

CITY OF LOOKOUT MOUNTAIN, GEORGIA

ORDINANCE NO. 35

AN ORDINANCE

Authorizing an interlocal governmental agreement with the Chattanooga Area Regional Transportation Authority for the purpose of planning, regulating and furnishing to the City of Lookout Mountain, Georgia, passenger transportation service for hire; and for other purposes.

BE IT ORDAINED by the City Council of the City of Lookout Mountain, Georgia, and it is hereby ordained:

Section 1: WHEREAS, there has been created by ordinance of the Mayor and Commissioners of the City of Chattanooga, Tennessee, pursuant to the terms of Chapter 515, Public Acts of Tennessee 1970, as amended by Chapter 160, Public Acts of Tennessee of 1971, a METROPOLITAN TRANSIT AUTHORITY for the City of Chattanooga, Tennessee, and environs which said Authority, to be called the Chattanooga Area Regional Transportation Authority (hereinafter called the Authority), is empowered to plan and provide for the transportation of passengers for hire upon any or all streets in the City of Chattanooga and upon any or all highways in Hamilton, Catoosa, Dade and Walker Counties and the municipalities within said counties and in other counties and municipalities in Tennessee and Georgia and in other states, upon compliance with their laws,

NOW THEREFORE: (a) Pursuant to the authority vested in it by Article VII, Section VI, Paragraph I, Sub-Section (a) of the Georgia Constitution, Sections 69-309 et seq. and Sections 62-1201 et seq., Georgia Code, and Section 1.04 of the Charter of the City of Lookout Mountain, Georgia (hereinafter called the "City"), the City does hereby enter into an interlocal governmental agreement with the Authority for a period

of twenty (20) years for the planning for and furnishing and regulation of public passenger transportation service for hire to and from and within the City, as more fully hereinafter provided.

(b) The Authority shall have for and within the City full power and authority to acquire, purchase, construct, extend, improve, maintain, own, and operate a system of street railroads, and/or electric coaches, and/or motor buses, and/or any other suitable or convenient vehicles primarily for the transportation for hire of passengers and incidental activities, including without limitation, street railroads, street cars, electric coaches, motor buses, automobiles, and other vehicles however propelled, car barns, terminals, garages, repair shops, lines, poles, conduits, underground and overhead wires, cables, engines, generators, switchboards, storage tanks, pumps, fixtures, accessory apparatus, buildings and lands, rights-of-way, and easements, and all other appurtenances necessary, usual, or proper to such system for the transportation for hire of passengers.

Section 2. The Authority shall consist of members, including a member representing this City, to be appointed by resolution of the Council, and such subordinate officers and employees as may be selected by the Authority as provided in said ordinance of the City of Chattanooga, and shall have with respect to the City of Lookout Mountain, Georgia, the duties, powers, privileges and authorities and shall conduct its affairs all as set forth in said ordinance of said City of Chattanooga, a copy of which has been read at this meeting and is hereby ordered appended as an exhibit to the minutes of this meeting.

Section 3. By participating in said Authority, the City of Lookout Mountain, Georgia, assumes no responsibility for the debts, operating expenses, obligations, or other liabilities of the Authority unless and until it may from time

to time specifically agree to do so by separate action of its governing body subsequent hereto.

Section 4. Severability:

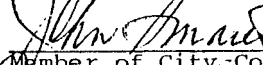
If any section, subsection, sentence, or clause in this ordinance be adjudged invalid, such adjudication shall not affect the validity of the ordinance or Code as a whole or of any section, subsection, sentence, or clause hereof or thereof not adjudged invalid.

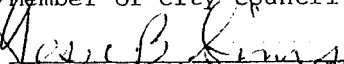
Section 5. Effective Date:

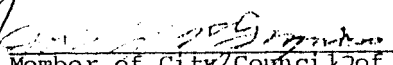
BE IT FURTHER ORDAINED by the City Council of the City of Lookout Mountain, Georgia, and it is hereby ordained that due to the impending discontinuance of public transportation facilities for residents of the City and the immediate need to plan for suitable alternative methods of providing for public transportation, an emergency exists and the public safety and welfare require that this ordinance be effective upon its adoption and approval by at least four members of this Council on two readings less than a week apart, and this ordinance shall be effective immediately after two such readings and its adoption following the second of such readings.

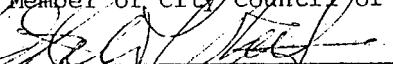
Approved on first reading on June 23, 1971.

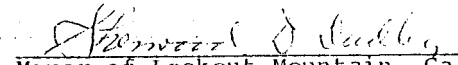

Member of City Council of Lookout Mountain, Ga.


Member of City Council of Lookout Mountain, Ga.


Member of City Council of Lookout Mountain, Ga.


Member of City Council of Lookout Mountain, Ga.


Member of City Council of Lookout Mountain, Ga.


Mayor of Lookout Mountain, Ga.

Approved and adopted on second reading on June 25, 1971.

Willie Pittman
Member of City Council of Lookout Mountain, Ga.

John M. ...
Member of City Council of Lookout Mountain, Ga.

Joseph P. ...
Member of City Council of Lookout Mountain, Ga.

...
Member of City Council of Lookout Mountain, Ga.

...
Member of City Council of Lookout Mountain, Ga.

...
Mayor of Lookout Mountain, Ga.

ATTEST:

Harry Edmund
City Clerk of Lookout Mountain, Ga.

(SEAL)