

**AN ORDINANCE ADOPTING AND ENACTING A CODIFICATION
AND REVISION OF THE PRESENT SPRING HILL MUNICIPAL CODE
AND THE ORDINANCES OF THE TOWN OF SPRING HILL, TENNESSEE**

WHEREAS, some of the ordinances of the Town of Spring Hill are obsolete;

WHEREAS, some of the other ordinances of the Town are inconsistent with each other or are otherwise inadequate;

WHEREAS, the Board of Mayor and Aldermen of the Town of Spring Hill, Tennessee, has heretofore caused its ordinances of a general, continuing, and permanent application or of a penal nature to be codified and revised and the same embodied in a code of ordinances known as the "Spring Hill Municipal Code";

WHEREAS, a number of ordinances have been passed since the publication of the present Spring Hill Municipal Code;

WHEREAS, the Board of Mayor and Aldermen has caused the present Spring Hill Municipal Code and subsequent ordinances to be updated, codified and revised to include ordinances through Ordinance No. 95-5, and the same are now set forth in a code of ordinances designated as the 1995 Spring Hill Municipal Code; and

WHEREAS, this Ordinance was originally passed on second reading on December 18, 1995, but it was determined that notice and a public hearing should precede second reading, and notice was published in the Columbia Daily Herald and the Franklin Review Appeal on February 2, 1996, for a public hearing held before the Board's meeting on February 19, 1996, which public hearing was held, and the Board suspended its rules of procedure to reconsider and act again upon second reading of this Ordinance, on February 19, 1996;

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

Section 1. Ordinances codified. The ordinances of the Town of a general, continuing, and permanent application or of a penal nature, and its present Municipal Code, as codified and revised in the following "titles," namely "titles" 1 to 20, both inclusive, are ordained and adopted as the "1995 Spring Hill Municipal Code," hereinafter referred to as the "1955 Municipal Code."

Section 2. Ordinances repealed. All ordinances of a general, continuing, and permanent application or of a penal nature up to and including Ordinance No. 95-5, excluding zoning and appropriation ordinances, not contained in the Municipal Code are hereby repealed from and after the effective date of said code, except as hereinafter provided in Section 3 below.

Section 3. Ordinances saved from repeal. The repeal provided for in Section 2 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 Municipal 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 budget ordinance; any contract or obligation assumed by or in favor of said Town; any ordinance establishing a social security system or providing coverage under that system; any administrative ordinances or resolutions not in conflict or inconsistent with the provisions of such Code; the portion of any ordinance not in conflict with such Code which regulates speed, direction of travel, passing, stopping, yielding, standing, or parking on any specifically named public street or way; 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; any prosecution, suit, or other proceeding pending or any judgment rendered on or prior to the effective date of said Code; any zoning ordinance or amendment thereto or amendment to the zoning map; nor shall such repeal affect any ordinance annexing territory to the Town.

Section 4. Continuation of existing provisions. Insofar as the provisions of the Municipal 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. Penalty clause. Unless otherwise specified in a title, chapter or section of the Municipal Code, including the codes and ordinances adopted by reference, whenever in the Municipal Code any act is prohibited or is made or declared to be a civil offense, or whenever in the Municipal Code the doing of any act is required or the failure to do any act is declared to be a civil offense, the violation of any such provision of the Municipal Code shall be punished by a civil penalty of not more than five hundred dollars (\$500.00) and costs for each separate violation; provided, however, that the imposition of a civil penalty under the provisions of this Municipal Code 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 Municipal Code or other applicable law. In any place in the Municipal Code the term "it shall be a misdemeanor" or "it shall be an offense" or "it shall be unlawful" or similar terms appears in the context of a penalty provision of this Municipal Code, it shall mean "it shall be a civil offense." Any time the word "fine" or similar term appears in the context of a penalty provision of this Municipal Code, it shall mean "a civil penalty."

When a civil penalty is imposed on any person for violating any provision of the Municipal Code and such person defaults on payment of such penalty, he may be required to perform

hard labor, within or without the workhouse, to the extent that his physical condition shall permit, until such civil penalty is 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.¹

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

Section 6. Severability clause. Each section, subsection, paragraph, sentence, and clause of the Municipal Code, including the codes and ordinances adopted by reference, is hereby declared to be separable and severable. The invalidity of any section, subsection, paragraph, sentence, or clause in the Municipal Code shall not affect the validity of any other portion of said code, and only any portion declared to be invalid by a court of competent jurisdiction shall be deleted therefrom.

Section 7. Reproduction and amendment of code. The Municipal Code shall be reproduced in loose-leaf form. The Board of Mayor and Aldermen, by motion or resolution, shall fix, and change from time to time as considered necessary, the prices to be charged for copies of the Municipal Code and revisions thereto. After adoption of the Municipal Code, each ordinance affecting the code shall be adopted as amending, adding, or deleting, by numbers, specific chapters or section so said code. Periodically thereafter all affected pages of the Municipal Code shall be revised to reflect such amended, added, or deleted material and shall be distributed to town 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

¹State law reference

For authority to allow deferred payment of fines, or payment by installments, see Tennessee Code Annotated, §40-24-101, et seq.

Municipal Code will contain references to all ordinances responsible for current provisions. One copy of the Municipal 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 8. Construction of conflicting provisions. Where any provision of the Municipal 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, safety, and welfare shall prevail.

Passed and adopted by the Board of Mayor and Aldermen of the Town of Spring Hill, Tennessee, on the 19th day of February, 1996.



RON HANKINS, MAYOR

ATTEST:



JUNE QUIRK, RECORDED

LEGAL FORM APPROVED:

N. HOUSTON PARKS, ATTORNEY

Passed on 1st Reading: 11-20-95
Passed on 2nd Reading: 2-19-96

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WHEREAS, a number of ordinances have been passed since the publication of the present Spring Hill Municipal Code; and

WHEREAS, the Board of Mayor and Aldermen has caused the present Spring Hill Municipal Code and subsequent ordinances to be updated, codified and revised to include ordinances through Ordinance No. 95-5, and the same are now set forth in a code of ordinances designated as the 1995 Spring Hill Municipal Code;

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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; any zoning ordinance or amendment thereto or amendment to the zoning map; nor shall such repeal affect any ordinance annexing territory to the Town.

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an offense" or "it shall be unlawful" or similar terms appears in the context of a penalty provision of this Municipal Code, it shall mean "it shall be a civil offense." Any time the word "fine" or similar term appears in the context of a penalty provision of this Municipal Code, it shall mean "a civil penalty."

When a civil penalty is imposed on any person for violating any provision of the Municipal Code and such person defaults on payment of such penalty, he may be required to perform hard labor, within or without the workhouse, to the extent that his physical condition shall permit, until such civil penalty is 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.¹

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

Section 6. Severability clause. Each section, subsection, paragraph, sentence, and clause of the Municipal Code, including the codes and ordinances adopted by reference, is hereby declared to be separable and severable. The invalidity of any section, subsection, paragraph, sentence, or clause in the Municipal Code shall not affect the validity of any other portion of said code, and only any portion declared to be invalid by a court of competent jurisdiction shall be deleted therefrom.

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Section 8. Construction of conflicting provisions.

Where any provision of the Municipal 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, safety, and welfare shall prevail.

Ron Hankins
RON HANKINS, MAYOR

ATTEST:

June Quirk
JUNE QUIRK, RECORDED

LEGAL FORM APPROVED:
Robin S. Courtney
ROBIN S. COURTNEY,
TOWN ATTORNEY

Passed on 1st Reading: 11-20-1995
Passed on 2nd Reading: 12-18-1995

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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; any zoning ordinance or amendment thereto or amendment to the zoning map; nor shall such repeal affect any ordinance annexing territory to the Town.

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Passed and adopted by the Board of Mayor and Aldermen of the Town of Spring Hill, Tennessee, on the 19th day of February, 1996.

RON HANKINS, MAYOR

ATTEST:

JUNE QUIRK, RECORDED

LEGAL FORM APPROVED:

N. Houston Parks

N. HOUSTON PARKS, ATTORNEY

Passed on 1st Reading: 11-20-95

Passed on 2nd Reading: 2-19-96

CERTIFICATE OF AUTHENTICITY

Town of Spring Hill
County of Maury, Williamson
State of Tennessee

I, June Quirk, hereby certify that I am the Recorder of the Town of Spring Hill, Tennessee, duly appointed and qualified; that as such, I am the official custodian of the minute books of the town and of the books, papers, records, and documents of the town and, that the foregoing pages of the "Spring Hill Municipal Code" contain a true, perfect, and correct copy of the town's code of ordinances and the ordinance adopting the same passed on final reading the 18th day of December, 1995.

In witness whereof, I have hereunto subscribed my name this 19th day of December, 1995.

June Quirk
Recorder

**AN ORDINANCE TO AMEND THE SIGN PROVISIONS
OF THE SPRING HILL ZONING ORDINANCE TO ALLOW
RETAIL STORES IN B-3 AND B-4 DISTRICTS THE RIGHT TO
DISPLAY THEIR NAMES ON AND WITHIN THE OUTSIDE WALLS OF
THEIR BUILDINGS REGARDLESS OF THE SIZE
OF SUCH DISPLAY**

BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE
TOWN OF SPRING HILL:

That Ordinance No. 74-2, the Zoning Ordinance of the Town
of Spring Hill, as the same has been previously amended, is hereby
further amended as follows:

By adding at the end of Section 3.7 of Article VII by
adding at the end thereof as Subsection 3.7(4) and amending Article
4.7 of Article VII by adding at the end thereof as Subsection
4.74(4) the following:

Retail stores, the shopping areas of which
exceed 20,000 square feet, may display on and
within the outside walls of the buildings they
occupy the names of their establishments
regardless of the size or area of the display
so long as it is confined to, and does not
extend beyond, the wall area.

This Ordinance was passed on the recommendation of the
Spring Hill Planning Commission made at its regular meeting held on
the second Monday of November, 1995, after a public hearing held
thereon on December 18, 1995, after due advertisement as provided
by the Zoning Ordinance and Tennessee Code Annotated.

Ron Hankins

RON HANKINS, MAYOR

ATTEST:

June Quirk

JUNE QUIRK, RECORDER

LEGAL FORM APPROVED:

Robin S. Courtney

ROBIN S. COURTNEY,
TOWN ATTORNEY

Passed on 1st Reading: 11-20-1995
Passed on 2nd Reading: 12-18-1995