

ORDINANCE _____

AN ORDINANCE OF THE TOWN OF MOUNTAIN CITY, TENNESSEE ADOPTING BY REFERENCE STATE TRAFFIC OFFENSES AND RULES OF THE ROAD, AND REPEALING NON-APPLICABLE SECTIONS OF THE MUNICIPAL CODE.

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 municipal jurisdiction over cases related to driving under the influence, reckless driving, escape, impersonation, false alarms, interference with an officer, disorderly houses, and malicious mischief, and such cases can no longer be tried in Municipal Court but are now greater than a class C misdemeanor and therefore violations of State statutes; and

WHEREAS, the Town of Mountain City desires to remove non-applicable sections from the Municipal Code;

NOW, THEREFORE, BE IT ORDAINED by the Board of Mayor and Aldermen, that

Section 1. The following new section is added to the Mountain City Municipal Code:

15-101. Adoption of state traffic statutes. By the authority granted under Tennessee Code Annotated § 16-18-302, the Town of Mountain City adopts by reference as if fully set forth in this section, the “Rules of the Road,” as codified in Tennessee Code Annotated §§55-8-101 through 55-8-131, and §§55-8-133 through 55-8-180. Additionally, the Town of Mountain City adopts Tennessee Code Annotated §§55-8-181 through 55-8-193, §§55-9-601 through 55-9-606, and §55-12-139 by reference as if fully set forth in this section.

Section 2. Sections 15-103 and 15-104 (Reckless driving and Driving under the influence), Sections 11-201 through 11-204 (Escape, Impersonating an officer, False alarms, Resisting an officer), 11-403 (Disorderly houses), and 11-302 (Malicious mischief) of the Municipal Code of the Town of Mountain City are deleted in their entirety, as they are no longer applicable and have been designated as violations of State statutes.

Section 3. This ordinance shall take effect upon its final reading, the public welfare requiring it.

FIRST READING: _____

SECOND READING: _____

Mayor

City Recorder