

**OFFICIAL CODE OF  
THE CITY OF  
RED BOILING SPRINGS**

Prepared by the

**MUNICIPAL TECHNICAL ADVISORY SERVICE  
INSTITUTE FOR PUBLIC SERVICE  
THE UNIVERSITY OF TENNESSEE**

in cooperation with the

**TENNESSEE MUNICIPAL LEAGUE**

September 1995

Change 11, February 11, 2016

**CITY OF RED BOILING SPRINGS, TENNESSEE**

**MAYOR**

Tom Fultz

**VICE MAYOR**

Joel Coe

**COUNCILMEMBERS**

Billy Joe Carver  
Joe Hill  
Lydia Lowe  
George McCrary  
Joseph Reardon

**CITY CLERK**

Coby Knight

## PREFACE

The Red Boiling Springs Municipal Code contains the codification and revision of the ordinances of the City of Red Boiling Springs, 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 clerk 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 Gardner, Administrative Services Assistant, is gratefully acknowledged.

Steve Lobertini  
Legal Consultant

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

SECTION 2.10. City Legislation. Be it further enacted, That any action of the council having a regulatory or penal effect, relating to revenue or the expenditure of money, or required to be done by ordinance under this Act, shall be done only by ordinance. Other actions may be accomplished by resolutions or motions. Each motion, resolution and ordinance shall be in written form before being introduced. The affirmative vote of at least four members of the council shall be required to pass any motion, resolution or ordinance, including two readings in the case of an ordinance. Each ordinance, before being adopted, shall be read at two meetings not less than one week apart, and shall take effect ten days after its adoption, except that, where an emergency exists and the public safety and welfare require 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 at least five members of the council on two readings on successive days. No ordinance relating to a franchise, exclusive contract, or other special privilege shall be passed as an emergency ordinance. 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. A code may be adopted by an ordinance which contains only a reference to its title, date and issuing organization, and the city clerk shall file a copy of the code in his office. The city shall furnish a copy of any such code to any person for a reasonable fee. After adoption of a code of ordinances, as provided in section 2.11 of this article, the city clerk shall number ordinances consecutively in the order of their final adoption and shall copy them into a permanent record book used solely for this purpose, and the city clerk shall do likewise for resolutions, using a separate series of numbers and a separate record book. The original copies of all ordinances, resolutions and motions shall be filed and preserved by the city clerk. An abstract of the essential provisions of each ordinance shall be published once in the official city newspaper within ten days after its adoption, except that only the title shall be so published of a code adopted by reference as provided in this section.

SECTION 2.11. Codification of Ordinances. Be it further enacted, That within three years after this Act becomes effective there shall be prepared, under the direction of the mayor and with the advice of the city attorney, a codification of all ordinances and resolutions having a regulatory effect or of general application which are to be continued in force. Existing ordinances and resolutions may be revised, amended, and consolidated in making the codification, which shall then be adopted as a single ordinance to be known and cited as the Official Code of the City of Red Boiling Springs, and thereupon all ordinances and resolutions in conflict therewith shall be repealed. The ordinance containing the code need not be published in a newspaper, either in

full or in abstracted form, but a notice of its adoption shall be published once in the official city newspaper. The code shall be reproduced in loose-leaf form and shall be made available to any person desiring a copy, for which a reasonable fee may be charged. An additional annual fee may be charged for furnishing revisions currently. After adoption of the code each ordinance shall be adopted as a numbered section or sections of the code, as amending existing sections or adding new sections. Such new ordinances shall be integrated into the code, and at least once a month new pages shall be reproduced to replace existing pages (with instructions to destroy existing pages) or to be added to the code, and shall be distributed to city officers and employees having copies of the code and to other persons who have paid the annual fee for current revisions. Notes shall be inserted at the end of amended or new sections, referring to the dates and numbers of ordinances making the amendments or adding the new sections, and such references shall be cumulative if a section is amended more than once in order that the current copy of the code will contain references to all ordinances passed since the adoption of the original code.