

TITLE 20

MISCELLANEOUS

CHAPTER

1. TELEPHONE SERVICE.
2. CABLE TELEVISION.
3. AIR POLLUTION CONTROL ORDINANCE.
4. PLACEMENT OF MAILBOXES.
5. SIGNAL MOUNTAIN PARK REGULATIONS AND GUIDELINES.
6. SIGNAL MOUNTAIN DONATION POLICY.

CHAPTER 1

TELEPHONE SERVICE<sup>1</sup>

SECTION

20-101. To be furnished under franchise.

20-101. To be furnished under franchise. Telephone service shall be furnished for the town and its inhabitants under such franchise as the town council shall grant. The rights, powers, duties, and obligations of the town, its inhabitants, and the grantee of the franchise shall be clearly stated in the written franchise agreement which shall be binding on all parties concerned. (1985 Code, § 13-401)

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<sup>1</sup>The last telephone service franchise of record was granted to the South Central Bell Telephone Company by ord. of May 8. The telephone service franchise is of record in the town hall.

## CHAPTER 2

CABLE TELEVISION<sup>1</sup>

## SECTION

20-201. To be furnished under franchise.

20-202. Definitions.

20-203. Regulation of rates charged for cable television service and equipment.

20-201. To be furnished under franchise. Cable television shall be furnished for the town and its inhabitants under such franchise as the town council shall grant. The rights, powers, duties, and obligations of the town, its inhabitants, and the grantee of the franchise shall be clearly stated in the written franchise agreement which shall be binding on all parties concerned. (1985 Code, § 13-501)

20-202. Definitions. Whenever the regulations cited in section 20-203 refer to "franchising authority", it shall be deemed to be a reference to the Council of the Town of Signal Mountain. (as added by Ord. #93-18, § 1, Dec. 1993)

20-203. Regulation of rates charged for cable television service and equipment. Pursuant to authority granted by the Cable Television and Consumer Protection Act of 1992 at 47 U.S.C. 543, and Federal Communications Commission action under the authority of said act certifying the town to regulate basic cable television service within the boundaries of the town; and for the purposes of regulating the rates charged to customers of any cable television operator franchised by the town, the regulations contained in Title 47 of the Code of Federal Regulations, Part 76, Subpart N, sections 76.900 through 76.985, are hereby adopted and incorporated by reference as a part of this code. (as added by Ord. #93-18, § 1, Dec. 1993)

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<sup>1</sup>A cable television franchise was granted to Chattanooga Cable TV Company by ordinance on July 17, 1978, which ordinance was amended by ordinance on April 28, 1980 and August 26, 1983. The latter ordinances provided for the succession of Chattanooga Cable TV Company by Telescripps Cable Company in August 1983. Ord. No. 92-21, November 9, 1992 is an ordinance granting to Telescripps Cable Company a franchise for the term of sixteen (16) years. Ord. No. 96-3 (April 1996) is an ordinance transferring the control of the Grantee to Comcast. Ord. No. 97-8 (July 1997) is an ordinance approving the transfer of control of the Grantee from Ralph J. Roberts to Brian L. Roberts. Ord. No. 2010-1, Jan. 2010 grants Comcast a five (5) year nonexclusive franchise. Ord. No. 2010-4 grants the Electric Power Board of Chattanooga a franchise for ten (10) years to operate a cable TV system within the Town of Signal Mountain. These ordinances are of record in the town hall.

## CHAPTER 3

AIR POLLUTION CONTROL ORDINANCE

## SECTION

20-301. The Signal Mountain Air Pollution Control Ordinance.

20-301. The Signal Mountain Air Pollution Control Ordinance. Be it ordained by the town council of the Town of Signal Mountain, Tennessee that all existing Air Pollution Control Ordinances of the Town of Signal Mountain, Tennessee be and are hereby repealed and in lieu thereof there is hereby adopted an ordinance to be known and cited as, "The Signal Mountain Air Pollution Control Ordinance."<sup>1</sup> Said ordinance is incorporated herein as fully as if set out at length herein and the provisions thereof shall be controlling within the limits of the town. No less than three (3) copies of this ordinance shall be kept on file at the Town Hall, Signal Mountain, Tennessee. (Ord. # 87-12, Nov. 1987)

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<sup>1</sup>See Ords. #93-2, March 1993, #96-2, March 1996, #2000-8#2000-9, June 2000; #2004-7, Dec. 2004, and Ord. #2017-10, which are of record in the town hall, for amendments to the Signal Mountain Air Pollution Control Ordinance.

## CHAPTER 4

PLACEMENT OF MAILBOXES

## SECTION

## 20-401. Placement of mailboxes.

20-401. Placement of mailboxes. When the United States Postal Service requires residential mailboxes to be located on only one side of a street for delivery efficiency, the property owner or tenant of the property receiving the mailbox and the property owner or tenant of the property sending the mailbox across the street shall meet to attempt to reach agreement as to where the sending property's mailbox shall be located. In the event these two parties cannot reach agreement, the town manager shall hear both parties and determine the placement of the sending property's mailbox:

- (1) within the limits of the postal regulations;
- (2) not over the street pavement; and
- (3) not to exceed 50 feet outside of the two imaginary points where the sending property owner's side lot lines intersect with the receiving owner's front property line. (Ord. #97-5, § 1, June 1997)

## CHAPTER 5

SIGNAL MOUNTAIN PARK REGULATIONS AND GUIDELINES

## SECTION

20-501. Park use guidelines.

20-502. Park regulations.

20-503. Park hours.

20-504. Trail information.

20-501. Park use guidelines. The following general parks guidelines are applicable to all parks within the town, unless otherwise posted, and supplement other laws, ordinances and codes to insure the safety of park visitors and the preservation of park lands. Trails are designed and designated for foot traffic only. Wheelchairs, strollers, maintenance and emergency response vehicles are the only wheeled vehicles allowed on park trails. Owners must clean up after their pets and remove all pet waste upon exiting the park. Horses are not allowed on any Town trails. (as added by Ord. #2010-2, Jan. 2010, and replaced by Ord. #2016-08, Nov. 2016, and Ord. #2019-03, Jan. 2019 ***Ch19\_8-26-19***)

20-502. Park regulations. In accordance with Tennessee law (Tennessee Code Annotated) and/or town code (TC) the following regulations shall be strictly enforced in all town parks. Violations are punishable by fine or other applicable court action for the following offenses:

(1) Littering, including the dumping of debris, refuse or waste of any type is prohibited. (Tennessee Code Annotated, § 39-14-502) (town code § 11-1101)

(2) Pets must be leashed. Allowing an animal to run at large is prohibited. (Tennessee Code Annotated, § 44-8-408) (town code § 10-204)

(3) Removal of natural material - native plants, wood, rocks, artifacts, etc. - is prohibited. Violations may be enforced as acts of theft or vandalism. (Tennessee Code Annotated, § 39-14-103) (town code § 11-806)

(4) Graffiti or any other type of defacing of property is prohibited. Violations may be enforced as acts of vandalism or theft. (Tennessee Code Annotated, § 39-14-408) (town code § 11-101)

(5) The use or possession of alcoholic beverages is prohibited in all Town parks (town code § 11-201)

(6) The use or possession of illicit drugs is prohibited in all Town parks. (Tennessee Code Annotated, § 39-17-401 - 454)

(7) In general, possession of a firearm will be allowed by a person who is authorized to carry the firearm pursuant to Tennessee Code Annotated, § 39-17-1351, while within or on a public park, natural area, historic park,

nature trail, campground, forest, greenway, waterway, or other similar public place that is owned or operated by the Town of Signal Mountain.

(8) A handgun carry permit holder shall be prohibited from carrying a firearm in a park or similar public place owned by a local government within the immediate vicinity of property where one (1) or more students are physically present on the property for an activity a reasonable person knows or should know is an athletic event or other school event or school-related activity. (town code § 11-503)

(9) It shall be unlawful for any person to discharge firearms within the corporate limits of the Town of Signal Mountain, except when and where the discharge of a firearm is expressly authorized or permitted by state law and/or the regulations of the Tennessee Wildlife Commission. It shall be unlawful to hunt on any property owned, leased or otherwise controlled by the Town of Signal Mountain. (town code §§ 11-501, 11-502)

(10) Camping and open fires are not permitted in any town park. (as added by Ord. #2010-2, Jan. 2010, and replaced by Ord. #2016-08, Nov. 2016 and Ord. #2019-08, Jan. 2019 *Ch19\_8-26-19*)

20-503. Park hours. Quiet hours are from sunset to sunrise, unless posted otherwise. (as added by Ord. #2010-2, Jan. 2010)

20-504. Trail information. (1) Trails will be marked with color-coded blazes, plus directional signs at junctions, and kiosks at trail entrances with maps and information.

(2) Trail maps for the Signal Mountain area are available on the town website [signalmountaintn.gov](http://signalmountaintn.gov) or <http://atlas.utc.edu/signalmtn/> is the direct link. These maps have trail descriptions and GPS coordinates.

(3) If you have questions or wish to report maintenance needs, contact the Signal Mountain Parks Board at the town hall, 886-2177. (as added by Ord. #2010-2, Jan. 2010)

## CHAPTER 6

SIGNAL MOUNTAIN DONATION POLICY

## SECTION

- 20-601. Purpose and objective.
- 20-602. Donation categories.
- 20-603. General policy guidelines and restrictions.
- 20-604. Acknowledgments.
- 20-605. Plaque policy.
- 20-606. Donation process and procedure.
- 20-607. Appeals process.

20-601. Purpose and objective. The purpose of this policy is to provide a means for citizens of the Town of Signal Mountain, Tennessee and others to recognize, commend, acknowledge or memorialize an individual or individuals, whether living or deceased, without regard to merit or contributions to the community, by donating either tangibly or intangibly to the town.

The objective of this policy is to ensure donations meet certain qualitative criteria that will preserve the character, resources, and natural beauty of the town and will be of benefit to its residents. (as added by Ord. #2012-1, Jan. 2012)

20-602. Donation categories. (1) Standard donations. A "needs list" compiled by town departments that suggests standard donations to fill specific needs is available at the town hall. Such donations may be either tangible or intangible.

(a) Tangible donations include park benches, planters, honor trees or shrubs, flag poles, art work, musical instruments, bleachers, sports equipment, statuary, fountains, recreation equipment, computers, audio or video equipment, art supplies, furniture, furnishings, library books, collections or other items.

(b) Intangible donations include monetary gifts designated to sponsor educational, recreational, sports or camp scholarships; to fund improvements to town facilities; to support landscaping and beautification; to refurbish town recreational equipment; to support the work, programs or needs of town departments, boards or other entities.

(2) Non-standard donations allow donors the opportunity to donate items that are not included on the "needs list." For example, a donor may wish to donate substantially by gifting land, a public building or building expansion, a playing field, a fire truck or the funding for a significant community project. (as added by Ord. #2012-1, Jan. 2012)

20-603. General policy guidelines and restrictions. (1) A written proposal for a donation shall be presented to the town manager for review and recommendation to the specific town department, board or other proposed recipient. The parks board will review donations dedicated to parks; the tree board will review donations of trees or shrubs to be planted on town property; the recreation board will review donations designated for recreation, and so on.

(2) Donations to the Town of Signal Mountain or its departments are one hundred percent (100%) tax deductible.

(3) No donation, memorial or otherwise, shall be placed on public or road rights-of-way or in a location that is inappropriate or obstructive or hazardous to vehicles and/or pedestrians.

(4) The successful growth of donated plant materials cannot be guaranteed. The town reserves the right not to replace donated trees, shrubs or other plant materials that are removed, damaged or deceased.

(5) The town shall reserve the right to remove, alter or discontinue the use of a tangible donation, whether or not it was acquired partially or entirely with donated funds if it is necessary or in the best interest of the town. (as added by Ord. #2012-1, Jan. 2012)

20-604. Acknowledgments. (1) Letters from the town will acknowledge donations. Certain tangible donations such as trees, fountains, benches, furniture, and others may be suitable for plaques.

(2) The town will furnish and install plaques at the donor's expense, but will not be responsible for vandalism, repair, or replacement of plaques.

(3) If a plaque is damaged to the extent that it presents an eyesore or public liability, the town, at its discretion, may remove it. The donor will be contacted and informed of action. (as added by Ord. #2012-1, Jan. 2012)

20-605. Plaque policy. (1) Exterior plaques. (a) The design review commission shall approve the size and wording of exterior plaques prior to ordering and installation.

(b) Plaques shall be made of corrosive resistant metal such as bronze, brass or aluminum alloy.

(c) Wall plaques shall not exceed three hundred sixty (360) square inches.

(d) Tree or plant plaques shall be flush mounted in a concrete or native stone base with an exposed length x width not exceeding eighty (80) square inches.

(i) Tree or plant plaques shall be flush with ground surface in an approved location.

(ii) Installation should not impair mowing, maintenance, tree growth or use of the area by the public.

(iii) Wall plaques shall be attached securely to an exterior wall.



(2) Interior plaques. (a) Size and wording of interior plaques shall be approved by the town manager before ordering and installation.

(b) Plaques shall be made of a corrosive resistant metal or similar durable material and of a color that will harmonize with the site.

(c) Some plaques may be board mounted to display mini-plaques honoring or commemorating consecutive occasions or groups.

(d) No plaques shall exceed three hundred sixty (360) square inches.

(e) Plaques installed on furnishings shall be in scale with their surroundings and firmly installed so as not to impair maintenance. (as added by Ord. #2012-1, Jan. 2012)

20-606. Donation process and procedure. (1) Standard donations.

(a) A donor may select a donation from the "needs list" at the town hall and submit a proposal in writing to the town manager.

(b) The proposal will be reviewed by the town manager and the intended recipient and if appropriate in form, substance and location, will be approved.

(2) Non-standard donations or exceptions. (a) A donor shall submit a detailed description of the proposed donation to the town manager who along with the intended recipient will determine if the donation is acceptable and desirable.

(b) The town manager will recommend the proposal to the town council for final approval. (as added by Ord. #2012-1, Jan. 2012)

20-607. Appeals process. A potential donor who chooses to appeal any decision relating to a donation may contact the town manager to request a hearing before the town council. The request must be received by the town manager at least ten (10) days before a regularly scheduled council meeting and shall be filed in compliance with the town code. The town council shall be the final authority on any donation decision within the town. (as added by Ord. #2012-1, Jan. 2012)