

THE  
PHILADELPHIA  
MUNICIPAL  
CODE

Prepared by the  
MUNICIPAL TECHNICAL ADVISORY SERVICE  
INSTITUTE FOR PUBLIC SERVICE  
THE UNIVERSITY OF TENNESSEE

in cooperation with the  
TENNESSEE MUNICIPAL LEAGUE

January, 1990

CITY OF PHILADELPHIA, TENNESSEE

MAYOR

Sarah Letterman

ALDERMEN

John Clinton  
Lori Haun  
Patricia McNabb  
Jimmy Nelms

RECORDER

Jay Bacon

## Preface

This code is the result of a comprehensive codification of the ordinances of the City of Philadelphia, Tennessee. By referring to the historical citation appearing at the end of each section, the user will be able to ascertain the old code section or ordinance from which the particular section has been derived. The absence of a historical citation means that the section was added at the time the code was prepared. The word "modified" in the historical citation indicates substantial modification of the original ordinance.

The attention of the user is directed to the arrangement of the code 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 number is the title number followed by a hyphen, then the chapter number with the last two numbers showing the section number within the chapter, so that, for example, title 2, chapter 1, section 6, is designated as section 2-106.

By utilizing the table of contents preceding each title and chapter of the code, together with the cross references and explanations included as footnotes, the user should readily find all provisions in the code relating to any question that might arise.

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 8 of the adopting ordinance for the code).

(2) That one copy of every ordinance adopted by the City is furnished to MTAS immediately after its adoption (see section 8 of the adopting ordinance).

(3) That the City 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).

Presently, 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.

However, the way MTAS does municipal codes and code updates is under review; therefore, this procedure is subject to change in the near future.

The able assistance of Ms. Claudia S. Wolfenbarger, the MTAS Senior Word Processing Specialist, who did all the typing on this project, is gratefully acknowledged.

M. Michael Tallent  
Senior Management Consultant

ORDINANCE ADOPTION PROCEDURES PRESCRIBED BY THE CITY  
CHARTER

1. Appropriations of money, orders including money and levies of taxes must be made by ordinance. Such ordinances must be read three times on three separate days and passed on third reading by a majority of the entire board. All other ordinances require passage on two readings on two separate days. (6-2-308)
2. Each ordinance, or a caption and a complete summary of it, must be published after its final passage in a newspaper of general circulation in the municipality. No ordinance shall take effect until the ordinance or its caption and summary is published. (6-2-102)
3. Publication of the ordinance can occur before final passage under Biddle v. Town of Farragut, 646 S.W.2d 925 (Tenn. Ct. App. 1982)

MTAS RECOMMENDATIONS FOR ADOPTION OF ORDINANCES IN  
PHILADELPHIA, TENNESSEE

\_\_\_\_\_, 19\_\_

Ordinances adopted by the City of Philadelphia, Tennessee, should be adopted pursuant to the requirements of sections 6-2-308 and 6-2-102 of the Tennessee Code Annotated (see pages \_\_\_\_ and \_\_\_\_ in the municipal code) and in accordance with the requirements of section 8 of the adopting ordinance in the Philadelphia Municipal Code (page ORD-3). The following is a suggested format for drafting ordinances:

START OFF BY GIVING EACH ORDINANCE A NUMBER:  
ALL ORDINANCES SHOULD BE NUMBERED IN  
SEQUENCE: 1, 2, 3, ETC.

Ordinance No. \_\_\_\_\_

USE A CAPTION LIKE THE FOLLOWING WHEN THE  
ORDINANCE SHOULD BE ADDED TO THE CODE OR  
DEALS WITH SOMETHING IN THE CODE.

An ordinance to amend the "Philadelphia Municipal Code" by (State here what changes are to be made. Example: revising section 6-301.)

USE A CAPTION LIKE THE FOLLOWING WHEN THE  
ORDINANCE DOES NOT AFFECT THE CODE.

An ordinance to (State here what the ordinance does. Example: adopt an annual budget.)

USE THE FOLLOWING ORDAINING CLAUSE IN EVERY  
ORDINANCE.

Be it ordained by the Board of Mayor and Aldermen of the City of Philadelphia, Tennessee, that:

NUMBER EACH SECTION OF THE ORDINANCE IN SEQUENCE: 1,2,3, ETC.

USE A SECTION LIKE THE FOLLOWING WHEN ADDING AN ENTIRE NEW CHAPTER TO THE CODE.

Section \_\_\_\_\_. The following new chapter is added to title \_\_\_\_\_ in the "Philadelphia Municipal Code":

CHAPTER \_\_\_\_\_

---

SECTION

\_\_\_\_\_-\_\_\_\_\_. \_\_\_\_\_.

\_\_\_\_\_-\_\_\_\_\_. \_\_\_\_\_.

\_\_\_\_\_-\_\_\_\_\_. \_\_\_\_\_.

---

\_\_\_\_\_-\_\_\_\_\_. \_\_\_\_\_.

---

USE A SECTION LIKE THE FOLLOWING WHEN ADDING A NEW SECTION TO THE CODE.

Section \_\_\_\_\_. The following new section is added to the "Philadelphia Municipal Code":

\_\_\_\_\_-\_\_\_\_\_. \_\_\_\_\_.

---

---

USE A SECTION LIKE THE FOLLOWING WHEN DELETING A SECTION OF THE CODE AND NOT REPLACING IT.

Section \_\_\_\_\_. Section \_\_\_\_-\_\_\_\_\_ of the "Philadelphia Municipal Code" is hereby deleted in its entirety.

USE A SECTION LIKE THE FOLLOWING WHEN CHANGING A SECTION IN THE CODE.

Section \_\_\_\_\_. Section \_\_\_\_-\_\_\_\_\_ of the "Philadelphia Municipal Code" is revised in its entirety to read as follows:

\_\_\_\_\_-\_\_\_\_. \_\_\_\_\_.

---

---

USE THIS FINAL SECTION IN EVERY ORDINANCE.

Section \_\_\_\_\_. This ordinance shall take effect ten (10) days from and after its first passage, the public welfare requiring it.

PASS ALL ORDINANCES ON AT LEAST TWO READINGS.

Passed 1st reading \_\_\_\_\_, 19\_\_\_\_.

Passed 2nd reading \_\_\_\_\_, 19\_\_\_\_.

ADD A THIRD READING FOR ORDINANCES PROVIDING FOR APPROPRIATIONS OF MONEY, OR ORDER INVOLVING IT, OR LEVY OF TAXES.

HAVE ALL ORDINANCES SIGNED BY THE MAYOR AND RECORDER.

---

Mayor

---

Recorder

INDICATE ON EACH ORDINANCE IN WHICH NEWSPAPER  
AND ON WHAT DATE IT WAS PUBLISHED.

Published in the     [indicate name of newspaper]     on the      day  
of                     , 19  .