 18. WATER AND SEWERS .....</b>	<b>18-1</b>
RESERVED FOR FUTURE USE	
<b>TITLE 19. ELECTRICITY AND GAS .....</b>	<b>19-1</b>
RESERVED FOR FUTURE USE	
<b>TITLE 20. MISCELLANEOUS .....</b>	<b>20-1</b>
<b>CHAPTER</b>	
1. TOWNSEND COMMUNITY CENTER .....	20-1
<b>CERTIFICATE OF AUTHENTICITY .....</b>	<b>CERT-1</b>