THE
FAIRVIEW
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 FAIRVIEW, TENNESSEE

MAYOR
Beverly Totty

VICE MAYOR
Stuart L. Johnson

COMMISSIONERS
Allen Bissell
Patty Carroll
Toney Sutton

INTERIM MANAGER
Wayne Hall

RECORDE
Theresa Porter
Preface

The Fairview Municipal Code contains the codification and revision of the ordinances of the City of Fairview, 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 reimburse MTAS for the actual costs of reproducing replacement pages for the code (no charge is made for the consultant's work, and reproduction costs are usually nominal).
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 Sandy Selvage, the MTAS Sr. Word Processing Specialist who did all the typing on this project, and Tracy G. Gardner, Administrative Services Assistant, is gratefully acknowledged.

Steve Lobertini
Codification Consultant
ORDINANCE ADOPTION PROCEDURES PRESCRIBED BY THE
CITY CHARTER

1. General power to enact ordinances: (6-19-101)

2. All ordinances shall begin, "Be it ordained by the City of Fairview as
follows:" (6-20-214)

3. Ordinance procedure

   (a) Every ordinance shall be read two (2) different days in open
session before its adoption, and not less than one (1) week shall
elapse between first and second readings, and any ordinance not
so read shall be null and void. Any city incorporated under
chapters 18-23 of this title may establish by ordinance a procedure
to read only the caption of an ordinance, instead of the entire
ordinance, on both readings. Copies of such ordinances shall be
available during regular business hours at the office of the city
recorder and during sessions in which the ordinance has its second
reading.

   (b) An ordinance shall not take effect until fifteen (15) days after the
first passage thereof, except in case of an emergency ordinance.
An emergency ordinance may become effective upon the day of its
final passage, provided it shall contain the statement that an
emergency exists and shall specify with distinctness the facts and
reasons constituting such an emergency.

   (c) The unanimous vote of all members of the board present shall be
required to pass an emergency ordinance.

   (d) No ordinance making a grant, renewal, or extension of a franchise
or other special privilege, or regulating the rate to be charged for
its service by any public utility shall ever be passed as an
emergency ordinance. No ordinance shall be amended except by
a new ordinance. (6-20-215)

4. Publication of penal ordinances--Effective date. (a) Each ordinance
of a penal nature, or the caption of each ordinance of a penal
nature, shall be published after its final passage in a newspaper of
general circulation in the city.

   (b) No such ordinance shall take effect until the ordinance, or its
caption, is published except as otherwise provided in chapter 54
part 5 of this title. (6-20-218)