

TITLE 1

GENERAL ADMINISTRATION

CHAPTER

1. CODE OF ORDINANCES--GENERAL PROVISIONS.
2. MISCELLANEOUS.

CHAPTER 1

CODE OF ORDINANCES--GENERAL PROVISIONS¹

SECTION

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1-101. How code designated and cited. The ordinances embraced in the following chapters and sections shall constitute and be designated as the Code of Ordinances, City of Oak Ridge, Tennessee, and may be so cited. The code may also be cited as the "Oak Ridge City Code." (1969 Code, § 1-1)

1-102. Definitions and rules of construction. In the construction of this code and of all ordinances, the following definitions and rules of construction shall be observed, unless inconsistent with the manifest intent of the city council or the context clearly requires otherwise.

(1) "City." The words "the city" or "this city" shall mean the City of Oak Ridge, Tennessee.

(2) "City council." The words "city council" or "council" shall mean the City Council of the City of Oak Ridge, Tennessee.

(3) "City manager." The term "city manager" shall mean the City Manager of the City of Oak Ridge or the city manager's authorized representative.

¹Charter reference

Codification of ordinances: art. II, § 13.

(4) "Computation of time." The time within which an act is to be done shall be computed by excluding the first and including the last day, and if the last day is Sunday or a legal holiday, that shall be excluded.

(5) "Gender." Words importing the masculine gender shall include the feminine and neuter.

(6) "Joint authority." All words giving a joint authority to three (3) or more persons or officers shall be construed as giving such authority to a majority of such persons or officers.

(7) "Month." The word "month" shall mean a calendar month.

(8) "Number." Words used in the singular include the plural and the plural includes the singular number.

(9) "Oath." The word "oath" shall be construed to include an affirmation in all cases in which, by law, an affirmation may be substituted for an oath, and in such cases the words "swear" and "sworn" shall be equivalent to the words "affirm" and "affirmed."

(10) "Officers", "boards," "departments," etc. Whenever any officer, board, department or other agency is referred to by title, such reference shall be construed as if followed by the words "of the City of Oak Ridge, Tennessee," unless indicated to the contrary.

(11) "Or," "and." "Or" may be read "and," and "and" may be read "or" if the sense requires it.

(12) "Owner." The word "owner," applied to a building or land, shall include any part owner, joint owner, tenant in common, joint tenant or tenant by the entirety, of the whole or a part of such building or land.

(13) "Person." The word "person" shall include a corporation, firm, partnership, association, organization and any other group acting as a unit, as well as an individual.

(14) "Personal property." Personal property includes every species of property except real property, as herein defined.

(15) "Preceding," "following." The words "preceding" and "following" shall mean next before and next after, respectively.

(16) "Property." The word "property" shall include real and personal property.

(17) "Real property." Real property shall include lands, tenements and hereditaments.

(18) "Sidewalk." The word "sidewalk" shall mean any portion of a street between the curblin and the adjacent property line intended for the use of pedestrians.

(19) "Signature or subscription" includes a mark when the person cannot write.

(20) "State." The words "the state" or "this state" shall be construed as meaning and referring to the State of Tennessee.

(21) "Street." The word "street" shall mean and include any public way, road, highway, street, avenue, boulevard, parkway, alley, lane, viaduct, bridge and the approaches thereto within the city.

(22) "Tenant" or "occupant." The words "tenant" or "occupant," applied to a building or land, shall include any person who occupies the whole or a part of such building or land, whether alone or with others.

(23) "Tense." Words used in the past or present tense include the future as well as the past and present.

(24) "Writing." The words "writing" or "written" shall include printing and any other mode of representing words and letters.

(25) "Year." The word "year" shall mean calendar year. (1969 Code, § 1-2)

1-103. Catchlines of sections. The catchlines of the several sections of this code printed in boldface type are intended as mere catchwords to indicate the contents of the section and shall not be deemed or taken to be titles of such sections, nor as any part of the section, nor, unless expressly so provided, shall they be so deemed when any of such sections, including the catchlines, are amended or re-enacted. (1969 Code, § 1-3)

1-104. Code as evidence. Any printed copy of this code certified by the city clerk shall be competent evidence in all courts and legally established tribunals as to the matters contained herein. (1969 Code, § 1-4)

1-105. Rules and regulations for administration and enforcement of code. The city manager is hereby authorized to promulgate rules and regulations for the administration and enforcement of the provisions of this code, including, but not limited to, rules and regulations prescribing procedures for the issuance, suspension or revocation of licenses and permits required by this code; provided, however, that such rules and regulations shall be consistent with the provisions of this code and, in the event of any conflict, the code provisions shall govern. A copy of all such rules and regulations shall be on file in the city manager's office and the city clerk's office. (1969 Code, § 1-5)

1-106. Annexations and city limits. Nothing in this code or the ordinance adopting this code shall be deemed to affect the validity of any ordinance annexing territory to the city, and all such ordinances and the territorial limits of the city, as existing on the date of the adoption of this code, are hereby recognized as continuing in full force and effect. (1969 Code, § 1-6)

1-107. General penalty; continuing violations. Whenever in this code or in any ordinance of the city any act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or wherever in such code or ordinance the doing of any act is required or the failure to do any act is declared

to be unlawful, the violation of any such provision of this code or any such ordinance shall be punished by a penalty of not more than fifty dollars (\$50.00) for each separate violation; provided, however, that the imposition of any such penalty under the provisions of this code or of any ordinance of the city shall not prevent the revocation of any permit or license for violation of any provisions hereof where called for or permitted under the provisions of this code or of any ordinance. The city judge shall fix the penalty to be imposed under the provisions hereof as the city judge's discretion may dictate. Each day that any violation of this code or of any ordinance continues shall constitute a separate offense.

Where any act of the general assembly of the state provides for a greater minimum penalty than one dollar (\$1.00), the minimum penalty prescribed by the state law shall prevail, and be assessed by the city judge.

Whenever in this code reference is made to a maximum penalty of greater than fifty dollars (\$50.00), this section shall prevail and the maximum penalty shall be fifty dollars (\$50.00). (1969 Code, § 1-7, modified)

1-108. Severability of parts of code. It is hereby declared to be the intention of the city council that the sections, paragraphs, sentences, clauses, and words of this code are severable, and if any word, clause, sentence, paragraph or section of this code shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining words, clauses, sentences, paragraphs and sections of this code, since the same would have been enacted by the city council without the incorporation in this code of any such unconstitutional word, clause, sentence, paragraph or section. (1969 Code, § 1-8)

1-109. Correction of errors. The city manager or the city manager's authorized representative, with the concurrence of the city attorney, may make or have made the correction of typographical or numbering errors in an ordinance or sections of this code, and may make or have made changes in the numbering sequence of ordinances or code sections when necessitated or occasioned by the amendments thereto. (1969 Code, § 1-9)

CHAPTER 2

MISCELLANEOUS

SECTION

- 1-201. Administrative organization of the city.
 1-202. Time and place of council meetings.
 1-203. Fees for city documents, labor and material generally.

1-201. Administrative organization of the city.¹ An administrative organization is hereby established for the city under the direction of the city manager and subject to the city manager's full direction and control providing staff assistance on matters of administrative, judicial, and legislative services, and further consisting of the following divisions and departments:

- (1) General government division to include the office of the city manager, the office of the city clerk, and the legal department.
- (2) Community development department.
- (3) Public works department.
- (4) Electric department.
- (5) Fire department.
- (6) Recreation and parks department.
- (7) Police department.
- (8) Library department.
- (9) Economic development department.
- (10) Administrative services division to include:
 - (a) Data services department.
 - (b) Finance department.
 - (c) Personnel department.

All such divisions and departments shall be operated in accordance with administrative regulations issued by the city manager. (Ord. #1-97, Jan. 1997, modified)

1-202. Time and place of council meetings.² The city council shall hold regular meetings in Oak Ridge at least once monthly. Increased frequency, time of day, and place of its meetings shall be established by resolution. (1969 Code, § 2-3, modified)

¹Charter reference

Administrative organization: art. V, § 5.

²Charter references

Quorum of council: art. II, § 4.

Regular meetings of council: art. II, § 1.

1-203. Fees for city documents, labor and material generally.

(1) The city may furnish copies of documents and labor and materials at actual cost, which shall be determined by the city manager, for the following items:

- (a) Building, gas, electrical, and plumbing codes.
- (b) Maps and plats.
- (c) Code of ordinances and reprints, plus any supplements or additions.
- (d) Fines for overdue library books, lost materials, special charges for other library services.
- (e) Data processing, machine usage, labor, and supplies.
- (f) Copies of public records and documents.
- (g) Reproduction of accident reports.
- (h) Special police duty.
- (i) Any other service or material the city may perform or supply that will not interfere or hamper regular municipal functions, as determined by the city manager.

(2) Fees authorized in the preceding subsection shall be filed with the city clerk and made available for public inspection at reasonable hours. Before any predetermined fee may be levied or amended, it must be published in a local newspaper of general circulation at least five (5) days before it shall become effective.

(3) Fees authorized by this section shall be in addition to any and all other fees levied by any other section of this code, and shall not be limited to those services and materials as set forth in this section.

(4) Nothing in this code or the ordinance adopting this code shall be deemed to affect the validity of any fee established in accord with this section, and all such fees are hereby recognized as continuing in full force and effect. (1969 Code, § 2-6)