

ORDINANCE NO. 301

AN ORDINANCE TO AMEND TITLE 14, CHAPTER 16, SECTION 14-1604 OF THE CODE OF ORDINANCES RELATING TO ESTABLISHING STORMWATER, GRADING, VEGETATION, EROSION AND SEDIMENTATION CONTROL MEASURES; TO ESTABLISH A PENALTY FOR THE VIOLATION THEREOF; AND, TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE.

BE IT ORDAINED by the Board of Mayor and Aldermen as follows:

- SECTION I. That the Town of Mount Carmel Municipal Code, Title 14, ZONING AND LAND USE CONTROL, Chapter 16, *STORMWATER, GRADING, VEGETATION, EROSION AND SEDIMENTATION CONTROL MEASURES*, Section 14-1604, relating to *REGULATED LAND DISTURBING ACTIVITIES* is hereby amended to read as follows:

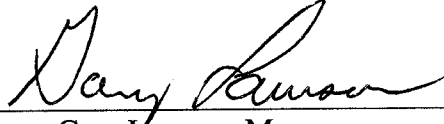
Sec.14-1604. Regulated Land Disturbing Activities.

Except as provided in subsection 14-1604(2) and 1604(3), it shall be unlawful for any person to engage in any land disturbing activity on any commercial development, or any development, construction, or renovation activity involving at least one acre or three (3) adjacent lots or more (**unless such lots are part of a subdivision or other project that has a current approved Drainage and Sediment Control Plan**) without submitting and obtaining approval of a Drainage and Sedimentation Plan as detailed in Sections 14-1606 through 14-1611 of this Chapter, and being issued a Grading Permit by the Building Inspector. Any person who owns, occupies and operates private agriculture or forestlands shall not be deemed to be in violation of this ordinance of land disturbing activities, which result from the normal functioning of these lands, however, the Building Inspector has the authority to require best practices erosion and sedimentation control measures if pollution and run-off problems are evident. Any State or Federal agency not under the regulatory authority of the Town of Mount Carmel for storm water management, erosion and sedimentation control.

- SECTION II. That the violation of any provision of this ordinance shall be punishable by a penalty of not more than fifty dollars (\$50.00) and costs for each separate violation.

SECTION III.

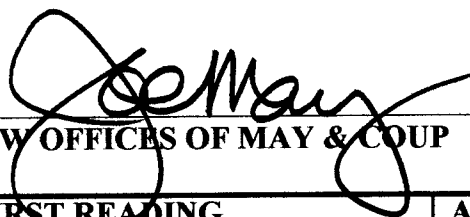
That this ordinance shall take effect from and after its date of passage, as the law directs, the public welfare of the Town of Mount Carmel demanding it.


Gary Lawson, Mayor

ATTEST:


Nancy Carter, City Recorder

APPROVED AS TO FORM:


LAW OFFICES OF MAY & COUP

FIRST READING	AYES	NAYS	OTHER
Alderman Henry Bailey	✓		
Vice-Mayor Eugene Christian	✓		
Mayor Gary Lawson	✓		
Alderman Tresa Mawk	✓		
Alderman Thomas Wheeler	✓		
Alderman Carl Wolfe	✓		
Alderman Wanda Worley	absent		
TOTALS			

PASSED FIRST READING 6-28-05

SECOND READING	AYES	NAYS	OTHER
Alderman Henry Bailey	absent		
Vice-Mayor Eugene Christian	✓		
Mayor Gary Lawson	✓		
Alderman Tresa Mawk	✓		
Alderman Thomas Wheeler	✓		
Alderman Carl Wolfe	✓		
Alderman Wanda Worley	✓		
TOTALS			

PASSED SECOND READING 7-26-05

PUBLISHED ON: _____

NEWSPAPER: Kingsport Times News

KINGSPORT TIMES-NEWS

PUBLICATION CERTIFICATE

Kingsport, TN September 8, 2005

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 8-07-05, and appearing 1 consecutive weeks/times as per order of _____

Kingsport Times-News

Signed Karen C. Mulkey

ORDINANCE PASSED BY
THE MT. CARMEL BOARD
OF MAYOR AND ALDER-
MEN AND DATE PASSED
ARE AS FOLLOWS: Ordinance 301. Amends Title 14,
Chapter 16, Section 14-1604,
Stormwater; To fix a penalty
for the violation of this
Ordinance. Passed 6/26/05

Pub. 1T: 08/07/05

STATE OF TENNESSEE, SULLIVAN COUNTY, TO-WIT:

Personally appeared before me this 8th day of September
2005, Karen C. Mulkey
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.

William F. Salzen
NOTARY PUBLIC

My commission expires March 4, 2007