

TITLE 20

MISCELLANEOUS

CHAPTER

1. TELEPHONE FRANCHISE.
2. ROADS AND STREETS DEPARTMENT.
3. WATER DEPARTMENT.
4. CITY PARK.

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 (1996 Code, § 20-201)

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

CHAPTER 2**ROADS AND STREETS DEPARTMENT****SECTION**

20-201. Created.

20-202. Compensation of superintendent.

20-201. Created. There is created a department known as the Roads and Streets Department of the City of Rutledge. It shall be operated under the supervision and direction of a superintendent appointed by the city manager. (1996 Code, § 20-301)

20-202. Compensation of superintendent. For his services, the superintendent of said department of roads and streets shall receive a salary of one dollar and twenty-five cents (\$1.25) per hour actual time worked, to be paid from the gas tax fund allocated to the city. (1996 Code, § 20-302)

CHAPTER 3

WATER DEPARTMENT

SECTION

- 20-301. Created; operation; rules and regulations.
- 20-302. Membership and term of office.
- 20-303. Compensation of members.

20-301. Created; operation; rules and regulations. There is created a department to be known as the Water Department for the City of Rutledge.

The operation of the water department shall be under the supervision and control of a board of waterworks and/or sewerage commissioners. It shall be the duty of the board of mayor and aldermen to operate the water department in compliance with the rules and regulations promulgated by the aldermen. The aldermen, by resolution, shall promulgate rules and regulations for the operation of the water department. The rates to be charged for water service shall be included in said rules and regulations. The board of waterworks and/or sewerage commissioners, subject to the rules and regulations of the board of mayor and aldermen, is empowered and authorized to enter into contracts with customers for the furnishing of water. (1996 Code, § 20-401)

20-302. Membership and term of office. The board of waterworks and/or sewerage commissioners shall consist of the following persons, to-wit: L. D. Smith who shall serve for two (2) years, or until July 1, 1958; W. C. Maples who shall serve for four (4) years, or until July 1, 1960; and J. T. Wolfenbarger who shall serve for six (6) years, or until July 1, 1962. Each successor to a retiring member shall be appointed to a term of six (6) years. (1996 Code, § 20-402)

20-303. Compensation of members. For their services, said waterworks and/or sewerage commissioners shall be entitled to, and shall receive the sum of one dollar (\$1.00) per year, to be paid out of the revenue derived from the sale of water. The secretary-treasurer shall receive for his services a salary not exceeding the sum of fifty dollars (\$50.00) per month, the same to be paid out of the revenues derived from the sale of water, and said secretary-treasurer shall execute bond in the amount of ten thousand dollars (\$10,000.00) before entering upon his duties. (1996 Code, § 20-403)

CHAPTER 4

CITY PARK

SECTION

- 20-401. Definitions.
- 20-402. Purposes.
- 20-403. Enforcement authority.
- 20-404. Hours of operation.
- 20-405. Closed areas.
- 20-406. State and local traffic regulations apply.
- 20-407. Application for reserving facilities.
- 20-408. Prohibited uses.
- 20-409. Violations and penalty.

20-401. Definitions. The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

- (1) "Director" shall mean the mayor or designee.
- (2) "Driver" shall mean every person who drives or is in actual physical control of a vehicle in or on park property, or who is exercising control of a vehicle or steering a vehicle being towed by a motor vehicle.
- (3) "Motor vehicle" shall mean every vehicle which is self-propelled whether by means of an internal combustion engine or by electrical power, including, but not limited to, automobiles, buses, emergency vehicles, motorcycles, motorbikes, ATVs, motor scooters, school buses, trucks and tractors.
- (4) "Park" or "park area" shall mean all parks, playgrounds, recreation fields and areas, and the parking areas, roadways, walkways, paths and trails which are provided in connection therewith, and other improvements thereto, which are owned by the city, and/or which are under the control for the city for operation, maintenance or upkeep.
- (5) "Parking" shall mean the standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers. (Ord. #140, July 2018)

20-402. Purposes. The purposes of this chapter are to establish rules and regulations governing the operation and use of the city's municipal parks and recreational facilities including established and designated ballfields, pavilions, play equipment, firing range, the Nance House and other similar recreation areas and facilities, and the parking areas provided in connection therewith which are owned or leased by the city, for the end purpose that the public may obtain the maximum enjoyment and utilization thereof in accordance

with the purposes intended and that the facilities may be conserved and protected for the public good. (Ord. #140, July 2018)

20-403. Enforcement authority. (1) It shall be the duty and responsibility of the police department and public works department employees and the mayor to enforce this chapter.

(2) It shall be unlawful for any person to do any act forbidden or fail to perform any act required by this chapter or for any person to fail to comply with any lawful order given by the police department.

(3) Continuous violation of this chapter shall result in permanent expulsion from the City of Rutledge's park system and recreation facilities. (Ord. #140, July 2018)

20-404. Hours of operation. All city parks and future parks will be open to use by the public between the hours of 7:00 A.M. and 11:00 P.M. It shall be unlawful for any person to be in the Rutledge City Park between 11:01 P.M. and 6:59 A.M. without prior written approval of the Mayor. All athletic fields shall be closed one (1) hour after sunset until 7:00 A.M. unless ballfield lights are on and are authorized to be on by league officials and/or the Mayor. No baseball or softball inning shall begin after 10:30 P.M. (Ord. #140, July 2018)

20-405. Closed areas. Any section or part of any park may be declared closed to the public by the director at any time and for any interval or at regular or started intervals (daily or otherwise) or entirely or merely restricted to certain uses as the director shall find reasonably necessary. Any party using the closed area shall be deemed to be trespassing. (Ord. #140, July 2018)

20-406. State and local traffic regulations apply. The provisions of the state statutes governing and regulating the operation, maintenance and control of motor vehicles and traffic ordinances contained in the city code are adopted by reference into this chapter shall apply uniformly to and within the confines of all parks and recreation facility areas and the roadways, drives and parking areas appurtenant thereto, the same as if they were public streets, highways and areas, whether they are public or private or semiprivate in nature. All persons within the confines of park and recreation facility areas shall at all times fully comply with all such motor vehicle statutes and ordinances, as aforesaid. (Ord. #140, July 2018)

20-407. Application for reserving facilities. Facilities may be reserved and used upon an application for use on a specific date. Such application shall be filed with the city recorder and signed by the president or chairperson of the organization. A third party lessor must establish a written contract with the city establishing safety rules and regulations, evidence of

insurance and contractually releasing the City of Rutledge for injuries that occur from participation in activities. (Ord. #140, July 2018)

20-408. Prohibited uses. The following uses are prohibited:

(1) Vehicles. It shall be unlawful for any person to operate any motor vehicle where restrictions prohibiting motor vehicles are posted.

(2) Speed limits. It shall be unlawful to operate or drive a motor vehicle upon any street, road or trail within any city park property at a rate of speed in excess of fifteen (15) miles per hour, unless speeds are posted.

(3) Use of alcoholic beverages and controlled substances. It shall be unlawful for any person to sell, distribute, drink or consume or have an open container of any type of alcoholic beverage (regardless of alcoholic content) in or on any city park properties. It shall be unlawful for any person to consume or otherwise use any illegal or nonprescriptive drugs or any controlled substance in or on any city park properties.

(4) Drunkenness. It shall be unlawful to enter the park while under the influence of controlled substances and/or intoxicating beverages, or be under the influence of controlled substances and/or intoxicating liquor while within the park.

(5) Pet control. It shall be unlawful to allow any pet to roam park properties unattended and without being on a leash or tether, except in designated areas or for special events.

(6) Weapons, firearms and fireworks. Pursuant to *Tennessee Code Annotated*, § 39-17-1314, it shall be unlawful to possess, sell, distribute or discharge any firearms or fireworks near or within city park properties, except as a participant in an organized approved activity. Any organized activity in the park involving the use of firearms or fireworks, and allowed only when the remainder of the park is closed to other activities, must first be approved by the board of mayor and alderman.

The foregoing prohibition shall not apply to members of the United States Armed Forces carrying such weapons as are prescribed by applicable regulations nor to any officer or police officer engaged in his official duties, in the execution of process, or while searching for or engaged in arresting persons suspected of having committed crimes. Furthermore, the prohibition shall not apply to persons who may have been summoned by such officer or policeman to assist in the discharge of his said duties.

This prohibition shall apply to persons who are hunting with shotguns for game in season within city limits but on private property with the landowner's permission. Shotguns shall not be discharged within three hundred feet (300') of any city park property boundary.

(7) Fires. It shall be unlawful for any person to start or maintain a fire within any city park property, except in those designated areas equipped with fireplaces or grills.

(8) Excessive or malicious noise. The creation of any unreasonably loud, disturbing and unnecessary noise is prohibited within or around all city park properties. Noise of such character, intensity or duration as to be detrimental to the life or health of wildlife or any individual, or in disturbance of the public peace and welfare is prohibited.

(9) Damage, removal or destruction of park property. It is unlawful to willfully vandalize, damage, remove or destroy any real or personal property, fixture or improvement within the park. (Ord. #140, July 2018, modified)

20-409. Violations and penalty. All persons found to be in violation of any provision of this chapter, upon being found guilty, shall be punished according to law pursuant to the general provisions of the code of the City of Rutledge. (Ord. #140, July 2018)