

**THE
JOHNSON CITY
MUNICIPAL
CODE**

Prepared by the

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

in cooperation with the

TENNESSEE MUNICIPAL LEAGUE

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CITY OF JOHNSON CITY, TENNESSEE

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Joe Wise

VICE MAYOR

Todd Fowler

COMMISSIONERS

Jenny Brock

John Hunter

Aaron T. Murphy

CITY MANAGER

Cathy Ball

CITY RECORDER/FINANCE DIRECTOR

Janet Jennings

PREFACE

The Johnson City Municipal Code contains the codification and revision of the ordinances of the City of Johnson City, 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 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.

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 Linda Dean, the MTAS Administrative Specialist and Rachel Coykendall, Program Resource Specialist, is gratefully acknowledged.

MTAS appreciates the cooperation and assistance provided by the following City of Johnson City staff members in the production of this municipal code of ordinances:

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

That all ordinances shall begin “Be it ordained by the City of Johnson City as follows:”.

Reading; effective date; emergency ordinances; amendments.

That every ordinance shall be considered on three (3) different days in open session before its adoption, and not less than one (1) week shall elapse between the first and third considerations, and any ordinance not so considered shall be null and void.

The City of Johnson City may establish by ordinance a procedure for the consideration of ordinances, the minimum requirement of which shall be that the caption of an ordinance be read on each of the three (3) occasions at which the ordinance is considered as provided in the preceding paragraph. Unless otherwise provided by ordinance, applicable law, or by majority vote of the commission at the time of its consideration, it shall not be required that any ordinance be read in its entirety at any meeting at which it is under consideration. No ordinance shall be read in its entirety more than once unless required by applicable law, and in that instance only immediately prior to consideration at public hearing.

Copies of ordinances under consideration shall be available after introduction, during regular business hours at the office of the city recorder and during sessions of the board of commissioners in which the ordinance is considered.

An ordinance shall take effect immediately upon final passage thereof, unless otherwise specified by the board of commissioners or prohibited by law.

No ordinance shall be amended except by a new ordinance.

That in all cases under the preceding section, the vote shall be determined by yeas and nays; the names of the members voting for or against an ordinance shall be entered upon the journal.

That 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.

That all ordinances of a penal nature passed shall be published at least once in a newspaper of the city, and no such ordinance shall be in force until it

is so published; provided, however, that as to any ordinance embodying a building, plumbing, or electric code or any ordinance regulating as to sanitation in the interest of public health, a single type of occupation, business or industry, if it appears to the board of city commissioners that, in view of the length of the ordinance, the newspaper publication is unnecessarily expensive, such fact shall be stated in the ordinance and such ordinance may be published by posting a certified copy thereof on a bulletin board which shall be maintained by the city for that purpose at the city hall, for a period to be prescribed in such ordinance, which shall not be less than ten (10) days, and after such publication, such ordinance shall be in full force and effect.

It shall be the duty of the city manager to keep on hand for distribution, without charge, to persons affected by such building, plumbing or sanitary ordinances a supply of printed, type-written or mimeographed copies of such ordinances; provided, however, that as to any ordinance compiling and/or codifying the laws and ordinances of the city, the board of city commissioners, if they believe it advisable, may have such ordinance printed in book form rather than published in a newspaper, and such ordinance shall be in full force and effect immediately after such printing.

It shall be [the] duty of the city manager to keep on hand a supply of such ordinances for distribution to persons affected thereby; provided, that the city manager may charge for each volume an amount to be fixed by the board of city commissioners, which amount shall not exceed the cost of the city preparing and publishing same. [Priv. Acts 1939, Art. VI, §§ 30-34]

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