

ORDINANCE NO. 10-348

AN ORDINANCE TO AMEND TITLE 14, CHAPTER 9 OF THE CODE OF ORDINANCES RELATING TO PROVISIONS GOVERNING USE DISTRICTS BY ADDING A NEW SUBSECTION 4 RELATING TO USES PERMITTED BY SPECIAL EXCEPTION TO SECTION 14-913; TO ESTABLISH A PENALTY FOR THE VIOLATION THEREOF; 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 Town of Mount Carmel Municipal Code, Title 14, *ZONING AND LAND USE CONTROL*, Chapter 9, *PROVISIONS GOVERNING USE DISTRICTS*, Section 14-913, *INDUSTRIAL DISTRICT*, is hereby amended by adding a new Subsection 4 to read as follows:

SECTION 14-913 INDUSTRIAL DISTRICT.

4. Uses Permitted by Special Exception.

a. Methadone Treatment Clinic or Facility, Substance Abuse Treatment.

i. The consideration for approval by the Board of Zoning Appeals of a methadone treatment clinic or facility and substance abuse treatment facility shall be contingent upon the receipt of the appropriate license and certificate of need by the State of Tennessee.

ii. Maps showing existing land use and zoning within one-quarter (1/4) mile of the proposed site should be submitted with an application for Use of Review approval along with the license of the applicant, certificate of need, site plan, survey, or other information deemed reasonable by the Board of Zoning Appeals for use in making a thorough evaluation of the proposal.

iii. The clinic or facility shall be located on and have access to a Principal Arterial Street.

iv. Measurement shall be made in a straight line on the Zoning Map from the nearest property line of the lot on which the methadone treatment clinic or facility and substance abuse treatment facility is situated to the nearest property line of the following uses:

(1) The clinic or facility shall not be located within one thousand (1,000) feet of a school, day care facility, park, church, synagogue, mosque, mortuary or hospital.

(2) The clinic or facility shall not be located within one thousand (1,000) feet of any establishment that sells alcoholic beverages for either on or off premises consumption.

(3) The clinic or facility shall not be located within one thousand (1,000) feet of any area devoted to public recreation activity.

(4) The clinic or facility shall not be located within one thousand (1,000) feet of any amusement catering to family entertainment.

(5) The site shall not be less than one thousand (1,000) feet of any residential dwelling at the time of approval.

(6) The site shall not be less than one-half (½) mile from any other methadone treatment clinic or facility and substance abuse treatment facility.

v. In interpreting this subsection 4 a, the following definitions shall apply:

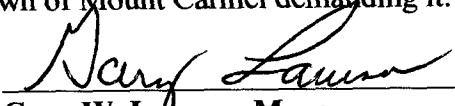
(1) Medical Clinic — A licensed facility for examining and treating patients with medical problems on an outpatient basis other than a methadone treatment clinic or facility or substance abuse treatment facility.

(2) Methadone Treatment Clinic or Facility — A licensed facility for counseling of patients and the distribution of methadone for outpatient, non-residential purposes only other than a medical clinic or substance abuse treatment facility.

(3) Substance Abuse Treatment Facility — A licensed facility with purpose of providing outpatient treatment, counseling or similar services to individuals who are dependent on legal and illegal drugs, opiates, alcohol or other similar substances other than a medical clinic or methadone treatment clinic or facility.

SECTION II. That the violation of any provision of this ordinance shall be punishable by a penalty of not more than fifty dollars (\$50.00). Each day of violation may constitute a separate offense.

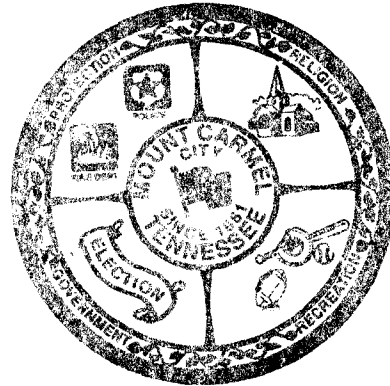
SECTION III. That this ordinance shall take effect from and after its date of passage, as the law directs, the public welfare of the Town of Mount Carmel demanding it.



Gary W. Lawson, Mayor

ATTEST:

Marian Sandidge
Marian Sandidge, Recorder



Passed First Reading

January 26, 2010

Passed Second Reading

February 23, 2010

Published On

February 25, 2010

FIRST READING	AYES	NAYS	OTHER
ALDERMAN WILLIAM BLAKELY			absent
ALDERMAN RICHARD GABRIEL			absent
ALDERMAN TRESA MAWK	✓		
ALDERMAN KATHY ROBERTS	✓		
VICE-MAYOR THOMAS WHEELER	✓		
ALDERMAN CARL WOLFE	✓		
MAYOR GARY LAWSON	✓		
TOTALS	5	0	2

PASSED FIRST READING: January 26, 2010

SECOND READING	AYES	NAYS	OTHER
ALDERMAN WILLIAM BLAKELY	✓		
ALDERMAN RICHARD GABRIEL			absent
ALDERMAN TRESA MAWK	✓		
ALDERMAN KATHY ROBERTS	✓		
VICE-MAYOR THOMAS WHEELER	✓		
ALDERMAN CARL WOLFE	✓		
MAYOR GARY LAWSON	✓		
TOTALS	6	0	1

PASSED SECOND READING: February 23, 2010



Legals

PUBLIC HEARING

The Mount Carmel Board of Mayor and Aldermen will have public hearings on Tuesday, February 23, 2010, at 7:00 p.m. at Mount Carmel City Hall concerning :

Ordinance No. 10-348. An Ordinance to Amend Title 14, Chapter 9 of the Code of Ordinances Relating to Provisions Governing Use Districts by Adding a New Subsection 4 Relating to Uses Permitted by Special Exception to Section 14-913; To Establish a Penalty for the Violation Thereof; and To Fix the Effective Date of This Ordinance.; and

Ordinance 10-349. An Ordinance to Further Amend the Code of Ordinances, Title 14 Relating to Zoning; To Fix a Penalty for the Violation of This Ordinance; and, to Fix the Effective Date of This Ordinance. The regular Board of Mayor and Aldermen meeting will follow. The public is welcome to attend and make comments.

Pub1T: 01/28/10



ad number 2 for the Town of Mount Carmel

Wednesday, January 27, 2010 12:55 PM

From: "Marian Sandidge" <mariansandidge@yahoo.com>

To: "Sheryl Edwards" <sedwards@timesnews.net>

January 27, 2010

Sheryl Edwards
Kingsport Times-News
Classified Advertising Department
P.O. Box 479
Kingsport, TN 37662

RE: Advertisement

Dear Sheryl:

Please run the following advertisement in the Legal Section one time:

PUBLIC HEARING

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Ordinance 10-349, An Ordinance to Further Amend the Code of Ordinances, Title 14 Relating to Zoning; To Fix a Penalty for the Violation of This Ordinance; and, to Fix the Effective Date of This Ordinance. The regular Board of Mayor and Aldermen meeting will follow. The public is welcome to attend and make comments.

Should you have any questions or if any additional information is needed, please do not hesitate to call on me.

Sincerely,
TOWN OF MOUNT CARMEL
Marian Sandidge, City Recorder

KINGSPORT TIMES-NEWS

PUBLICATION CERTIFICATE

Kingsport, TN

February 3, 2010

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 1-28-10, and appearing 1 consecutive weeks/times, as per order of

Leona J Mount Carmel

Signed

Karen C Mulder

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PublT: 01/28/10

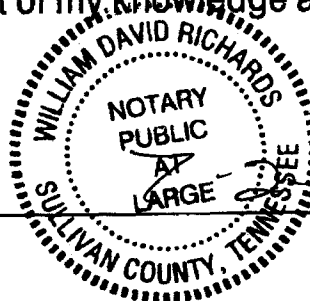
STATE OF TENNESSEE, SULLIVAN COUNTY, TO-WIT:

Personally appeared before me this 3rd day of February

2010,

Karen C Mulder

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
NOTARY PUBLIC

My commission expires

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Publish Ordinances for the Town of Mount Carmel

Wednesday, February 24, 2010 1:40 PM

From: "Marian Sandidge" <mariansandidge@yahoo.com>

To: "Sheryl Edwards" <sedwards@timesnews.net>

February 24, 2010

Sheryl Edwards
Kingsport Times-News
Classified Advertising Department
P.O. Box 479
Kingsport, TN 37662

RE: Adopted Ordinances for the Town of Mount Carmel

Dear Sheryl:

Please run the following advertisement in the Legal Section one time:

The Town of Mount Carmel, Tennessee, on February 23, 2010, passed the following ordinances:

Ordinance No. 10-348. An Ordinance to Amend Title 14, Chapter 9 of the Code of Ordinances Relating to Provisions Governing Use Districts by Adding a New Subsection 4 Relating to Uses Permitted by Special Exception to Section 14-913; To Establish a Penalty for the Violation Thereof; and To Fix the Effective Date of This Ordinance.; and

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Should you have any questions or if any additional information is needed, please do not hesitate to call on me.

Sincerely,
TOWN OF MOUNT CARMEL
Marian Sandidge, City Recorder

PUBLIC NOTICE

The Town of Mount Carmel, Tennessee, on February 23, 2010, passed the following ordinances:

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Ordinance 10-349. An Ordinance to Further Amend the Code of Ordinances, Title 14 Relating to Zoning; To Fix a Penalty for the Violation of This Ordinance; and, to Fix the Effective Date of This Ordinance.

PUB1T; 02/25/10