

TITLE 13

PROPERTY MAINTENANCE REGULATIONS¹

CHAPTER

1. MISCELLANEOUS.
2. JUNKYARDS.

CHAPTER 1

MISCELLANEOUS

SECTION

- 13-101. Health officer.
 13-102. Smoke, soot, cinders, etc.
 13-103. Stagnant water.
 13-104. Weeds.
 13-105. Dead animals.
 13-106. Health and sanitation nuisances.
 13-107. House trailers.
 13-108. Milk ordinance adopted by reference.

13-101. Health officer. The "health officer" shall be such municipal, county, or state officer as the board of mayor and aldermen shall appoint or designate to administer and enforce health and sanitation regulations within the municipality. (1969 Code, § 8-401)

13-102. Smoke, soot, cinders, etc. It shall be unlawful for any person to permit or cause the escape of such quantities of dense smoke, soot, cinders, noxious acids, fumes, dust, or gases as to be detrimental to or to endanger the health, comfort, and safety of the public or so as to cause or have a tendency to cause injury or damage to property or business. (1969 Code, § 8-405)

13-103. Stagnant water. It shall be unlawful for any person to knowingly allow any pool of stagnant water to accumulate and stand on his property without treating it so as effectively to prevent the breeding of mosquitoes. (1969 Code, § 8-406)

¹Municipal code references

Animal control: title 10.

Littering streets, etc.: § 16-107.

Toilet facilities in beer places: § 8-224(10).

13-104. Weeds. Every owner or tenant of property shall periodically cut the grass and other vegetation commonly recognized as weeds on his property, and it shall be unlawful for any person to fail to comply with an order by the city recorder or chief of police to cut such vegetation when it has reached a height of over one (1) foot. (1969 Code, § 8-407)

13-105. Dead animals. Any person owning or having possession of any dead animal not intended for use as food shall promptly bury the same or notify the health officer and dispose of such animal in such manner as the health officer shall direct. (1969 Code, § 8-408)

13-106. Health and sanitation nuisances. It shall be unlawful for any person to permit any premises owned, occupied, or controlled by him to become or remain in a filthy condition, or permit the use or occupation of same in such a manner as to create noxious or offensive smells and odors in connection therewith, or to allow the accumulation or creation of unwholesome and offensive matter or the breeding of flies, rodents, or other vermin on the premises to the menace of the public health or the annoyance of people residing within the vicinity. (1969 Code, § 8-409)

13-107. House trailers. It shall be unlawful for any person to park, locate, or occupy any house trailer or portable building unless it complies with all plumbing, electrical, sanitary, and building provisions applicable to stationary structures and the proposed location conforms to the zoning provisions of the municipality and unless a permit therefor shall have been first duly issued by the building official, as provided for in the building code. (1969 Code, § 8-404)

13-108. Milk ordinance adopted by reference.¹ (1) The production, transportation, processing, handling, sampling, examination, grading, labeling, and sale of all milk and milk products sold for ultimate consumption within the City of Ardmore or its police jurisdiction; the inspection of dairy herds, dairy farms, and milk plants; and the issuance and revocation of permits to milk producers, haulers, and distributors shall be regulated in accordance with the provisions of Part 1 of the Grade A Pasteurized Milk Ordinance--1965 Recommendations of the United States Public Health Service,² three (3) copies

¹The provisions in this section are taken substantially from the model ordinance prepared and distributed by the Tennessee Department of Health.

²This ordinance is Public Health Service Publication No. 229 and is for sale by the Superintendent of Documents, U. S. Government Printing Office, (continued...)

of which shall be filed in the office of the city recorder; provided, that in Section 1, "Definitions," A, "Milk" - Milk shall be understood to contain not less than 8 1/2 per cent milk solids-not-fat and not less than 3 1/2 per cent milkfat and that "not less than 8 1/4 per cent milk solids-nonfat and not less than 3 1/4 per cent milkfat" shall be deleted; D - "Reconstituted or Recombined Milk and Milk Products" and, I - "Fortified Milk and Milk Products" shall be deleted; O - "Milk Products"--It shall be understood that "cottage cheese" and "creamed cottage cheese" have been added to this definition as defined in footnote No. four and that "modified skim milk," "modified flavored skim milk drink," and "modified cultured buttermilk" as defined in the Tennessee Dairy Laws are included in this definition; provided further, that in Section 3, the paragraph beginning with the words, "Upon written application of any person whose permit has been suspended - - - - -," shall be deleted in its entirety, and any reference elsewhere in this ordinance dealing with hearings before a permit can be suspended is also deleted; provided further, that the last sentence in the first paragraph of Section 5 shall read "Any violation of the same requirement of Section 7 on such reinspection shall call for permit suspension in accordance with Section 3 as amended, and/or court action."; provided further, that Sections 9, 16, and 17 of said unabridged ordinance shall be replaced respectively by Sections 2, 3, and 4 below.

(2) From and after the date on which this ordinance is adopted, only Grade A pasteurized milk and milk products shall be sold to the final consumer, or to restaurants, soda fountains, grocery stores, or similar establishments; provided, that in an emergency, the sale of pasteurized milk and milk products which have not been graded, or the grade of which is unknown, may be authorized by the health authority, in which case, such milk and milk products shall be labeled "ungraded."

(3) Any person who shall violate any of the provisions of this ordinance shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than \$50.00, and/or such persons may be enjoined from continuing such violations. Each day upon which such a violation occurs shall constitute a separate violation.

(4) All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed, and this ordinance shall be in full force and effect upon its adoption as provided for by law. (1969 Code, § 8-411)

CHAPTER 2

JUNKYARDS

SECTION

13-201. Junkyards.

13-201. Junkyards.¹ All junkyards within the corporate limits shall be operated and maintained subject to the following regulations:

(1) All junk stored or kept in such yards shall be so kept that it will not catch and hold water in which mosquitoes may breed and so that it will not constitute a place, or places in which rats, mice, or other vermin may be harbored, reared, or propagated.

(2) All such junkyards shall be enclosed within close fitting plank or metal solid fences touching the ground on the bottom and being not less than six (6) feet in height, such fence to be built so that it will be impossible for stray cats and/or stray dogs to have access to such junkyards.

(3) Such yards shall be so maintained as to be in a sanitary condition and so as not to be a menace to the public health or safety. (1969 Code, § 8-410)

¹State law reference

The provisions of this section were taken substantially from the Bristol ordinance upheld by the Tennessee Court of Appeals as being a reasonable and valid exercise of the police power in the case of Hagaman v. Slaughter, 49 Tenn. App. 338, 354 S.W.2d 818 (1961).