

TITLE 13

PROPERTY MAINTENANCE REGULATIONS

CHAPTER

1. HEALTH AND SANITATION.
2. JUNKYARDS.

CHAPTER 1

HEALTH AND SANITATION

SECTION

- 13-101. House trailers.
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- 13-105. Dead animals.
- 13-106. Gases, dust, and particulate matter.
- 13-107. Health and sanitation nuisances.

13-101. 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. (1981 code, § 8-404)

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. (1981 code, § 8-405)

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. (1981 code, § 8-406)

13-104. High grass, weeds and rubbish. The owners and occupants of real property, whether the same be occupied by structures, are hereby required not to allow grass on such property to grow to a height that exceeds more than twelve inches (12"); and to keep all weeds, wild bushes, overgrown shrubs, vines, trees and landscaping; rank or noxious vegetation; and rubbish of every kind

and character cleared and removed from such property. Rubbish shall include automobiles remaining unmoved, inoperable and unlicensed for a period of thirty (30) days or more. The height restriction on grass shall apply to all zoning districts, except Agricultural Districts (AG), that permit dwellings as a principal use in those districts.

If any owner or occupant of property within the city shall fail to cut, clear and remove such aforementioned grass vegetation; overgrown shrubs, vines, trees and landscaping; or rubbish, the city code enforcement officer shall serve a notice, in writing, upon such owner or occupant requiring him to cut, clear and remove same from said property within ten (10) days after service of such notice. Such notice may be served personally upon the owner or his agent or tenant, may be mailed by certified or registered mail to the owner or occupant at his last known address, or may be posted on the property. Service of notice by any of the foregoing methods shall constitute due notice within the meaning of this section. If any owner or occupant, after notice as provided for herein, shall fail to cut, clear or remove said grass, vegetation or rubbish from the property described in said notice, within ten (10) days after service of notice, the code enforcement department is authorized and directed to clear and remove the same and to prepare a statement of the cost thereof and file such statement with the city recorder for collection. This statement shall include a fee of seventy-five dollars (\$75.00) for three (3) hours of staff time associated with administrative and enforcement duties. A lien is hereby declared on such property for all costs incurred by the code enforcement department in cutting, clearing and removing said grass, weeds, wild bushes; overgrown shrubs, vines, trees and landscaping; rank or noxious vegetation; and/or rubbish. The lien shall be enforced by attachment in law or equity and the costs recovered by suit in the name and for the use of the Board of Mayor and Aldermen of Springfield, Tennessee.

Upon receiving the statement of costs mentioned above, the city recorder shall notify the owner or occupant by regular mail of the amount owed and all such bills shall bear interest at the rate of six percent (6%) per annum. Any unpaid lien after thirty (30) days after mailing said bill shall become a part of the property tax as authorized by Tennessee Code Annotated, § 67-5-2101.

Any person, firm or corporation violating the provisions of this section shall be punished by a fine under the general penalty clause of this code. (1981 Code, § 8-407, as replaced by Ord. #97-24, Nov. 1997, Ord. #02-07, June 2002, and Ord. #17-02, March 2017)

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 dispose of such animal in such manner as the county health officer shall direct. (1981 code, § 8-408)

13-106. Gases, dust, and particulate matter. No emission shall be permitted from any stack, chimney, silo, storage bin or other source of any solid or liquid particles in concentrations exceeding 0.30 grains per cubic foot of the conveying gas at any point. For measurement of the amount of particles in gases

resulting from combustion, standard correction shall be applied to a stack temperature of five hundred (500) degrees Fahrenheit and fifty (50) percent excess air. In no case shall any emission be permitted which will cause any damage to health, animals, vegetation, or other forms of property or which can cause soiling at any point beyond the lot line on which the source is situated. Particulate matter is defined as matter, other than combined water, which is suspended in air and other gases, in a finely divided form, as a liquid or solid at standard conditions. (1981 code, § 8-409, as replaced by Ord. #07-17, Aug. 2007)

13-107. 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.

The city departments of electricity, water and gas shall not sell or furnish any electricity, water or gas to the owners or occupants of any premises which have been declared a public nuisance and unfit for human habitation by the city community development director or building inspector. (as added by Ord. #07-17, Aug. 2007)

CHAPTER 2

JUNKYARDS

SECTION

13-201. Definitions.

13-202. Junkyards.

13-203. Compliance with storm water management regulations.

13-204. Date for compliance.

13-205. Violation and penalty.

13-201. Definitions. For the purposes of this chapter, the following terms shall have the respective meanings ascribed to them:

(1) "Automobile graveyard." Any lot, establishment or place of business which is maintained, used or operated for storing, keeping, buying or selling wrecked, scrapped, ruined or dismantled motor vehicles or motor vehicle parts.

(2) "Junk." Old or scrap copper, brass, rope, rags, batteries, paper, trash, rubber, debris, waste, or junked, dismantled, or wrecked automobiles, or parts thereof, iron, steel, and other old or scrap ferrous or nonferrous material.

(3) "Junkyard." An establishment or place of business which is maintained, operated, or used for storing, keeping, buying, or selling junk, or for the maintenance or operation of an automobile graveyard. This definition includes scrap metal processors, car crushing sites, used auto parts yards, yards providing temporary storage of automobile bodies or parts awaiting disposal as a normal part of the business operation when the business will continually have like materials located on the premises, garbage dumps and sanitary landfills. Provided, however, a "junkyard" shall not be construed to include a recycling center.

(4) "Recycling center." An establishment, place of business, facility or building which is maintained, operated, or used for the storing, keeping, buying or selling of newspaper or used food or beverage containers for the purpose of converting such items into a usable product. (as added by Ord. #10-04, April 2010)

13-202. Junkyards. 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 which rats, mice, or other vermin may be harbored, reared, or propagated.

(2) All such junkyards shall be enclosed within a close fitting plank fence (privacy fence) touching the ground on the bottom and being not less than

eight feet (8') 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. (as added by Ord. #10-04, April 2010)

13-203. Compliance with storm water management regulations. All junkyards in which motor vehicles are to be kept or stored shall conform to the requirements of Ordinance 04-25 pertaining to storm water management regulations as it currently reads or is subsequently amended. The area upon which motor vehicles are to be kept or stored shall be paved with hot mix asphalt or concrete pavement and curbed to direct the flow of storm water to appropriate treatment devices. Furthermore, the owners of said junkyards shall provide sufficient evidence to the City of Springfield that they are properly containing, treating and disposing of any oils, antifreezes, etc. that may be discharged on their properties as by-products of motor vehicle storage. (as added by Ord. #10-04, April 2010)

13-204. Date for compliance. All new junkyards must fully comply with the provisions of this chapter before opening for business. All junkyards in operation on the date of the final passage of the ordinance that creates this chapter shall have a period of six (6) months from the date of final passage of the ordinance to fully comply with the provisions of this chapter. (as added by Ord. #10-04, April 2010)

13-205. Violation and penalty. Any person owning or operating a junkyard in violation of the above provisions shall bring such junkyard into compliance with this chapter within thirty (30) days upon receiving written notice from the city. Any person failing to do so shall be guilty of a violation of this chapter and shall be punished by a fine under the general penalty provision of this code. Each day the violation of this chapter continues shall be considered a separate violation. (as added by Ord. #10-04, April 2010)