THE
HARROGATE
MUNICIPAL
CODE

Prepared by the

Municipal Technical Advisory Service
In cooperation with the Tennessee Municipal League

September 2022
CITY OF HARROGATE, TENNESSEE

MAYOR
Troy Poore

VICE MAYOR
Randy Burchette

ALDERMEN
Lorri Kimbrough
Kenneth West
Adam Wilson

RECORDER
Debra England

CITY ATTORNEY
Seth Oakes
The Harrogate Municipal Code contains the codification and revision of the ordinances of the City of Harrogate, 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 § 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 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 7 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.

Whenever in this municipal code of ordinances masculine pronouns are used, the feminine is included.
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 the codes team: Kelley Myers and Nancy Gibson is gratefully acknowledged.
ORDINANCE ADOPTION PROCEDURES PRESCRIBED BY THE
CITY CHARTER

1. An ordinance shall be considered and adopted on two (2) separate days; any other form of board action shall be considered and adopted in one (1) day. Any form of board action shall be passed by a majority of the members present, if there is a quorum. A quorum is a majority of the members to which the board is entitled. All ayes and nays on all votes on all forms of board action shall be recorded. (6-2-102)

2. Each ordinance, or the caption of each ordinance, shall be published after its final passage in a newspaper of general circulation in the municipality. No ordinance shall take effect until the ordinance or its caption is published. (6-2-101)
TABLE OF CONTENTS

INTRODUCTION

OFFICIALS OF THE CITY AT TIME OF CODIFICATION ............ ii

PREFACE .............................................................. iii

ORDINANCE ADOPTION PROCEDURES PRESCRIBED BY
THE CITY CHARTER ........................................... v

CHARTER

CHARTER TABLE OF CONTENTS ...................................... C-1

TEXT OF CHARTER .................................................. C-4

CODE OF ORDINANCES

CODE-ADOPTING ORDINANCE ....................................... ORD-1

TITLE 1. GENERAL ADMINISTRATION ............................ 1-1

CHAPTER
1. BOARD OF MAYOR AND ALDERMEN ....................... 1-2
2. MAYOR .......................................................... 1-5
3. RECORDER ...................................................... 1-7
4. CODE OF ETHICS ............................................. 1-8
5. ELECTIONS ..................................................... 1-12

TITLE 2. BOARDS AND COMMISSIONS, ETC. .................... 2-1

CHAPTER
1. CITY TREE BOARD ............................................. 2-1
2. PARKS AND RECREATION ADVISORY BOARD ........ 2-6
3. BOOK STATION COMMITTEE ................................. 2-9

TITLE 3. MUNICIPAL COURT ......................................... 3-1

CHAPTER
1. CITY JUDGE ..................................................... 4-1
2. COURT ADMINISTRATION .................................... 4-14
TITLE 4. MUNICIPAL PERSONNEL .................................. 4-1

CHAPTER
1. PERSONNEL AND TRAVEL POLICIES ..................... 4-1
2. DRUG AND ALCOHOL TESTING POLICY .................. 4-14

TITLE 5. MUNICIPAL FINANCE AND TAXATION ............. 5-1

CHAPTER
1. DEPOSITORIES .......................................... 5-1
2. PURCHASING PROCEDURES .............................. 5-2
3. WHOLESALE BEER TAX ................................. 5-3

TITLE 6. LAW ENFORCEMENT .................................. 6-1

CHAPTER
1. POLICE DEPARTMENT .................................... 6-1

TITLE 7. FIRE PROTECTION AND FIREWORKS ................ 7-1

CHAPTER
1. FIRE CODE .............................................. 7-1
2. VOLUNTEER FIRE DEPARTMENT ......................... 7-3
3. FIRE SERVICE OUTSIDE CITY LIMITS .................. 7-6
4. FIREWORKS ............................................ 7-8
5. OPEN BURNING .......................................... 7-11

TITLE 8. ALCOHOLIC BEVERAGES ............................. 8-1

CHAPTER
1. INTOXICATING LIQUORS .................................. 8-1
2. BEER ..................................................... 8-3

TITLE 9. BUSINESS, PEDDLERS, SOLICITORS, ETC ....... 9-1

CHAPTER
1. MISCELLANEOUS ........................................ 9-1
2. ADULT-ORIENTED ESTABLISHMENTS .................. 9-3
3. MASSAGE PARLORS ..................................... 9-16
4. CABLE TELEVISION .................................... 9-26
TITLE 10. ANIMAL CONTROL ........................................... 10-1

CHAPTER
1. IN GENERAL ............................................... 10-1

TITLE 11. MUNICIPAL OFFENSES ................................. 11-1

CHAPTER
1. ALCOHOL .................................................. 11-1
2. OFFENSES AGAINST THE PEACE AND QUIET ....................... 11-2
3. TRESPASSING AND INTERFERENCE WITH TRAFFIC .................. 11-5

TITLE 12. BUILDING, UTILITY, ETC. CODES ...................... 12-1

CHAPTER
1. BUILDING CODES. ........................................ 12-1

TITLE 13. PROPERTY MAINTENANCE REGULATIONS .............. 13-1

CHAPTER
1. MISCELLANEOUS ........................................... 13-1
2. SLUM CLEARANCE ......................................... 13-5
3. JUNKYARDS ............................................... 13-11
4. JUNKED MOTOR VEHICLES .................................. 13-14

TITLE 14. ZONING AND LAND USE CONTROL ...................... 14-1

CHAPTER
1. MUNICIPAL PLANNING COMMISSION .......................... 14-1
2. MUNICIPAL FLOOD DAMAGE PREVENTION ORDINANCE ........... 14-2
3. ZONING ORDINANCE ...................................... 14-3
4. SHORT-TERM RENTAL UNITS ................................ 14-26

TITLE 15. MOTOR VEHICLES, TRAFFIC AND PARKING ............ 15-1

CHAPTER
1. MISCELLANEOUS ........................................... 15-1
2. EMERGENCY VEHICLES ................................... 15-10
3. SPEED LIMITS ............................................ 15-12
4. TURNING MOVEMENTS .................................... 15-13
5. STOPPING AND YIELDING .................................. 15-15
<table>
<thead>
<tr>
<th>Title</th>
<th>Pages</th>
</tr>
</thead>
<tbody>
<tr>
<td>6. PARKING</td>
<td>15-20</td>
</tr>
<tr>
<td>7. ENFORCEMENT</td>
<td>15-23</td>
</tr>
<tr>
<td><strong>TITLE 16.</strong> STREETS AND SIDEWALKS, ETC</td>
<td>16-1</td>
</tr>
<tr>
<td><strong>CHAPTER</strong></td>
<td></td>
</tr>
<tr>
<td>1. MISCELLANEOUS</td>
<td>16-1</td>
</tr>
<tr>
<td>2. STREET CUTS</td>
<td>16-4</td>
</tr>
<tr>
<td><strong>TITLE 17.</strong> REFUSE AND TRASH DISPOSAL</td>
<td>17-1</td>
</tr>
<tr>
<td>[RESERVED FOR FUTURE USE]</td>
<td></td>
</tr>
<tr>
<td><strong>TITLE 18.</strong> WATER AND SEWERS</td>
<td>18-1</td>
</tr>
<tr>
<td><strong>CHAPTER</strong></td>
<td></td>
</tr>
<tr>
<td>1. WASTEWATER SERVICE CONNECTION FEES</td>
<td>18-1</td>
</tr>
<tr>
<td>2. WASTEWATER DISPOSAL</td>
<td>18-7</td>
</tr>
<tr>
<td><strong>TITLE 19.</strong> ELECTRICITY AND GAS</td>
<td>19-1</td>
</tr>
<tr>
<td>[RESERVED FOR FUTURE USE]</td>
<td></td>
</tr>
<tr>
<td><strong>TITLE 20.</strong> MISCELLANEOUS</td>
<td>20-1</td>
</tr>
<tr>
<td><strong>CHAPTER</strong></td>
<td></td>
</tr>
<tr>
<td>1. GREEN WAY PARK RULES AND REGULATIONS</td>
<td>20-1</td>
</tr>
<tr>
<td>2. PUBLIC RECORDS</td>
<td>20-4</td>
</tr>
<tr>
<td><strong>CERTIFICATE OF AUTHENTICITY</strong></td>
<td>CERT-1</td>
</tr>
<tr>
<td><strong>APPENDIX</strong></td>
<td></td>
</tr>
<tr>
<td>A. ETHICS PROVISIONS PROVIDED BY STATUTE</td>
<td>APP-A-1</td>
</tr>
<tr>
<td>B. TITLE VI COMPLIANCE MANUAL</td>
<td>APP-B-1</td>
</tr>
<tr>
<td>C. DRUG AND ALCOHOL TESTING POLICY</td>
<td>APP-C-1</td>
</tr>
<tr>
<td>D. PURCHASING PROCEDURES</td>
<td>APP-D-1</td>
</tr>
</tbody>
</table>