ORDINANCE NO. 555

AN ORDINANCE ADOPTING AND ENACTING A
COMPREHENSIVE CODIFICATION AND REVISION OF THE
ORDINANCES OF THE CITY OF RIPLEY, TENNESSEE.

WHEREAS some of the ordinances of the City of Ripley, Tennessee, are
obsolete, and

WHEREAS some of the other ordinances of the city are inconsistent with
each other or are otherwise inadequate, and

WHEREAS the Board of Mayor and Aldermen of the City of Ripley,
Tennessee, has caused its ordinances of a general, continuing, and permanent
application or of a penal nature to be codified and revised and the same are
embodied in a code of ordinances known as the "Ripley Municipal Code," now,
therefore:

BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF
THE CITY OF RIPLEY, TENNESSEE, THAT:

Section 1. Ordinances codified. The ordinances of the City of Ripley,
Tennessee, of a general, continuing, and permanent application or of a penal
nature, as codified and revised in the following "titles," namely "titles" 1 to 20,
both inclusive, are ordained and adopted as the "Ripley Municipal Code,"
hereinafter referred to as the "Municipal Code."

Section 2. Ordinances repealed. All ordinances of a general,
continuing, and permanent application or of a penal nature not contained in the
municipal code are hereby repealed from and after the effective date of said
code, except as hereinafter provided in section 3 below.

Section 3. Ordinances saved from repeal. The repeal provided for
in section 2 of this ordinance shall not affect: Any offense or act committed or
done, or any penalty or forfeiture incurred, or any contract or right established
or accruing before the effective date of the municipal code; any ordinance or
resolution promising or requiring the payment of money by or to the city or
authorizing the issuance of any bonds or other evidence of said city's
indebtedness; any appropriation ordinance or ordinance providing for the levy
of taxes or any budget ordinance; any contract or obligation assumed by or in

' The charter may provide for a different ordination clause; use whatever
the charter prescribes.
favor of said city; any ordinance establishing or authorizing the establishment of a social security system or providing or changing coverage under that system; any administrative ordinances or resolutions not in conflict or inconsistent with the provisions of such code; the portion of any ordinance not in conflict with such code which regulates speed, direction of travel, passing, stopping, yielding, standing, or parking on any specifically named public street or way; any right or franchise granted by the city; any ordinance dedicating, naming, establishing, locating, relocating, opening, closing, paving, widening, vacating, etc., any street or public way; any ordinance establishing and prescribing the grade of any street; any ordinance providing for local improvements and special assessments therefor; any ordinance dedicating or accepting any plat or subdivision; any prosecution, suit, or other proceeding pending or any judgment rendered on or prior to the effective date of said code; any zoning ordinance or amendment thereto or amendment to the zoning map; nor shall such repeal affect any ordinance annexing territory to the city.

Section 4. Continuation of existing provisions. Insofar as the provisions of the municipal code are the same as those of ordinances existing and in force on its effective date, said provisions shall be considered to be continuations thereof and not as new enactments.

Section 5. Penalty clause. Unless otherwise specified in a title, chapter or section of the municipal code, including the codes and ordinances adopted by reference, whenever in the municipal code any act is prohibited or is made or declared to be a civil offense, or whenever in the municipal code the doing of any act is required or the failure to do any act is declared to be a civil offense, the violation of any such provision of the municipal code shall be punished by a civil penalty of not more than fifty dollars ($50.00) and costs for each separate violation; provided, however, that the imposition of a civil penalty under the provisions of this municipal code shall not prevent the revocation of any permit or license or the taking of other punitive or remedial action where called for or permitted under the provisions of the municipal code or other applicable law. In any place in the municipal code the term "it shall be a misdemeanor" or "it shall be an offense" or "it shall be unlawful" or similar terms appears in the context of a penalty provision of this municipal code, it shall mean "it shall be a civil offense." Anytime the word "fine" or similar term appears in the context of a penalty provision of this municipal code, it shall mean "a civil penalty." Each day any violation of the municipal code continues shall constitute a separate civil offense.

This clause does not limit the city's authority to pursue remedial expenses or to levy remedial fines when enforcing provisions of this code.

Section 6. Severability clause. Each section, subsection, paragraph, sentence, and clause of the municipal code, including the codes and ordinances adopted by reference, is hereby declared to be separable and severable. The
invalidity of any section, subsection, paragraph, sentence, or clause in the
municipal code shall not affect the validity of any other portion of said code, and
only any portion declared to be invalid by a court of competent jurisdiction shall
be deleted therefrom.

Section 7. Reproduction and amendment of code. The municipal
code shall be reproduced in loose-leaf form. The board of mayor and aldermen,
by motion or resolution, shall fix, and change from time to time as considered
necessary, the prices to be charged for copies of the municipal code and revisions
thereto. After adoption of the municipal code, each ordinance affecting the code
shall be adopted as amending, adding, or deleting, by numbers, specific chapters
or sections of said code. Periodically thereafter all affected pages of the
municipal code shall be revised to reflect such amended, added, or deleted
material and shall be distributed to city officers and employees having copies of
said code and to other persons who have requested and paid for current
revisions. Notes shall be inserted at the end of amended or new sections,
referring to the numbers of ordinances making the amendments or adding the
new provisions, and such references shall be cumulative if a section is amended
more than once in order that the current copy of the municipal code will contain
references to all ordinances responsible for current provisions. One copy of the
municipal code as originally adopted and one copy of each amending ordinance
thereafter adopted shall be furnished to the Municipal Technical Advisory
Service immediately upon final passage and adoption.

Section 8. Construction of conflicting provisions. Where any
provision of the municipal code is in conflict with any other provision in said
code, the provision which establishes the higher standard for the promotion and
protection of the public health, safety, and welfare shall prevail.

Section 9. Construction as to gender references. Masculine
pronouns include the feminine. Only masculine pronouns have been used for
convenience and readability.

Section 10. Code available for public use. A copy of the municipal
code shall be kept available in the recorder's office for public use and inspection
at all reasonable times.

Section 11. Date of effect. This ordinance shall take effect from and
after its final passage, the public welfare requiring it, and the municipal code,
including all the codes and ordinances therein adopted by reference, shall be
effective on and after that date.
Passed 1st reading____2-5____, 2024.
Passed 2nd reading____4-1____, 2024.
Public hearing held on____April 1, 2024

[Signature]
Mayor

[Signature]
Recorder

APPROVED AS TO FORM:

[Signature]
City Attorney