



July 03, 2024

Ordinances

Dear Reader:

The following document was created from the CTAS website (ctas.tennessee.edu). This website is maintained by CTAS staff and seeks to represent the most current information regarding issues relative to Tennessee county government.

We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with county government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other CTAS website material.

Sincerely,

The University of Tennessee
County Technical Assistance Service
226 Anne Dallas Dudley Boulevard, Suite 400
Nashville, Tennessee 37219
615.532.3555 phone
615.532.3699 fax
www.ctas.tennessee.edu

Table of Contents

Ordinances	3
Alcohol Ad Tax	3
Private Acts of 1949 Chapter 234	3
County Police Patrol	3
Private Acts of 1949 Chapter 90	3
Sight-Seeing Guides	4
Private Acts of 1949 Chapter 121	4
Sale of Beer	4
Private Acts of 1949 Chapter 232	4

Ordinances

Alcohol Ad Tax

Private Acts of 1949 Chapter 234

SECTION 1. That the County Court of Hamilton County, under the provisions of Section Nine of Article Eleven of the Constitution, is vested with powers to pass ordinances with regard to private and local affairs hereinafter expressly set forth, by the affirmative vote of a majority of not less than two-thirds of the total number of members thereof; a meeting for the purpose of using these powers may be called on notice given by the County Judge or three members of the County Court.

SECTION 2. That an ordinance under the powers which it is deemed expedient to vest in said County Court shall only be valid after three readings at intervals of not less than ten days of the ordinance; after the first reading and within the ensuing ten days publication of the action entered upon the minutes shall be made two times in a newspaper or newspapers of general circulation in said county; the second reading shall be at a regular or at an adjourned meeting, the date of which shall be fixed at the first reading, and the third reading shall be after a similar publication and at a regular or an adjourned meeting, the date of which was so fixed; each publication notice shall be sufficient to inform the public as to the content of the ordinance and upon passage the ordinance shall be enrolled for public inspection in an indexed book in the office of the County Court Clerk, and all expense of publication and enrollment shall be paid by the County.

SECTION 3. That acting as herein set forth, said County Court may by ordinance: (1) provide for the taxation of advertisements of beer, ale, whiskey, gin, rum, or any beverage that contains alcohol, such tax to be based by classification on the size, visibility, number of hours used, position on any highway, tendency to obscure the vision of users of the highway, blinding effect, or effect on traffic safety of signs and signals to promote safety, location and character of the advertising, whether indoors or outdoors if visible from a public place, whether painted or lighted, moving or still, as set forth in said ordinance, provided this shall not apply to advertisements in newspapers or periodicals; (2) provide for reports, methods, regulations for the collection of such taxes; (3) provide that a failure to comply shall be a misdemeanor and also that when any tax is not paid in accordance with such ordinance, the tax shall be triple that otherwise provided if the liability for payment has to be established by county authorities; (4) provide for the creation of a Liquor Advertising Board of five and designate an agent of said Board for enforcement, all expense and compensation to be provided by ordinance, and (5) provide as a condition to enforcement that the net returns of advertisements within any municipal corporation shall be proportionately divided between the County and said municipal corporation, with an allowance of not more than twenty percent (20%) of the gross returns to said county for administration.

SECTION 4. That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: February 22, 1949.

County Police Patrol

Private Acts of 1949 Chapter 90

SECTION 1. That the County Court of Hamilton County, under the provisions of Section Nine of Article Eleven of the Constitution, is vested with powers to pass ordinances with regard to private and local affairs hereinafter expressly set forth, by the affirmative vote of a majority of not less than four-fifths of the total number of members thereof; a meeting for the purpose of using these powers may be called on notice given by the County Judge or three members of the County Court.

SECTION 2. That an ordinance under the powers which it is deemed expedient to vest in said County Court shall only be valid after three readings at intervals of not less than ten days of the ordinance; after the first reading and within the ensuing ten days publication of the action entered upon the minutes shall be made two times in a newspaper or newspapers of general circulation in said county; the second reading shall be at a regular or at an adjourned meeting, the date of which shall be fixed at the first reading, and the third reading shall be after a similar publication and at a regular or an adjourned meeting, the date of which was so fixed; each publication notice shall be sufficient to inform the public as to the content of the ordinance and upon passage the ordinance shall be enrolled for public inspection in an indexed book in the office of the County Court Clerk, and all expense of publication and enrollment shall be paid by the county.

SECTION 3. That acting as herein set forth, said County Court, if the Hamilton County Council fails to make adequate provision for a Hamilton County Patrol, may by ordinance at any time after July 1, 1949: (1) Establish a Hamilton County Police Patrol of not more than ten members who shall be selected in the manner provided by said ordinance and serve under the direction of the Sheriff upon being commissioned as Deputy Sheriffs by him and until the revocation of any commission issued; (2) Fix the compensation of the members of said Patrol at not more than \$300 per month, such compensation to be earned only during such time as the members are duly commissioned as deputies of the Sheriff; and (3) Provide that the compensation of those who serve as members of the Patrol shall be an obligation of said county and payable in the same manner as the compensation of other employees of said county.

SECTION 4. That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: January 31, 1949.

Sight-Seeing Guides

Private Acts of 1949 Chapter 121

SECTION 1. That the County Court of Hamilton County, under the provisions of Section Nine of Article Eleven of the Constitution, is vested with powers to pass ordinances with regard to private and local affairs hereinafter expressly set forth, by the affirmative vote of a majority of not less than four-fifths of the total number of members thereof; a meeting for the purpose of using these powers may be called on notice given by the County Judge or three members of the County Court.

SECTION 2. That an ordinance under the powers which it is deemed expedient to vest in said County Court shall only be valid after three readings at intervals of not less than ten days of the ordinance; after the first reading and within the ensuing ten days publication of the action entered upon the minutes shall be made two times in a newspaper or newspapers of general circulation in said county; the second reading shall be at a regular or at an adjourned meeting, the date of which shall be fixed at the first reading, and the third reading shall be after a similar publication and at a regular or an adjourned meeting, the date of which was so fixed; each publication notice shall be sufficient, to inform the public as to the content of the ordinance and upon passage the ordinance shall be enrolled for public inspection in an indexed book in the office of the County Court Clerk, and all expense of publication and enrollment shall be paid by the county.

SECTION 3. That acting as herein set forth said County Court may by ordinance: (1) Regulate guides (sight-seeing) who escort or direct the public, including tourists, by providing for such investigation and examination of those who operate under the Acts of 1943, Chapter 106, passed February 11, 1943, as may be deemed best and also to provide such guarantees by bonds of their faithful performance of duties as may be expedient; and (2) Provide that any guide operating in Hamilton County who may not comply with such ordinance will be guilty of a misdemeanor, and also provide for a committee to administer any ordinance.

SECTION 4. That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: February 7, 1949.

Sale of Beer

Private Acts of 1949 Chapter 232

SECTION 1. That the County Court of Hamilton County, under the provisions of Section 9 of Article 11 of the Constitution, is vested with powers to pass ordinances with regard to private and local affairs hereinafter expressly set forth, by the affirmative vote of a majority of not less than two-thirds of the total number of members thereof; a meeting for the purpose of using these powers may be called on notice given by the County Judge or three members of the County Court.

SECTION 2. That an ordinance under the powers which it is deemed expedient to vest in said County Court shall only be valid after three readings at intervals of not less than ten days of the ordinance; after the first reading and within the ensuing ten days publication of the action entered upon the minutes shall be made two times in a newspaper or newspapers of general circulation in said county; the second reading shall be at a regular or at an adjourned meeting, the date of which shall be fixed at the first reading, and the third reading shall be after a similar publication and at a regular or an adjourned meeting, the date of which was so fixed; each publication notice shall be sufficient to inform the public as to the content of the ordinance and upon passage the ordinance shall be enrolled for public inspection in an indexed book in the office of the County Court Clerk, and all expense of publication and enrollment

shall be paid by the County.

SECTION 3. That acting as herein set forth, said County Court may by ordinance (1) regulate the sale of beer and ale, the places in which it may be consumed, the location and the hours and circumstances under which it may be sold and/or consumed, the disposition of containers and its transportation by retailers, and (2) provide that any violation of such ordinance is a misdemeanor.

SECTION 4. That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: February 22, 1949.

Source URL: <https://www.ctas.tennessee.edu/private-acts/ordinances>