

**THE
LEWISBURG
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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Change 13
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CITY OF LEWISBURG, TENNESSEE

MAYOR

Jim Bingham

COUNCILMEMBERS

Charles W. Allen
Joseph Bradford
Jerry Gordon
Roy Haislip
C. H. Harwell

CITY MANAGER

Joe L. Beard

CITY RECORDER

Pam Davis

CITY ATTORNEY

Steve Broadway

CITY JUDGE

Barbara Medley

PREFACE

The Lewisburg Municipal Code contains the codification and revision of the ordinances of the City of Lewisburg, 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 Linda Dean, the MTAS Sr. Word Processing Specialist who did all the typing on this project, and Sandy Selvage, Administrative Services Assistant, is gratefully acknowledged.

Steve Lobertini
Codification Specialist

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

ARTICLE IV

ORDINANCES

Section 1. Form. Be it further enacted, That all ordinances adopted by the City Council shall begin: "BE IT ORDAINED BY THE CITY OF LEWISBURG".

Section 2. Passage. Be it further enacted, That all proposed ordinances shall be read in open session before the City Council at three (3) different meetings on separate days and shall be enacted and passed by a majority vote of a quorum of the City Council and any ordinance not so read shall be null and void. At the discretion of the Mayor without objection of the majority of the Councilmen present, a proposed ordinance may be presented for consideration on first, second and third reading by only reading the caption of the proposed ordinance. [As replaced by Priv. Acts 1984, ch. 185, § 6; and Priv. Acts 2010, ch. 62, § 1]

Section 3.¹ Become Effectual, When. Be it further enacted, That no ordinance shall take effect until the lapse of fifteen (15) days after its passage on third and final reading, except that the same be enacted as an emergency ordinance and expressly contain the Statement that an emergency exists, specifically containing recitals of the circumstances and reasons for the existence of an emergency.

Section 4. Amendments. Be it further enacted, That all amendments to existing ordinances shall be in the form of a new ordinance, and adoption of such amendment shall be had in the same manner as a new ordinance.

Section 5. Publication. Be it further enacted, That the Council may by resolution direct that any ordinance pending before the Council, or under consideration by it, be published in some newspaper circulated within the City, before taking final action thereon, and may in like manner direct the publication of any ordinance after its passage on third and final reading, but no such publication shall be mandatory and any and all ordinances duly and regularly

¹Private Acts 1996, ch. 156, § 8 amended Article IV, § 3 by deleting it in its entirety and replacing the language with that of "Service of process" which is Article V, § 3 and therefore the compiler has replaced Article V, § 3 leaving Article IV, § 3 intact.

passed and adopted by the Council as herein provided shall be effective without publication.

Section 6. Journal Record. Be it further enacted, That after the passage on third and final reading, all ordinances shall be designated by number, recorded in an Ordinance Book, filed and preserved in the Municipal Building and shall at all times be open for inspection by the public. In all cases under the preceding Sections, the vote of each member of the Council shall be determined by ayes and nays, and the names of each member voting for or against an ordinance shall be entered of record on the Journal of the meeting.

Section 7. Code of Ordinances. Be it further enacted, That the City Council is hereby expressly empowered to enact a Code of Ordinances, in which may be embraced ordinances of administration, legislative or penal nature, including any and all ordinances necessary or proper to fully exercise the powers and duties, conferred or imposed by the provisions of this Charter, but the enactment of such Code shall not be mandatory. However, in the case of the enactment or adoption of such Code and if through oversight, mistake, topographical or printing error or inadvertence the taxing power and authority of the City is restricted or limited then the powers granted in this Charter and under the general law and under valid ordinance shall prevail over the provisions of the Code.

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