



ADOPTING ORDINANCE

AN ORDINANCE ADOPTING AND ENACTING A CODIFICATION AND REVISION OF THE ORDINANCES OF THE TOWN OF BRIGHTON, TENNESSEE.

WHEREAS many of the ordinances of the town of Brighton, Tennessee are obsolete, and

WHEREAS many of the other ordinances of the town are inconsistent with each other or are otherwise inadequate, and

WHEREAS there is a need for additional ordinances, and

WHEREAS the Mayor and Board of Aldermen of the town of Brighton, Tennessee, (hereinafter referred to as the "governing body") has caused its ordinances of a general and permanent nature to be codified and revised and the same are embodied in a codification and revision known as "The Brighton Municipal Code."

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF BRIGHTON, TENNESSEE, THAT: Section I. The ordinances of the town of a general and permanent nature, as codified and revised in the following "Titles," namely "Titles" 1 to 13, both inclusive, are ordained as general ordinances and adopted as "The Brighton Municipal Code," hereinafter referred to as the "City Code."

Section II. All ordinances of a general and permanent nature not contained in the City Code are hereby repealed from and after the effective date of said code, except as hereinafter provided.

Section III. The repeal provided for in the preceding section of this ordinance shall not affect: Any offense or act committed or done, or any penalty or forfeiture incurred, or any contract or right established or accruing before the effective date of the City

2

Code; any ordinance or resolution promising or requiring the payment of money by or to the town or authorizing the issuance of any bonds or other evidence of said town's indebtedness; any contract or obligation assumed by or in favor of said town; any administrative ordinances or resolutions not in conflict or inconsistent with the provisions of such Code; any right or franchise granted by the town; any ordinance dedicating, naming, establishing, locating, relocating, opening, paving, widening, vacating, or otherwise affecting any street or public way; any ordinance establishing and prescribing the grade of any street; any ordinance providing for local improvements and special assessments therefor; any ordinance dedicating or accepting any plat or subdivision; any prosecution, suit, or other proceeding pending or any judgment rendered on or prior to the effective date of said code; nor shall such repeal affect any ordinance annexing territory to the town or amending any zoning map of the town. Section IV. Insofar as the provisions of the City Code are the same as those of ordinances existing and in force on its effective date, said provisions shall be considered to be continuations thereof and not as new enactments. Section V. Wherever in the City Code, including the codes and ordinances adopted by reference, any act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or wherever in the City Code the doing of any act is required or the failure to do any act is declared to be unlawful, the violation of any such provision of the City Code shall be punishable by a penalty of not more than fifty dollars (\$50.00) and costs for each separate

violation; provided, however, that the infliction of a penalty under the provisions of this section shall not prevent the revocation of any permit or license or the taking of other punitive, remedial or administrative action where called for or permitted under the provisions of the City Code or other applicable law.

If any person be fined for violating any provision of the City Code, such person shall in default of payment of such penalty and costs be required to perform hard labor within or without the workhouse, to the extent that his physical condition shall permit, until such penalty and costs are discharged by payment, or until such person, being credited with such sum as may be prescribed for each days hard labor, has fully discharged said penalty and costs.

Each day any violation of the City Code continues shall constitute a separate offense. Section VI. Any printed copy of the City Code certified under the facsimile signature of the Recorder shall be held to be a true and correct copy of such codification, and may be read in evidence in any court without further proof of the provisions contained therein. Section VII. Each section of the City Code, including the codes and ordinances adopted by reference, is here y declared to be separable and severable and the invalidity of any section, part, paragraph, sentence, phrase, or work in the City Code shall not affect the validity of any other part of said Code, and only any part declared to be invalid by a court of competent jurisdiction shall be deleted therefrom.

Section VIII. Immediately upon adoption of the City Code it shall be reproduced in loose-leaf form. The governing body by motion or resolution shall fix, and change from time to time as considered necessary, the prices to be charged for copies of the City Code and revisions thereto. After adoption of the City Code, each general ordinance shall be adopted as amending, adding, or deleting, by numbers, specific chapters or section of said code. Periodically thereafter all affected pages of the City Code shall be revised to reflect such amended, added, or deleted material and shall be distributed to city officers and employees having copies of said code and to other persons who have requested and paid for current revisions. Notes shall be inserted at the end of amended or new sections, referring to the numbers of ordinances making the amendments or adding the new provisions, and such references shall be cumulative if a section is amended more than once in order that the current copy of the City Code will contain references to all ordinances passed since the adoption of the original City Code.

Section IX. Where any provision of the City Code is in conflict with any other provision in said code the provision which establishes the higher standard for the promotion and protection of the public health and safety shall prevail. Section X. Three (3) copies of the City Code, maintained currently up to date, shall be kept available in the recorder's office for public use and inspection at all reasonable times. Section XI. This ordinance shall take effect from and its final passage, the public welfare requiring it, and the City Code, including all the codes and ordinances


(5)


therein adopted by reference, shall be effective on and after that date.

Passed 1st reading JUNE 4, 1979.

Passed 2nd reading JUNE 9, 1979.

Passed 3rd reading April 19, 1982.


MAYOR


RECORDER