

TITLE 20

MISCELLANEOUS

CHAPTER

1. TELEPHONE FRANCHISE.
2. LAFOLLETTE CIVIL DEFENSE ORGANIZATION.
3. CUTTING AND TRIMMING OF TREES.

CHAPTER 1

TELEPHONE FRANCHISE

SECTION

20-101. To be furnished under franchise.

20-101. To be furnished under franchise. Telephone service shall be furnished for the municipality and its inhabitants under such franchise as the governing body shall grant. The rights, powers, duties, and obligations of the municipality, its inhabitants, and the grantee of the franchise shall be clearly stated in the written franchise agreement which shall be binding on all parties concerned.¹

¹The agreements are of record in the office of the city recorder.

CHAPTER 2

LAFOLLETTE CIVIL DEFENSE ORGANIZATION

SECTION

- 20-201. Organization created.
- 20-202. Authority and responsibility.
- 20-203. Office of director.
- 20-204. Civil defense corps created.
- 20-205. Governmental non-liability.
- 20-206. Expenses of organization.

20-201. Organization created. There is hereby created the LaFollette Civil Defense Organization which shall be a joint operation by the City of LaFollette, and the County of Campbell for the purpose of organizing and direction civil defense for the citizens of the entire county. All other civil defense agencies within the corporate limits of Campbell County shall be considered as a total part of the county wide civil defense emergency resources and when such agencies operate out of its corporate limits it shall be at the direction of, subordinate to, and as a part of the LaFollette civil defense. (1975 Code, § 1-1201)

20-202. Authority and responsibility. (1) In accordance with federal and state enactments of law, the LaFollette Civil Defense Organization is hereby authorized to assist the regular government of the county and governments of all political subdivisions therein, as may be necessary due to enemy caused emergency or natural disasters, including but not limited to: storms, floods, fires, explosions, tornadoes, hurricanes, drought, or peace-time manmade disasters, which might occur affecting the lives, health, safety, welfare and property of the citizens of Campbell County, the LaFollette Civil Defense Organization is hereby authorized to perform such duties and functions as may be necessary on account of said disasters. The LaFollette Civil Defense Organization is hereby designated the official agency to assist regular forces in time of said emergencies.

(2) The LaFollette Civil Defense Organization shall be responsible for preparation and readiness against enemy caused and natural emergencies arising in Campbell County, to establish and coordinate emergency plans, forces, means, and resources, and is hereby designated the official agency to establish such emergency plans. (1975 Code, § 1-1202)

20-203. Office of director. (1) Primary authority. The office of the director of civil defense is hereby created. The director shall have the authority

to request the declaration of the existence of an emergency by the mayor and county judge or either by higher authority as appropriate.

(2) Plans, recruitment, training. The director shall have overall responsibility for the preparation of all plans, recruitment and training of personnel. All local civil defense plans will be in consonance with state plans and shall be approved by the state civil defense office.

(3) Authority and responsibility. The director is hereby given the authority to delegate such responsibility and authority as is necessary to carry out the purposes of this chapter, subject to the approval of the chief executive officers of the city and county.

The director shall be responsible to the chief executive officers of the city and county for the execution of the authorities, duties and responsibilities of the LaFollette Civil Defense Organization, for the preparation of all plans and administrative regulations and for recruitment and training of personnel. (1975 Code, § 1-1203)

20-204. Civil defense corps created. The corps shall be under the direction of the director of civil defense and his staff members with delegated authority; it shall consist of designated regular government employees and volunteer workers. Duties and responsibilities of the corps members shall be outlined in the civil defense emergency plan. (1975 Code, § 1-1204)

20-205. Governmental non-liability. The duties prescribed in this document is an exercise by the city and county of its governmental functions for the protection of the public peace, health and safety and neither the City of LaFollette nor Campbell County, the agents and representatives of said city and county nor any individual, receiver, firm, partnership, corporation, association or trustee, nor any of the agents, thereof, in good faith carrying out, complying with or attempting to comply with, any order, rule or regulation promulgated pursuant to the provisions of this document shall be liable for any damage sustained to persons or property as the result of said activity. Any person owning or controlling real estate or other premises for the purpose of sheltering persons during an actual, impending or practice enemy attack, shall together with his successors in interest, if any, not to civilly liable for the death of, or injury to, any person on or about such real estate or premises under such license, privilege or other permission or for loss of, or damage to, the property of such person. (1975 Code, § 1-1205)

20-206. Expenses of organization. No person shall have the right to expend any public funds of the city or county in carrying out any civil defense activities authorized by this document without prior approval by the governing bodies of the city and/or county or both; nor shall any person have any right to

bind the city or county by contract, agreement or otherwise without prior and specific approval by the governing body of the city and/or county, or both. The civil defense director shall disburse such monies as may be provided annually by appropriation of the city and county for the operation of the civil defense organization. Control of disbursements will be as prescribed by agreement between the treasurers of the city and county. He shall be responsible for the preparation and submission of a budget with recommendations as to its adoption by the city and county. All funds shall be disbursed upon vouchers properly executed by the director of civil defense, subject to audit by either the City of LaFollette or Campbell County. The civil defense director is hereby authorized to accept federal contributions in money, equipment, or otherwise, when available or state contributions, and is further authorized to accept contributions to the civil defense organizations from individuals and other organizations, such funds becoming liable for audit by the city and county. (1975 Code, § 1-1206)

CHAPTER 3

CUTTING AND TRIMMING OF TREES

SECTION

20-301. Permit required, fee, duration, etc.

20-302. Disposal of limbs, etc.

20-303. Prohibition against cutting trees on private property.

20-304. Violations.

20-301. Permit required, fee, duration, etc. No person, firm, or corporation shall cut trees for hire in the City of LaFollette without first filing an application with the city recorder on a form provided by the city and paying the sum of twenty-five dollars (\$25.00) for a permit to engage in said occupation, which permit shall be for a period of one (1) year and shall be renewable annually on the anniversary date of the permit. (Ord. #590, Nov. 1997)

20-302. Disposal of limbs, etc. Any person, firm, or corporation within the corporate limits of the City of LaFollette cutting or trimming trees for compensation shall remove all cuttings, limbs, laps, and debris resulting from said work and deposit such in an appropriate manner outside the corporate limits. (Ord. #590, Nov. 1997)

20-303. Prohibition against cutting trees on private property. City employees may not cut trees on private property, unless in the opinion of the public works director and/or the chief of police, it appears that a tree is in imminent danger of falling across a public street. City employees may not otherwise go onto private property to cut trees or remove limbs, cuttings, and other debris. (Ord. #590, Nov. 1997)

20-304. Violations. Any violation of this chapter shall incur a civil penalty and/or fine of up to \$500 for each offense. (Ord. #590, Nov. 1997)