

TITLE 14**ZONING AND LAND USE CONTROL****CHAPTER**

1. MUNICIPAL PLANNING COMMISSION.
2. ZONING ORDINANCE.
3. MOBILE HOMES AND MOBILE HOME PARKS.
4. EROSION AND SEDIMENTATION CONTROL.

CHAPTER 1**MUNICIPAL PLANNING COMMISSION****SECTION**

- 14-101. Creation and membership.
14-102. Organization, powers, duties, etc.
14-103. Additional powers.

14-101. Creation and membership. Pursuant to the provisions of Tennessee Code Annotated, § 13-4-101 there is hereby created a municipal planning commission, hereinafter referred to as the planning commission. The planning commission shall consist of five (5) members; two (2) of these shall be the mayor and another member of the board of commissioners selected by the board of commissioners; the other three (3) members shall be appointed by the mayor. All members of the planning commission shall serve as such without compensation. Except for the initial appointments, the terms of the three (3) members appointed by the mayor shall be for three (3) years each. The three (3) members first appointed shall be appointed for terms of one (1), two (2), and three (3) years respectively so that the term of one (1) member expires each year. The terms of the mayor and the member selected by the board of commissioners shall run concurrently their terms of office. Any vacancy in an appointive membership shall be filled for the unexpired term by the mayor. (1995 Code, § 14-101)

14-102. Organization, powers, duties, etc. The planning commission shall be organized and shall carry out its powers, functions, and duties in accordance with all applicable provisions of Tennessee Code Annotated, title 13. (1995 Code, § 14-102)

14-103. Additional powers. Having been designated as a regional planning commission, the municipal planning commission shall have the additional powers granted by, and shall otherwise be governed by the provisions of the state law relating to regional planning commissions. (1995 Code, § 14-103)

CHAPTER 2

ZONING ORDINANCE

SECTION

14-201. Land use to be governed by zoning ordinance.

14-202. Floodplain zoning ordinance.

14-201. Land use to be governed by zoning ordinance. Land use within the City of Tusculum shall be governed by the "Zoning Ordinance, Tusculum, Tennessee."¹

14-202. Floodplain zoning ordinance. Floodplain control for the City of Tusculum shall be governed by the "Municipal Floodplain Zoning Ordinance."²

¹The Zoning Ordinance, Tusculum, Tennessee and any amendments thereto are published as separate documents and are of record in the office of the city recorder.

²The Municipal Floodplain Zoning Ordinance and any amendments thereto are published as separate documents and are of record in the office of the city recorder.

CHAPTER 3

MOBILE HOMES AND MOBILE HOME PARKS

SECTION

14-301. Prohibited.

14-302. Effect on existing mobile homes, etc.

14-303. Violations.

14-301. Prohibited. The parking, setting up, expansion of, storage, use, living in, or operation of a house trailer, mobile home, or mobile home park or parks within the corporate limits of the City of Tusculum is prohibited. (1995 Code, § 14-301)

14-302. Effect on existing mobile homes, etc. Those house trailers, mobile homes, or mobile home parks in existence prior to the 20th of August, 1973, shall be deemed to have been placed there legally, but the expansion of an existing house trailer or mobile home park is strictly prohibited. (1995 Code, § 14-302)

14-303. Violations. Any violation of any of the provisions of this chapter is declared to be a misdemeanor and punishable under the general penalty clause for this code. In addition, the City of Tusculum may remove any structure begun or erected in violation of this chapter, and the cost of the removal shall be charged against said real estate and constitute a lien thereon. (1995 Code, § 14-303)

CHAPTER 4

EROSION AND SEDIMENTATION CONTROLS

SECTION

14-401. Definitions.

14-402. General provisions.

14-403. Penalties.

14-401. Definitions. (1) "Best Management Practices (BMPs)." A schedule of activities, prohibitions of practices, design, construction and maintenance procedures, and other management practices to prevent the pollution of stormwater runoff.

(2) "Enforcement officer." The building inspector, the public works director or any other person designated by the Tusculum Board of Mayor and Commissioners to enforce the stormwater management, erosion and sedimentation control ordinance.

(3) "Erosion." The general process whereby soils are moved by flowing surface or subsurface water.

(4) "Land disturbing activity." Means any activity which may result in soil erosion from water or wind and the movement of sediments into drainage ways, or local waters, including, but not limited to, clearing, grading, excavating, transportation and filling of land. (Ord. #08-06, July 2008)

14-402. General provisions. (1) It shall be unlawful for any person owning, leasing, occupying or having control of property, lot, tract, parcel of land or portion thereof, occupied or unoccupied, improved or unimproved, in the city to permit erosion or sedimentation to be conveyed on to any adjoining property owners or a public right-of-way.

(2) The building inspector has the authority to require "best practices" erosion and sedimentation control measures if pollution and runoff problems are evident.

(3) Upon failure of any owner of property within the corporate limits of the city to remove all sedimentation from adjoining property owners or public rights-of-way or to have removed such sedimentation, it shall be the duty of the city building inspector, or persons as are designated by the mayor, to serve a notice on the owner, lessee, occupant or person having control of such property, ordering said person or persons to remove the sedimentation within ten (10) days of the service of such notice.

(4) Noncompliance; abatement at owner's expense; nonpayment will be treated as described in § 13-104(6). (Ord. #08-06, July 2008)

14-403. Penalties. Any person violating any provision of this chapter shall be guilty of a misdemeanor, and upon conviction shall be fined not less

than two dollars (\$2.00), nor more than fifty dollars (\$50.00) for each offense. Each day such violation shall continue shall constitute a separate offense. (Ord. #08-06, July 2008)