

**THE
ALGOOD
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 ALGOOD, TENNESSEE

MAYOR

Todd Williams

VICE MAYOR

Clifford Raney

ALDERMEN

Johnny Bennett

John Ford

James Gist

RECORDER

Elise West

PREFACE

The Algood Municipal Code contains the codification and revision of the ordinances of the City of Algood, 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 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.

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Steve Lobertini
Codification Specialist

ORDINANCE ADOPTION PROCEDURES PRESCRIBED BY THE CITY CHARTER

Section 2.11. Ordinances. Be it further enacted, That in addition to such acts of the council as are required by statute or by this charter to be by ordinance, every act of the council establishing a fine or other penalty, or providing for the expenditure of funds, or for the contracting of indebtedness under this act, shall be by ordinance. The enacting clause of all ordinances shall be: "The mayor and the council of the City of Algood hereby ordains".

Section 2.12. 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. A resolution shall have a brief title describing its contents and a body containing its detailed provisions, but a motion shall consist only of a brief statement of the action proposed to the council. Each resolution and ordinance shall be in written form before being introduced. The affirmative vote of a majority of those voting shall be sufficient to take any action. If a member of council abstains, it shall be considered as "not voting" and shall have no effect on tabulation of votes. On a particular issue, a member who passes once, must then vote yes or no, or abstain. An ordinance shall be approved at two (2) separate meetings not less than one (1) week apart, shall be read aloud at both meetings (except that a majority can vote to suspend reading of the entire document), and shall take effect ten (10) days after its adoption. An emergency ordinance, which contains a full statement of the facts and reasons for an emergency, may be read only one (1) day apart, and may be made effective upon its adoption or approved by at least three (3) members of the council on both readings. No ordinance relating to franchise, exclusive contract, or other special privileges 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, but the city shall furnish a copy of any such code to any person for a reasonable fee. The recorder shall number ordinances consecutively in the order of their adoption and shall copy them into a permanent record book used solely for this purpose, and the city recorder 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 recorder. An abstract of the essential provisions of each ordinance shall be published once in the official city newspaper within ten (10) days after its

adoption, except that only the title shall be so published of a code adopted by reference as provided in this section.