

ORDINANCE NO. 318

AN ORDINANCE OF THE TOWN OF MOUNT CARMEL, TENNESSEE, REPLACING MUNICIPAL CODE TITLE 11, CHAPTER 1, SECTION §11-120 AND ADOPTING BY REFERENCE STATE TRAFFIC OFFENSES AND RULES OF THE ROAD.

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;

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

Section 1. Municipal Code Title 11, Chapter 1, Section 11-120 "Rules of the Road," is repealed in its entirety.

Section 2. The following provision is added as the new Title 11, Chapter 1, Section 11-120 of the Municipal Code of the Town of Mount Carmel.

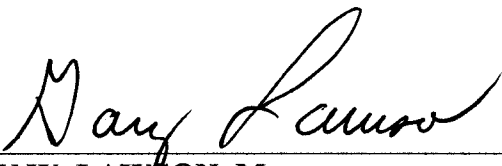
11-120. Adoption of state traffic statutes. By the authority granted under Tennessee Code Annotated § 16-18-302, the Town of Mount Carmel adopts by reference as if fully set forth in this section, the "Rules of the Road," as codified in Tennessee Code Annotated §§55-8-101 through 55-8-131, and §§55-8-133 through 55-8-180. Additionally, the City of Mount Carmel adopts Tennessee Code Annotated §§55-8-181 through 55-8-193, §§55-9-601 through 55-9-606, §55-12-139 and §55-21-108 by reference as if fully set forth in this section.

Section 3. This ordinance shall take effect upon its final reading, the public welfare requiring it.

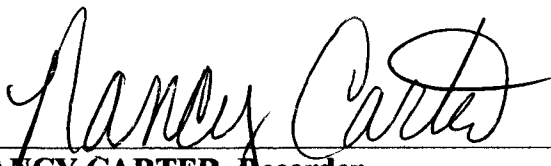
SECTION VI. Legal Status Provisions.

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.

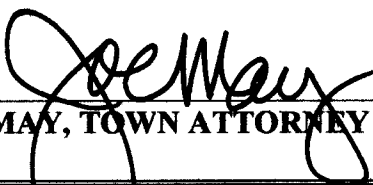
B. Validity. If any section, clause, provision or portion of this ordinance shall be held to be in doubt or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, provision, or portion of this ordinance which is not of itself invalid or unconstitutional.


GARY W. LAWSON, Mayor

ATTEST:


NANCY CARTER, Recorder

APPROVED AS TO FORM:


JOE MAY, TOWN ATTORNEY

FIRST READING	AYES	NAYS	OTHER
VICE-MAYOR EUGENE CHRISTIAN	✓		
ALDERMAN RICHARD GABRIEL	✓		
MAYOR GARY LAWSON	✓		
ALDERMAN TRESA MAWK	✓		
ALDERMAN THOMAS WHEELER	✓		
ALDERMAN CARL WOLFE	✓		
ALDERMAN WANDA WORLEY			Absent
TOTALS			

PASSED FIRST READING: 11-28-06

SECOND READING	AYES	NAYS	OTHER
VICE-MAYOR EUGENE CHRISTIAN	✓		
ALDERMAN RICHARD GABRIEL	✓		
MAYOR GARY LAWSON	✓		
ALDERMAN TRESA MAWK			absent
ALDERMAN THOMAS WHEELER	✓		
ALDERMAN CARL WOLFE	✓		
ALDERMAN WANDA WORLEY			absent
TOTALS	5		

PASSED SECOND READING: 12-26-06

PUBLISHED ON: DATE: <u>12-30-06</u> NEWSPAPER: <u>Kingport Times</u>
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KINGSPORT TIMES-NEWS

PUBLICATION CERTIFICATE

Kingsport, TN January 3, 2007

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 12-30-06, and appearing 1 consecutive weeks/times, as per order of _____

Town of Mount Carmel

Signed Karen C. Muskey

THE Town of Mount Carmel,
TN passed Ordinance 318
December 26, 2006. The Or-
dinance replaces Municipal
Code 11, Chapter 1, Section
11-120 and adopts State
Traffic Offenses and Rules
of Road.

STATE OF TENNESSEE, SULLIVAN COUNTY, TO-WIT:

Personally appeared before me this 3rd day of January
2007, Karen C. Muskey
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

