

TITLE 5

BUSINESSES, PROFESSIONS AND OCCUPATIONS¹

CHAPTER

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3. CHARITABLE SOLICITORS.
4. POOL ROOMS.
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CHAPTER 1

GENERALLY

SECTION

5-101. "Going out of business" sales.

5-101. "Going out of business" sales. It shall be unlawful for any person falsely to represent a sale as being a "going out of business" sale. A "going out of business" sale, for the purposes of this section, shall be a "fire sale," "bankrupt sale," "loss of lease sale," or any other sale made in anticipation of the termination of a business at its present location. When any person after advertising a "going out of business" sale adds to his stock or fails to go out of business within ninety (90) days, he shall prima facie be deemed to have violated this section. (1979 Code, sec. 5-101)

¹For beer business regulations in this code, see title 2, chapter 2; for regulations relating to building, plumbing, and wiring, etc., see title 4; for privilege tax provisions, etc., see title 6; for health and, sanitation regulations with respect to certain businesses such as junk yards, etc., and for handbill regulation and restriction on posting notices, see title 8; and for restrictions on making noise to attract attention, see title 10.

CHAPTER 2

PEDDLERS, ETC.¹

SECTION

- 5-201. Permit required.
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- 5-212. Reapplication.
- 5-213. Expiration and renewal of permit.

5-201. Permit required. It shall be unlawful for any peddler, canvasser, solicitor, or transient merchant to ply his trade within the corporate limits without first obtaining a permit therefor in compliance with the provisions of this chapter. No permit shall be used at any time by any person other than the one to whom it is issued. (1979 Code, sec. 5-201)

5-202. Exemptions. The terms of this chapter shall not be applicable to persons selling at wholesale to dealers, nor to newsboys, nor to bona fide merchants who merely deliver goods in the regular course of business, nor to bona fide charitable, religious, patriotic, or philanthropic organizations. (1979 Code, sec. 5-202)

5-203. Application for permit. Applicants for a permit under this chapter must file with the recorder a sworn written application containing the following:

- (1) Name and physical description of applicant.
- (2) Complete permanent home address and local address of the applicant and, in the case of transient merchants, the local address from which proposed sales will be made.

¹For privilege tax provisions, etc., see title 6 in this code.

(3) A brief description of the nature of the business and the goods to be sold.

(4) If employed, the name and address of the employer, together with credentials therefrom establishing the exact relationship.

(5) The length of time for which the right to do business is desired.

(6) A recent clear photograph approximately two (2) inches square showing the head and shoulders of the applicant.

(7) The names of at least two (2) reputable local property owners who will certify as to the applicant's good moral reputation and business responsibility, or in lieu of the names of references, such other available evidence as will enable an investigator properly to evaluate the applicant's moral reputation and business responsibility.

(8) A statement as to whether or not the applicant has been convicted of any crime or misdemeanor or for violating any municipal ordinance, the nature of the offense, and the punishment or penalty assessed therefor.

(9) The last three (3) cities or towns, if that many, where applicant carried on business immediately preceding the date of application and, in the case of transient merchants, the addresses from which such business was conducted in those municipalities.

(10) At the time of filing the application, a fee of five dollars (\$5.00) shall be paid to the city to cover the cost of investigating the facts stated therein. (1979 Code, sec. 5-203)

5-204. Issuance or refusal of permit. (1) Each application shall be referred to the chief of police for investigation. The chief of police shall report his findings to the recorder within seventy-two (72) hours.

(2) If as a result of such investigation, the chief of police reports the applicant's moral reputation and/or business responsibility to be unsatisfactory, the recorder shall notify the applicant that his application is disapproved and that no permit will be issued.

(3) If, on the other hand, the chief's report indicates that the moral reputation and business responsibility of the applicant are satisfactory, the recorder shall issue a permit upon the payment of all applicable privilege taxes and the filing of the bond required by section 5-206. The recorder shall keep a permanent record of all permits issued. (1979 Code, sec. 5-204)

5-205. Appeal. Any person aggrieved by the action of the chief of police and/or the recorder in the denial of a permit shall have the right to appeal to the board of mayor and aldermen. Such appeal shall be taken by filing with the mayor within fourteen (14) days after notice of the action complained of, a written statement setting forth fully the grounds for the appeal. The mayor shall set a time and place for a hearing on such appeal and notice of the time

and place of such hearing shall be given to the appellant. The notice shall be in writing and shall be mailed, postage prepaid, to the applicant at his last known address at least five (5) days prior to the date set for hearing, or shall be delivered by a police officer in the same manner as a summons at least three (3) days prior to the date set for hearing. (1979 Code, sec. 5-205)

5-206. Bond. Every permittee shall file with the recorder a surety bond running to the city in the amount of one thousand dollars (\$1,000.00). The bond shall be conditioned that the permittee shall comply fully with all the provisions of the ordinances of the City of Moscow and the statutes of the state regulating peddlers, canvassers, solicitors, transient merchants, itinerant merchants, or itinerant vendors, as the case may be, and shall guarantee to any citizen of the city that all money paid as a down payment will be accounted for and applied according to the representations of the permittee, and further guaranteeing to any citizen of the city doing business with said permittee that the property purchased will be delivered according to the representations of the permittee. Action on such bond may be brought by any person aggrieved and for whose benefit, among others, the bond is given, but the surety may, by paying, pursuant to order of the court, the face amount of the bond to the clerk of the court in which the suit is commenced, be relieved without costs of all further liability. (1979 Code, sec. 5-206)

5-207. Loud noises and speaking devices. No permittee, nor any person in his behalf, shall shout, cry out, blow a horn, ring a bell, or use any sound amplifying device upon any of the sidewalks, streets, alleys, parks, or other public places of the city or upon private premises where sound of sufficient volume is emitted or produced therefrom to be capable of being plainly heard upon the adjacent sidewalks, streets, alleys, parks, or other public places, for the purpose of attracting attention to any goods, wares, or merchandise which such permittee proposes to sell. (1979 Code, sec. 5-207)

5-208. Use of streets. No permittee shall have any exclusive right to any location in the public streets, nor shall any be permitted a stationary location thereon, nor shall any be permitted to operate in a congested area where such operation might impede or inconvenience the public use of such streets. For the purpose of this chapter, the judgment of a police officer, exercised in good faith, shall be deemed conclusive as to whether the area is congested and the public impeded or inconvenienced. (1979 Code, sec. 5-208)

5-209. Exhibition of permit. Permittees are required, to exhibit their permits at the request of any policeman or citizen. (1979 Code, sec. 5-209)

5-210. Policemen to enforce. It shall be the duty of all policemen to see that the provisions of this chapter are enforced. (1979 Code, sec. 5-210)

5-211. Revocation or suspension of permit. (1) Permits issued under the provisions of this chapter may be revoked by the board of mayor and aldermen after notice and hearing, for any of the following causes:

(a) Fraud, misrepresentation, or incorrect statement contained in the application for permit, or made in the course of carrying on the business of solicitor, canvasser, peddler, transient merchant, itinerant merchant, or itinerant vendor.

(b) Any violation of this chapter.

(c) Conviction of any crime or misdemeanor.

(d) Conducting the business of peddler, canvasser, solicitor, transient merchant, itinerant merchant, or itinerant vendor, as the case may be, in an unlawful manner or in such a manner as to constitute a breach of the peace or to constitute a menace to the health, safety, or general welfare of the public.

(2) Notice of the hearing for revocation of a permit shall be given by the recorder in writing, setting forth specifically the grounds of complaint and the time and place of hearing. Such notice shall be mailed, to the permittee at his last known address at least five (5) days prior to the date set for hearing, or it shall be delivered by a police officer in the same manner as a summons at least three (3) days prior to the date set for hearing.

(3) When it is reasonably necessary in the public interest, the mayor may suspend a permit pending the revocation hearing. (1979 Code, sec. 5-211)

5-212. Reapplication. No permittee whose permit has been revoked shall make further application until a period of at least six (6) months has elapsed since the last revocation. (1979 Code, sec. 5-212)

5-213. Expiration and renewal of permit. Permits issued under the provisions of this chapter shall expire on the same date that the permittee's privilege license expires and shall be renewed without cost if the permittee applies for and obtains a new privilege license within thirty (30) days thereafter. Permits issued to permittees who are not subject to a privilege tax shall be issued for one (1) year. An application for a renewal shall be made substantially in the same form as an original application. However, only so much of the application shall be completed as is necessary to reflect conditions which have changed since the last application was filed. (1979 Code, sec. 5-213)

CHAPTER 3

CHARITABLE SOLICITORS

SECTION

- 5-301. Permit required.
- 5-302. Prerequisites for a permit.
- 5-303. Denial of a permit.
- 5-304. Exhibition of permit.
- 5-305. Trespassing.
- 5-306. Violations.

5-301. Permit required. No person shall solicit contributions or anything else of value for any real or alleged charitable or religious purpose without a permit from the recorder authorizing such solicitation. Provided, however, that this section shall not apply to any locally established organization or church operated exclusively for charitable or religious purposes if the solicitations are conducted exclusively among the members thereof, voluntarily and without remuneration for making such solicitations, or if the solicitations are in the form of collections or contributions at the regular assemblies of any such established organization or church. (1979 Code, sec. 5-301)

5-302. Prerequisites for a permit. The recorder shall issue a permit authorizing charitable or religious solicitations when, after a reasonable investigation, he finds the following facts to exist:

(1) The applicant has a good character and reputation for honesty and integrity, or if the applicant is not an individual person, that every member, managing officer, or agent of the applicant has a good character or reputation for honesty and integrity.

(2) The control and supervision of the solicitation will be under responsible and reliable persons.

(3) The applicant has not engaged in any fraudulent transaction or enterprise.

(4) The solicitation will not be a fraud on the public but will be for a bona fide charitable or religious purpose.

(5) The solicitation is prompted solely by a desire to finance the charitable cause described by the applicant. (1979 Code, sec. 5-302)

5-303. Denial of a permit. Any applicant for a permit to make charitable or religious solicitations may appeal to the board of mayor and aldermen if he has not been granted a permit within fifteen (15) days after he makes application therefor. (1979 Code, sec. 5-303)

5-304. Exhibition of permit. Any solicitor required by this chapter to have a permit shall exhibit such permit at the request of any policeman or person solicited. (1979 Code, sec. 5-304)

5-305. Trespassing. It shall be unlawful and deemed to be a trespass for any permittee acting under this chapter to fail to leave promptly the private premises of any person who requests or directs him to leave. (1979 Code, sec. 5-305)

5-306. Violations. Any person violating any provision of this chapter or making a false or fraudulent statement either in his application for a permit or in the process of making a solicitation shall be subject to the penalty provided in the general penalty clause for this municipal code. In addition to or in lieu of any pecuniary penalty, if a violator has been issued a permit, his permit shall be cancelled and revoked by the court. (1979 Code, sec. 5-306)

CHAPTER 4

POOL ROOMS¹

SECTION

5-401. Prohibited in residential areas.

5-402. Hours of operation regulated.

5-403. Minors to be kept out; exception.

5-404. Gambling, etc., not to be allowed.

5-401. Prohibited in residential areas. It shall be unlawful for any person to open, maintain, conduct, or operate any place where pool tables or billiard tables are kept for public use or hire on any premises located in any block where fifty per cent (50%) or more of the land is used for residential purposes. (1979 Code, sec. 5-401)

5-402. Hours of operation regulated. It shall be unlawful for any person to open, maintain, conduct, or operate any place where pool tables or billiard tables are kept for public use or hire at any time on Sunday or between the hours of 11:00 p.m. and 6:00 a.m. on other days. (1979 Code, sec. 5-402)

5-403. Minors to be kept out; exception. It shall be unlawful for any person engaged regularly, or otherwise, in keeping billiard, bagatelle, or pool rooms or tables, their employees, agents, servants, or other persons for them, knowingly to permit any person under the age of eighteen (18) years to play on said tables at any game of billiards, bagatelle, pool, or other games requiring the use of cue and balls, without first having obtained the written consent of the father and mother of such minor, if living; if the father is dead, then the mother, guardian, or other person having legal control of such minor; or if the minor be in attendance as a student at some literary institution, then the written consent of the principal or person in charge of such school; provided that this section shall not apply to the use of billiards, bagatelle, and pool tables in private residences. (1979 Code, sec. 5-403)

5-404. Gambling, etc., not to be allowed. It shall be unlawful for any person operating, conducting, or maintaining any place where pool tables or billiard tables are kept for public use or hire to permit any gambling or other unlawful or immoral conduct on such premises. (1979 Code, sec. 5-404)

¹For privilege tax provisions, etc., see title 6 in this code.

CHAPTER 5

MOBILE HOMES, MOBILE HOME PARKS, AND TRAVEL TRAILER
PARKS

SECTION

- 5-501. Definitions.
- 5-502. Mobile home regulations.
- 5-503. Permit required for mobile home park.
- 5-504. Inspections by building inspector.
- 5-505. Length of occupancy.
- 5-506. Code compliance.
- 5-507. Location and planning.
- 5-508. Minimum size of mobile home park.
- 5-509. Minimum number of spaces.
- 5-510. Minimum mobile home space and spacing of mobile homes.
- 5-511. Water supply.
- 5-512. Sewage disposal.
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- 5-514. Electricity.
- 5-515. Illumination.
- 5-516. Streets.
- 5-517. Parking spaces.
- 5-518. Buffer strip.
- 5-519. Playground.
- 5-520. Travel trailer park.
- 5-521. Permit for travel trailer park.
- 5-522. Inspections by building inspector or county health officer.
- 5-523. Length of occupancy.
- 5-524. Location.
- 5-525. Minimum size of travel trailer space.
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- 5-527. Operating without permit unlawful.
- 5-528. Permit fees.
- 5-529. Application requirements for mobile home and travel trailer parks.
- 5-530. Enforcement.
- 5-531. Appeals; board of appeals.
- 5-532. Appeals from board of appeals.

5-501. Definitions. Except as specifically defined herein, all words used in this chapter have their customary dictionary definitions where not

inconsistent with the context. For the purpose of this chapter certain words or terms are to be interpreted or are defined as follows:

- (1) The term "shall" is mandatory.
- (2) When not inconsistent with the context, words used in the singular number include the plural and those used in the plural number include the singular.
- (3) Words used in the present tense include the future.
- (4) A detached, single-family dwelling unit has any or all of the following characteristics:
 - (a) Designed, for long-term occupancy, and containing sleeping accommodations, a flush toilet, a tub or shower bath and kitchen facilities, with plumbing and electrical connections provided for attachment to outside systems.
 - (b) Designed to be transported after fabrication on its own wheels, or on a flatbed or other trailer or detachable wheels.
 - (c) Arriving at the site where it is to be occupied as a complete dwelling including major appliances and furniture, and ready for occupancy except for minor and incidental unpacking and assembly operations, location of foundation supports, connection to utilities, and the like.
- (5) "Mobile home park." The term mobile home park shall mean any plot of ground within the City of Moscow on which two (2) or more mobile homes, occupied for dwelling or sleeping purposes, are located.
- (6) "Mobile home space." The term mobile home space shall mean a plot of ground within a mobile home park designated for the accommodation of one (1) mobile home.
- (7) "Travel trailer." A travel trailer, pick-up camper, converted bus, tent-trailer, tent, or similar device used for temporary portable housing or a unit which:
 - (a) Can operate independent of connections to external sewer, water, and electrical systems.
 - (b) Contains water storage facilities and may contain a lavatory, kitchen sink, and/or bath facilities; and/or
 - (c) is identified by the manufacturer as a travel trailer.
- (8) "Travel trailer park." The term travel trailer park shall mean any plot of ground within the City of Moscow on which two (2) or more travel trailers, occupied for camping or periods of short stay, are located.
- (9) "Health officer." The director of a city, county, or district health department having jurisdiction over the community health in a specific area, or his duly-authorized representative.

(10) "Permit (license)." A permit is required for mobile home parks and travel trailer parks. Fees charged under the permit requirement are for inspection and the administration of this chapter. (1979 Code, sec. 5-501)

5-502. Mobile home regulations. (1) Mobile homes shall meet all provisions of the Moscow zoning ordinance¹ regulating mobile homes.

(2) No mobile home shall be used, placed, stored, or serviced by utilities within the City of Moscow or within any mobile home park in said city unless there is posted, near the door of said mobile home a valid Tennessee state license.

(3) Any mobile home already placed on a lot on or before the date of passage of the provisions of this chapter, will be permitted to remain at its present location. If said mobile home shall remain vacant for a period of one year, said mobile home owner shall be given, at the end of that year, a period not to exceed sixty (60) days in which to remove said mobile home and to comply with all provisions of this chapter. (1979 Code, sec. 5-502)

5-503. Permit required for mobile home park. No place or site within said city shall be established or maintained by any person, group of persons, or corporation as a mobile home park unless he holds a valid, permit issued by the building inspector in the name of such person or persons for the specific mobile home park. The building inspector is authorized to issue, suspend, or revoke permits in accordance with the provisions of this chapter.

Any mobile home park in existence as of the effective date of the provisions of this chapter² shall be required, to obtain a mobile home park permit. Any preexisting mobile home park which cannot comply with the requirements regarding mobile home parks shall be considered a non-conforming use. Any present and existing mobile home parks may now continue to operate as a non-conforming use, provided there is no expansion of the non-conforming units now in operation. If ownership of any present existing mobile home park should change, the said new owners may continue to operate said nonconforming mobile home park, provided there is no expansion to exceed the non-conforming units now in use. If present owner and/or new owner(s) should petition for expansion, then all provisions regarding regulations of mobile home parks contained in this chapter shall apply to bring it into conformity. This provision will not apply to pre-existing mobile home parks which are annexed into the City of Moscow after final passage of this section.¹

¹See title 11 of this code.

²March 3, 1975.

Said pre-existing mobile home parks shall comply with all state regulations applicable thereto which were in force prior to the establishment of said mobile home park. (1979 Code, sec. 5-503)

5-504. Inspections by building inspector. The building inspector is hereby authorized and directed to make inspections to determine the condition of mobile home parks in order that he may perform his duty of safeguarding the health and safety of occupants of mobile home parks and of the general public. The building inspector shall have the power to enter at reasonable times upon any private or public property for the purpose of inspecting and investigating conditions relating to the enforcement of this chapter. (1979 Code, sec. 5-504)

5-505. Length of occupancy. No mobile home space shall be rented in any mobile home park except for periods of thirty (30) days. (1979 Code, sec. 5-505)

5-506. Code compliance. No mobile home shall be admitted to any park unless it can be demonstrated that it meets the requirements of the American Standards Association Code Provision A-119. 1-1963; American Standard for Installation in Mobile Homes of Electrical, Heating, and Plumbing Systems, or Mobile Homes Manufacturers Association Mobile Home Standards for Plumbing, Heating, and Electrical Systems or any state administered code insuring equal or better plumbing, heating, or electrical installations. (1979 Code, sec. 5-506)

5-507. Location and planning. The mobile home park shall be located on a well-drained, site and, shall be so located that its drainage will not endanger any water supply and shall be in conformity with a plan approved, by the planning commission and shall be located in districts as specified in the zoning ordinance of the City of Moscow. (1979 Code, sec. 5-507)

5-508. Minimum size of mobile home park. The tract of land for a mobile home park shall comprise an area of not less than two (2) acres. The tract of land shall consist of a single plot so dimensioned and related as to facilitate efficient design and management. (1979 Code, sec. 5-508)

5-509 Minimum number of spaces. Minimum number of spaces completed and ready for occupancy before first occupancy is two (2). (1979 Code, sec. 5-509)

5-510. Minimum mobile home space and spacing of mobile homes. Each mobile home space shall be adequate for the type of facility occupying it. Mobile

homes shall be parked on each space so that there will be at least fifteen (15) feet of open space between mobile homes or any attachment such as a garage or porch¹ and at least fifteen-(15) feet end to end spacing between trailers and any building or structure, twenty (20) feet between any trailer and property line and thirty-five (35) feet from the right-of-way of any public street or highway. In addition, each mobile home space shall contain:

- (1) A minimum lot area of three thousand (3,000) square feet;
- (2) A minimum depth with end parking of an automobile equal to the length of the mobile home plus thirty (30) feet;
- (3) A minimum depth with side or street parking equal to the length of the mobile home plus fifteen (15) feet; and
- (4) A minimum width of at least forty (40) feet and a minimum depth of at least seventy-five (75) feet. (1979 Code, sec. 5-510)

5-511. Water supply. Where a public water supply is available, it shall be used exclusively. The development of an independent water supply to serve the mobile home park shall be made only after the Division of Sanitary Engineering, Tennessee Department of Public Health has been contacted for requirements to construct, operate, and maintain a public water system and written approval of plans and specifications has been granted by the county health officer. (1979 Code, sec. 5-511)

5-512. Sewage disposal.² An adequate sewage disposal system must be provided and must be approved in writing by the health officer. Each mobile home space shall be equipped with at least a four (4) inch sewer connection, trapped below the frost line and reaching at least four (4) inches above the surface of the ground. The sewer connection shall be protected by a concrete collar at least 3 inches deep and extending 12 inches from the connection in all directions. All sewer lines shall be laid in trenches separated at least ten (10) feet horizontally from any drinking water supply line.

Every effort shall be made to dispose of the sewage through a public sewerage system. In lieu of this, a septic tank and sub-surface soil absorption

¹If the construction of additional rooms or covered areas is to be allowed beside the mobile homes, the mobile home spaces shall be made wider to accommodate such construction in order to maintain the required fifteen (15) feet of open space.

²Note: Where septic tanks are to be used, the planning commission shall require certificates of approval by the county health officer.

system may be used provided the soil characteristics are suitable and an adequate disposal area is available. The minimum size of any septic tank so installed under any condition shall not be less than seven hundred fifty (750) gallons working capacity. This size tank can accommodate a maximum of two (2) mobile homes. For each additional mobile home on such a single tank, a minimum additional liquid, capacity of one hundred seventy five (175) gallons shall be provided. The sewage from no more than twelve (12) mobile homes shall be disposed of in any one (1) single tank installation. The size of such tank shall be a minimum of two thousand five hundred (2,500) gallons liquid capacity.

The amount of effective soil absorption area or total bottom area of overflow trenches will depend on local soil conditions and shall be determined only on the basis of the percolation rate of the soil. The percolation rate shall be determined as outlined in Appendix A of the Tennessee Department of Public Health Bulletin, entitled "Recommended Construction of Large Septic Tank Disposal Systems for Schools, Factories and Institutions." This bulletin is available on request from the Department. No mobile home shall be placed over a soil absorption field.

In lieu of a public sewerage or septic tank system, an officially approved package treatment plant may be used. (1979 Code, sec. 5-512)

5-513. Refuse. The storage, collection, and disposal of refuse in the park shall be so managed as to create no health hazard. All refuse shall be stored in fly proof, water tight, and rodent proof containers. Satisfactory container racks or holders shall be provided. Garbage shall be collected and disposed of in an approved manner at least twice per week. (1979 Code, sec. 5-513)

5-514. Electricity. An electrical outlet supplying at least two hundred twenty (220) volts shall be provided for each mobile home space and shall be weatherproof and accessible to the parked mobile home. All electrical installations shall be in compliance with the electrical code adopted in title 4 of this code. (1979 Code, sec. 5-514)

5-515. Illumination. The park shall be furnished with lighting units so spaced and equipped with luminaries placed at such mounting heights as will provide the following average maintained levels of illumination for the safe movement of pedestrians and vehicles at night.

(1) All parts of the park street system: 0.6 footcandle, with a minimum of 0.1 footcandle.

(2) Potentially hazardous locations, such as major street intersections and steps or stepped ramps; individually illuminated, with a minimum of 0.3 footcandle. (1979 Code, sec. 5-515)

5-516. Streets. Minimum pavement widths of various streets within mobile home parks shall be:

- (1) All streets, except minor streets 24 feet.
- (2) Minor streets, no parking 18 feet.

Streets shall have a gravel base consisting of size 25 (Grade D) stone compacted to six (6) inches and a paved surface of asphaltic concrete (hot mix) -- as specified in the Tennessee Department of Highways Standard Specifications for Road and Bridge Construction, 1968, section 411 -- compacted to one (1) inch with not less than an average weight of one hundred (100) pounds per square yard. (1979 Code, sec. 5-516)

5-517. Parking spaces. Car parking shall be provided in sufficient number to meet the needs of the occupants of the property and their guests without interference with normal movement of traffic. Such facilities shall be provided at the rate of at least two (2) car spaces for each mobile home lot. The size of the individual parking space shall have a minimum width of not less than ten (10) and length of not less than twenty (20) feet. The parking spaces shall be located so access can be gained only from internal streets of the mobile home park. (1979 Code, sec. 5-517)

5-518. Buffer strip. An evergreen buffer strip consisting of trees, shrub, or hedge which will grow up to a height of not less than ten (10) feet and be spaced not more than ten (10) feet apart shall be planted along all boundaries of the mobile home park. (1979 Code, sec. 5-518)

5-519. Playground. A playground with a minimum of three thousand (3,000) square feet, enclosed, by metal cyclone type fencing, shall be provided in each mobile home park. Three thousand (3,000) square feet of playground shall be provided for each ten (10) mobile home spaces available for rental. Where more than one space is required for a playground, the required area for the playground shall be contiguous. (1979 Code, sec. 5-519)

5-520. Travel trailer park. It shall be unlawful for any travel trailer to be occupied or serviced outside any properly designated travel trailer park. This provision shall not apply to the storage of travel trailers provided said trailer unit is neither temporarily or permanently occupied as a dwelling unit while within the city limits. (1979 Code, sec. 5-520)

5-521. Permit for travel trailer park. No place or site within said city shall be established or maintained by any person, group of persons, or corporation as a travel trailer park unless he holds a valid permit issued by the building inspector in the name of such person or persons for the specific travel

trailer park. The building inspector is authorized to issue, suspend, or revoke permits in accordance with the provisions of this chapter. (1979 Code, sec. 5-521)

5-522. Inspections by building inspector or county health officer. The building inspector or county health officer is hereby authorized and directed to make inspections to determine the condition of travel trailer parks, in order that he may perform his duty of safeguarding the health and safety of the occupants of travel trailer parks and of the general public. The building inspector or county health officer shall have the power to enter at reasonable times upon any private or public property for the purpose of inspecting and investigating conditions relating to the enforcement of the chapter. (1979 Code, § 5-522)

5-523. Length of occupancy. Travel trailer spaces shall be rented by the day or week only, and the occupant of such space will remain in the same travel trailer park not more than fourteen (14) days. (1979 Code, sec. 5-523)

5-524. Location. Travel trailer parks shall be located in districts as specified in the zoning ordinance¹ of the City of Moscow. (1979 Code, § 5-524)

5-525. Minimum size of travel trailer space. Each travel trailer space shall have a minimum width of thirty (30) feet and a minimum length of fifty (50) feet. (1979 Code, sec. 5-525)

5-526. Site planning improvement. Site planning improvement shall conform to the standards Established in Regulations VI - XX of the State Regulations Governing the Construction, Operation and Maintenance of Organized, Camps in Tennessee, as provided in Chapter 65, Public Acts of 1965. (1979 Code, sec. 5-526)

5-527. Operating without permit unlawful. It shall be unlawful for any person or persons to maintain or operate, within the corporate limits of said city, any mobile home park or travel trailer park unless such person or persons shall first obtain a permit therefor. (1979 Code, sec. 5-527)

5-528. Permit fees. An annual permit fee shall be required for mobile home parks and travel trailer parks. The annual permit fee for mobile home parks shall be fifteen (15) dollars for the first two (2) acres plus ten (10) dollars

¹See title 11 of this code.

for each additional acre. The annual permit fee for each travel trailer park shall be twenty-five (25) dollars. (1979 Code, sec. 5-528)

5-529. Application requirements for mobile home and travel trailer parks.¹ Applications for a mobile home park or travel trailer park shall be filed with and the permit issued by the building inspector subject to the planning commission's approval of the park plan. Applications shall be in writing and signed by the applicant and shall be accompanied with an approved plan of the proposed mobile home or travel trailer park. The plan shall contain the following information and conform to the following requirements:

- (1) The plan shall be clearly and legibly drawn at a scale not smaller than one hundred (100) feet to one (1) inch;
- (2) name and address of owner of record;
- (3) proposed name of park;
- (4) north point and graphic scale and date;
- (5) vicinity map showing location and acreage of mobile home park;
- (6) exact boundary lines of the tract by bearing and distance;
- (7) names of owners of record of adjoining land;
- (8) existing streets, utilities, easements, and water courses on and adjacent to the tract;
- (9) proposed design including streets, proposed street names, lot lines with approximate dimensions, easements, land to be reserved or dedicated for public uses, and any land to be used for purposes other than mobile home spaces;
- (10) provisions for water supply, sewerage and drainage;
- (11) such information as may be required by said city to enable it to determine if the proposed park will comply with legal requirements; and
- (12) the applications and all accompanying plans and specifications shall be filed in triplicate.

Certificates that shall be required are: (1) owner's certification; (2) planning commission's approval signed by secretary; and (3) any other certificates deemed necessary by the planning commission. (1979 Code, sec. 5-529)

¹Note: Travel trailer parks, properly regulated, fit well into general commercial complexes in which a variety of complementary facilities are available. For example, nearby groceries, general stores, filling stations, coin operated laundries, and other services are often in demand by persons looking for travel trailer parks.

5-530. Enforcement. It shall be the duty of the county health officer and building inspector to enforce the provisions of this chapter. (1979 Code, sec. 5-530)

5-531. Appeals; board of appeals. The Moscow Board of Zoning Appeals shall serve as the board of appeals and shall be guided by procedures and powers compatible with state law.

Any party aggrieved because of an alleged error in any order, requirement, decision, or determination made by the building inspector in the enforcement of this chapter may appeal for and receive a hearing by the Moscow Board of Zoning Appeals for an interpretation of pertinent provisions. In exercising this power of interpretation of the chapter, the Moscow Board of Zoning Appeals may, in conformity with the provisions of this chapter, reverse or affirm any order, requirement, decision, or determination made by the building inspector. (1979 Code, sec. 5-531)

5-532. Appeals from board of appeals. Any person or persons or any board, taxpayer, department, or bureau of the city aggrieved by any decision of the Moscow Board of Zoning Appeals may seek review by a court of record of such decision in the manner provided by the laws of the State of Tennessee. (1979 Code, sec. 5-532)