

**THE
CUMBERLAND GAP
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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TOWN OF CUMBERLAND GAP, TENNESSEE

MAYOR

Neal Pucciarelli

ALDERMEN

John Douglas

Teresa Fuson

Joe Gill

Jerry Hopson

Kathy Maxwell

John Ravnum

RECORDER

Linda Moyer

PREFACE

The Cumberland Gap Municipal Code contains the codification and revision of the ordinances of the Town of Cumberland Gap, 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 town's ordinance book or the city recorder for a comprehensive and up to date review of the town's ordinances.

Following this preface is an outline of the ordinance adoption procedures, if any, prescribed by the town'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 town is kept in a separate ordinance book and forwarded to MTAS annually.
3. That the town 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
TOWN CHARTER**

SECTION 9. . . All ordinances or resolutions shall be approved and signed by the Mayor on or before the next meeting of the Council, and the Mayor shall have veto power. If the Mayor should refuse to approve any ordinance or resolution, the Mayor shall return same to the Council at its next meeting, with the reasons for refusal in writing; and in such case such ordinance or resolution shall not be valid, unless the Council by a two-thirds (2/3) vote pass the same over the Mayor's veto; but if the Mayor does not veto same as provided, it shall be valid without the Mayor's signature. The Mayor shall also take care that all the ordinances of the Town are duly enforced, respected, and observed within the Town limits; shall call special sessions of the Council when such is deemed expedient, and shall perform such other duties as the Council may by ordinance or otherwise impose.

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