

TOWN OF SPRING HILL
SPRING HILL, TENNESSEE

NOTE:

When a new Board took over in 1965 it was discovered that pages had been cut out of the Ordinance book and previous ordinances were lost.

An adopting ordinance (attached) was passed on 3rd Reading on Mar. 2, 1971, which covered a new municipal Code for the Town, which code was prepared with the assistance of the Municipal Technical Advisory Service of the University of Tennessee.

An old unsigned ^{copy of an} ordinance (copy attached) covering the new waterworks constructed in the early 1960's was discovered in the files. An original is probably filed with the Federal Home Administration office in Atlanta.

Submitted. Mayor - 3/15-73.

ORDINANCE NO. 71-1

AN ORDINANCE TO ADOPT THE "BUSINESS
TAX ACT" AND TO LEVY LOCAL BUSINESS
ACTIVITIES TAXES

WHEREAS, the 87th General Assembly of Tennessee, by Chapter 387 of the Public Acts of 1971, enacted the "Business Tax Act" wherein certain privileges are defined and provided that each county and municipality wherein the privileges are conducted may levy a privilege tax upon such privileges not to exceed the rate fixed and provided in the Act, and

WHEREAS, revenues formerly available to the counties and municipalities are no longer available because the laws providing for them have been repealed, effective June 1, 1971, resulting in the loss of revenues to counties and municipalities, and

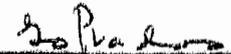
WHEREAS, it is important that the Town of Spring Hill have the amount of revenue formerly available to it by virtue of the laws that have now been repealed and

WHEREAS, it is necessary that the governing body of the Town of Spring Hill adopt the taxes provided for in the "Business Tax Act" for the said taxes to be available to the Town of Spring Hill

NOW, THEREFORE, BE IT ORDAINED By the Town of Spring Hill of Tennessee, that the minimum taxes provided for in Chapter 387 of the Public Acts of 1971, known as the "Business Tax Act" are hereby enacted, ordained, and levied on the businesses, business activities, vocations or occupations carried on in the Town of Spring Hill of Tennessee in the manner prescribed by the said Act, but only the minimum tax on said business activities shall apply, it being the intention of the governing body of the Town of Spring Hill not to adopt the gross receipt tax rates contained in the Act.

PASSED:

First reading Oct. 5. 1971
Second reading Nov. 7. 1971
Third reading Dec. 7. 1971



MAYOR

ADOPTING ORDINANCE

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

WHEREAS many of the ordinances of the Town of Spring Hill are obsolete, and

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

WHEREAS the Board of Mayor and Aldermen of the Town of Spring Hill, 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 Spring Hill Municipal Code".

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF SPRING HILL, TENNESSEE, THAT:

Section 1. 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 Spring Hill Municipal Code", hereinafter referred to as the "City Code".

Section 2. 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 3. 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 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, etc., 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;

*Could be called
Ord. 71-0*

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 its zoning map.

Section 4. 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 5. 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 or remedial 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 day's hard labor, has fully discharged said penalty and costs.

Each day any violation of the City Code continues shall constitute a separate offense.

Section 6. 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 7. Each section of the City Code, including the codes and ordinances adopted by reference, is hereby declared to be separable and severable and the invalidity of any section, part, paragraph, sentence, phrase, or word 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 8. 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 sections 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. One copy of the City Code as originally adopted and one copy of each amending ordinance thereafter adopted shall be furnished to the Municipal Technical Advisory Service immediately upon final passage and adoption.

Section 9. 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 10. 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 11. This ordinance shall take effect from and after its final passage, the public welfare requiring it, and the City Code, including all the codes and ordinances therein adopted by reference, shall be effective on and after that date.

Passed 1st reading February 2, 1971.

Passed 2nd reading February 16, 1971.

Passed 3rd reading March 2, 1971.

G. O. Prados, Mayor

Marvin H. Wright, Recorder