

ORDINANCE NO. 1224

ADOPTING ORDINANCE

An ordinance adopting and enacting a new "Tullahoma Municipal Code"; establishing the same; providing for the repeal of certain ordinances not included therein, except as herein expressly provided; providing for the effective date of such code and a penalty for the violation thereof; and providing for the manner of amending such a code.

Be it ordained by the Board of Mayor and Aldermen of the City of Tullahoma, Tennessee:

Section 1. That the code of ordinances, consisting of titles 1 through 20 each inclusive, is hereby adopted and enacted as the "Tullahoma Municipal Code," and shall be treated and considered as a new and original comprehensive ordinance which shall supercede all other general and permanent ordinances passed by the board of mayor and aldermen on or before the adoption of this ordinance to the extent provided in section 2 hereof.

Section 2. That all provisions of such code shall be in full force and effect from and after the passage hereof, and all ordinances of a general and permanent nature of the City of Tullahoma, enacted on final passage on or before the adoption of this ordinance, and not included in such code or recognized and continued in force by reference therein are hereby repealed from and after the passage hereof, except as hereinafter provided. No resolution of the city, not specifically mentioned, is hereby repealed.

Section 3. That the repeal provided for in section 2 hereof shall not affect:

- (a) 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 such code;
- (b) Any ordinance or resolution promising or guaranteeing the payment of money for the city, or authorizing the issuance of any bonds of the city or any evidence of the city's indebtedness, or any contract or obligations assumed by the city;
- (c) The administrative ordinances or resolutions of the city not in conflict or inconsistent with the provisions of said code;
- (d) Any appropriation or budget ordinance;
- (e) Any ordinance assessing or levying any tax;
- (f) Any right or franchise granted by the city;
- (g) Any ordinance dedicating, naming, establishing, locating, relocating, opening, paving, widening, vacating, etc., any street or public way in the city;
- (h) Any ordinance establishing and prescribing the street grades of any street in the city;
- (i) Any ordinance providing for local improvements and assessing taxes therefor;
- (j) Any ordinance dedicating or accepting any plat or subdivision in the city;
- (k) Any ordinance prescribing or extending the boundaries of the city;
- (l) Any traffic ordinance relating to specific locations not inconsistent with this code;
- (m) The subdivision or zoning ordinances of the city;

- (n) Sections 38 through 42, of Chapter 3, Code of 1939, relative to emergency water supply ;
or
(o) Ordinance No. 483, passed on June 9, 1969, ratifying Chapter 148 of Private Acts of 1969, pertaining to electric system payments;
(p) Any ordinance passed after the adoption of this ordinance.

Such repeal shall not be construed to revive any ordinance or part thereof that has been repealed by a subsequent ordinance which is repealed by this ordinance.

Section 4. That whenever in such code an act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or whenever in such code the doing of any act is required or the failure to do any act is declared to be unlawful, and no specific penalty is provided therefor, the violation of any such provision of such code shall be punished by a fine of not more than fifty dollars (\$50.00) and/or imprisonment for not more than thirty (30) days, as provided in 1-107 of such code.

Section 5. That any and all additions and amendments to such code when passed in such form as to indicate the intention of the board of mayor and aldermen to make the same a part thereof, shall be deemed to be incorporated in such code so that reference to the "Tullahoma Municipal Code" shall be understood and intended to include such additions and amendments.

Section 6. In case of the amendment of any section of such code for which a penalty is not provided, the general penalty as provided in section 4 of this ordinance and 1-107 of such code shall apply to the section as amended; or, in case such amendment contains provisions for which a penalty, other than the aforementioned general penalty, is provided in another section in the same chapter, the penalty so provided in such other section shall be held to relate to the section so amended, unless such penalty is specifically repealed therein.

Section 7. That a copy of such code shall be kept on file in the office of the city recorder preserved in looseleaf form, or in such other form as the city recorder may consider most expedient. It shall be the express duty of the city recorder, or someone authorized by him or her, to insert in their designated places all amendments or ordinances which indicate the intention of the board of mayor and aldermen to make the same a part of such code when the same have been printed or reprinted in page form, and to extract from such code all provisions which may be from time to time repealed by the board of mayor and aldermen. This copy of such code shall be available for all persons desiring to examine the same.

Section 8. That it shall be unlawful for any person to change or amend, by additions or deletions, any part or portion of such code, or to insert or delete pages or portions thereof, or to alter or tamper with such code in any manner whatsoever which will cause the law of the City of Tullahoma to be misrepresented thereby. Any person violating this section shall be punished as provided in section 4 of this ordinance.

Section 9. All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 10. This ordinance shall become effective from and after its passage and upon publication as required by law and shall be fully effective and implemented on that date.

PASSED AND APPROVED by the Board of Mayor and Aldermen of the City of Tullahoma,
Tennessee, on the 9 day of May, 2000.



MAYOR

ATTEST:

City Recorder: Patricia N. Vucciam

Passed on first reading: 4-10-00

Passed on second reading: 4-24-00

Passed on third reading: 5-9-00