ORDINANCE NO. 93-150

AN ORDINANCE ADOPTING AND ENACTING A CODIFICATION OF THE
ORDINANCES OF THE TOWN OF WALDEN, TENNESSEE

WHEREAS, some of the ordinances of the Town of Walden
are obsolete, and

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

WHEREAS, the Board of Mayor and Aldermen of the Town of
Walden, 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 "Town of Walden Municipal Code," now,
therefore:

BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF
THE TOWN OF WALDEN, TENNESSEE, THAT:

Section 1. Ordinances Codified. The ordinances of the
Town of Walden 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, as
amended on second reading are ordained and adopted as the "Town
of Walden 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 Ordinances Repealed.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nature not contained in the municipal code are hereby repealed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 Town of Walden or authorizing the issuance of
any bonds or other evidence of the Town of Walden's indebtedness;
any budget ordinance; any contract or obligation assumed by or in
favor of the Town of Walden; any ordinances establishing a social
security system or providing 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 Town of Walden; any ordinance dedicating, naming, establishing, locating, relocating, opening, 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 Town of Walden.

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, wherever in the municipal code, including the codes and ordinances adopted by reference, any act is prohibited or is made or declared to be unlawful or any offense or a misdemeanor, or wherever in the municipal code the doing of any act is required or the failure to do any act is declared to be unlawful, the violation of any such provision of the municipal code shall be punishable by a penalty of not more than Fifty dollars ($50.00) and costs for each separate violation; provided, however, that the imposition of a penalty under the provisions of this section 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.

When any person is fined for violating any provision of the municipal code and such person defaults on payment of such penalty, he may be required to perform hard labor, within or without the workhouse, to the extent that his physical condition shall permit, until such penalty is discharged by payment, or until such person, being credited with such sum as may be prescribed for each day's hard labor, has fully discharged said penalty.

Each day any violation of the municipal code continues shall constitute a separate offense.

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 the Town of Walden's 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. 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 10. 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, March 1, 1993

AYE

NO

Passed 2nd reading, March 9, 1993

AYE

NO

Kenneth Bell, Mayor

Elizabeth T. Akins, Recorder