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## Chapter VIII - Health

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Dear Reader:

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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](http://www.ctas.tennessee.edu)

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## Chapter VIII - Health

### Fire Protection

#### Private Acts of 1977 Chapter 81

**SECTION 1.** After the effective date of this Act, all public and private water and waterworks companies shall require the installation of at least one (1) standard fire hydrant prior to installing or connecting service to any subdivision for which ten (10) or more residences are planned or built. Such fire hydrant shall be installed within such subdivision not less than ten (10) nor more than twenty (20) feet from a public road in a location which is readily accessible to fire engines. For each additional thirty (30) residences beyond the original ten (10) residences planned or built, at least one (1) other fire hydrant shall be installed in a like manner.

**SECTION 2.** After the effective date of this Act, all public and private water and waterworks companies shall require the installation of a standard fire hydrant every two (2) kilometers in rural, unincorporated areas on all extensions of water lines in such areas.

**SECTION 3.** If any provision of this Act conflicts with any rule, regulation, ordinance, or standard of any municipality or utility district, the stricter standard shall prevail.

**SECTION 4.** This Act shall have no effect unless it is approved by a two-thirds (2/3) vote of the Quarterly County Court of Sevier County. Its approval or nonapproval shall be proclaimed by the presiding officer of the Quarterly County Court and certified by him to the Secretary of State.

**SECTION 5.** For the purpose of approving or rejecting the provisions of this Act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 4.

Passed: May 9, 1977.

### Hospital Loans

#### Private Acts of 1979 Chapter 128

**SECTION 1.** The legislative body of Sevier County by appropriate resolution of such body is authorized and empowered to extend the general credit of Sevier County on behalf of the Sevier County Hospital/ Medical Center to guarantee or to make necessary open loans to such center from any banking source in an amount not to exceed seven hundred fifty thousand dollars (\$750,000.00).

**SECTION 2.** Such loans provided in Section 1 shall be repaid at the discretion of such county legislative body in one or all of the following manners and in the following order:

- (a) From funds created from the operations of the Sevier County Hospital/Medical Center.
- (b) From any other source of funds authorized by such county legislative body by appropriate resolution including but not limited to property tax levy, business taxes, sales taxes and all general revenues.

**SECTION 3.** That all laws and parts of laws in conflict with this Act be, and the same are hereby repealed.

**SECTION 4.** If any provision of this Act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this Act are declared to be severable.

**SECTION 5.** This Act shall have no effect unless it is approved by a two-thirds (2/3) vote of the county legislative body of Sevier County. Its approval or nonapproval shall be proclaimed by the presiding officer of such county legislative body and certified by him to the Secretary of State.

**SECTION 6.** For the purpose of approving or rejecting the provisions of this Act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 5.

Passed: May 7, 1979.

### Health - Historical Notes

### **Fire Protection**

The following act regarding fire protection in Sevier County passed the General Assembly, but does not appear to have been properly ratified locally.

1. Private Acts of 1989, Chapter 117, authorized the county executive of Sevier County, during periods of dryness or high winds, in his discretion, or upon the petition of a majority of the fire chiefs of Sevier County, to issue orders prohibiting open burning in all areas within Sevier County except those within the corporate limits of any municipality. An individual, company, corporation, or other legal entity violating the terms or conditions of an order issued by the county executive was subject to a civil penalty of \$50. The Secretary of the State has no record of the act ever being approved locally. There is a resolution on file with the Sevier county clerk indicating that the county legislative body adopted the private act; however, it is dated prior to the time the act was passed by the General Assembly and signed into law and the language of the resolution does not conform to the language of the private act as it ultimately passed. Hence, it appears the act was never properly ratified locally after passage by the General Assembly and therefore never became an effective law under the Home Rule Amendment to the State Constitution which requires local approval.

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