

**ORDINANCE NUMBER \_\_\_\_\_**

**AN ORDINANCE OF THE TOWN OF BEAN STATION, TENNESSEE  
ADOPTING BY REFERENCE STATE TRAFFIC OFFENSES  
AND RULES OF THE ROAD, AND REPEALING  
ORDINANCES NUMBERED 99-09-100 AND 2002-04-100**

**WHEREAS,** pursuant to Tennessee Code Annotated § 16-18-302(a)(2), cities are granted the authority to enforce any municipal law or ordinance that mirrors, substantially duplicates or incorporates by cross-reference the language of a state criminal statute, if and only if the state criminal statute mirrors, duplicates or cross-references a Class C misdemeanor and the maximum penalty prescribed by municipal law or ordinance is a civil fine not in excess of fifty dollars; and

**WHEREAS,** the Board of Mayor and Aldermen desires to adopt by reference state traffic offenses and rules of the road; and

**WHEREAS,** the Tennessee General Assembly amended the laws pertaining to adoption of state laws by municipalities by reference, by changing the statute under which such adoption is made and by further specifying that only Class C misdemeanors may be adopted by municipalities and enforced as municipal ordinance violations; and

**WHEREAS,** the Tennessee General Assembly has removed the authority to hear in city court cases related to requiring drivers to yield to emergency vehicles; and

**WHEREAS,** the Town of Bean Station desires to repeal duplicitous and/or contradictory ordinances.

**NOW, THEREFORE, BE IT ORDAINED** by the Board of Mayor and Aldermen of the Town of Bean Station, that

**SECTION 1.** By the authority granted under Tennessee Code Annotated § 16-18-302(a)(2), the Town of Bean Station adopts by reference as if fully set forth in this section, the “Rules of the Road,” as codified in Tennessee Code Annotated Title 55, Chapter 8; and § 55-9-107; and § 55-9-601 et seq.; and § 55-12-139 which are designated as Class C misdemeanors.

**SECTION 2.** Any person violating this ordinance shall be subject to a civil penalty not exceeding fifty dollars (\$50.00) plus court costs for each separate violation of this ordinance. Each day the violation of this ordinance continues shall constitute a separate violation.

**SECTION 3.** Ordinances 99-09-100 and 2002-04-100 are hereby deleted in their entirety since they are duplicitous and/or contradictory to Section 1.

**SECTION 4.** If any portion of this ordinance is declared invalid, other portions that can be given effect without the invalid portion shall remain in effect, and to that end the provisions of this ordinance are declared severable.

**SECTION 5.** This ordinance shall take effect upon its final reading, the public welfare requiring it.

Passed on First Reading: \_\_\_\_\_

Passed on Second Reading: \_\_\_\_\_

Signed: \_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_  
City Recorder