

ORDINANCE NO. 10-354

AN ORDINANCE ADOPTING AND ENACTING SUPPLEMENTAL AND REPLACEMENT PAGES FOR THE MUNICIPAL CODE OF THE TOWN OF MOUNT CARMEL, TENNESSEE.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MOUNT CARMEL, TENNESSEE, THAT:

Section 1. Ordinances codified. The supplemental and replacement pages contained in this revision the Town of Mount Carmel Municipal Code, hereinafter referred to as the "supplement," are incorporated by reference as if fully set out herein and are ordained and adopted as part of the Town of Mount Carmel Municipal Code.

This includes revisions required to the municipal code when considering Ordinance #10-339 (April 2010). Code sections affected by this ordinance contain a citation to the amending ordinance at the end of the code section.

Section 2. Continuation of existing provisions. Insofar as the provisions of the supplement are the same as those of ordinances existing and in force on its effective date, the provisions shall be considered to be continuations thereof and not as new enactments.

Section 3. Penalty clause. Unless otherwise specified, wherever in the supplement, including any codes and ordinances adopted by reference, any act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or wherever the doing of any act is required or the failure to do any act is declared to be unlawful, the violation of any such provision shall be punishable by a penalty of not more than fifty dollars (\$50.00) and costs for each separate violation; provided, however, that the imposition of a penalty under the provisions of this section shall not prevent the revocation of any permit or license or the taking of other punitive or remedial action where called for or permitted under the provisions of the supplement or the municipal code or other applicable law.

When any person is fined for violating any provision of the supplement and defaults on payment of the penalty, he may be required to perform hard labor, within or without the workhouse, to the extent that his physical condition shall permit, until the penalty is discharged by payment, or until the person, being credited with such sum as may be prescribed for each day's hard labor, has fully discharged the penalty.¹

Section 4. Severability clause. Each section, subsection, paragraph, sentence, and clause of the supplement, including any codes and ordinances

¹State law reference

For authority to allow deferred payment of fines, or payment by installments, see Tennessee Code Annotated, section 40-24-101et seq.

adopted by reference, are hereby declared to be separable and severable. The invalidity of any section, subsection, paragraph, sentence, or clause in the supplement shall not affect the validity of any other portion, and only any portion declared to be invalid by a court of competent jurisdiction shall be deleted therefrom.

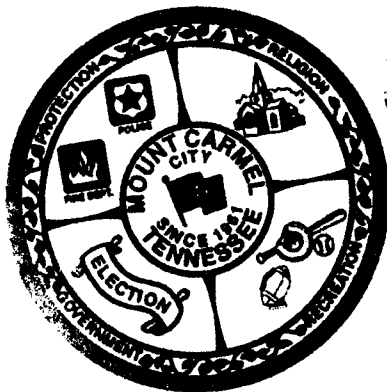
Section 5. Construction of conflicting provisions. Where any provision of the supplement is in conflict with any other provision of the supplement or municipal code, the provision which establishes the higher standard for the promotion and protection of the public health, safety, and welfare shall prevail.

Section 6. Code available for public use. A copy of the municipal code shall be kept available in the recorder's office for use and inspection at all reasonable times.

Section 7. Date of effect. This supplement, including all the codes and ordinances therein adopted by reference, shall take effect from and after final passage, the public welfare requiring it, and shall be effective on and after that date.

Passed 1st Reading July 27, 20 10.

Passed 2nd Reading August 24, 20 10.



Dary L. Lunsford
Mayor
Maureen L. Sandidge
Recorder

FIRST READING	AYES	NAYS	OTHER
ALDERMAN BLAKELY	x		
ALDERMAN GABRIEL	x		
ALDERMAN MAWK	x		
ALDERMAN ROBERTS	x		
ALDERMAN WOLFE	x		
VICE-MAYOR WHEELER	x		
MAYOR LAWSON	x		
TOTALS	7	0	0

PASSED FIRST READING: July 27, 2010

SECOND READING	AYES	NAYS	OTHER
ALDERMAN BLAKELY	x		
ALDERMAN GABRIEL	x		
ALDERMAN MAWK	x		
ALDERMAN ROBERTS	x		
ALDERMAN WOLFE	x		
VICE-MAYOR WHEELER	x		
MAYOR LAWSON	x		
TOTALS	7	0	0

PASSED SECOND READING: August 24, 2010

PUBLISHED ON: August 26, 2010
 NEWSPAPER: Kingsport Times-News

KINGSPORT TIMES-NEWS

PUBLICATION CERTIFICATE

Kingsport, TN

August 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 7-29-10, and appearing 1 consecutive weeks times, as per order of _____

Town of Mount Carmel

Signed

Karen C. Mulkey

PUBLIC HEARING ON PROPOSED CODE OF ORDINANCES

Notice is hereby given that a public hearing on the adoption of supplemental and replacement pages for the municipal code of ordinances will be held by the Board of Mayor and Aldermen of the Town of Mount Carmel, Tennessee at 7:00 p.m. on the August 24, 2010, at city hall. A copy of the proposed code of ordinances is available in the recorder's office for anyone who desires to examine it in advance of the hearing.

PUB1T: 07/29/10

STATE OF TENNESSEE, SULLIVAN COUNTY, TO-WIT:

Personally appeared before me this 3rd day of August

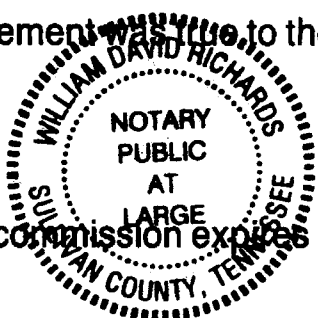
2010

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

NOTARY PUBLIC



My commission expires _____

7-2-11



Adopted Ordinance for the Town of Mount Carmel

Wednesday, August 25, 2010 1:28 PM

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

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

August 25, 2010

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

RE: Adopted Ordinance for the Town of Mount Carmel

Dear Sheryl:

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

The Town of Mount Carmel, Tennessee, on August 24, 2010, passed **ORDINANCE NO. 10-354**, AN ORDINANCE ADOPTING AND ENACTING SUPPLEMENTAL AND REPLACEMENT PAGES FOR THE MUNICIPAL CODE OF THE TOWN OF MOUNT CARMEL, TENNESSEE.

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