

**THE
SMYRNA
MUNICIPAL
CODE**

Prepared by the



Municipal Technical Advisory Service
In cooperation with the Tennessee Municipal League

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TOWN OF SMYRNA, TENNESSEE

MAYOR

Bob Spivey

VICE-MAYOR

Tony D. Dover

COUNCIL MEMBERS

H.G. Cole
Paul Johns
Lance Lee
Mary E. Reed
James A. Yates

TOWN MANAGER

Mark O'Neal

TOWN CLERK

Dianne Waldron

TOWN ATTORNEY

Michele Komorowski Elliott

Preface

The Smyrna Municipal Code contains the codification and revision of the ordinances of the Town of Smyrna, 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 substantial 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 7 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 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 Nancy Gibson, Program Resource Specialist, who did all the typing on this project and Linda Winstead, the MTAS Administrative Specialist is gratefully acknowledged.

Steve Lobertini
Codification Consultant

**ORDINANCE ADOPTION PROCEDURES PRESCRIBED BY THE
TOWN CHARTER**

The style of all town ordinances shall be: "Be it ordained by the town council of the Town of Smyrna:" Each ordinance shall be passed at two (2) separate meetings on two (2) separate days before the same is operative. However, at least thirteen (13) days shall have lapsed between the first and final passage of any ordinance. A reasonable number of written copies of ordinances shall be available to the public at the meetings and at town hall before the second and final passage by the town council. Ordinances, resolutions and other measures of the town council shall be passed by an affirmative vote of a majority of the council members present and voting. Abstentions shall be counted neither as a "yes" nor a "no" vote. All ordinances, resolutions and motions must be enacted by an affirmative vote of at least three (3) council members.