ORDINANCE NUMBER _______________

AN ORDINANCE OF THE TOWN OF BEAN STATION, TENNESSEE
ADOPTING BY REFERENCE STATE TRAFFIC OFFENSES
AND RULES OF THE ROAD, AND REPEALING
ORDINANCES NUMBERED 99-09-100 AND 2002-04-100

WHEREAS, pursuant to Tennessee Code Annotated § 16-18-302(a)(2), cities are
granted the authority to enforce any municipal law or ordinance that
mirrors, substantially duplicates or incorporates by cross-reference the
language of a state criminal statute, if and only if the state criminal statute
mirrors, duplicates or cross-references a Class C misdemeanor and the
maximum penalty prescribed by municipal law or ordinance is a civil fine
not in excess of fifty dollars; and

WHEREAS, the Board of Mayor and Aldermen desires to adopt by reference state
traffic offenses and rules of the road; and

WHEREAS, the Tennessee General Assembly amended the laws pertaining to adoption
of state laws by municipalities by reference, by changing the statute under
which such adoption is made and by further specifying that only Class C
misdemeanors may be adopted by municipalities and enforced as
municipal ordinance violations; and

WHEREAS, the Tennessee General Assembly has removed the authority to hear in city
court cases related to requiring drivers to yield to emergency vehicles; and

WHEREAS, the Town of Bean Station desires to repeal duplicitous and/or
contradictory ordinances.

NOW, THEREFORE, BE IT ORDAINED by the Board of Mayor and Aldermen of
the Town of Bean Station, that

SECTION 1. By the authority granted under Tennessee Code Annotated § 16-18-
302(a)(2), the Town of Bean Station adopts by reference as if fully set
forth in this section, the “Rules of the Road,” as codified in Tennessee
Code Annotated Title 55, Chapter 8; and § 55-9-107; and § 55-9-601 et seq.; and § 55-12-139 which are designated as Class C misdemeanors.

SECTION 2. Any person violating this ordinance shall be subject to a civil penalty not
exceeding fifty dollars ($50.00) plus court costs for each separate violation
of this ordinance. Each day the violation of this ordinance continues shall
constitute a separate violation.
SECTION 3. Ordinances 99-09-100 and 2002-04-100 are hereby deleted in their entirety since they are duplicitous and/or contradictory to Section 1.

SECTION 4. If any portion of this ordinance is declared invalid, other portions that can be given effect without the invalid portion shall remain in effect, and to that end the provisions of this ordinance are declared severable.

SECTION 5. This ordinance shall take effect upon its final reading, the public welfare requiring it.

Passed on First Reading: _______________________________
Passed on Second Reading: _______________________________

Signed: ___________________________________________
       Mayor

Attest: ___________________________________________
       City Recorder