

**THE
OAK RIDGE
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 OAK RIDGE, TENNESSEE

MAYOR

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MAYOR PROTEM

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CITY ATTORNEY

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PREFACE

The Oak Ridge Municipal Code contains the codification and revision of the ordinances of the City of Oak Ridge, 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 Sr. Word Processing Specialist who did all the typing on this project, and Dianna Habib, Administrative Services Assistant, is gratefully acknowledged.

Steve Lobertini
Codification Consultant

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

ARTICLE II

Section 11. Form of ordinance.

Any action of council having a regulatory or penal effect, relating to revenue or the expenditure of money, or required to be done by ordinance under this Charter, shall be done only by ordinance. Each ordinance shall relate to a single subject, which shall be expressed in a title that contains a summary of its contents. Each ordinance shall be approved as to form and legality by the city attorney, and upon adoption shall be further identified by a number. The enacting clause of each ordinance shall be: "Be it ordained by the Council of the City of Oak Ridge, Tennessee." Other actions may be accomplished by resolutions or motions. Each resolution or ordinance shall be in written form before being introduced.

Section 12. Passage, preservation and publication of ordinances.

Each ordinance, before being adopted, shall be read at least by title at two meetings not less than one (1) week apart, and shall take effect ten (10) days after its adoption, except that, where an emergency exists and the public safety and welfare requires it, an ordinance containing a full statement of the facts and reasons for the emergency may be made effective upon its adoption if approved by a majority of the members of the council on two (2) readings on successive days. At least the title of each ordinance, except an emergency ordinance, shall be published in the official city newspaper at least one (1) week before its adoption and within ten (10) days after its adoption, either separately or as part of the published proceedings of the council. The newspaper publication shall include locations where the ordinance is available for public review. The entire ordinance shall be published on the city's website at least one (1) week before its adoption and shall remain on the website for a minimum of 30 days after its adoption. The ordinance shall be available at the public library and at the office of the city clerk, and upon adoption shall become a permanent record in the office of the city clerk. Amendments of ordinances and resolutions or parts thereof shall be accomplished only by setting forth the complete section, sections, subsection, or subsections in their amended form. An ordinance may be repealed by reference to its number and title only and publication of the ordinance may be similarly limited.

All ordinances and their amendments shall be recorded by the city clerk in a book to be known as the "ordinance book," and it shall be the duty of the mayor and city clerk to authenticate such records by their official signatures. A separate record shall be maintained for resolutions. The original copies of all

ordinances, resolutions, and minutes of City Council meetings shall be filed and preserved by the city clerk.

If any portion of an ordinance or the application thereof to any person or circumstances shall be found to be invalid by a court, such invalidity shall not affect the remaining portions or application, provided such remaining portions are not determined by the court to be inoperable, and to this end ordinances are declared to be severable.