THE

ALCOA

MUNICIPAL

CODE

Prepared by the

MUNICIPAL TECHNICAL ADVISORY SERVICE
INSTITUTE FOR PUBLIC SERVICE
THE UNIVERSITY OF TENNESSEE

in cooperation with the

TENNESSEE MUNICIPAL LEAGUE

November 1997

CITY OF ALCOA, TENNESSEE

MAYOR

Otis C. Abbott, Jr.

VICE MAYOR

Jim Buchanan

COMMISSIONERS

Vaughn Belcher
Tanya Martin
Ken White

RECORDER

Susan Gennoe

CITY ATTORNEY

Stephanie Coleman

PREFACE

The Alcoa Municipal Code contains the codification and revision of the ordinances of the City of Alcoa, 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 8 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 Sandy Selvage, the MTAS Sr. Word Processing Specialist and Bobbie J. Sams, the MTAS Word Processing Specialist who did all the typing on this project, and Tracy Gardner, Administrative Services Assistant, is gratefully acknowledged.

Steve Lobertini
Codification Specialist

ORDINANCE ADOPTION PROCEDURES PRESCRIBED BY THE CITY CHARTER

ARTICLE 4. ORDINANCES.

SECTION 1. All ordinances shall begin: "Be it ordained by the City of Alcoa, as follows:"

SECTION 2. Every proposed ordinance shall be introduced in writing, in the form required for final adoption. Prior to or upon the introduction, a copy shall be distributed to each member of the Board of Commissioners, the City Recorder, the City Manager and the City Attorney. The body of the ordinance may be omitted from the journal, but reference thereto shall be made to the ordinance by title or subject matter. Every ordinance shall be passed on two (2) different days at regular, special or adjourned meetings, excepting only emergency ordinances and not less than one (1) week shall elapse between the first and final passage. An emergency ordinance may be enacted upon the day of its introduction if it contains the statement that an emergency exists and specifies with distinctness the acts and reasons constituting the emergency. The unanimous vote of all members of the board present and not less than three (3) members shall be required to pass an emergency ordinance. No ordinance making a grant, renewal or extension of a franchise or other special privilege or regulating the rate to be charged for services by any public utility shall be passed as an emergency ordinance. Except in the ordinance adopting the budget, no material or substantial amendment may be made on final passage unless the amendment be passed in the same manner as an amendment to an existing ordinance. No ordinance of a penal nature shall take effect until ten (10) days after the final passage thereof. Any other ordinance, including an emergency ordinance, may be enacted to take effect forthwith upon its final passage, or may be enacted to take effect at a specified future time in the discretion of the Board of Commissioners. No ordinance shall be amended or repealed except by a new ordinance.

SECTION 3. In all cases under the preceding Section the vote shall be determined by yeas and nays and the names of the members voting for or against an ordinance shall be entered on the journal.

SECTION 4. Every ordinance shall be immediately taken charge of by the Recorder and by him numbered, copied in an ordinance book, filed and preserved in his office.

SECTION 5. All ordinances of a penal nature hereinafter passed shall be published at least once in the official newspaper of the city or county and no such ordinance shall be in force until it is so published.