

**TOWN OF MONTEAGLE**

**ORDINANCE NO. 13-24**

**AN ORDINANCE AN ORDINANCE AUTHORIZING THE USE OF UNMANNED  
TRAFFIC CAMERAS AT CERTAIN SELECTED TRAFFIC LIGHTS, AND SCHOOL  
AND CONSTRUCTION ZONES AS AUTHORIZED BY LEGISLATIVE ACTS OF THE  
GENERAL ASSEMBLY OF STATE OF TENNESSEE**

Whereas the Tennessee General Assembly has authorized localities to enact ordinances to monitor, enforce and penalize violations of school zone and construction speed limits and traffic light violations; and

Whereas the Board of Mayor and Aldermen of Monteagle, Tennessee, has determined that the installation of unmanned traffic enforcement cameras to enforce and monitor traffic violations would assist in preserving and protecting the health, safety and general welfare for the citizens and residents of Monteagle, Tennessee, including the children attending the public school.

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

**SECTION 1:** Unmanned traffic enforcement cameras be and hereby authorized to be installed at school zones within the corporate limits of the Town of Monteagle, Tennessee as authorized by legislative acts enacted by the Tennessee General Assembly, including but not limited to Tenn. Code Ann. § 55-8-198 as the same may be amended from time to time.

**SECTION 2:** The unmanned traffic enforcement cameras shall be installed, monitored and reviewed in strict accordance with the requirements of Tenn. Code Ann. § 55-8-198, as the same may be amended from time to time.

**SECTION 3.** A traffic citation that is based solely upon evidence obtained from an unmanned traffic enforcement camera that has been installed to enforce or monitor traffic violations shall be considered a nonmoving traffic violation.

**SECTION 4.** A person receiving a notice of violation may elect not to contest the charge and may, in lieu of appearance in court, submit a fine not more than fifty dollars (\$50.00) to the address provided on notice of violation or citation. If the person cited does not pay the traffic citation within the time specified by Tenn. Code Ann. § 55-8-198 (b)(1), then additional fees or court costs may be assessed. If the person cited does not pay the traffic citation as provided in this section and the person cited appears in court at the time specified, or such later date as may be fixed by the court, and the person is convicted or found guilty of, or enters a plea of nolo contendere to the offense, then additional fees or court costs may be assessed.

**SECTION 5.** All regulatory and warning signs informing drivers as to the presence of traffic enforcement cameras at the approaching location as mandated by Tenn. Code Ann. § 55-8-198 as the same may be amended from time to time.

**SECTION 6.** All notice, exemptions and enforcement requirements and procedures mandated by Tenn. Code Ann. § 55-8-198, as the same may be amended from time to time, be and hereby are incorporated herein by reference as fully as if recited verbatim.

**SECTION 7.** Any contract involving unmanned traffic enforcement cameras must conform to state law and any changes thereto. Any contract involving unmanned traffic enforcement cameras shall contain a provision that the contract shall comply with all applicable laws of the State of Tennessee and any revisions of state law.

**SECTION 8.** Prior to implementation of any new unmanned traffic enforcement camera used to enforce or monitor traffic violations, a traffic engineering study for the area being

considered that complies with Tenn. Code Ann. § 55-8-198, as the same may be amended from time to time.

**SECTION 9.** If any section, subsection, paragraph, subparagraph, sentence, item, clause, phrase or any portion of this Ordinance be declared invalid or unconstitutional by a court of competent jurisdiction, or if any provision of any part of this Ordinance as applied to any particular situation or set of circumstances be declared invalid or unconstitutional, such invalidity shall not be construed to affect the remaining portions of this Ordinance not so held to be invalid, or the application of this Ordinance or other circumstances not so held to be invalid. It is hereby declared to be the intent that the section, subsection, paragraph, subparagraph, sentence, item, clause, phrase or any portion of this Ordinance shall be treated as severable.

**SECTION 10.** That all Ordinances in conflict herewith and all provisions in the Monteagle Municipal Code in conflict herewith are hereby repealed in their entirety, to the extent of any conflicts.

This Ordinance shall take effect immediately upon its final passage, the public welfare requiring it.

Passed 1<sup>st</sup> reading \_\_\_\_\_, 2024

Passed 2<sup>nd</sup> reading \_\_\_\_\_, 2024

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Town Recorder

APPROVED AS TO FORM:

\_\_\_\_\_

Town Attorney



# ORDINANCE NO. 14-24

## AN ORDINANCE TO AMEND SECTION 501 OF THE MONTEAGLE ZONING ORDINANCE TO MAKE CAMPGROUNDS TO BE A USE BY SPECIAL EXCEPTION APPROVAL REQUIRED BY THE BOARD OF ZONING APPEALS IN THE C-2 HIGHWAY COMMERCIAL DISTRICT AND C-3 INTERCHANGE COMMERCIAL DISTRICT IN THE TOWN OF MONTEAGLE

- WHEREAS,** the authority granted in Tennessee Code Annotated (TCA), Section 13-7-201, allows for the zoning of territory within a municipality; and
- WHEREAS,** the Monteagle Board of Mayor & Aldermen has implemented zoning districts as provided for in TCA, Section 13-7-202; and
- WHEREAS,** TCA Section 13-7-204 enables a municipality with the authority to amend zoning ordinances and zoning maps; and
- WHEREAS,** in accordance with TCA, Section 13-7-203(A), an advertised public hearing was held prior to the adoption of this zoning ordinance amendment with at least twenty-one (21) days' notice being given of the public hearing; and
- WHEREAS,** in accordance with TCA, Section 13-7-203(B), the Monteagle Municipal-Regional Planning Commission approved and recommended the zoning amendment herein described to the Monteagle Board of Mayor and Aldermen;
- WHEREAS,** pursuant to the requirements of TCA, Section 13-7-204, the planning commission has recommended amendments to the zoning ordinance, as herein described; and

**NOW, THEREFORE, BE IT ORDAINED** by the Board of Mayor & Aldermen of the Town of Monteagle, Tennessee that the Monteagle Zoning Ordinance be and hereby is amended as shown below:

**Section 1: Amend the language in Section 501 Schedule of Permitted Uses to make campgrounds a use permitted only with a special exception from the BZA in the C-2 Highway Commercial District and C-3 Interchange Commercial District as follows:**

### Existing:

BUSINESS AND COMMERCIAL USES	C-1	C-2	C-3	I-1	R-1	R-2	R-3	R-4	I-D	Additional Requirements
Campgrounds		●					●	●		<u>Section 513</u>

### Amended:

BUSINESS AND COMMERCIAL USES	C-1	C-2	C-3	I-1	R-1	R-2	R-3	R-4	I-D	Additional Requirements
Campgrounds		●	●				●	●		<u>Section 513</u>

**\*\*Uses highlighted in green shall only be granted upon approval of a special exception, per section 1107**

**Section 2:** Any Ordinance, Resolution, Motion or parts thereof in conflict herewith are hereby repealed and superseded. If any sentence, clause, phrase or paragraph of this Ordinance is declared to be unconstitutional by any Court of competent jurisdiction; such holding will not affect any other portion of this Ordinance.

**NOW, THEREFORE, BE IT FURTHER ORDAINED THAT** this Ordinance shall become effective immediately from and after its date of final passage.

**First Reading:** \_\_\_\_\_

**Final Reading:** \_\_\_\_\_

**Date of Public Hearing:** \_\_\_\_\_

\_\_\_\_\_  
**Greg Maloof, Mayor**

**ATTEST:** \_\_\_\_\_

**Town Recorder**

*A Signed Copy must be returned to a staff planner of the Southeast Tennessee Development District to update and incorporate the amendment into the official zoning ordinance.*

ORDINANCE NO. 15-24

**AN ORDINANCE TO AMEND THE MONTEAGLE ZONING ORDINANCE BY REQUIRING  
SITE PLAN REVIEW BY PLANNING COMMISSION PRIOR TO BZA REVIEW OF A  
SPECIAL EXCEPTIONS REQUEST  
IN THE TOWN OF MONTEAGLE**

- WHEREAS,** the authority granted in Tennessee Code Annotated (TCA), Section 13-7-201, allows for the zoning of territory within a municipality; and
- WHEREAS,** the Monteagle Board of Mayor & Aldermen has implemented zoning districts as provided for in TCA, Section 13-7-202; and
- WHEREAS,** TCA Section 13-7-204 enables a municipality with the authority to amend zoning ordinances and zoning maps; and
- WHEREAS,** in accordance with TCA, Section 13-7-203(A), an advertised public hearing was held prior to the adoption of this zoning ordinance amendment with at least twenty-one (21) days' notice being given of the public hearing; and
- WHEREAS,** in accordance with TCA, Section 13-7-203(B), the Monteagle Municipal-Regional Planning Commission approved and recommended the zoning amendment herein described to the Monteagle Board of Mayor and Aldermen;
- WHEREAS,** pursuant to the requirements of TCA, Section 13-7-204, the planning commission has recommended amendments to the zoning ordinance, as herein described; and

**NOW, THEREFORE, BE IT ORDAINED** by the Board of Mayor & Aldermen of the Town of Monteagle, Tennessee that the Monteagle Zoning Ordinance be and hereby is amended as shown below:

**Section 1:** Amend the language in Section 1107 Special Exceptions Letter B Application by adding the following requirements for Site Plan review as follows:

**Add:**

1. For any Special Request that will require site plan approval, the applicant must have the Planning Commission review the site plan before the Special Exception Application is submitted to the Board of Zoning Appeals (BZA). The reviewed site plan will be included in the agenda for BZA public hearing. Site plan review prior to the hearing does not constitute final approval of the site plan by the Planning Commission.

**Section 2:** Amend the language in Section 1107 Special Exceptions Letter C Conditions and Restrictions by adding the following requirements for Site Plan review as follows:

1. The BZA must utilize the site plan review in their evaluation of the Special Exception Request. Any additional restrictions placed on the site plan by the BZA must be shown on the site plan when it goes back to the Planning Commission for final approval.

**Section 3: Any Ordinance, Resolution, Motion or parts thereof in conflict herewith are hereby repealed and superseded. If any sentence, clause, phrase or paragraph of this Ordinance is declared to be unconstitutional by any Court of competent jurisdiction; such holding will not affect any other portion of this Ordinance.**

**NOW, THEREFORE, BE IT FURTHER ORDAINED THAT** this Ordinance shall become effective immediately from and after its date of final passage.

**First Reading:** \_\_\_\_\_

**Final Reading:** \_\_\_\_\_

**Date of Public Hearing:** \_\_\_\_\_

\_\_\_\_\_  
**Mayor**

**ATTEST:** \_\_\_\_\_

**Town Recorder**

*A Signed Copy must be returned to a staff planner of the Southeast Tennessee Development District to update and incorporate the amendment into the official zoning ordinance.*



ORDINANCE NO. 16-24

**AN ORDINANCE TO AMEND THE MONTEAGLE ZONING ORDINANCE TO REMOVE  
CONVENIENCE STORES AS A PERMITTED USE IN C-1 AND TO ADD ADDITIONAL  
RESTRICTIONS TO SECTION 518 CONVEINEINCE STORES  
IN THE TOWN OF MONTEAGLE**

**WHEREAS,** the authority granted in Tennessee Code Annotated (TCA), Section 13-7-201, allows for the zoning of territory within a municipality; and

**WHEREAS,** the Monteagle Board of Mayor & Aldermen has implemented zoning districts as provided for in TCA, Section 13-7-202; and

**WHEREAS,** TCA Section 13-7-204 enables a municipality with the authority to amend zoning ordinances and zoning maps; and

**WHEREAS,** in accordance with TCA, Section 13-7-203(A), an advertised public hearing was held prior to the adoption of this zoning ordinance amendment with at least twenty-one (21) days' notice being given of the public hearing; and

**WHEREAS,** in accordance with TCA, Section 13-7-203(B), the Monteagle Municipal-Regional Planning Commission approved and recommended the zoning amendment herein described to the Monteagle Board of Mayor and Aldermen;

**WHEREAS,** pursuant to the requirements of TCA, Section 13-7-204, the planning commission has recommended amendments to the zoning ordinance, as herein described; and

**NOW, THEREFORE, BE IT ORDAINED** by the Board of Mayor & Aldermen of the Town of Monteagle, Tennessee that the Monteagle Zoning Ordinance be and hereby is amended as shown below:

**Section 1: Amend the language in the Schedule of Permitted Uses by removing Convenience Stores as a permitted use in C-1 as follows:**

BUSINESS AND COMMERCIAL USES	C-1	C-2	C-3	I-1	R-1	R-2	R-3	R-4	I-D	Additional Requirements
Convenience stores		●	●							<u>Section 518</u>

**\*\*Uses highlighted in green shall only be granted upon approval of a special exception, per section 1107**

**Section 2: Amend Section 518 Convenience Stores by adding the following restrictions as follows:**

**Add:** B. The following restrictions will be required for new convenience stores in the Town of Monteagle.

1. Building size for convenience stores will be a maximum of 5,000 sq. ft.

2. Off-street parking and convenient pedestrian access will be required for every convenience stores in accordance with the Town of Monteagle's parking requirements and ADA regulations.
3. Convenience stores must operate as 24/7 facilities. This requirement may be waived by the Board of Zoning Appeals on a case-by-case basis.
4. Convenience stores must offer a minimum of 500 stock keeping units (SKUs)
5. The product mix of SKUs includes grocery type items and also includes items from the following groups: beverages, snacks (including confectionary), tobacco, and fuel.

**Section 3:** Any Ordinance, Resolution, Motion or parts thereof in conflict herewith are hereby repealed and superseded. If any sentence, clause, phrase or paragraph of this Ordinance is declared to be unconstitutional by any Court of competent jurisdiction; such holding will not affect any other portion of this Ordinance.

**NOW, THEREFORE, BE IT FURTHER ORDAINED THAT** this Ordinance shall become effective immediately from and after its date of final passage.

**First Reading:** \_\_\_\_\_

**Final Reading:** \_\_\_\_\_

**Date of Public Hearing:** \_\_\_\_\_

\_\_\_\_\_  
**Mayor**

**ATTEST:** \_\_\_\_\_

**Town Recorder**

*A Signed Copy must be returned to a staff planner of the Southeast Tennessee Development District to update and incorporate the amendment into the official zoning ordinance.*

ORDINANCE NO. 17-24

**AN ORDINANCE TO MAKE ADDITIONS TO SECTION 1203 BUILDING PERMITS  
OF THE ZONING ORDINANCE OF  
THE TOWN OF MONTEAGLE, TENNESSEE**

**WHEREAS**, the authority granted in Tennessee Code Annotated (TCA), Section 13-7-201, allows for the zoning of territory within a municipality; and

**WHEREAS**, the Monteagle Board of Mayor & Aldermen has implemented zoning districts as provided for in TCA, Section 13-7-202; and

**WHEREAS**, TCA Section 13-7-204 enables a municipality with the authority to amend zoning ordinances and zoning maps; and

**WHEREAS**, in accordance with TCA, Section 13-7-203(A), an advertised public hearing was held prior to the adoption of this zoning ordinance amendment; and

**WHEREAS**, in accordance with TCA, Section 13-7-203(B), the Monteagle Municipal-Regional Planning Commission approved and recommended the zoning amendment herein described to the Monteagle Board of Mayor and Aldermen;

**WHEREAS**, pursuant to the requirements of TCA, Section 13-7-204, the planning commission has recommended amendments to the zoning ordinance, as herein described; and

**NOW, THEREFORE, BE IT ORDAINED** by the Board of Mayor & Aldermen of the Town of Monteagle, Tennessee that the Monteagle Zoning Ordinance be and hereby is amended as shown below:

**Section 1: Add the following language in Section 1203 to read as follows:**

**1203 Building Permits**

**1. Building Permit Expiration**

The enforcement officer may extend a building permit for an additional 6 months at their discretion. If no substantial progress has been made on the project after 12 months, the building permit will be void and revoked. The project site plan must be updated and resubmitted to the planning commission prior to issuance of a new building permit. The Enforcement Officer will notify the permit holder in writing, with information copies of such notification to the Mayor and the Chair of the Planning Commission.

If the permit holder disputes the Enforcement Officers notification that its permit is void and revoked, it must demonstrate that substantial progress has in fact been made as required and shall submit for review construction contracts and other documentation relating to construction schedule flow charts, schedule of values, and cost at the Enforcement Officer requests.



Substantial progress shall be defined as “work in place” equal to or exceeding 10% of the cost of construction as stated by the value on the building permit. Design costs, stored materials, grading cost not associated with new construction, and fees cannot be included in the sum of substantial progress. The twelve-month time span is subject to weather delays. A weather delay may result from daily precipitation of one-tenth of an inch or more, or from extremes of other conditions such as wind and snow.

If adverse weather conditions are the basis for a request to extend the twelve-month limit set out above, the permit holder will have the responsibility of documenting such request by data substantiating the extent to which such weather conditions were abnormal for the period of time and location and had an adverse effect on the scheduled construction. Submission of National Weather Service observations of daily weather conditions in the vicinity of the construction site will be required.

Site plans lapse when the vesting period provided in TCA 13-4-310 has expired and no extension has been granted by the Town and if there is no active building permit when the vesting period expires.

**Section 2: Any Ordinance, Resolution, Motion or parts thereof in conflict herewith are hereby repealed and superseded. If any sentence, clause, phrase or paragraph of this Ordinance is declared to be unconstitutional by any Court of competent jurisdiction; such holding will not affect any other portion of this Ordinance.**

**Section 3: Correct any grammatical or formatting errors as found.**

**NOW, THEREFORE, BE IT FURTHER ORDAINED THAT** this Ordinance shall become effective immediately from and after its date of final passage.

**First Reading:** \_\_\_\_\_

**Final Reading:** \_\_\_\_\_

**Date of Public Hearing:** \_\_\_\_\_

\_\_\_\_\_  
**Mayor**

**ATTEST:** \_\_\_\_\_  
**Town Recorder**

RESOLUTION NO. 08-24

**A RESOLUTION OF TOWN OF MONTEAGLE, TENNESSEE, TO AUTHORIZE  
COOPERATIVE PURCHASING AGREEMENTS FOR THE USE AND BENEFIT OF  
ALL COUNTY DEPARTMENTS**

**WHEREAS**, *Tennessee Code Annotated (TCA) 12-3-1205 (b) (1)* allows for master cooperative purchasing agreements upon the approval and consent of the local legislative body; and

**WHEREAS** cooperative purchasing agreements allow local governments to purchase goods and services from other local, state, and national cooperative purchasing alliances that have been competitively bid under the same circumstances required by law by the purchasing entity; and

**WHEREAS** these master cooperative agreements reduce time and personnel resources needed to competitively bid goods and services at the local level, but still allow local governments to take advantage of the lowest and best pricing available for the needed goods and services; and

**WHEREAS** Tennessee state law was amended for all Tennessee cities to take advantage of cooperative purchasing agreements in effect throughout our state and nation: and

**WHEREAS**, Tennessee Code Annotated, Section *12-3-1205 (b) (1) and (2)*, states as follows:

**(b) (1)** Notwithstanding any other law to the contrary, any municipality, county, utility district, or other local government of the state may participate in, sponsor, conduct, or administer a cooperative purchasing agreement for the procurement of any goods, supplies, services, or equipment with one (1) or more other governmental entities outside this state, to the extent the laws of the other state permit the joint exercise of purchasing authority, in accordance with an agreement entered into between or among the participants; provided, such goods, supplies, services, or equipment were procured in a manner that constitutes competitive bidding and were advertised, evaluated, and awarded by a governmental entity and made available for use by other governmental entities.

**(2)** A municipality, county, utility district, or other local government of the state may participate in a master agreement by adopting a resolution accepting the terms of the master agreement. If a participant in a joint or multi-party agreement is required to advertise and receive bids, then it will be deemed sufficient for those purposes that the purchasing entity or the entity that procured the bid complied with its own purchasing requirements. The participant shall acquire and maintain documentation that the purchasing entity or entities that procured the bid complied with its own purchasing requirements.

**WHEREAS** the Town of Monteagle desires to take advantage of the newly created law and reduce the taxpayer burden for duplication of services while still taking advantage of the lowest and best pricing under the master cooperative agreements that have been competitively bid under the same circumstances required by law by the purchasing entity.



**NOW THEREFORE, BE IT RESOLVED** by the Town of Monteagle, Tennessee, meeting this 26<sup>th</sup> day of August 2024, that we agree to the terms of the created law and authorize use of the following master cooperative purchasing agreement:

- 1) Sourcewell
- 2) Wilson County Chevrolet Buick GMC

**BE IT FURTHER RESOLVED** that the established list of authorized cooperative purchasing agreements may be amended at any time by the Board of Alderman and the Town of Monteagle, Tennessee.

Adopted this 26<sup>th</sup> day of August 2024.

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Mayor Gregory Maloof

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Attest

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Date

RESOLUTION NO. 07-24

A RESOLUTION OF THE TOWN OF MONTEAGLE, TENNESSEE, TERMINATING VESTED  
PROPERTY RIGHTS AS PROVIDED BY T. C. A. §13-4-310

WHEREAS, on July 7, 2021 the Monteagle Regional Planning Commission approved a site development plan for RBT Enterprises LLC for a property known as Marion County Map 022k C Parcel 002.07, and

WHEREAS T. C. A. §13-4-310 establishes a three year vesting periods for development rights associated with development plans and site plans approved by municipal bodies, and,

WHEREAS T. C. A. §13-4-310 establishes rules for the termination of vested property rights by the municipality by written determination, and,

WHEREAS a stop work order was issued on February 1, 2023 to RBT Enterprises LLC revoking building permit application # 000283 based on 5 violations of municipal ordinance and / or provisions of the International Building Code, and

WHEREAS the Town of Monteagle has afforded RBT 90 days to correct violations noted in the stop work order, and

WHEREAS no action has been taken by RBT Enterprises LLC to address the stop work order or renew the building permit for the project, and

WHEREAS, further, 3 years have elapsed since initial site plan approval.

NOW, THEREFORE, be it resolved that pursuant to T. C. A. §13-4-310, the Town of Monteagle hereby terminates any vested property rights of RBT Enterprises LLC created by and associated with the site plan approved on July 7th 2021 for Marion County Map 022K C Parcel 002.07.

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MAYOR GREG MALOOF

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CITY RECORDER DEBBIE TAYLOR