

RESOLUTION NO. 243

**A RESOLUTION REQUESTING THAT THE MEMBERS
OF THE TENNESSEE GENERAL ASSEMBLY SPONSOR
AND INSURE THE ENACTMENT OF AN EXEMPTION OF
SIGNS FROM TENN. CODE ANNO. § 13-7-208.**

WHEREAS, sign companies have used Tenn. Code Anno. § 13-7-208 as a means of suing cities to change small signs into billboards otherwise illegal in the Town; and

WHEREAS, billboards should be a matter of local regulation and not subject to the lobbies of the large sign companies; and

WHEREAS, in the case of OUTDOOR WEST OF TENNESSEE, INC. (Lamar Advertising of Tri-Cities), v. City of JOHNSON CITY, No E1999-00412-COA-R3-CV, June 26, 2000, and other cases have interpreted Tenn. Code Anno. § 13-7-208 as an authorization to increase small signs into billboards or to add faces or enlarge billboards; and

WHEREAS, billboard advertising companies have misused the statute and converted it from its intended purpose; and

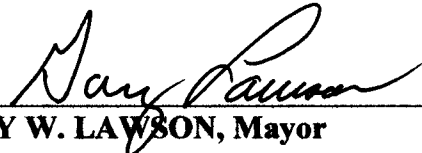
WHEREAS, the public welfare requires it;

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

Section I. That the Town of Mount Carmel Board of Mayor and Aldermen request the Hawkins County representatives to the Tennessee General Assembly to sponsor and insure the enactment of a bill, substantially in the form of Exhibit A attached hereto and incorporated herein by reference, in order to deprive billboards from the protection of Tenn. Code Anno. § 13-7-208.

Section II. This Resolution shall take effect upon its passage the public welfare requiring it.

Duly passed and approved this the 29 day of November, 2001.

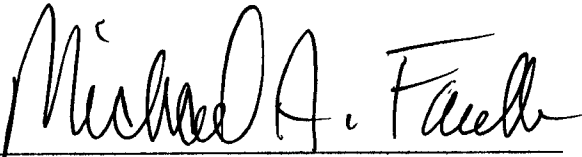


GARY W. LAWSON, Mayor

ATTEST:


NANCY CARTER, City Recorder

APPROVED AS TO FORM:


LAW OFFICE OF MICHAEL A. FAULK

| FIRST READING | AYES | NAYS | OTHER |
|-----------------------------|--------|------|-------|
| Alderman Henry Bailey | ✓ | | |
| Vice-Mayor Eugene Christian | ✓ | | |
| Alderman Paul Hale | ✓ | | |
| Mayor Gary Lawson | ✓ | | |
| Alderman George E. Pierce | ✓ | | |
| Alderman Thomas Wheeler | ✓ | | |
| Alderman Wanda Worley | absent | | |
| TOTALS | | | |

PASSED: Nov 29, 2001

Exhibit A

HOUSE BILL _____

By _____

AN ACT to amend Tenn. Code Anno., Title 13,
Chapter 7, Part 208, relative to zoning.

SECTION I. Tenn. Code Anno., Title 13, Chapter 7, Part 208, is hereby amended by adding a new subsection g. to Tenn. Code Anno. § 13-7-208 as follows:

*g. The provisions of subsections (b)-(e) do not
apply to signs.*

SECTION II. This act shall take effect July 1, 2002, the public welfare requiring it.

Town of Mt. Carmel

Town of Mt. Carmel
PO Box 1421
Mt. Carmel, TN 37645

Phone: 423 357-7311
Gary Lawson, Mayor

Thursday, January 31, 2002

State Senator Mike Williams
310 War Memorial Bldg.
Nashville, TN 37243-0204

Dear Mike,

The Mount Carmel Board of Mayor and Aldermen passed Resolution 243 on November 29, 2001, asking our Legislators to regulate signs in a manner currently prohibited by TCA Code 13-7-208. I am enclosing a copy of the Resolution.

The Bills now pending in the Legislature are House Bill 2110 and Senate Bill 2178. We would appreciate it if you could co-sponsor these bills. Thank you in advance for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Gary Lawson". The signature is fluid and cursive, with the first name "Gary" being more prominent than the last name "Lawson".

Gary Lawson, Mayor
Town of Mount Carmel

nc

Town of Mt. Carmel

Town of Mt. Carmel
PO Box 1421
Mt. Carmel, TN 37645

Phone: 423 357-7311
Gary Lawson, Mayor

Thursday, January 31, 2002

State Representative Ken Givens
23 Legislative Plaza
Nashville, TN 37203

Dear Ken,

The Mount Carmel Board of Mayor and Aldermen passed Resolution 243 on November 29, 2001, asking our Legislators to regulate signs in a manner currently prohibited by TCA Code 13-7-208. I am enclosing a copy of the Resolution.

The Bills now pending in the Legislature are House Bill 2110 and Senate Bill 2178. We would appreciate it if you could co-sponsor these bills. Thank you in advance for your consideration.

Sincerely,

A handwritten signature in black ink that reads "Gary Lawson". The signature is written in a cursive, flowing style.

Gary Lawson, Mayor
Town of Mount Carmel

nc