

**THE  
TUSCULUM  
MUNICIPAL  
CODE**

**Prepared by the**



**Municipal Technical Advisory Service**

*In cooperation with the Tennessee Municipal League*

June 2015

*Change 2*  
*July 27, 2020*

**CITY OF TUSCULUM, TENNESSEE**

**MAYOR**

Alan Corley

**VICE MAYOR**

Barbara Britton

**COMMISSIONER**

Mike Burns

**CITY RECORDER**

John Lamb

**CITY ATTORNEY**

Alex R. Chesnut

## Preface

The Tusculum Municipal Code contains the codification and revision of the ordinances of the City of Tusculum, 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 city's ordinance book or the city recorder 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**

1. General power to enact ordinances: (6-19-101)
2. All ordinances shall begin, "Be it ordained by the City of Tusculum as follows:" (6-20-214)
3. Ordinance procedure

(a) Every ordinance shall be read two (2) different days in open session before its adoption, and not less than one (1) week shall elapse between first and second readings, and any ordinance not so read shall be null and void. Any city incorporated under chapters 18-23 of this title may establish by ordinance a procedure to read only the caption of an ordinance, instead of the entire ordinance, on both readings. Copies of such ordinances shall be available during regular business hours at the office of the city recorder and during sessions in which the ordinance has its second reading.

(b) An ordinance shall not take effect until fifteen (15) days after the first passage thereof, except in case of an emergency ordinance. An emergency ordinance may become effective upon the day of its final passage, provided it shall contain the statement that an emergency exists and shall specify with distinctness the facts and reasons constituting such an emergency.

(c) The unanimous vote of all members of the board present shall be required to pass an emergency ordinance.

(d) No ordinance making a grant, renewal, or extension of a franchise or other special privilege, or regulating the rate to be charged for its service by any public utility shall ever be passed as an emergency ordinance. No ordinance shall be amended except by a new ordinance. (6-20-215)

4. Each ordinance of a penal nature, or the caption of each ordinance of a penal nature, shall be published after its final passage in a newspaper of general circulation in the city.

No such ordinance shall take effect until the ordinance, or its caption, is published except as otherwise provided in chapter 54 part 5 of this title. (6-20-218)

*Change 2  
July 27, 2020*

## TABLE OF CONTENTS

	<u>PAGE</u>
<b><u>INTRODUCTION</u></b>	
OFFICIALS OF THE CITY AT TIME OF CODIFICATION .....	ii
PREFACE .....	iii
ORDINANCE ADOPTION PROCEDURES PRESCRIBED BY THE CITY CHARTER .....	v

### CHARTER

CHARTER TABLE OF CONTENTS .....	C-1
TEXT OF CHARTER .....	C-2

### CODE OF ORDINANCES

CODE-ADOPTING ORDINANCE .....	ORD-1
<b>TITLE 1. GENERAL ADMINISTRATION .....</b>	<b>1-1</b>
<b>CHAPTER</b>	
1. BOARD OF COMMISSIONERS .....	1-2
2. RECORDER .....	1-4
3. CITY MANAGER .....	1-5
4. ETHICS POLICY .....	1-6
<b>TITLE 2. BOARDS AND COMMISSIONS, ETC. ....</b>	<b>2-1</b>
RESERVED FOR FUTURE USE	
<b>TITLE 3. MUNICIPAL COURT .....</b>	<b>3-1</b>
<b>CHAPTER</b>	
1. CITY JUDGE .....	3-1
2. COURT ADMINISTRATION .....	3-2

	<u>PAGE</u>
3. WARRANTS, SUMMONSES AND SUBPOENAS . . .	3-4
4. BONDS AND APPEALS . . . . .	3-5
<b>TITLE 4. MUNICIPAL PERSONNEL . . . . .</b>	<b>4-1</b>
<b>CHAPTER</b>	
1. MISCELLANEOUS REGULATIONS -- CITY PERSONNEL . . . . .	4-1
2. TRAVEL REIMBURSEMENT . . . . .	4-3
3. OCCUPATIONAL SAFETY AND HEALTH PROGRAM . . . . .	4-5
<b>TITLE 5. MUNICIPAL FINANCE AND TAXATION . . . . .</b>	<b>5-1</b>
<b>CHAPTER</b>	
1. MISCELLANEOUS . . . . .	5-1
2. WHOLESALE BEER TAX . . . . .	5-2
3. PURCHASING . . . . .	5-3
<b>TITLE 6. LAW ENFORCEMENT . . . . .</b>	<b>6-1</b>
<b>CHAPTER</b>	
1. POLICE AND ARREST . . . . .	6-1
2. POLICE DEPARTMENT AUXILIARY FORCE . . . . .	6-3
<b>TITLE 7. FIRE PROTECTION AND FIREWORKS . . . . .</b>	<b>7-1</b>
<b>CHAPTER</b>	
1. FIRE DISTRICT . . . . .	7-1
2. FIRE CODE . . . . .	7-2
3. VOLUNTEER FIRE DEPARTMENT . . . . .	7-4
4. FIREWORKS . . . . .	7-6
5. RAPID ENTRY SYSTEM . . . . .	7-7
<b>TITLE 8. ALCOHOLIC BEVERAGES . . . . .</b>	<b>8-1</b>
<b>CHAPTER</b>	
1. INTOXICATING LIQUORS . . . . .	8-1
2. BEER . . . . .	8-4
3. PACKAGE LIQUOR STORES . . . . .	8-9
4. WINE IN RETAIL FOOD STORES . . . . .	8-14

	<u>PAGE</u>
<b>TITLE 9. BUSINESS, PEDDLERS, SOLICITORS, ETC. . . . .</b>	9-1
<b>CHAPTER</b>	
1. MISCELLANEOUS . . . . .	9-1
2. PEDDLERS, SOLICITORS, ETC. . . . .	9-2
3. CHARITABLE SOLICITORS . . . . .	9-7
4. POOL ROOMS . . . . .	9-9
5. CABLE TELEVISION . . . . .	9-12
 <b>TITLE 10. ANIMAL CONTROL . . . . .</b>	 10-1
<b>CHAPTER</b>	
1. IN GENERAL . . . . .	10-1
2. DOGS AND CATS . . . . .	10-3
 <b>TITLE 11. MUNICIPAL OFFENSES . . . . .</b>	 11-1
<b>CHAPTER</b>	
1. ALCOHOL . . . . .	11-1
2. FORTUNE TELLING, ETC. . . . .	11-2
3. OFFENSES AGAINST THE PEACE AND QUIET . . . . .	11-3
4. FIREARMS, WEAPONS AND MISSILES . . . . .	11-6
5. TRESPASSING, AND INTERFERENCE WITH TRAFFIC . . . . .	11-7
6. MISCELLANEOUS . . . . .	11-8
 <b>TITLE 12. BUILDING, UTILITY, ETC. CODES . . . . .</b>	 12-1
<b>CHAPTER</b>	
1. BUILDING CODE . . . . .	12-1
2. PLUMBING CODE . . . . .	12-3
3. ELECTRICAL CODE . . . . .	12-5
4. FUEL GAS CODE . . . . .	12-7
5. RESIDENTIAL CODE . . . . .	12-12
6. ENERGY CONSERVATION CODE . . . . .	12-14
7. MECHANICAL CODE . . . . .	12-16
8. PROPERTY MAINTENANCE CODE. . . . .	12-18



	<u>PAGE</u>
<b>TITLE 13. PROPERTY MAINTENANCE REGULATIONS . . . . .</b>	13-1
<b>CHAPTER</b>	
1. MISCELLANEOUS . . . . .	13-1
2. JUNK CONTROL . . . . .	13-6
<b>TITLE 14. ZONING AND LAND USE CONTROL . . . . .</b>	14-1
<b>CHAPTER</b>	
1. MUNICIPAL PLANNING COMMISSION . . . . .	14-1
2. ZONING ORDINANCE . . . . .	14-3
3. MOBILE HOMES AND MOBILE HOME PARKS . . . . .	14-4
4. EROSION AND SEDIMENTATION CONTROL . . . . .	14-5
<b>TITLE 15. MOTOR VEHICLES, TRAFFIC AND PARKING . . . . .</b>	15-1
<b>CHAPTER</b>	
1. MISCELLANEOUS . . . . .	15-1
2. EMERGENCY VEHICLES . . . . .	15-9
3. SPEED LIMITS . . . . .	15-11
4. TURNING MOVEMENTS . . . . .	15-12
5. STOPPING AND YIELDING . . . . .	15-13
6. PARKING . . . . .	15-16
7. ENFORCEMENT . . . . .	15-18
<b>TITLE 16. STREETS AND SIDEWALKS, ETC. . . . .</b>	16-1
<b>CHAPTER</b>	
1. MISCELLANEOUS . . . . .	16-1
2. EXCAVATIONS AND CUTS . . . . .	16-4
<b>TITLE 17. REFUSE AND TRASH DISPOSAL . . . . .</b>	17-1
<b>CHAPTER</b>	
1. REFUSE . . . . .	17-1

	<u>PAGE</u>
<b>TITLE 18. WATER AND SEWERS</b> .....	18-1
<b>CHAPTER</b>	
1. SEWAGE AND HUMAN EXCRETA DISPOSAL ...	18-1
2. GENERAL WASTEWATER REGULATIONS .....	18-5
<b>TITLE 19. ELECTRICITY AND GAS</b> .....	19-1
RESERVED FOR FUTURE USE	
<b>TITLE 20. MISCELLANEOUS</b> .....	20-1
1. TELECOMMUNICATIONS .....	20-1
2. PUBLIC TRAILS .....	20-12
<b>CERTIFICATE OF AUTHENTICITY</b> .....	CERT-1
<b>APPENDIX</b>	
A. OCCUPATIONAL SAFETY AND HEALTH PROGRAM PLAN .....	APP-A-1
B. GENERAL WASTEWATER REGULATIONS: ..	APP-B-1
GREASE TRAP SIZING FORMULA	
FOG APPLICATION AND IMPLEMENTATION PLAN	
ENFORCEMENT RESPONSE PLAN	