

ORDINANCE NO. 2011-027

**AN ORDINANCE OF THE TOWN OF BLUFF CITY, TENNESSEE TO AMEND
TITLE 15, CHAPTER 8, SECTION 15-801, KNOWN AS “TRAFFIC CONTROL
PHOTOGRAPHIC SYSTEMS”, OF THE BLUFF CITY MUNICIPAL CODE**

WHEREAS, it is has become necessary to amend the Procedure and Penalty sections in subsection (4)(b) and (5)(a) of Section 15-801 of the Bluff City Municipal Code for purposes of clarification.

**NOW BE IT THEREFORE ORDAINED BY THE BOARD OF MAYOR
AND ALDERMEN OF THE TOWN OF BLUFF CITY, TENNESSEE:**

1. That Title 15, Chapter 8, Section 15-801, Sub-Section (4)(b) PROCEDURE be hereby amended as follows:

- (b) A citation or warning notice so issued, alleging an offense hereunder in violation of Section 15-801 (3) of the Bluff City Municipal Code, which is sworn to or affirmed by an officer of the Bluff City Police Department based on inspection of records, images produced by the Traffic Control Photographic Systems and which includes copies of such recorded images shall be prima facie evidence of the facts contained therein and shall be admissible in any proceeding alleging a violation hereunder. The citation or warning notice shall be forwarded by first-class mail, within 20 business days after the occurrence of the violation, absence exigent circumstances arising from registration irregularities to the vehicle owner’s address as given on the motor vehicle registration records maintained by the State of Tennessee Department of Safety and other state motor vehicle registration departments. Personal deliver to or personal service of process on the owner of the vehicle will not be required.

2. That Title 15, Chapter 8, Section 15-801, Sub-Section (5)(a) PENALTY be hereby amended as follows:

- (a) Any offense hereunder shall be deemed a non-criminal violation for which a civil penalty of fifty dollars (\$50.00) shall be assessed. Court Costs of forty dollars (\$40.00) shall be assessed only if the person cited does not prevail in court or fails to appear. Failure to pay the civil penalty or appear in court to contest the citation or warning notice on the designated date shall result in the imposition of the stated fine by default, and court costs if applicable, as otherwise provided for by Ordinance for citations to the City Court of the Town of Bluff City, Tennessee. The town may establish procedures for the trial of civil violators and may enforce and collect all penalties in the nature of a debt as otherwise provided by law.

3. That this Ordinance shall become effective immediately upon its final passage, the public welfare requiring it.

Irene Wells, Mayor

Attested: _____
Judy A. Dulaney, City Recorder

Approved
as to form: _____
J. Paul Frye, City Attorney

Passed on First Reading: _____
Passed on Second Reading: _____
Public Hearing: _____