

**THE
LINDEN
MUNICIPAL
CODE**

Prepared by the

**MUNICIPAL TECHNICAL ADVISORY SERVICE
INSTITUTE FOR PUBLIC SERVICE
THE UNIVERSITY OF TENNESSEE**

in cooperation with the

TENNESSEE MUNICIPAL LEAGUE

February 1995

TOWN OF LINDEN, TENNESSEE

MAYOR

Jimmy Azbill

ALDERMEN

Anna Ruth Harper
Tex Smith
Sherman Vaughan
Billy Ward
Johnny Whitt
Billy Ray Yarbrow

RECORDER/JUDGE

Gail Moore

ATTORNEY

Tommy Doyle

PREFACE

The Linden Municipal Code contains the codification and revision of the ordinances of the Town of Linden, 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 section 2-106.

By utilizing the table of contents 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 town's ordinance book or the town recorder for a comprehensive and up to date review of the town's ordinances.

Following this preface is an outline of the ordinance adoption procedures, if any, prescribed by the town'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 8 of the adopting ordinance).
- (2) That one copy of every ordinance adopted by the town is kept in a separate ordinance book and forwarded to MTAS annually.
- (3) That the town agrees to reimburse MTAS for the actual costs of reproducing replacement pages for the code (no charge is made for the consultant's work, and reproduction costs are usually nominal).

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 Sandy Selvage, the MTAS Sr. Word Processing Specialist who did all the typing on this project, and Tracy Gardner, Administrative Services Assistant, is gratefully acknowledged.

Steve Lobertini
Legal Consultant

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

Sec. 6. . . . [The Mayor] shall examine all ordinances passed by the Board of Mayor and Aldermen, and, should any of them not meet his approval, he shall return the same to the next regular meeting of said Board, with his objections thereto in writing, and no law or ordinance so vetoed by the Mayor shall go into effect unless the same be again passed by a majority vote of the whole Board. No bill shall become a law or ordinance without having been passed on two separate readings by a majority vote, both of which readings shall not be at the same meeting of the Board, and signed by the Mayor. If the Mayor fail to return any law or ordinance to the next regular meeting of the Board after its passage it shall become a law without his signature.

Sec. 10. Be it further enacted, That all ordinances shall begin with an enacting clause as follows: "Be it enacted by the Board of Mayor and Aldermen of Linden, Tennessee," and that the end of said ordinance contain the provisions, "That this ordinance take effect from and after its passage, the public welfare requiring it," otherwise the same shall not take affect until twenty days after its passage.