

TITLE 13

PROPERTY MAINTENANCE REGULATIONS¹

CHAPTER

1. MISCELLANEOUS.
2. JUNKYARDS.
3. INOPERABLE VEHICLE ORDINANCE.
4. CITY BEAUTIFICATION.

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. Adulterated food, drugs, and cosmetics.
- 13-109. Communicable diseases.
- 13-110. Spitting on streets, etc.
- 13-111. Private swimming pools.

13-101. Health officer. The "health officer" shall be such municipal, county, or state officer as the governing body shall appoint or designate to administer and enforce health and sanitation regulations within the municipality.
(1974 Code, § 8-101)

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.
(1974 Code, § 8-105)

13-103. Stagnant water. It shall be unlawful for any person knowingly to 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.
(1974 Code, § 8-106)

¹Municipal code references
 Animal control: title 10.
 Littering streets, etc.: § 16-107.

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.
(1974 Code, § 8-107)

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.
(1974 Code, § 8-108)

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.
(1974 Code, § 8-109)

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.
(1974 Code, § 8-104)

13-108. Adulterated food, drugs, and cosmetics. It shall be unlawful and a violation of this section for any person to violate within the municipality any provisions of the state food, drug, and cosmetic laws.
(1974 Code, § 8-102)

13-109. Communicable diseases. When there exists or is suspected to exist in any household a communicable disease other than a venereal disease or a common childhood disease, it shall be the duty of any attending physician and the head or other responsible person in such household possessing knowledge of the facts immediately to notify the health officer. The health officer shall thereupon make such investigation and issue such quarantine orders as may reasonably be necessary to protect the public health. It shall be unlawful for any person to violate any such orders of the health officer.
(1974 Code, § 8-103)

13-110. Spitting on streets, etc. It shall be unlawful for any person to spit upon any public street or sidewalk or upon the floors or walks of any public place.
(1974 Code, § 8-110)

13-111. Private swimming pools. It shall be unlawful to own, maintain, or operate a private swimming pool as hereinafter defined, within the corporate limits of the City of Greenfield except in conformity with the following requirements:

- (a) A private swimming pool is defined to be any permanent structure constructed for swimming or bathing which has in excess of 250 square feet and a depth at any point in excess of 36 inches and which is built for private use in connection with a single family residence, and available only to the family of the householder and his private guests, as distinguished from general public use.
- (b) Such swimming pools will be protected by a fence, mesh or better, or a minimum height of five (5) feet, with a controlled means of entrance to the swimming area.
- (c) Such pools shall comply with the minimum public health standards for private swimming pools as published or established by the state health department and shall be subject to inspection by a health officer.
- (d) Such pools will be located at the rear of the lot or lots upon which constructed, but the outer edge of the swimming area shall be at least five (5) feet from any adjacent rear or side yard line, and on corner lots said outer edge of the swimming area shall be at least fifteen (15) feet from the right-of-way of any public street.

(Adopted 12/17/2002)

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:

- (a) 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.
- (b) 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.
- (c) 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.

(1974 Code, § 8-111)

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).

CHAPTER 3**INOPERABLE VEHICLE ORDINANCE****SECTION**

- 13-301. Title.
- 13-302. Definitions.
- 13-303. Violation declared.
- 13-304. Storage on private property restricted.
- 13-305. Removal required.
- 13-306. Notice to remove.
- 13-307. Serving of notice.
- 13-308. Hearing.
- 13-309. Violation.
- 13-310. Penalties.
- 13-311. Removal by the city.
- 13-312. Entry to remove; removal by owner.
- 13-313. Redemption.

13-301. Title. This chapter shall be entitled "The City of Greenfield Inoperable Vehicle Ordinance."

(Formerly §8-601; Adopted 01/25/1999)

13-302. Definitions. For the purposes of this chapter, the following terms are defined as hereinafter set forth, to-wit:

- (a) "Commercial property" shall mean any lot, tract, parcel, land, or other property located within the City of Greenfield, Tennessee, on which any business, industry, or commercial enterprise exists, or any property that is located within an area of the City of Greenfield that is zoned for commercial or industrial use.
- (b) "Inoperable vehicle" shall mean any vehicle not currently licensed, or which has been abandoned, or is in a state of disassembly, or in the process of being stripped, dismantled, overhauled, or undergoing body work, or other condition that renders the vehicle inoperable or incapable of being used for its designed or intended purpose.
- (c) "Junk" shall mean and include, but not be limited to, any used or second-hand parts of machinery, parts of automobiles, trucks, buses, motorcycles, water craft, or other motor vehicles.
- (d) "Owner" or "owners" shall mean the title holder or person having right of possession of real or personal property, or agent of legal title holder of said property.
- (e) "Person" shall mean any individual, owner, title holder, agent, firm, corporation, partnership, association, or organization of any kind. It shall include, but not be limited to, any tenant, lessee, manager, operator, occupant, executor,

executrix, administrator, administratrix, guardian, or other person in charge of, care of, possession of, or control of property.

- (f) "Premises" shall mean any lot, yard, plot, parcel, or other piece of land or property located within the City of Greenfield, Tennessee.
- (g) "Residential property" shall mean any lot, tract, parcel, land, or other property located within the City of Greenfield, Tennessee, on which single or multi-family structures used as a residence or for human habitation exist, or any property that is located within an area that is zoned for residential use by the City of Greenfield, Tennessee.
- (h) "Vehicle" shall mean any device in, upon, or by which any person or property is or may be transported, carried, or drawn from one place to another, and shall include, but not be limited to, motor vehicles, boat trailers, utility trailers, horse trailers, bicycles, motorcycles, carts, tractors, or other devices.

(Formerly §8-602; Adopted 01/25/1999)

13-303. Violation declared. On enacting this chapter, the city board finds and declares that the accumulation and storage of inoperable vehicles (whether licensed or unlicensed), or junk on private residential or commercial property, which motor vehicles are in the nature of rubbish and unsightly debris, violates the zoning regulations of the city and constitutes a nuisance detrimental to the health, safety, and welfare of the community in that such conditions tend to interfere with the enjoyment of and reduce the value of private residential or commercial property; invite plundering, create fire hazards and other safety and health hazards to minors as well as adults; interfere with the comfort and well-being of the public; and create, extend, and aggravate urban blight, and that the public health, safety, and general welfare require that such conditions be regulated, abated, and prohibited.

(Formerly §8-603; Adopted 01/25/1999)

13-304. Storage on private property restricted. It shall be unlawful to park, store, or leave, or to permit the parking or storing of any licensed or unlicensed inoperable vehicle of any kind or junk, for a period in excess of seventy-two (72) hours, whether attended or not, upon any private residential or commercial property within the city unless the same is in connection with a business enterprise operated in a lawful place and manner and licensed as such, when necessary to the operation of such business enterprise and unless the vehicle is being repaired actively. This exception shall not exempt the owner or operator of any such business from any other zoning, building, property maintenance and other regulations governing business engaged in repairing vehicles.

(Formerly §8-604; Adopted 01/25/1999)

13-305. Removal required. The accumulation and storage of one or more such inoperable vehicles or junk in violation of the provisions of this chapter shall constitute rubbish and debris and a nuisance detrimental to the health, safety, and general welfare of the inhabitants of the city. It shall be the duty of the registered owner of such inoperable vehicle or junk and it shall also be the duty of the person in

charge or control of the private property upon which such inoperable vehicle or junk is located, whether as owner, tenant, occupant, lessee, or otherwise, to remove the same to a place of lawful storage.

(Formerly §8-605; Adopted 01/25/1999)

13-306. Notice to remove. The chief of police, or any officer of the police department is hereby authorized and empowered to give notice to the owner or person in possession or control of any premises in the City of Greenfield, Tennessee, on which there is located an inoperable vehicle or junk as set forth in § 13-302 herein which said notice shall direct said person to appear before the Municipal Court of the City of Greenfield, Tennessee, at a time and place to be fixed in said notice, and then and there show cause why the said vehicle or junk should not be declared a nuisance, and an order issued requiring the same to be removed and impounded. Said notice shall be in substantially the following form:

NOTICE

To the following owner or person in possession or control of the property located in the City of Greenfield, Tennessee:

(NAME AND ADDRESS OF PROPERTY OWNER)

You are hereby notified that there exists on the above-mentioned property an abandoned, wrecked, rusted, partially dismantled, or inoperable motor vehicle or junk in violation of Greenfield City Code § 13-303.

You are further notified that a hearing will be conducted by the Municipal Judge of the Municipal Court of the City of Greenfield, Tennessee, at the courtroom for said Court in the City of Greenfield, Tennessee, at ___ o'clock, _m., on the ___ day of ___, 20___, at which time and place you are directed to appear and show cause, if any you have, why the said automobile should not be declared a nuisance and an order issued requiring same to be removed and impounded.

(Formerly §8-606; Adopted 01/25/1999)

13-307. Serving of notice. The notice provided for in the foregoing section shall be served upon the owner or person in possession or control of said property, if his address is known or he can be found within the City of Greenfield, Tennessee, but if such person is not known or cannot be found, service of said notice shall be effected by posting one copy thereof on the premises where the said inoperable vehicle or junk is found. The notice as herein provided for shall be served or posted, as the case may be, at least fourteen (14) days before the date fixed for hearing before the municipal judge.

(Formerly §8-607; Adopted 01/25/1999)

13-308. Hearing. At the time and place appointed in the notice provided for in § 13-306 herein, the judge shall conduct a hearing for purposes of determining whether the said vehicle or junk complained of exists in violation of this chapter, and if he finds that same constitutes a violation of this chapter, he shall so declare the same and make an order requiring the removal of said inoperable vehicle or junk within ten (10) days from the making of said order. Court costs shall be assessed by

the court in any case in which a violation existing at the time the notice was given. The court may dismiss the case on payment of court costs if a finding is made that a violation of this chapter, existing at the time of the notice, has since been remedied by the owner or person in possession or control of the inoperable motor vehicle or junk. (Formerly §8-608; Adopted 01/25/1999)

13-309. Violation. The owner or person having possession or control of any premises on which there exists an inoperable motor vehicle or junk in violation of this chapter, who having been personally served with the notice provided for in § 13-306 hereof, and who having had the opportunity to be heard as provided for in § 13-308, who shall fail, neglect, or refuse to comply with the order of the municipal judge requiring the removal of said inoperable motor vehicle or junk within the time specified therefor, shall be guilty of violation of this chapter, and on conviction shall be punished as provided herein. Each day's violation constitutes a separate offense. Relocating said vehicle to another property within the city limits does not abate said nuisance. (Formerly §8-609; Adopted 01/25/1999)

13-310. Penalties. Any person violating any provision of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined an amount not less than \$25.00 and not to exceed \$100.00 per violation. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder. (Formerly §8-610; Adopted 01/25/1999)

13-311. Removal by the city. In addition to and not in lieu of any other procedure prescribed in this chapter or in this code for removal of inoperable vehicles or junk from private residential or commercial property, if the registered owner of any motor vehicle which is in violation of this chapter or the owner or person in lawful possession or control of the private property upon which the same is located shall fail, neglect, or refuse to remove or house such inoperable vehicle or junk in accordance with the notice given pursuant to the provisions of this chapter, the chief of police shall verify by inspection the information provided by the owner of the property on which the vehicle is located, and may remove and dispose of such vehicle or junk in the manner provided for by Tennessee Code Annotated, § 55-16-101 et seq. He may thereafter maintain an action in the name of the city, in the appropriate court, against any person or persons upon whom notice was served as required by this chapter to recover the costs of removing and disposing of such vehicle or junk in the event the proceeds of any sale thereof shall be insufficient to recover such costs. (Formerly §8-611; Adopted 01/25/1999)

13-312. Entry to remove; removal by owner. The chief of police, any regularly employed and salaried officer of the police department of the city, contracting agents of the City of Greenfield, and employees of such contracting agents, and authorized officers, employees, and agents of the City of Greenfield, and each of them, are hereby expressly authorized to enter upon private property for the purpose of enforcing the provisions of this chapter. It shall be unlawful for any person to interfere with, hinder, or refuse to allow them to enter upon private property for such purpose. Any removal or housing of such vehicle or junk in accordance with said notice either

by duly constituted public officials or an authorized private party shall be at the expense of the owner of the said vehicle and the owner of the property on which the vehicle is located.

(Formerly §8-612; Adopted 01/25/1999)

13-313. Redemption. The owner of any property taken up and stored as herein provided may redeem the same at any time prior to its sale by paying the reasonable expense of taking the property in charge, its maintenance and storage, and a pro rata share of the cost of any publication made regarding said property.

(Formerly §8-613; Adopted 01/25/1999)

CHAPTER 5

CITY BEAUTIFICATION

SECTION

13-401. Purpose.

13-402. City beautification board established.

13-403. Meeting of the city beautification board.

13-404. Record of the city beautification board proceedings to be kept.

13-405. Requirements for city beautification board quorum and action.

13-406. Powers and duties of the city beautification board.

13-407. Donations, gifts, and bequests.

13-401. Purpose. This section entitled "City Beautification" is hereby enacted to promote the health, safety, convenience and welfare of the inhabitants, both permanent and transient, of the city.

(Formerly § 8-501; Adopted 06/01/1995)

13-402. City beautification board established. There is hereby established a city beautification board to be composed of the eight (8) councilmen and mayor of the governing body. All members of the city beautification board shall be citizens of the municipality. They shall serve during their terms as councilmen and mayor. The mayor shall serve as chairman of the city beautification board and shall vote only in case of a tie. Members of the city beautification board shall serve without compensation.

(Formerly § 8-502; Adopted 06/01/1995)

13-403. Meetings of the city beautification board. All meetings of the city beautification board shall be open to the public. The board shall hold regular meetings in the city hall at such times as it shall prescribe. When there is business to come before the city beautification board a special meeting may be called by the chairman provided he gives a reasonable notice thereof to each member. The board may adjourn a meeting at any time to another time and place.

(Formerly § 8-503; Adopted 06/01/1995)

13-404. Record of city beautification board proceeding to be kept. The recorder shall make a record of the proceedings of all meetings of the city beautification board. The record shall be a public record and shall contain at least the following: The date of each meeting; the names of the board members present and absent; the names of the members introducing and seconding motions and resolutions, etc., before the board; a copy of each such motion or resolution presented; the vote of each member thereon; and the provisions of each action taken by the board. At the option of the board, its actions and recommendations may be included in the regular city board minutes.

(Formerly § 8-504; Adopted 06/01/1995)

13-405. Requirements for city beautification board quorum and action. The attendance of at least a majority of the members of the city beautification board shall be required to constitute a quorum for the purpose of transacting business.

Matters before the board shall be decided by a majority of the members present if a quorum is constituted. Any member present but not voting shall be deemed to have cast a "nay" vote.

(Formerly § 8-505; Adopted 06/01/1995)

13-406. Powers and duties of the city beautification board. The city beautification board shall have the power and it is hereby directed to protect the health, sanitation, safety and cleanliness of any area of the city by evaluating and regulating the prevention of fires, diseases, and debris within the city; the removal and/or elimination of any accumulated debris from the city; and the promotion of public interest in the general improvement of the city's appearance. The board may also act in an advisory capacity to any interested persons, firms, corporations, or public agencies on matters related to the improvement of that entity's property. Areas of the city included within this board's authority include: streets, highways, alleys, lots, yards, plots, drainage ditches, and other similar places in the city.

(Formerly § 8-506; Adopted 06/01/1995)

13-407. Donations, gifts, and bequests. The city beautification board, on behalf of the city council, shall have authority to receive gifts or bequests from any person for various beautification projects for the benefit of the City of Greenfield. Said gifts or bequests shall be received by the City Recorder of the City of Greenfield and placed in the appropriate fund to be used for the purposes for which the same were donated.

(Formerly § 8-507; Adopted 06/01/1995)