

**THE
BOLIVAR
MUNICIPAL
CODE**

Prepared by the



Municipal Technical Advisory Service

In cooperation with the Tennessee Municipal League

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CITY OF BOLIVAR, TENNESSEE

MAYOR

Julian McTizic

VICE MAYOR

Page Walley

COUNCILMEN

Tracy Byrum
Melvin Golden
Jonathan Joy
Todd Lowe
Larry McKinnie
Suzanne Rhea
Tammie Woods

ADMINISTRATOR

Shelia Dellinger

PREFACE

The Bolivar Municipal Code contains the codification and revision of the ordinances of the City of Bolivar, 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 administrator 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, Linda Winstead, Nancy Gibson and Sandy Selvage is gratefully acknowledged.

Codification Consultant

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

Section 2.10. City Legislation. Be it further enacted, That any action of the council having a regulatory or penal effect, relating to revenue or the expenditure of money, or required to be done by ordinance under this Act, shall be done only by ordinance. Other actions may be accomplished by resolutions or motions. Each motion, resolution and ordinance shall be in written form before being introduced. The affirmative vote of the majority present of the council shall be required to pass any motion, resolution or ordinance including two readings in the case of an ordinance. Each ordinance, before being adopted, shall be read at two meetings not less than one week apart, and shall take effect ten days after its adoption, except that, where an emergency exists and the public safety and welfare require it, an ordinance containing a full statement of the facts and reasons for the emergency may be made effective upon its adoption if approved by at least five members of the council on two readings on successive days. No ordinance relating to a franchise, exclusive contract or other special privilege shall be passed as an emergency ordinance. Amendments of ordinances and resolutions or parts thereof shall be accomplished only by setting forth the complete section, sections, subsections or subsections in their amended form. All ordinances shall be signed by the Mayor before they shall become effective. The Mayor shall affix his approval or disapproval within ten (10) days after final adoption by the Council. If the Mayor withholds his signature for ten (10) days, the ordinance shall become effective for failure to veto. The Mayor shall state his reasons for vetoing an ordinance in writing and shall transmit his reasons and the ordinance back to the Council before the next regular meeting for its action. At the first regular meeting after receiving the veto message, the Council may pass the ordinance over the veto by the affirmative vote of two-thirds (2/3) of the entire Council. A code may be adopted by an ordinance which contains only a reference to its title, date and issuing organization and the city administrator shall file a copy of the code in his office. The city shall furnish a copy of any such code to any person for a reasonable fee. After adoption of a code of ordinances, as provided in Section 2.10 of this Article, the city administrator shall number ordinances consecutively in the order of their final adoption. The original copies of all ordinances, resolutions and motions shall be filed and preserved by the city administrator. [As amended by Priv. Acts 1985, ch. 12; Priv. Acts 1995, ch. 68, § 7; and Priv. Acts 1996, ch. 186, § 8]