



Lot Cleanup

Dear Reader:

The following document was created from the MTAS website ([mtas.tennessee.edu](http://www.mtas.tennessee.edu)). This website is maintained daily by MTAS staff and seeks to represent the most current information regarding issues relative to Tennessee municipal government.

We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with municipal government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other MTAS website material.

Sincerely,

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Cities may require owners to clean up the property where trees, vines, grass, and brush are growing, or trash and debris are accumulating, so as to endanger health and safety or encourage the infestation of rats or other harmful animals. State law, located at T.C.A. § 6-54-113, establishes a process through which the city can take action to abate such problems on private property. Under this statute, notice shall be provided to the owner to remedy the condition via U.S. mail. The notice shall state the following:

- (1) A brief statement containing the consequences of failing to comply;
- (2) The name and contact information of the city department or official sending the notice;
- (3) An estimated cost for remedying the noted conditions; and
- (4) A place where the owner may notify the city indicating a desire for a hearing.

When an attempt to use the US mail fails, or if there is no known address, a notice should be published in two consecutive issues of a newspaper of general circulation within the county, or personally delivered to the owner. If the owner fails to clean up within 10 days after receiving notice to do so, the city may mow and clean up the lot and assess the costs against the owner. The costs may be collected by the city through an action for debt filed in any court of competent jurisdiction. The costs may also be collected with the lot's property tax bill and filed as a lien on the property. The municipality must wait until cumulative charges equal or exceed \$500 before placing a lien on owner-occupied residential property for the costs. A 20 day notice period shall be provided if the owner is a carrier engaged in the transportation of property or a utility transmitting communications, electricity, gas, liquids, steam, sewerage or other materials. T.C.A. § 6-54-113.

DISCLAIMER: The letters and publications written by the MTAS consultants were written based upon the law at the time and/or a specific sets of facts. The laws referenced in the letters and publications may have changed and/or the technical advice provided may not be applicable to your city or circumstances. Always consult with your city attorney or an MTAS consultant before taking any action based on information contained in this website.

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