

ORDINANCE NO. 265

AN ORDINANCE AMENDING THE MOUNT CARMEL MUNICIPAL CODE TITLE 15 "MOTOR VEHICLES, TRAFFIC, AND PARKING", CHAPTER 1 BY ADDING SECTION 15-129.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF The Town of Mount Carmel, Tennessee, as follows:

SECTION I. Title 15 "Motor Vehicles, Traffic, and Parking", Chapter 1, "Miscellaneous", shall be amended by adding the following new section 15-129, "Operators to Exercise Care, Maintain Lookout.":

15-129. Operator to Exercise Care, Maintain Lookout. It shall be unlawful to operate a motor vehicle in such manner as shall indicate a failure to keep a proper lookout or an absence of due care, having regard to actual and potential hazards, or when special hazards exist with respect to pedestrians or other traffic, or because of weather or street conditions, and in any event speed and operation shall be so controlled as shall be necessary to avoid colliding with any person, vehicle, or other conveyance on or entering the street or highway in compliance with the legal requirements and the duty of all persons to use due care.

SECTION II. Legal Status Provisions.

A. Conflict With Other Ordinances. In case of conflict between this ordinance or any part thereof, and the whole or part of any existing or future ordinance of the Town of Mount Carmel, the most restrictive shall in all cases apply.

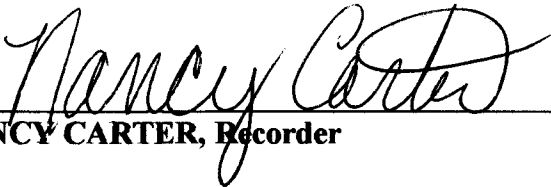
B. Validity. If any section, clause, provision or portion of this ordinance shall be held to be in doubt or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, provision, or portion of this ordinance which is not of itself invalid or unconstitutional.

C. Effective Date. This ordinance shall become effective upon passage and publication, the public welfare requiring it.



GARY W. LAWSON, Mayor

ATTEST:


NANCY CARTER, Recorder

APPROVED AS TO FORM:


JOSEPH E. MAY, Town Attorney

FIRST READING	AYES	NAYS	OTHER
Alderman Henry Bailey	✓		
Vice-Mayor Christian	✓		
Alderman Paul Hale	✓		
Mayor Gary Lawson	✓		
Alderman Tresa Mawk	✓		
Alderman Thomas Wheeler	✓		
Alderman Wanda Worley	✓		
TOTALS	7	0	0

PASSED FIRST READING 11-25-03

SECOND READING	AYES	NAYS	OTHER
Alderman Henry Bailey	✓		
Vice-Mayor Eugene Christian	✓		
Alderman Paul Hale	✓		
Mayor Gary Lawson	✓		
Alderman Tresa Mawk	✓		
Alderman Thomas Wheeler	✓		
Alderman Worley	✓		
TOTALS	7	0	0

PASSED SECOND READING Dec 23, 2003

PUBLISHED ON: 12-30-2003
NEWSPAPER: Kingsport Times

KINGSPORT TIMES-NEWS

PUBLICATION CERTIFICATE

Kingsport, TN

January 2, 2004

This is to certify that the Legal Notice hereto attached was published in the Kingsport Times-News, a daily newspaper published in the City of Kingsport, County of Sullivan, State of Tennessee, beginning in the issue of 12-30-03, and appearing 1 consecutive week(s)/times, as per order of

Mayor of Mt. Carmel

Signed

Karen C. Muskey

PUBLIC NOTICE

The following ordinances were passed by the Mt. Carmel Board of Mayor and Aldermen at the December 23, 2003 meeting: Ordinance 265, amending Code Title 15, to include failure to maintain lookout, Section 15-129. Ordinance 266, to amend Title 4, Chapter 4, of the Code of Ordinances relating to personnel policies; and to fix the effective date of the Ordinance.

Pub 1T: 12/30/2003

STATE OF TENNESSEE, SULLIVAN COUNTY, TO-WIT:

Personally appeared before me this 2nd day of January, 2004, Karen C. Muskey of the Kingsport Times-News and in due form of law made oath that the foregoing statement was true to the best of my knowledge and belief.

Arthur F. Shyer
NOTARY PUBLIC

My commission expires

March 4, 2007