

ORDINANCE NO. 337

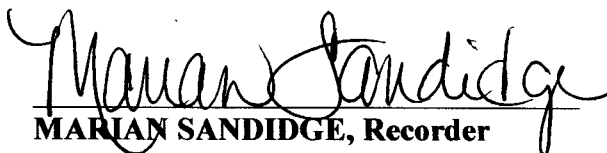
AN ORDINANCE TO AMEND TITLE 9, "BUSINESS, PEDDLERS, SOLICITORS, ETC."; CHAPTER 1, "PEDDLERS, SOLICITORS, ETC."; SECTION 105, "RESTRICTIONS ON PEDDLERS, STREET BARKERS AND SOLICITORS"; NUMBER 3, "ROADBLOCKS"; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE.

BE IT ORDAINED by the Board of Mayor and Aldermen as follows:

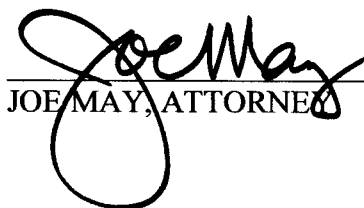
- SECTION I.** That the Municipal Code be amended by deleting Title 9, Chapter 1, Section 105, Number 3, "Roadblocks", in its entirety.
- SECTION II.** That Resolution No. 407, "Roadblocks", is repealed in its entirety.
- SECTION III.** This ordinance shall take effect from and after its final passage, as the law directs, the public welfare of the Town of Mount Carmel demanding it.

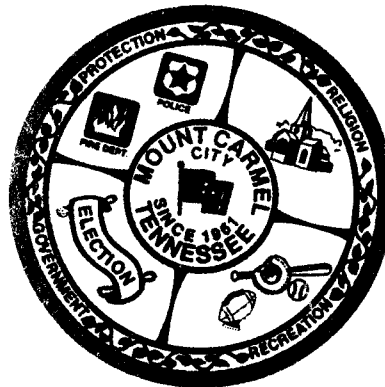

GARY LAWSON, Mayor

ATTEST:


MARIAN SANDIDGE, Recorder

APPROVED AS TO FORM:


JOE MAY, ATTORNEY



FIRST READING	AYES	NAYS	OTHER
Vice-Mayor Eugene Christian	X		
Alderman Richard Gabriel			absent
Mayor Gary Lawson	X		
Alderman Tresa Mawk	X		
Alderman Thomas Wheeler	X		
Alderman Carl Wolfe	X		
Alderman Wanda Worley-Davidson	X		
TOTALS	6	0	1

PASSED FIRST READING: August 26, 2008

SECOND READING	AYES	NAYS	OTHER
Vice-Mayor Eugene Christian	X		
Alderman Richard Gabriel		X	
Mayor Gary Lawson	X		
Alderman Tresa Mawk	X		
Alderman Thomas Wheeler	X		
Alderman Carl Wolfe	X		
Alderman Wanda Worley-Davidson	X		
TOTALS	6	1	0

PASSED SECOND READING: September 23, 2008

PUBLISHED DATE: September 25, 2008
 NEWSPAPER: *Kingsport Times-News*

RESOLUTION NO. 407

WHEREAS, solicitation "roadblocks" pose a threat to the life and physical well-being of both the motoring public and to the persons conducting such roadblocks; and

WHEREAS, solicitation roadblocks impede the smooth and orderly flow of traffic to an unacceptable level; and

WHEREAS, the Town of Mount Carmel, Tennessee has a legitimate governmental interest in regulating such roadblocks:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF MOUNT CARMEL, TENNESSEE, THAT:

Section 1. Solicitation roadblocks are restricted to such organizations that are duly filed with the Internal Revenue Service as Subchapter 501(c)3 or 501(c)4 organizations. Roadblocks will be limited to one per month, April to September, issued on a first-come first-served basis, and will be restricted to the Hammond Avenue and Main Street intersection, excluding the 11w approach. Participants are required to wear reflective vests and set up traffic cones, provided by the participants. Underage participants must have adult supervision.

Section 2. The following terms shall apply in the interpretation and application of this ordinance:

(a) "Solicitation roadblock" shall mean the solicitation by any person of money on or in the right of way of the street, road, highway, or any other public way and place generally open to, and used by, the public for travel in motor vehicles.

(b) "Street," "road," "highway," and "public way and place" shall include the paved or unpaved surface of such street, road, highway or public place, the entire width of the public right of way extending laterally there from, dividers, medians, and abutting or adjoining sidewalks or other pedestrian pathways generally open to the public for pedestrian traffic.

Section 3. Any person violating this ordinance shall be subject to punishment under the general penalty provision of the Mount Carmel Municipal Code of Ordinances.

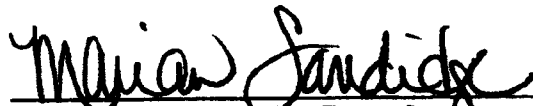
Section 4. This resolution shall become effective from and after its final passage, the public welfare requiring it.

Duly passed and approved this the 22nd day of July, 2008



GARY LAWSON, Mayor

ATTEST:


MARIAN SANDIDGE, Recorder



APPROVED AS TO FORM:


JOSEPH E. MAY, TOWN ATTORNEY

FIRST READING	AYES	NAYS	OTHER
VICE-MAYOR EUGENE CHRISTIAN	X		
ALDERMAN WANDA DAVIDSON		X	
ALDERMAN RICHARD GABRIEL	X		
ALDERMAN TRESA MAWK		X	
ALDERMAN THOMAS WHEELER	X		
ALDERMAN CARL WOLFE		X	
MAYOR GARY LAWSON	X		
TOTALS	4	3	0

Passed first reading: July 22, 2008