

## TITLE 13

PROPERTY MAINTENANCE REGULATIONS<sup>1</sup>

## CHAPTER

1. MISCELLANEOUS.
2. JUNKYARDS.

## CHAPTER 1

MISCELLANEOUS

## SECTION

- 13-101. Smoke, soot, cinders, etc.  
13-102. Stagnant water.  
13-103. Weeds and grass.  
13-104. Dead animals.  
13-105. Health and sanitation nuisances.

13-101. 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. (1973 Code, sec. 8-405)

13-102. 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. (1973 Code, sec. 8-406)

13-103. Weeds and grass. Every owner or tenant of property shall periodically cut the grass and other vegetation commonly recognized as weeds on his property when the same shall be deemed to constitute a nuisance or public health danger, and upon such declaration by the city council, it shall be unlawful for any person to fail to comply with an order by the city clerk or chief of police to cut such vegetation when it has reached a height of ten (10) inches.

If the lot owner or tenant of such property shall fail or refuse to remove such nuisance or public health hazard upon notice and demand, then in

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<sup>1</sup>Municipal code references

Animal control: title 10.

Littering streets, etc.: section 16-207.

Wastewater treatment: title 18.

addition to the violation provided above the city may cut the grass of the offending property, charge the cost thereof to the lot owner or tenant, and in the event of failure to pay within 45 days of being billed for such expense, the city may charge the expense to the owner of such property as a special assessment in addition to the real property taxes assessed by the city for that calendar year. In the event of failure to pay as due in addition to penalty and interest, the city may declare the special assessment delinquent, and proceed to collect the same as provided by the law for a delinquent tax payer. (Ord. # 1982-2)

13-104. 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 city recorder and dispose of such animal in such manner as the health officer shall direct. (1973 Code, sec. 8-408)

13-105. 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. (1973 Code, sec. 8-409)

## CHAPTER 2

JUNKYARDS

## SECTION

## 13-201. Junkyards.

13-201. Junkyards.<sup>1</sup> 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. (1973 Code, sec. 8-410)

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<sup>1</sup>State 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).