

ORDINANCE 12-375

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES BY CHANGING TITLE 14, CHAPTER 16 TO ADD REGULATION OF DRAINAGE WAYS AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE.

BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMAN AS FOLLOWS:

SECTION I. That Title 14, Chapter 16 of the Code of Ordinances is changed as follows

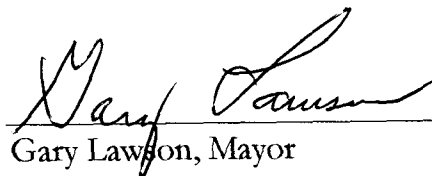
1. Index: Add:

14-1628A Alteration of Drainage Ways

2. Add Section 14-1628A as follows: 14-1628A. Alteration of drainage ways. Drainage ways including wet weather conveyances may not be filled, altered, diverted or otherwise changed unless approved by the Building Inspector. Requests will include information on the size of the area being drained, the impact of the change—where the changed water will go, and why the change is necessary.

SECTION II. Any person violating any provisions of this ordinance shall be guilty of an offense and upon conviction shall pay a penalty of FIFTY DOLLARS (\$50.00) for each offense. Each occurrence shall constitute a separate offense.

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


Gary Lawson, Mayor

ATTEST:


Marian Sandidge, Recorder



FIRST READING	AYES	NAYS	OTHER
ALDERMAN EUGENE CHRISTIAN	X		
ALDERMAN LEANN DEBORD	X		
ALDERMAN FRANCES FROST	X		
ALDERMAN KATHY ROBERTS	X		
ALDERMAN THOMAS WHEELER	X		
VICE-MAYOR CARL WOLFE	X		
MAYOR GARY LAWSON	X		
TOTALS	7	0	0

PASSED FIRST READING: May 24, 2012

SECOND READING	AYES	NAYS	OTHER
ALDERMAN EUGENE CHRISTIAN	X		
ALDERMAN LEANN DEBORD	X		
ALDERMAN FRANCES FROST	X		
ALDERMAN KATHY ROBERTS	X		
ALDERMAN THOMAS WHEELER	X		
VICE-MAYOR CARL WOLFE	X		
MAYOR GARY LAWSON	X		
TOTALS	7	0	0

PASSED SECOND READING: June 26, 2012

PUBLICATION AFTER PASSAGE:
DATE: June 28, 2012
NEWSPAPER: *Kingsport Times-News*

Memorandum to: BMA
From: Building Inspector
SUBJECT: Alteration of drainage ways
May 10, 2012

1. At the January meeting, a citizen who lived in the Meadow Springs sub-division voiced concerns over how a drainage way had been altered and the impact it had on flooding of his property.

2. Discussion of the issue included an opinion of the City Attorney that the Town had no control over the drainage ways unless the City had constructed or accepted a structure in the drainage way. This led to the citizen with the flooding problem being told in essence that it was a problem between him and the nearby property owner who had altered the drainage way.

3. Subsequent discussion and research led to the conclusion that the Town has an interest in how drainage ways are altered. Ditches and swales are themselves structures which are in place to direct storm runoff to the place of least harm. Allowing them to be altered without consideration of the impact on adjoining or downstream properties may lead to catastrophic results such as occurred at the Meadow Springs property.

4. Accordingly, the attached change to the stormwater ordinance was presented to the Planning Commission. This requires approval of proposed changes to drainage ways. The Planning Commission in turn recommended adoption as presented with the exception that the original recommendation was for the Planning Commission to approve and they decided that the Building Inspector should make the decision.

5. The proposed change is attached as Ordinance 2012-375 for your consideration.


Vince Pishner

Encl
as

Order Confirmation

<u>Ad Order Number</u>	<u>Customer</u>	<u>Payor Customer</u>
0001024548	TOWN OF MOUNT CARMEL	TOWN OF MOUNT CARMEL
<u>Sales Rep.</u>	<u>Customer Account</u>	<u>Payor Account</u>
sedwards	59632	59632
<u>Order Taker</u>	<u>Customer Address</u>	<u>Payor Address</u>
sedwards	P O BOX 1421, , MT CARMEL TN 37645 USA	P O BOX 1421, , MT CARMEL TN 37645 USA
<u>Ordered By</u>	<u>Customer Phone</u>	<u>Payor Phone</u>
	615-357-7311	615-357-7311
<u>Order Source</u>		
<u>PO Number</u>	<u>Customer Fax</u>	<u>Customer EMail</u>

The Town of Mount Carmel, Tennessee, on June 26, 2012, passed the following Ordinances:

ORDINANCE 12-375. AN ORDINANCE TO AMEND THE CODE OF ORDINANCES BY CHANGING TITLE 14, CHAPTER 16 TO ADD REGULATION OF DRAINAGE WAYS AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE; and

ORDINANCE 12-376. AN ORDINANCE OF THE TOWN OF MOUNT CARMEL, TENNESSEE ADOPTING THE ANNUAL BUDGET AND TAX RATE FOR THE FISCAL YEAR BEGINNING JULY 1, 2012, AND ENDING JUNE 30, 2013; and

ORDINANCE 12-377. AN ORDINANCE PROVIDING FOR AND FIXING THE TAX RATE ON ALL REAL, PERSONAL, AND MIXED PROPERTY WITHIN THE TOWN OF MOUNT CARMEL, HAWKINS COUNTY, TENNESSEE, WHICH IS TAXABLE ON THE BASIS OF ASSESSMENTS MADE BY THE HAWKINS COUNTY PEROPERTY ASSESSOR, THE PUBLIC SERVICE COMMISSION AND THE DIVISION OF PROPERTY ASSESSMENTS OF THE STATE OF TENNESSEE FOR THE YEAR 2012.

PUB1T; 06/28/12

<u>Tear Sheets</u>	<u>Proofs</u>	<u>Affidavits</u>	<u>Payment Method</u>
0	0	1	

Invoice Text:

<u>Blind Box</u>	<u>Materials</u>
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<u>Net Amount</u>	<u>Tax Amount</u>	<u>Total Amount</u>	<u>Payment Amt</u>	<u>Amount Due</u>
\$54.50	\$0.00	\$54.50	\$0.00	\$54.50

<u>Ad Number</u>	<u>Ad Type</u>	<u>Ad Size</u>	<u>Pick Up Number</u>
0001024548-01	LL Legal Liner	1.0 X 45 Li	

Order Notes/Information

1024548

KINGSPORT TIMES-NEWS

PUBLICATION CERTIFICATE

Kingsport, TN July 5, 2012

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 6-28-12, and appearing 1 consecutive weeks/times, as per order of _____

Town of Mount Carmel

Signed Carolyn Vaughn

ORDINANCE 12-376. AN ORDINANCE TO AMEND THE CODE OF ORDINANCES BY CHANGING TITLE 14, CHAPTER 16 TO ADD REGULATION OF DRAINAGE WAYS, AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE; and

ORDINANCE 12-376. AN ORDINANCE OF THE TOWN OF MOUNT CARMEL, TENNESSEE, SEE ADOPTING THE ANNUAL BUDGET AND TAX RATE FOR THE FISCAL YEAR BEGINNING JULY 1, 2012, and ENDING JUNE 30, 2013; and

ORDINANCE 12-377. AN ORDINANCE PROVIDING FOR AND FIXING THE TAX RATE ON ALL REAL PERSONAL AND MIXED PROPERTY WITHIN THE TOWN OF MOUNT CARMEL, HAWKINS COUNTY, TENNESSEE, WHICH IS TAXABLE ON THE BASIS OF ASSESSMENTS MADE BY THE HAWKINS COUNTY PROPERTY ASSESSOR, THE PUBLIC SERVICE COMMISSION AND THE DIVISION OF PROPERTY ASSESSMENTS OF THE STATE OF TENNESSEE FOR THE YEAR 2012.

PUBYT: 0608/12

STATE OF TENNESSEE, SULLIVAN COUNTY, TO-WIT:

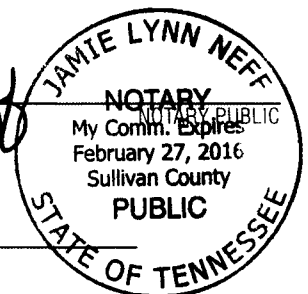
Personally appeared before me this 5th day of July

2012, Carolyn Vaughn

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.

Jamie Lynn Neff

My commission expires February 27, 2016



Order Confirmation

<u>Ad Order Number</u> 0001024548	<u>Customer</u> TOWN OF MOUNT CARMEL	<u>Payor Customer</u> TOWN OF MOUNT CARMEL
<u>Sales Rep.</u> sedwards	<u>Customer Account</u> 59632	<u>Payor Account</u> 59632
<u>Order Taker</u> sedwards	<u>Customer Address</u> P O BOX 1421, , MT CARMEL TN 37645 USA	<u>Payor Address</u> P O BOX 1421, , MT CARMEL TN 37645 USA
<u>Ordered By</u>	<u>Customer Phone</u> 615-357-7311	<u>Payor Phone</u> 615-357-7311
<u>Order Source</u>		
<u>PO Number</u>	<u>Customer Fax</u>	<u>Customer Email</u>

The Town of Mount Carmel, Tennessee, on June 26, 2012, passed the following Ordinances:

ORDINANCE 12-375. AN ORDINANCE TO AMEND THE CODE OF ORDINANCES BY CHANGING TITLE 14, CHAPTER 18 TO ADD REGULATION OF DRAINAGE WAYS AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE; and

ORDINANCE 12-376. AN ORDINANCE OF THE TOWN OF MOUNT CARMEL, TENNESSEE ADOPTING THE ANNUAL BUDGET AND TAX RATE FOR THE FISCAL YEAR BEGINNING JULY 1, 2012, AND ENDING JUNE 30, 2013; and

ORDINANCE 12-377. AN ORDINANCE PROVIDING FOR AND FIXING THE TAX RATE ON ALL REAL, PERSONAL, AND MIXED PROPERTY WITHIN THE TOWN OF MOUNT CARMEL, HAWKINS COUNTY, TENNESSEE, WHICH IS TAXABLE ON THE BASIS OF ASSESSMENTS MADE BY THE HAWKINS COUNTY PEROPERTY ASSESSOR, THE PUBLIC SERVICE COMMISSION AND THE DIVISION OF PROPERTY ASSESSMENTS OF THE STATE OF TENNESSEE FOR THE YEAR 2012.

PUB1T; 06/28/12

<u>Tear Sheets</u>	<u>Proofs</u>	<u>Affidavits</u>	<u>Payment Method</u>
0	0	1	

Invoice Text:

<u>Blind Box</u>	<u>Materials</u>	<u>Color</u> <NONE>
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<u>Net Amount</u> \$54.50	<u>Tax Amount</u> \$0.00	<u>Total Amount</u> \$54.50	<u>Payment Amt</u> \$0.00	<u>Amount Due</u> \$54.50
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<u>Ad Number</u> 0001024548-01	<u>Ad Type</u> LL Legal Liner	<u>Ad Size</u> 1.0 X 45 Li	<u>Pick Up Number</u>
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<u>External Ad #</u>	<u>Ad Attributes</u>
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<u>Product</u>	<u>Placement/Class</u>	<u># Inserts</u>
<u>Run Dates</u>		
<u>Run Schedule Invoice Text</u>		

Kingsport Times-News::Full Run	Legals	1
6/28/2012		

The Town of Mount Carmel, Tennessee, on June 26, 2012, passed the following Ordinance

timesnews.net::	Legals	8
6/28/2012, 6/29/2012, 6/30/2012, 7/1/2012, 7/2/2012, 7/3/2012, 7/4/2012, 7/5/2012		

The Town of Mount Carmel, Tennessee, on June 26, 2012, passed the following Ordinance