

**THE
GATLINBURG
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 GATLINBURG, TENNESSEE

MAYOR

Mike Werner

VICE MAYOR

Mark McCown

COMMISSIONERS

Jerry Hays
Mike Helton
Don Smith

CITY MANAGER

Cindy Cameron Ogle

CITY ATTORNEY

Ronald E. Sharp

PREFACE

The Gatlinburg Municipal Code contains the codification and revision of the ordinances of the City of Gatlinburg, 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 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 Specialist

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

SECTION 6. Be it further enacted, That the affirmative vote of a majority of members elected to the Board of Commissioners shall be necessary to adopt any ordinance or resolution. The vote upon the passage of all ordinances and for the adoption of such resolutions as the Board by its rules shall prescribe, shall be taken by yeas and nays and entered upon the minutes. Each and every ordinance or resolution passed by the Board shall be signed by the presiding officer or two members and filed with the Recorder who shall also sign same and record same in a book to be kept for that purpose.

Each proposed ordinance or resolution shall be introduced in written or printed form and shall not contain more than one subject, which shall be clearly stated in the title; but the general appropriation ordinance may contain the various subjects and accounts for which money is to be appropriated. The enacting clause of all ordinances passed by the Board shall be: 'Be It Ordained by the City of Gatlinburg'. All ordinances shall conclude with the provision that 'This ordinance shall take effect fifteen days from and after its passage, the public welfare requiring it'; provided that the closing of an emergency ordinance shall read: 'This ordinance shall take effect from and after its passage, the public welfare requiring it.'

No ordinance, unless it be an emergency measure, shall be passed until it has been read at two (2) regular meetings not less than two (2) weeks apart; provided, however, that if any ordinance is amended on the second reading, a third reading of that ordinance shall be required prior to adoption and final passage.

All ordinances passed by the Board shall be in effect from and after fifteen days from the date of final passage, except that the Board may, by an affirmative vote of four of its members, pass, upon one reading, emergency ordinances to take effect at the time of passage.

To meet a public emergency affecting life, health, public peace or property, the Board may adopt one or more emergency ordinances. An emergency ordinance may not be enacted to make a grant, to levy taxes, renew or extend a franchise or regulate the rates to be charged by any public utility. An emergency ordinance may be introduced in the form and manner prescribed for ordinances generally, except that it shall be plainly designated as an emergency ordinance and shall contain, after the enacting clause, a declaration stating that an emergency exists and describing it in clear and specific terms. An emergency ordinance shall become effective immediately upon its adoption or at such other time as designated within the ordinance itself. Every

emergency ordinance shall automatically stand repealed as of the sixty-first day following the date upon which it was adopted, but this shall not prevent reenactment of the ordinance in the form of a regular ordinance; however emergency ordinances which appropriate emergency or supplemental appropriations, or transfer of funds shall not be repealed but shall continue in full force and effect unless specifically repealed by an additional ordinance.

Every ordinance of a general or permanent nature shall be published once within ten days after its final passage; provided that if it appears to the Board that a newspaper publication is unnecessarily expensive and unjustified in any particular case, such other means of securing due publicity may be resorted to in lieu of newspaper publication as the Board by informal resolution may designate.

The publication of ordinances, as well as other publications mentioned in this Charter, shall be made in a newspaper of general circulation in the City and County in body type of the paper and under headlines in twelve point type. [As replaced by Priv. Acts 1949, ch. 811, § 1(k), and amended by Priv. Acts 1977, ch. 150, § 4]