

**THE
BAILEYTON
MUNICIPAL
CODE**

Prepared by the



Municipal Technical Advisory Service

In cooperation with the Tennessee Municipal League

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TOWN OF BAILEYTON, TENNESSEE

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PREFACE¹

The Baileyton Municipal Code contains the codification and revision of the ordinances of the Town of Baileyton, Tennessee. By referring to the historical citation appearing at the end of each section, the user can determine the origin of each particular section. The absence of a historical citation means that the section was added by the codifier. The word "modified" in the historical citation indicates significant modification of the original ordinance.

The code is arranged into titles, chapters, and sections. Related matter is kept together, so far as possible, within the same title. Each section number is complete within itself, containing the title number, the chapter number, and the section of the chapter of which it is a part. Specifically, the first digit, followed by a hyphen, identifies the title number. The second digit identifies the chapter number, and the last two digits identify the section number. For example, title 2, chapter 1, section 6, is designated as § 2-106.

By utilizing the table of contents and the analysis preceding each title and chapter of the code, together with the cross references and explanations included as footnotes, the user should locate all the provisions in the code relating to any question that might arise. However, the user should note that most of the administrative ordinances (e.g. Annual Budget, Zoning Map Amendments, Tax Assessments, etc...) do not appear in the code. Likewise, ordinances that have been passed since the last update of the code do not appear here. Therefore, the user should refer to the town's ordinance book or the recorder for a comprehensive and up to date review of the town's ordinances.

Following this preface is an outline of the ordinance adoption procedures, if any, prescribed by the town's charter.

The code has been arranged and prepared in loose-leaf form to facilitate keeping it up to date. MTAS will provide updating service under the following conditions:

- (1) That all ordinances relating to subjects treated in the code or which should be added to the code are adopted as amending, adding, or deleting specific chapters or sections of the code (see section 7 of the adopting ordinance).
- (2) That one copy of every ordinance adopted by the town is kept in a separate ordinance book and forwarded to MTAS annually.
- (3) That the town agrees to pay the annual update fee as provided in the MTAS codification service charges policy in effect at the time of the update.

¹Whenever in this municipal code of ordinances masculine pronouns are used, the feminine is included.

When the foregoing conditions are met MTAS will reproduce replacement pages for the code to reflect the amendments and additions made by such ordinances. This service will be performed at least annually and more often if justified by the volume of amendments. Replacement pages will be supplied with detailed instructions for utilizing them so as again to make the code complete and up to date.

The able assistance of the codes team is gratefully acknowledged: Kelley Myers, Nancy Gibson, and Karen Seay.

Abb Oglesby
Legal Program Manager

**ORDINANCE ADOPTION PROCEDURES PRESCRIBED BY THE
TOWN CHARTER**

Section 2.06. Town legislation—when ordinances necessary; required wording; readings required; emergency ordinances; official code; standard codes; publication.

(a) Any action of the Board having a regulatory or penal effect, relating to revenue or appropriation of money, awarding franchises, authorizing the borrowing of money, conveying or leasing or authorizing conveyance or lease of any lands of the Town, or required to be done by ordinance under this Charter or the general laws of the state, shall be done only by ordinance. Other actions of the Board may be accomplished by resolutions or motions. Ordinances and resolutions shall be written form before being introduced, and a copy shall be furnished to each member of the Board in advance of the meeting at which introduced. The enacting clause of ordinances shall be "Be it ordained by the Board of Mayor and Aldermen of the Town of Baileyton". No action of the Board of Aldermen shall be valid or binding unless approved by the affirmative vote of at least a majority of the Board. Any ordinance which repeals or amends existing ordinances shall set forth at length the sections or subsections repealed or as amended. Every ordinance except an emergency ordinance must be approved on two (2) readings not less than one week apart, and shall become effective after final approval unless its terms provide a later effective date. Every ordinance shall be read by caption only at each reading. Each resolution shall be read by caption only and shall become effective when adopted unless its terms provide otherwise. To meet a public emergency affecting life, health or property, an emergency ordinance may be adopted on two (2) readings on separate days and become effective immediately, by the affirmative votes of four (4) members of the Board, if the ordinance contains a full statement of the facts creating the emergency, but any emergency ordinance shall be effective for only 90 days. Appropriations, revenues, franchises, levy of taxes or special privileges shall not be passed as emergency ordinances. Borrowing money may be passed as an emergency ordinance but must be paid back the same or following fiscal year.

(b) The Board shall have the general and continuing ordinances of the Town assembled into an official code of the Town, a copy of which shall be kept currently up to date by the Town Recorder and shall be available to the public. After adoption of

the official code all ordinances shall be adopted as additions to, deletions from or amendments to the code.

(c) Standard codes, as defined in Section 1.02(f), may be adopted by ordinances which contain only references to titles, dates, issuing organizations and such changes to the standard codes as the council may deem desirable. Procedure prescribed by general law shall be followed when adopting such standard codes. Copies of the official code and any standard codes so adopted by reference shall be available to the public at prices fixed by the council.

(d) The original copies of ordinances, resolutions, contracts and other documents shall be filed and preserved by the Town Recorder.

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