

ORDINANCE NO. 21-1 3

AN ORDINANCE ADOPTING AND ENACTING A CODIFICATION AND REVISION OF THE ORDINANCES OF THE TOWN OF SIGNAL MOUNTAIN, TENNESSEE.

WHEREAS some of the ordinance of the Town of Signal Mountain are obsolete, and

WHEREAS some of the other ordinances of the town are inconsistent with each other or are otherwise inadequate, and

WHEREAS the Town Council of the Town of Signal Mountain, Tennessee, has caused its ordinances of a general, continuing, and permanent application or of a penal nature to be codified and revised and the same are embodied in a code of ordinances known as the "Signal Mountain Municipal Code," now, therefore:

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SIGNAL MOUNTAIN, TENNESSEE, THAT:

Section 1. Ordinances codified. The ordinances of the town of a general, continuing, and permanent application or of a penal nature, as codified and revised in the following "titles," namely "titles" 1 to 20, both inclusive, are ordained and adopted as the "Signal Mountain Municipal Code," hereinafter referred to as the "Municipal Code."

Section 2. Ordinances repealed. All ordinances of a general, continuing, and permanent application or of a penal nature not contained in the Municipal Code are hereby repealed from and after the effective date of said code, except as hereinafter provided.

Section 3. Ordinances saved from repeal. The repeal provided for in the preceding section of this ordinance shall not affect:

(1) Any offense or act committed or done, or any penalty or forfeiture incurred, or any contract or right established or accruing before the effective date of the Municipal Code;

(2) Any ordinance or resolution promising or requiring the payment of money by or to the town or authorizing the issuance of any bonds or other evidence of the said town's indebtedness or any contract or obligation assumed by or in favor of said town;

(3) Any administrative ordinances or resolutions not in conflict or inconsistent with the provisions of such code;

(4) The portion of any ordinance not in conflict with such code which regulates speed, direction of travel, passing, stopping, yielding, standing, or parking on any specifically names public street or way;

(5) Any ordinance dedicating, naming, establishing, locating, relocating, opening, paving, widening, vacating, etc., any street or public way; any ordinance establishing and prescribing the grade of any street;

(6) Any ordinance providing for local improvements and special assessments therefor; any ordinance dedicating or accepting any plat or subdivision;

(7) Any prosecution, suit, or other proceeding pending or any judgment rendered on or prior to the effective date of said code;

(8) Any right or franchise granted by the town;

(9) Any ordinance fixing the salary of any town officer or employee or the amount of any bond required of any officer, employee or agent of the town;

(10) Any appropriation ordinance or any ordinance levying any tax;

(11) Any ordinance approving or amending the rules and regulations of any board, commission, legislature or other agency of the town;

(12) Any ordinance annexing territory to the town;

(13) Any zoning ordinance or any ordinance amending the zoning map of the town;

(14) Any ordinance regulating subdivisions;

(15) Any ordinance which, according to its own terms, is effective only for a stated or limited time;

(16) Any ordinance establishing or amending a city employee pension plan;

(17) Any ordinance establishing or regulating the Signal Mountain Regional Transportation Authority;

(18) Any ordinance establishing an air pollution control board and regulating air pollution within the city;

Section 4. Continuation of existing provisions. Insofar as the provisions of the Municipal Code are the same as those of ordinances existing and in force on its effective date, said provisions shall be considered to be continuations thereof and not as new enactments.

Section 5. Penalty clause. (1) Wherever in the Municipal Code, including the codes and ordinances adopted by reference, any act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or wherever in the Municipal Code 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 the Municipal Code shall be punishable by a penalty of not more than five hundred dollars (\$500.00) and costs for each separate violation.

As set forth in Public Chapter 393, House Bill No. 453 as passed by the Tennessee Legislature May 12, 1993 and approved by Governor Ned McWherter on May, 1993 the authority for increased monetary penalties for ordinance violations provided by this amendment shall not apply to ordinances regulating all moving traffic violations. Provided, however, that the imposition of a penalty under the provisions of this section shall not prevent the revocation of any permit or license or the taking of other punitive or remedial action where called for or permitted under the provisions of the Municipal Code or other applicable law. (as amended by Ord. #93-11, § 1, Aug. 1993)

Section 6. Code as evidence. Any printed copy of the Municipal Code certified under the signature of the recorder shall be held to be a true and correct copy of such codification and may be read in evidence in any court without further proof of the provisions contained therein.

Section 7. Severability clause. Each section, subsection, paragraph, sentence, and clause of the Municipal Code, including the codes and ordinances adopted by reference, is hereby declared to be separable and severable. The invalidity of any section, subsection, paragraph, sentence, or clause in the Municipal Code shall not affect the validity of any other portion of said code, and only any portion declared to be invalid by a court of competent jurisdiction shall be deleted therefrom.

Section 8. Reproduction and amendment of code. (1) The Municipal Code shall be reproduced in loose-leaf form. The town council, by motion or resolution, shall fix, and change from time to time as considered necessary, the prices to be charged for copies of the Municipal Code and revisions thereto. After adoption of the Municipal Code, each ordinance affecting the code shall be adopted as amending, adding, or deleting, by numbers, specific chapters or sections of said code. Periodically thereafter all affected pages of the Municipal Code shall be revised to reflect such amended, added, or deleted material and shall be distributed to city officers and employees having copies of said code and to other persons who have requested and paid for current revisions. Notes shall be inserted at the end of amended or new sections, referring to the numbers of ordinances making the amendments or adding the new provisions, and such references shall be cumulative if a section is amended more than once in order that the current copy of the Municipal Code will contain references to all ordinances responsible for current provisions. One copy of the Municipal Code as originally adopted and one copy of each amending ordinance thereafter adopted shall be furnished to the Municipal Technical Advisory Service immediately upon final passage and adoption.

(2) Any and all additions and amendments to such code, when passed in such form as to indicate the intention of the town council to make the same a part thereof, shall be deemed to be incorporated in such code so that

reference to the Code of Ordinances of the Town of Signal Mountain, Tennessee, shall be understood and intended to include such additions and amendments.

Section 9. It shall be unlawful for any person to change or amend, by additions or deletions, any part or portion of such code, or to insert or delete pages or portions thereof, or to alter or tamper with such code in any manner whatsoever which will cause the law of the town to be misrepresented thereby. Any person violating this section shall be punished as provided in Section 5 of this ordinance.

Section 10. Construction of conflicting provisions. Where any provision of the Municipal Code is in conflict with any other provision in said code, the provision which establishes the higher standard for the promotion and protection of the public health, safety, and welfare shall prevail.

Section 11. Code available for public use. Three copies of the Municipal Code shall be kept available in the town hall for public use and inspection at all reasonable times.

Section 12. Date of effect. This ordinance shall take effect from and after its final passage, the public welfare requiring it, and the Municipal Code, including all the codes and ordinances therein adopted by reference, shall be effective on and after that date.

Passed 1st reading October 14, 1991.

Passed 2nd reading November 11, 1991.

s/R. Phil Corker
Mayor

s/Richard Sonnenburg
Recorder

ORDINANCE NO. 93-5

AN ORDINANCE ADOPTING AND ENACTING SUPPLEMENTAL AND REPLACEMENT PAGES FOR THE MUNICIPAL CODE OF THE TOWN OF SIGNAL MOUNTAIN, TENNESSEE.

BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF SIGNAL MOUNTAIN, TENNESSEE, THAT:

Section 1. Ordinances codified. The supplemental and replacement pages contained in Appendix A to the Town of Signal Mountain Municipal Code, hereinafter referred to as the "supplement," are incorporated by reference as if fully set out herein and are ordained and adopted as part of the Town of Signal Mountain Municipal Code.

Section 2. Continuation of existing provisions. Insofar as the provisions of the supplement are the same as those of ordinances existing and in force on its effective date, the provisions shall be considered to be continuations thereof and not as new enactments.

Section 3. Penalty clause. Wherever in the supplement, including any codes and ordinances adopted by reference, any act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or wherever in the supplement the doing of an act is required or the failure to do any act is declared to be unlawful, the violation of any such provision of the supplement shall be punishable by a penalty of not more than five hundred dollars (\$500.00) and costs for each separate violation.

As set forth in Public Chapter 393, House Bill No. 453 as passed by the Tennessee Legislature May 12, 1993 and approved by Governor Ned McWherter on May, 1993 the authority for increased monetary penalties for ordinance violations provided by this amendment shall not apply to ordinances regulating all moving traffic violations. Provided, however, that the imposition of a penalty under the provisions of this section shall not prevent the revocation of any permit or license or the taking of other punitive or remedial action where called for or permitted under the provisions of the Municipal Code or other applicable law. (as amended by Ord. #93-11, § 1, Aug. 1993)

Section 4. Severability clause. Each section, subsection, paragraph, sentence, and clause of the supplement, including any codes and ordinances adopted by reference, are hereby declared to be separable and severable. The invalidity of any section, subsection, paragraph, sentence, or clause in the supplement shall not affect the validity of any other portion, and only any portion declared to be invalid by a court of competent jurisdiction shall be deleted therefrom.

Section 5. Construction of conflicting provisions. Where any provision of the supplement is in conflict with any other provision of the supplement or municipal code, the provision which establishes the higher standard for the promotion and protection of the public health, safety, and welfare shall prevail.

Section 6. Code available for public use. Three copies of the supplement shall be kept available in the recorder's office for public use and inspection at all reasonable times.

Section 7. Date of effect. This supplement, including all the codes and ordinances therein adopted by reference, shall take effect from and after final passage, the public welfare requiring it, and shall be effective on and after that date.

Passed 1st reading March 8, 1993.

Passed 2nd reading April 12, 1993.

s/R. Phil Corker
Mayor

s/Richard W. Sonnenburg
Recorder

ORDINANCE NO. 2002-1

AN ORDINANCE ADOPTING AND ENACTING
SUPPLEMENTAL AND REPLACEMENT PAGES FOR THE
MUNICIPAL CODE OF THE TOWN OF SIGNAL MOUNTAIN,
TENNESSEE.

BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF SIGNAL
MOUNTAIN, TENNESSEE, THAT:

SECTION 1. Ordinances Codified. The supplemental and replacement pages contained in Appendix A to the Town of Signal Mountain Municipal Code as provided by the Municipal Technical Advisory Service (MTAS) on October 8, 2001, hereinafter referred to as the "supplement," are incorporated by reference as if fully set out herein and are ordained and adopted as part of the Town of Signal Mountain Municipal Code.

SECTION 2. Continuation of existing provisions. Insofar as the provisions of the supplement are the same as those of ordinances existing and in force on its effective date, the provisions shall be considered to be continuations thereof and not as new enactments.

SECTION 3. Penalty Clause. Unless otherwise specified, wherever in the supplement, including any codes and ordinances adopted by reference, any act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or wherever 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 shall be punishable by a penalty of not more than fifty dollars (\$50.00) and costs for each separate violation; provided, however, that the imposition of a penalty under the provisions of this section shall

not prevent the revocation of any permit or license or the taking of other punitive or remedial action where called for or permitted under the provisions of the supplement or the municipal code or other applicable law.

When any person is fined for violating any provision of the supplement and defaults on any payment of the penalty, he or she may be required imprisoned until the penalty is discharged by payment, or until the person, being credited with such sum as may be prescribed for any time served, in lieu of payment, has fully discharged the penalty.¹

Each day any violation of a provision of the supplement continues shall constitute a separate offense.

SECTION 4. Severability Clause. Each section, subsection, paragraph, sentence, and clause of the supplement, including any codes and ordinances adopted by reference, are hereby declared to be separable and severable. The invalidity of any section, subsection, paragraph, sentence, or clause in the supplement shall not affect the validity of any other portion, and only any portion declared to be invalid by a court of competent jurisdiction shall be deleted therefrom.

SECTION 5. Construction of Conflicting Provisions. Where any provision of the supplement is in conflict with any other provision of the supplement or municipal code, the provision which establishes the higher standard for the promotion and protection of the public health, safety, and welfare shall prevail.

SECTION 6. Code Available for Public Use. One (1) copy of the supplement shall be

¹State law reference

For authority to allow deferred payment of fines, or payment by installments, see Tennessee Code Annotated, ' 40-24-101, et seq.

kept available in the Recorder's Office for public use and inspection at all reasonable times.

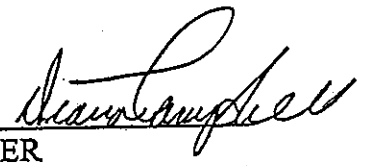
SECTION 7. Date of Effect. This supplement, including all the codes and ordinances therein adopted by reference, shall take effect from and after final passage, the public welfare requiring it, and shall be effective on and after that date.

Passed 1st reading 2-11-2002, 2002.

Passed 2nd reading 3-11-2002, 2002.



MAYOR

3-11-02 

RECORDER