

THE
MOUNTAIN CITY
MUNICIPAL
CODE

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

in cooperation with the
TENNESSEE MUNICIPAL LEAGUE

March 1994

Change 5, January 4, 2005

TOWN OF MOUNTAIN CITY, TENNESSEE

MAYOR

Harvey Burniston, Sr.

ALDERMEN

Paul Gobble
Bob Morrison
Kevin Parsons
Willis Walker

RECORDER

Terry G. Reece

Preface

The Mountain City Municipal Code contains the codification and revision of the ordinances of the Town of Mountain City, 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 Mrs. Tracy G. Gardner, the MTAS Sr. Word Processing Specialist who did all the typing on this project, is gratefully acknowledged.

Steve Lobertini
Codification Specialist

ORDINANCE ADOPTION PROCEDURES PRESCRIBED BY THE
TOWN CHARTER

The ordinance adoption procedures for the Town of Mountain City are set out as follows precisely as they appear in Article V of the town charter:

Section 5. Ordination clause, etc. Be it further enacted, That all ordinances shall begin with an enacting clause as follows: "Be it ordained by the Town of Mountain City, Tennessee" and shall at the end contain the following provision: "This ordinance shall take effect from and after its passage, the welfare of the Town requiring it."

Section 6. Requisites for a valid ordinance. Be it further enacted, That no ordinance shall become effective until it shall have been passed at two (2) separate meetings of the Board of Mayor and Aldermen, the final passage or adoption thereof being at least one week after the first passage. Only the caption of ordinances shall be required to be read at both meetings. During the time between the first and second readings of an ordinance, the ordinance shall be kept on file in the office of the town recorder for public inspection. After final passage of an ordinance it shall be signed in open meeting by the mayor, and the minutes of the meeting shall reflect that it was so signed, together with the date of the signature. The vote on every ordinance shall be solely by voice vote, and the town recorder shall show in the minutes how each member of the Board voted. The recorder shall keep a set of ordinances signed by the mayor in a separate and permanent book readily accessible to the public.