

1ST READING

3-10-09

2ND READING

3-17-09

INDEX NO.

ORDINANCE NO. 12219

AN ORDINANCE ADOPTING AND ENACTING A NEW CODE FOR THE CITY OF CHATTANOOGA, TENNESSEE, INCLUDING THE CHATTANOOGA ZONING ORDINANCE; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING A PENALTY FOR THE VIOLATION THEREOF; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; AND PROVIDING WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE.

SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That the City Code published by the City Attorney's Office and consisting of Chapters 1 through 38, each inclusive, a copy of which is attached hereto and incorporated herein by reference, is hereby adopted and enacted as the "City Code of the City of Chattanooga, Tennessee", which Code shall supersede all general and permanent ordinances of the City adopted on or before December 31, 2008, to the extent provided in Section 2 hereof.

SECTION 2. BE IT FURTHER ORDAINED, That all ordinances of a general and permanent nature enacted on final passage on or before December 31, 2008, and not included in the Code or recognized and continued in force by reference therein are hereby repealed from and after the effective date of the Code.

SECTION 3. BE IT FURTHER ORDAINED, That the repeal provided for in Section 2 hereof shall not be construed to revive any ordinance or part thereof that has been repealed by a subsequent ordinance that is repealed by this ordinance.

SECTION 4. BE IT FURTHER ORDAINED, That unless another penalty is expressly provided, a violation of any provision of such Code, or any provision of any rule or regulation

adopted or issued pursuant thereto, shall be punished by a fine not exceeding Fifty Dollars (\$50.00) and costs for each separate violation. The imposition 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 this Code or other applicable law. Each day any violation continues shall constitute a separate offense.

SECTION 5. BE IT FURTHER ORDAINED, That additions or amendments to the Code, when passed in the form as to indicate the intention of the City to make the same a part of the Code, shall be deemed to be incorporated in the Code, so that reference to the Code includes the additions and amendments.

SECTION 6. BE IT FURTHER ORDAINED, That in case of the amendment of any section of the Code for which a penalty is not provided, the general penalty as provided in Section 4 of this ordinance and in Section 1-8 of such Code shall apply to the section as amended, or in case the amendment contains provisions for which a penalty, other than the aforementioned general penalty, is provided in another section in the same chapter, the penalty so provided in the other section shall be held to relate to the section so amended, unless the penalty is specifically repealed therein.

SECTION 7. BE IT FURTHER ORDAINED, That any ordinance adopted after December 31, 2008, which amends or refers to ordinances codified in such Code, shall be construed as if they amend or refer to such ordinances as codified.

SECTION 8. BE IT FURTHER ORDAINED, That each section, subsection, paragraph, sentence and close of the supplement, including any codes and ordinances adopted by reference, are hereby declared to be separable and severable. The invalidity of any section, subsection, paragraph, sentence or clause in the supplement shall not affect the validity of any other portion,

and only any portion declared to be invalid by a court of competent jurisdiction shall be deleted therefrom.

SECTION 9. BE IT FURTHER ORDAINED, That this Ordinance and the Code adopted hereby shall become effective immediately upon passage.

PASSED on Second and Final Reading

March 17, 2009


CHAIRPERSON

APPROVED: DISAPPROVED:

DATE: 3/23, 2009


MAYOR

MAM/add