

**TITLE 13****PROPERTY MAINTENANCE REGULATIONS****CHAPTER**

1. REBUILDING, REMOVAL OF BUILDINGS.
2. PROTECTION AND PRESERVATION STANDARDS.

**CHAPTER 1****REBUILDING, REMOVAL OF BUILDINGS****SECTION**

- 13-101. Regulation of the rebuilding and/or removal of burned out or deteriorated buildings and structures.

**13-101. Regulation of the rebuilding and/or removal of burned out or deteriorated buildings and structures.** (1) In the event real property, structures or improvements thereupon deteriorates, burns or is otherwise destroyed and is therefore no longer inhabitable and/or usable, it shall be required that the property owner submit to the Town of Unicoi within ninety (90) days of the burning of the property or the property reaching such a state of deterioration, or within ninety (90) days of notice received from the Town of Unicoi to provide a report, the owner must submit a detailed report on a form supplied by the town recorder of the Town of Unicoi stating the time within which the property owner plans to rebuild or remove the uninhabitable or unusable structure from the property, insurance status of the property and any other pertinent factors affecting the property.

(2) In the event the owner should need additional time to complete the plan beyond that specified in the original plan, the property owner shall appear before the Unicoi Planning Commission, from time to time, but, in no event less than every sixty (60) days throughout the period of cleaning up of debris and/or rebuilding the building, or removing the building, or removing the deteriorated property improvements. The owner shall keep the Unicoi Planning Commission advised and aware of any other conditions affecting the resolution of issues concerning the property.

(3) In the event the property owner does not comply with the provisions of this section or complete the plan for rebuilding, cleaning up debris and/or removal of deteriorated improvements, the Town of Unicoi shall, after notice to the property owners, remove the debris and deteriorated improvements to the affected property and shall charge back to the property owner the cost of such remediation. The property owner failing to comply with the remediation plan shall pay all costs of remediation incurred by the Town of Unicoi, including, but not limited to, cost of removal, grading, repairs, seeding, landfill fees,

attorney's fees and costs. Failure to do so may result in a lien placed on the property. (Ord. #2014-235, July 2014)

## CHAPTER 2

### PROTECTION AND PRESERVATION STANDARDS

#### SECTION

- 13-201. Littering generally.
- 13-202. Accumulation of rubbish.
- 13-203. Weeds and other vegetation.
- 13-204. Poisonous vines and injurious plants.
- 13-205. Vehicular and pedestrian traffic view obstruction prohibited.
- 13-206. Overgrown lots.
- 13-207. Exterior painting and renovations.
- 13-208. Unsafe property conditions prohibited.
- 13-209. Transfer of title.
- 13-210. Additional regulations.
- 13-211. Depositing of vegetation, grass clippings, cuttings, or similar material on rights-of-way within the Town of Unicoi.
- 13-212. Violations and penalty.

**13-201. Littering generally.** It is unlawful for any person to throw or deposit or permit to be deposited or scattered upon any sidewalk, alley, street, bridge or public passageway, or rubble of any kind or to allow these items to accumulate upon public property immediately adjacent to and abutting that person's private property and between the private property and the public streets or alleyways upon which the property fronts. It is the responsibility of all owners and occupants of private property to keep abutting rights-of-way free and clear of rubbish, trash, etc. It is further the responsibility of private property owners and occupants to keep the rights-of-way upon which the property fronts mowed and clear of weeds, tall grass, etc. Littering, allowing the accumulation of litter and the failure to clean up and remove such litter is a violation of this section and violators are subject to the general penalty provisions of this code. (Ord. #2020-271, Feb. 2020)

**13-202. Accumulation of rubbish.** It is unlawful for any person owning, leasing, occupying, or having control of property, regardless of whether the property is a vacant lot or contains any form of structure to permit the accumulation upon the property of garbage, trash, rubbish or other refuse in any form or nature, including but not limited to inoperable, untagged automobiles without tires whether or not set on blocks. All such accumulations are declared to be a public nuisance. The failure to clean up and remove such rubbish is a violation of this section and violators are subject to the general penalty provisions of this code. (Ord. #2020-271, Feb. 2020)

**13-203. Weeds and other vegetation.** (1) It is unlawful for any person or other entity owning, leasing, occupying or having control of property in the town, regardless of whether the property is vacant or contains any form of structure, to permit the growth upon the property of weeds, grass, brush and all other rank or noxious vegetation to a height greater than twelve inches (12") when the growth is within two hundred feet (200') of other improved and/or occupied property or is within two hundred feet (200') of the right-of-way of any street, thoroughfare, or highway within the town.

(2) Excluded from these provisions are tracts of land of five (5) acres or larger in unplatted, undeveloped areas (i.e., not in a subdivision approved by the Town of Unicoi Planning Commission, and the plat of which is recorded with the register of deeds, or in a subdivision developed prior to the creation of the planning commission, a plat of which is of record with the register of deeds) or tracts that are being used for current agricultural purposes.

(3) Property not exempt due to its size or the active practice of agriculture which is contiguous to parcel(s) of land that front on public streets or roadways, or contain any improvements shall be cleared of all weeds, tall grass and other noxious vegetation in the area within two hundred feet (200') of the property line of the developed property adjoining the subject tract and/or front property line adjoining the right-of-way of any street or roadway.

(4) As to these naturally wooded areas, containing trees, the clearing requirements of this section extend only to the line of woods or trees adjoining developed (improved) property or public thoroughfares. (Ord. #2020-271, Feb. 2020)

**13-204. Poisonous vines and injurious plants.** It is also unlawful for any person or other entity to permit poison vines or plants injurious because of pollination or a menace to health, to grow in the Town of Unicoi where they may cause injury or discomfort to any person, regardless of height, which plants are hereby declared to be a public nuisance. The failure to destroy poison vines or other such plants constitutes a violation of this section and violators are subject to the general penalty provisions of this code.

**13-205. Vehicular and pedestrian traffic view obstruction prohibited.** It is unlawful to plant, maintain, or allow any vegetation, slu-ubbery, hedge rows, etc., so near or upon public road rights-of-way as to obstruct the view of a person driving in the roadway or otherwise constitute a hazard to vehicular and/or pedestrian traffic. Failure of owners of property adjoining the rights-of-way or owners of property upon which the vegetation exists to trim or remove it is guilty of a violation of this section and violators are subject to the general penalty provisions of this code. (Ord. #2020-271, Feb. 2020)

**13-206. Overgrown lots.** The failure to cut and destroy, weeds, grass, brush and all other rank or noxious vegetation not subject to the exclusions above constitutes a violation of this section and violators are subject to the general penalty provisions of this code. (Ord. #2020-271, Feb. 2020)

**13-207. Exterior painting and renovations.** It is unlawful to begin exterior painting, exterior renovation, facade changes, or other changes to the exterior of buildings within the Town of Unicoi and then fail to finish such changes within the next six month period without first obtaining from the Town of Unicoi Planning Commission approval for good cause of such extended exterior renovation and changes. Beginning such exterior painting, exterior renovation, facade changes or other changes to the exterior of buildings within the Town of Unicoi and then failing to finish such changes within the next six (6) month period without first obtaining from the Town of Unicoi Planning Commission approval for good cause of such extended exterior renovation and changes is a violation of this section and violators are subject to the general penalty provisions of this code. (Ord. #2020-271, Feb. 2020)

**13-208. Unsafe property conditions prohibited.** It is unlawful to maintain improved property within the Town of Unicoi in a dilapidated or unsafe condition as prohibited by *Tennessee Code Annotated*, All regulatory and enforcement provisions of Tennessee Code concerning dilapidated or unsafe buildings are adopted within the Town of Unicoi. Maintaining improved property in dilapidated or unsafe condition is a violation of this section and violators are subject to the general penalty provisions of this code. (Ord. #2020-271, Feb. 2020)

**13-209. Transfer of title.** It is unlawful to transfer title to property that has a notice of violation posted on it violators are subject to the general penalty provisions of this code. (Ord. #2020-271, Feb. 2020)

**13-210. Additional regulations.** The provisions of this chapter include and are supplemental to other regulations and provisions adopted by the Town of Unicoi or allowed by state law.

The Town of Unicoi hereby specifically adopts by reference *Tennessee Code Annotated*, § 6-54-113; *Tennessee Code Annotated*, §§ 13-21-101 through 13-21-110, finding that conditions of the character described in *Tennessee Code Annotated*, § 13-21-102 exist within the Town of Unicoi, *Tennessee Code Annotated*, §§ 13-21-301 through 13-21-314, *Tennessee Code Annotated*, §§ 55-16-103 through 109; and *Tennessee Code Annotated*, § 68-120-117 as fully as if typed herein verbatim. (Ord. #2020-271, Feb. 2020)

**13-211. Depositing of vegetation, grass clippings, cuttings, or similar material on rights-of-way within the Town of Unicoi.** It is unlawful for any person to litter, place, throw, track or allow to fall on any

street, alley, or sidewalk or other public right-of-way within the Town of Unicoi, Tennessee, vegetation, grass clippings, cuttings or similar material, without retrieving, and to allow the same to remain after the completion of normal maintenance and mowing. (Ord. #2021-299, Nov. 2021)

**13-212. Violations and penalty.** Violators of this chapter shall be subject to a fifty dollar (\$50.00) fine plus the cost for remedial measures necessary to bring the property into compliance with the requirements set forth herein. (Ord. #2021-299, Nov. 2021)