

ORDINANCE NO. 267

AN ORDINANCE OF THE TOWN OF MOUNT CARMEL, TENNESSEE, AUTHORIZING THE USE OF A COLLECTION AGENCY TO COLLECT DELINQUENT FINES, AND COSTS BY ADDING A NEW SECTION 3-207 TO TITLE 3, "MUNICIPAL COURT", CHAPTER 2, "COURT ADMINISTRATION", TO THE MOUNT CARMEL MUNICIPAL CODE.

WHEREAS, from time to time, the Town is owed fines and costs which must be collected; and

WHEREAS, the Board of Mayor and Aldermen has determined that is in the best interests of the Town to use a collection agency to collect said delinquent fines and costs owed to the Town; and

WHEREAS, Tenn. Code Anno. §40-24-105(d)(1) authorizes the Town to enter into a written contract with a collection agency to collect fines and costs assessed by the municipal court where the fines and costs have not been collected within sixty (60) days after they were due; and

WHEREAS, the collection agency may be paid an amount not exceeding forty percent (40%) of the sums collected as consideration for collecting the fines and costs; and

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF The Town of Mount Carmel, Tennessee, as follows:

SECTION I. A new section 3-207 is added to Title 3, Chapter 2, of the Mount Carmel Municipal Code as follows:

3-207. Use of a collection agency authorized. In addition to all other remedies for collecting delinquent fines and costs owed to the Town, the Town may use the services of a collection agency pursuant to the procedures as set forth in Tenn. Code Anno. §40-24-105.

SECTION II. LEGAL STATUS PROVISIONS.

A. Conflict With Other Ordinances. In case of conflict between this ordinance or any part thereof, and the whole or part of any existing or future ordinance of the Town of Mount Carmel, the most restrictive shall in all cases apply.

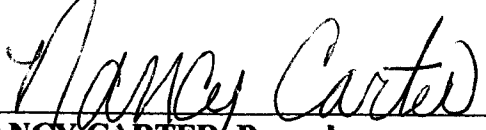
B. Validity. If any section, clause, provision or portion of this ordinance shall be held to be in doubt or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, provision, or portion of this ordinance which is not of itself invalid or unconstitutional.

C. Effective Date. This Ordinance shall become effective upon passage and publication, the public welfare requiring it.



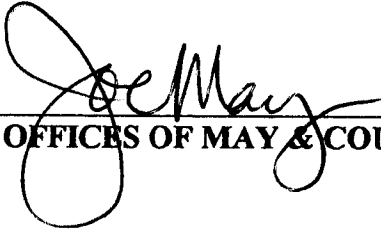
GARY W. LAWSON, Mayor

ATTEST:



NANCY CARTER, Recorder

APPROVED AS TO FORM:



LAW OFFICES OF MAY & COUP

FIRST READING	AYES	NAYS	OTHER
Alderman Henry Bailey	✓		
Vice-Mayor Eugene Christian	absent		
Alderman Paul Hale	✓		
Mayor Gary Lawson	✓		
Alderman Tresa Mawk	✓		
Alderman Thomas Wheeler	✓		
Alderman Wanda Worley	✓		
TOTALS	6	0	

PASSED FIRST READING 1-27-04

SECOND READING	AYES	NAYS	OTHER
Alderman Henry Bailey	✓		
Vice-Mayor Eugene Christian	absent		
Alderman Paul Hale	✓		
Mayor Gary Lawson	✓		
Alderman Tresa Mawk	✓		
Alderman Thomas Wheeler	✓		
Alderman Wanda Worley	absent		
TOTALS	5	0	

PASSED SECOND READING 2-17-04

PUBLISHED ON: <u>2-22-04</u> NEWSPAPER: <u>Kingsport Times News</u>
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KINGSPORT TIMES-NEWS

PUBLICATION CERTIFICATE

Kingsport, TN February 23, 2004

This is to certify that the Legal Notice hereto attached was published in the Kingsport Times-News, a daily newspaper published in the City of Kingsport, County of Sullivan, State of Tennessee, beginning in the issue of 2-22-04, and appearing 1 consecutive weeks/times, as per order of _____

Town of Mt. Carmel

Signed Karen C. Mulkey

THE FOLLOWING Ordinance was passed by the Mount Carmel Board of Mayor and Aldermen on February 17, 2004: Ordinance 267. Authorizing the use of a collection agency to collect delinquent fines and costs by adding Section 3.207 to Title 3, "Municipal Court" Chapter 2. The Mount Carmel Board of Mayor and Aldermen will conduct a Public Hearing on March 23, 2004, at 7:00 P.M. at Mt. Carmel City Hall on the following Ordinances: Ordinance 269. Reclassify territory along Main St. and portion of Holston Ordinance from B-2 and O-1 to B-4 and Ordinance 270. Amend Section L of the Zoning Ordinance of Mt. Carmel. The public is invited to attend.
Pub IT: 02/22/2004.

STATE OF TENNESSEE, SULLIVAN COUNTY, TO-WIT:

Personally appeared before me this 23rd day of February 2004, Karen C. Mulkey of the Kingsport Times-News and in due form of law made oath that the foregoing statement was true to the best of my knowledge and belief.

William David Richards

My commission expires 6-26-07

