

TITLE 13

PROPERTY MAINTENANCE REGULATIONS¹

CHAPTER

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4. ELIMINATION OF DANGEROUS STRUCTURES OR DWELLINGS.
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CHAPTER 1

MISCELLANEOUS

SECTION

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13-101. Health officer. The "health officer" shall be such municipal, county, or state officer as the council shall appoint or designate to administer and enforce health and sanitation regulations within the municipality. (1972 Code, § 8-401)

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. (1972 Code, § 8-405)

¹Municipal code references

Animal control: title 10.

Littering streets, etc.: § 16-107.

Toilet facilities in beer places: § 8-211(10).

13-103. Stagnant water. It shall be unlawful for any person to knowingly allow any pool of stagnant water to accumulate and stand on his property without treating it so as to effectively prevent the breeding of mosquitoes. (1972 Code, § 8-406)

13-104. Weeds. Every owner or tenant of property shall periodically cut the grass and other vegetation commonly recognized as weeds on his property, and it shall be unlawful for any person to fail to comply with an order by the city recorder or chief of police to cut such vegetation when it has reached a height of over one (1) foot. (1972 Code, § 8-407)

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 notify the health officer and dispose of such animal in such manner as the health officer shall direct. (1972 Code, § 8-408)

13-106. 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. (1972 Code, § 8-409)

13-107. House trailer court requirements. It shall be unlawful for any person to maintain or operate any house trailer court within the limits of the City of Camden except in compliance with the following requirements:

(1) **Definitions.** The terms used in this chapter are defined as follows:

(a) "Trailer court." The term trailer court shall mean any plot of ground within the City of Camden upon which two (2) or more trailer coaches, occupied or dwelling of sleeping purposes, are located.

(b) "Trailer coach." The term shall mean any vehicle used, or so constructed as to permit its being used, as a conveyance upon the public streets or highways and duly licensable as such, and constructed in such a manner as will permit occupancy thereof as a dwelling or sleeping place for one (1) or more persons, provided that this definition shall not include transport trucks or vans equipped with sleeping space for a driver or drivers.

(c) "Dependent trailer coach." The term shall mean a trailer coach which does not have a toilet and a bathtub or shower.

(d) "Independent trailer coach." The term shall mean a trailer coach that has a toilet and a bathtub or shower.

(e) "Trailer coach space." The term shall mean a plot of ground within a trailer court designated for the accommodation of one (1) trailer coach.

(f) "Service building." The term shall mean a building housing toilet facilities for men and women, with slop-water closet and laundry facilities, and with separate bath or shower accommodations.

(g) "Health officer." Any person appointed by the council to serve in such capacity.

(h) "Person." Any and all persons, including any individual, firm or association, and any municipal or private corporation organized or existing under the laws of this or any other state.

(2) Supervision by council of public health-rules and regulations. It shall be the duty of the council to exercise general supervision over the planning, location, and method of operation of trailer courts, and to adopt rules and regulations deemed necessary for the protection of the public health, welfare and comfort.

(3) Permits for trailer courts-issuance, suspension and revocation. No place or site within the City of Camden shall be established or maintained by any person as a trailer court unless he holds a valid permit issued by the health officer in the name of such person for the specific trailer court. The health officer is authorized to issue, suspend, or revoke permits in accordance with the provision of this chapter and any rules and regulations as may be adopted by the council.

(4) Inspections by health officer. The health officer is hereby authorized and directed to make inspections to determine the condition of trailer courts in order that he may perform his duty of safeguarding the health and safety of occupants of trailer courts and of the general public. The health officer shall have the power to enter at reasonable times upon any private or public property for the purpose of inspecting and investigating conditions relating to the enforcement of this section or of regulations promulgated thereunder.

(5) Location and planning. The trailer court shall be located on a well-drained site, shall be so located that its drainage will not endanger any water supply, and shall be in conformity with a plan approved by the health officer. The health officer may promulgate regulations for trailer-court location and plan approval, which shall provide for adequate drainage, space, lighting, safety, service buildings and other sanitary facilities necessary to protect the public health and prevent nuisances.

(6) Service buildings. Each trailer court that accepts a dependent trailer coach for parking shall be provided with one or more service buildings adequately equipped with flush-type toilet fixtures. No service building shall contain less than one (1) toilet for women, one (1) toilet for males, one (1) lavatory and shower for each sex, one (1) laundry tray, and one (1) slop-water closet. Dependent trailer coaches shall be parked not more than two hundred (200) feet from the service building.

Service buildings shall:

- (a) Be located fifteen (15) feet or more from any trailer-coach space;
- (b) Be of permanent construction, and be adequately lighted;
- (c) Be of moisture-resistant material, to permit frequent washing and cleaning;
- (d) Have sufficient toilet and laundry facilities, according to requirements promulgated by the health officer, to serve adequately both males and females;
- (e) Have adequate heating facilities to maintain a temperature of 70^o F. during cold weather, and to supply a minimum of three (3) gallons of hot water per hour per coach space during time of peak demands;
- (f) Have all rooms well ventilated, with all openings effectively screened;
- (g) Have at least one (1) slop-water closet, supplied with hot and cold water, in a separate room.

(7) Water supply. An accessible, adequate, safe and potable supply of water shall be provided in each trailer court, capable of furnishing a minimum of one hundred twenty-five (125) gallons per day per trailer-coach space. Where a public supply of water of such quality is available, connection shall be made thereto and its supply shall be used exclusively. The development of an independent water supply to serve the trailer court shall be made only after express approval has been granted by the health officer.

(8) Plumbing. All plumbing in the trailer court shall comply with state and local plumbing laws and regulations.

(9) Sewage disposal. Trailer courts shall be served by a public sewer system, if available, or by a private disposal system which has the approval of the health officer. Each trailer-coach space shall be provided with a satisfactory sewer connection. All sewage-disposal apparatus, including appurtenances thereto, shall be provided, maintained, and operated so as not to create a nuisance or health hazard.

(10) Refuse storage, collection and disposal. The storage, collection, and disposal of refuse in the court shall be so managed as to create no health hazards, rodent harborage, insect-breeding areas, accident hazards, or air pollution. All refuse shall be stored in flytight, watertight, rodentproof containers, which shall be provided in sufficient number and capacity to prevent any refuse from overflowing. Satisfactory container racks or holders shall be provided, and shall be located not more than one hundred fifty (150) feet from any trailer-coach space. Garbage shall be collected and disposed of in an approved manner at least twice per week.

(11) Insect and rodent control. Insect and rodent-control measures to safeguard public health, as recommended by the health officer, shall be applied in the trailer court. The trailer court shall be kept free of rubbish, and shall be

maintained in a satisfactory condition at all times. All harborage places for rodents or hosts of insect vectors shall be eliminated. All breeding places for flies and mosquitoes shall be eliminated or effectively treated.

(12) Electric power. An electrical outlet supplying at least one hundred ten (110) volts shall be provided for each trailer-coach space. The installation shall comply with all state and local electrical codes and ordinances. Such electrical outlets shall be weatherproof. No power line shall be permitted to lie on the ground, or to be suspended less than eighteen (18) feet above the ground.

(13) Liquefied petroleum gas. Liquefied petroleum gas for cooking purposes shall not be used at individual trailer coach spaces unless the containers are properly connected by copper or other suitable metallic tubing. Liquefied petroleum gas cylinders shall be securely fastened in place, and adequately protected from the weather. No cylinder containing liquefied petroleum gas shall be located in a trailer coach, nor within five (5) feet of a door thereof.

(14) Fire prevention. The court area shall be subject to the rules and regulations of the fire-prevention authorities having jurisdiction.

(15) Additions to trailers--parking restrictions. No permanent additions of any kind shall be built onto, nor become a part of, any trailer coach. Skirting of coaches is permissible, but such skirting shall not permanently attach the coach to the ground, provide a harborage for rodents, or create a fire hazard. The wheels of the coach shall not be removed, except temporarily when necessary for repairs. Jacks or stabilizers may be placed under the frame of the coach to prevent movement on the springs while the coach is parked and occupied.

(16) Communicable or contagious diseases. Every owner, operator, attendant, or other person operating a trailer court shall notify the local health officer immediately of any suspected communicable or contagious disease within the trailer court. In the case of diseases diagnosed by a physician as quarantinable, such owner, operator, attendant, or other person operating a trailer court shall not permit the departure of a trailer coach or its occupants, or the removal therefrom of clothing or other articles which have been exposed to infection, without approval of the health officer.

(17) Register to be maintained. Every trailer-court owner or operator shall maintain a register containing a record of all trailer coaches and occupants using the trailer court. Such register shall be available to any authorized person inspecting the court, and shall be preserved for the period required by the public health officer. Such register shall contain

- (a) The names and addresses of all trailer-coach occupants stopping in the court,
- (b) The make, model, and license number of each motor vehicle and trailer coach,
- (c) The state, territory, or county issuing the trailer license, and
- (d) The dates of arrival and departure of each trailer coach.

(18) Enforcement of regulations. It shall be the duty of the health officers to enforce the provisions of this section.

(19) Violation of statute or regulations--penalty. Any person or corporation who violates the provisions of this section or the rules and regulations adopted pursuant thereto, or fails to perform the reasonable requirements of the health officer after receipt of thirty (30) days' written notice of such requirements, shall be fined for each offense, and each day of continued violation after conviction shall constitute a separate offense.

(20) Application for permit. Each application for permit shall be made on a form prepared and distributed by the health officer and in the name of the person making application, and shall be accompanied by a diagram or map drawn to a scale no smaller than 1"-100' setting forth therein the geographical location, boundaries, drainage, buildings and sanitation facilities such as location of water and sewer lines, the number, location and size of all trailer coach spaces, together with the approval of other departments of the city or county as deemed necessary by the health officer.

(21) Trailer coach plot size and spacing of coaches. Trailer coach spaces shall be clearly defined and coaches parked so that there will be at least 15 feet of clear space between coaches or any attachment, such as a garage or porch, 15 feet between coaches and any building or structure, and at least 5 feet between any coach and trailer court property line. No trailer coach shall be located closer than 15 feet to any public street or highway.

The individual plot sizes for trailer coach spaces shall be determined as follows:

- (a) Minimum width shall be equal to the width of trailer plus 20 feet.
- (b) Minimum depth with end parking of automobile shall be equal to the length of trailer plus 30 feet.
- (c) Minimum depth with side or street parking shall be equal to the length of trailer plus 20 feet.

In no case shall the minimum width be less than 28 feet and the minimum depth less than 55 feet and such spaces shall be used only for parking trailer coaches no larger than 8 feet wide and 35 feet long.

(22) Water supply. Where a public water supply is available it shall be used exclusively. The development of an independent water supply to serve the trailer court shall be made only after express approval has been granted by the health officer. In those instances where an independent system is approved the water shall be from a supply properly located, protected, and operated, and shall be adequate and of a safe, sanitary quality. Samples of water for bacteriological examination shall be taken upon the initial approval of the physical structure and thereafter at least every four months and when any repair or alteration of the water supply system has been made. If a positive sample is obtained it will be the responsibility of the trailer court operator to provide such treatment as

is deemed necessary to maintain a safe, potable water supply. An individual water-service connection shall be provided for each trailer coach space.

(23) Sewage disposal. Each coach space shall be equipped with at least a 3-inch sewer connection, trapped below frost line and reaching at least 4 inches above the surface of the ground. The sewer connection should be protected by a concrete collar, at least 3 inches deep and extending, 12 inches from the connection in all directions. All sewer lines should be laid in trenches separated at least 10 feet horizontally from any drinking-water-supply line.

Every effort should be made to dispose of the sewage through a public sewerage system. In lieu of this a septic tank and subsurface soil absorption system may be used provided the soil characteristics are suitable and adequate disposal area is available. The minimum size of any septic tank to be installed under any condition shall be not less than 750 gallons working capacity. This size tank would accommodate a maximum of two trailer coaches. For each additional trailer coach on such a single tank, a minimum liquid capacity of 175 gallons per trailer coach space shall be provided. The sewage from no more than 12 trailer coaches shall be disposed of in any one single tank installation. The size of such tank would be a minimum of 2500 gallons liquid capacity.

The amount of effective soil absorption area or total bottom area of overflow trenches will depend on local soil conditions and should be determined only on the basis of the percolation rate of the soil. The percolation rate should be determined as outlined in Appendix A of the Tennessee Department of Public Health Bulletin, entitled "Recommended Construction of Large Septic Tank Disposal Systems for Schools, Factories, and Institutions." This bulletin is available on request from the department. No trailer coach shall be placed over a soil absorption field.

(24) Disposal of refuse. All refuse shall be stored in standard metal containers, constructed of non-corrosive materials, equipped with tight-fitting lids, and with handles. Such containers shall have a capacity of not less than 20 gallons nor more than 30 gallons, except that the maximum size limitation shall not apply where facilities are available for handling containers mechanically. Each trailer coach shall be provided with a sufficient number of containers of adequate capacity to prevent overflow. The containers shall be stored above the ground level and so fastened or supported as not to be easily overturned. Centralized refuse storage facilities may be utilized provided that the maximum distance from any trailer coach served does not exceed 150 feet. Garbage and refuse shall be collected and/or disposed of in an approved manner at intervals not exceeding every 4 days.

(25) Electricity. An electrical outlet supplying at least 110 volts shall be provided for each trailer coach space, and shall be weatherproof and accessible to the parked trailer coach. All electrical installations shall be in compliance with the National Electrical Code, and shall satisfy all requirements of the local electrical service organization. (1972 Code, § 8-404)

CHAPTER 2**JUNKYARDS****SECTION**

13-201. Junkyards.

13-201. Junkyards.¹ 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. (1972 Code, § 8-410)

¹State 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).

CHAPTER 3

NUISANCES

SECTION

13-301. Generally.

13-302. Violations enumerated.

13-303. Enforcement.

13-301. Generally. The council may by resolution declare the existence or continuance of any insanitary, unhealthy, unsafe, dangerous, hazardous, noisy, obnoxious or offensive condition which adversely affects the public health, safety, welfare and happiness of this municipality to be a nuisance. (1972 Code, § 4-501)

13-302. Violations enumerated. The specifications in this section of certain unhealthy, insanitary, unsafe, dangerous, hazardous, noisy, obnoxious or offensive conditions or situations shall not be held or construed to exclude others within the meaning of the general terms of § 13-301, of this chapter nor to limit the full application of the same. Any such insanitary, unhealthy, dangerous, obnoxious or offensive condition on, coming from, or related to the following conditions or situations may, in the sound discretion of the council, be declared a nuisance:

(1) Any awning or marquee similar to those usually or customarily placed above the pavement in front of business and public buildings,

(2) Any situation or condition arising in connection with any manufacturing business or establishment,

(3) Any lavatory unclean for more than three (3) weeks,

(4) Any dead animal left unburned or unburied for more than twenty four (24) hours,

(5) Any situation or condition that pollutes the atmosphere, water or soil of this municipality. (1972 Code, § 4-502)

13-303. Enforcement. In order to enforce the aforesaid resolution directing the abatement of a nuisance, such resolution shall describe fully the nature of the alleged nuisance, state the name or names of the suspected violators, the location or address where such nuisance is perpetrated, an order directing its abatement which provides a specified time which is reasonable for the suspected offender to either abate the alleged nuisance or to answer or deny the allegation before council.

Such resolution shall be served upon the suspected offender in the same manner that service of process is executed in similar suits at law. Upon the failure of the said offender to comply with the direction of the council, it may

order the abatement of the said nuisance at the expense of the person, persons or organization in question without further notice. (1972 Code, § 4-503)

CHAPTER 4

ELIMINATION OF DANGEROUS STRUCTURES OR DWELLINGS

SECTION

- 13-401. Purpose.
- 13-402. Definitions.
- 13-403. Unfit or dangerous structures.
- 13-404. Conditions rendering structure unfit or dangerous.
- 13-405. Designation of public officer.
- 13-406. Powers given public officer.
- 13-407. Service of complaints or orders.
- 13-408. Hearings on complaints or petitions.
- 13-409. Finding of dangerous or unfit structures.
- 13-410. Failure to comply with order of public officer.
- 13-411. Removal or demolition by municipality.
- 13-412. Recovery of cost and placement of liens.
- 13-413. Allocation of funds for program.
- 13-414. Applicability.
- 13-415. Conflicts.

13-401. Purpose. The purpose of this regulation is to provide the necessary administrative and legal procedures as required by Section 6.01 of the Charter of the City of Camden and Tennessee Code Annotated, § 13-21-103, for the designation of unsafe, hazardous or dangerous dwellings and structures and for the abatement of same within the municipality. (Ord. #EWJ-27, May 1989)

13-402. Definitions. The following terms wherever used or referred to in this chapter shall have the following respective meanings for the purposes of this chapter, unless a different meaning clearly appears from the context:

- (1) "Municipality" shall mean the City of Camden, Tennessee.
- (2) "Governing body" shall mean the Council of the City of Camden.
- (3) "Public officer" shall mean the officer or officers who are authorized hereinbelow to exercise the powers prescribed by this chapter.
- (4) "Public authority" shall mean any housing authority or any officer who is in charge of any department or branch of the government of the municipality relating to health, fire, building regulations, or other activities concerning structures in the municipality.
- (5) "Owner" shall mean the holder of the title in fee simple and every mortgagee of record.
- (6) "Parties of interest" shall mean all individuals, associations, corporations and others who have interest of record in a structure and any who are in possession thereof.

(7) "Dwelling" shall mean any building or structure, or part thereof, used and occupied for human residential habitation or abode or use, or intended to be so used, and includes any outhouses and appurtenances belonging thereto or usually enjoyed therewith.

(8) "Place of public accommodation" shall mean any building or structure in which goods are supplied or services performed, or in which the trade of the general public is solicited.

(9) "Structure" shall mean any dwelling, any place of public accommodation; any place wherein business, trade, commerce or manufacture is conducted; any advertising sign; fences or any other similar man-made facility or object. (Ord. #EWJ-27, May 1989)

13-403. Unfit or dangerous structures. All dwellings, structures and other similar facilities within the municipality which are unsuitable or unsafe for human occupancy or use due to dilapidation; defects increasing the hazards of fire, accident or other calamities; damage from fire; lack of ventilation, light or sanitary facilities, or due to other conditions rendering such structures unsafe or unsanitary, or dangerous or detrimental to the health, safety or morals, or otherwise inimical to the welfare of the residents of the City of Camden, shall be upon proper investigation by the appropriate public official declared as an "Unfit or Dangerous Structure," and shall be and is hereby declared to be a public nuisance, which shall be upon application of the proper procedure by a public authority abated as directed. (Ord. #EWJ-27, May 1989)

13-404. Conditions rendering structure unfit or dangerous. The public officer may determine that a structure is unfit for human occupation or use, if he finds that conditions exist in such structure which are dangerous or injurious to the health, safety or morals of the occupants of such structure; the occupants of neighboring structures or other residents of the municipality. Such conditions may include the following (without limiting the generality of the foregoing): defects therein increasing the hazards of fire, accident, or other calamities; lack of adequate ventilation, light, or sanitary facilities; dilapidation, caused by neglect or fire or other such damage; disrepair; structural defects, or uncleanness. The public officer or public authority may also utilize the standards and requirements of other related adopted codes of the municipality, such as the building code, housing code, etc. (Ord. #EWJ-27, May 1989)

13-405. Designation of public officer. The codes enforcement official/building inspector is designated as the principal public officer for the administering and enforcement of the provisions of this chapter; however, the following duly elected or appointed and serving officers or employees of the City of Camden are also authorized to enforce the provisions of this chapter.

- (1) Fire marshal/fire chief
- (2) Chief of police

- (3) City recorder
- (4) City attorney
- (5) City mayor (Ord. #EWJ-27, May 1989)

13-406. Powers given public officer. The Council of the City of Camden hereby authorizes the public officer to exercise such powers as may be necessary or convenient to carry out and effectuate the purposes and provisions of this chapter, including the following powers in addition to others herein granted:

- (1) To investigate conditions in the municipality in order to determine which structures therein are unfit for human occupation or use.
- (2) To administer oaths, affirmations, examine witnesses and receive evidence.
- (3) To enter upon premises for the purpose of making examinations, provided that such entries shall be made in such manner as to cause the least possible inconvenience to the persons in possession.
- (4) To appoint and fix the duties of such officers, agents and employees as he deems necessary to carry out the purposes of this chapter.
- (5) To delegate any of his functions and powers under this chapter to such officers and agents as he may designate. (Ord. #EWJ-27, May 1989)

13-407. Service of complaints or orders. Complaints or orders issued by a public officer pursuant to this chapter shall be served upon persons either personally or by registered mail, but if the whereabouts of such persons is unknown and the same cannot be ascertained by the public officer in the exercise of reasonable diligence and the public officer shall make an affidavit to that effect, then the serving of such complaint or order upon such persons may be made by publishing the same once each week for two (2) consecutive weeks in the city's official newspaper. A copy of such complaint or order shall be posted in a conspicuous place on the premises affected by the complaint or order. A copy of such complaint or order shall also be filed for record in the Office of the Register, Benton County, Tennessee, and such filing of the complaint or order shall have the same force and effect as other lis penden notices provided by law. (Ord. #EWJ-27, May 1989)

13-408. Hearings on complaints or petitions. Whenever a petition is filed with the public officer by a public authority; or by at least five (5) residents of the municipality charging that any structure is dangerous or unfit for human occupation or use; or whenever it appears to the public officer (on his own motion) that any structure is dangerous or unfit for human occupation or use, the public officer shall, if his preliminary investigation discloses a basis for such charges, issue and cause to be served upon the owner of, and parties in interest of, such structure a complaint stating the charges in that respect and containing a notice that a hearing will be held before the public officer (or his

designated agent) at a place therein fixed, not less than ten (10) days nor more than thirty (30) days after the serving of the complaint; that the owner and parties in interest shall be given the right to file an answer to the complaint and to appear in person, or otherwise, and give testimony at the place and time fixed in the complaint, and that the rules of evidence prevailing in courts in law or equity shall not be controlling in hearings before the public officer. (Ord. #EWJ-27, May 1989)

13-409. Finding of dangerous or unfit structures. If after such notice and hearing, the public officer determines that the structure under consideration is dangerous or unfit for human occupation or use, he shall state in writing his findings of fact in support of such determination and shall issue and cause to be served upon the owner thereof an order stating that:

(1) If the repair, alteration or improvement of the structure can be made at a reasonable cost in relation to the value of the structure (fifty percent (50%) shall be considered a reasonable value) the owner will be required, within the time specified in the order, to repair, alter, or improve such structure to render it safe or fit for human occupation or use, or to vacate and close the structure as a place of human occupation or use; or

(2) If the repair, alteration or improvement of the structure cannot be made at a reasonable cost in relation to the value of the structure (fifty percent (50%) shall be considered reasonable), the owner will be required, within the time specified in the order, to remove or demolish such structure. (Ord. #EWJ-27, May 1989)

13-410. Failure to comply with order of public officer. If the owner fails to comply with an order to repair, alter, or improve, or to vacate and close the structure, the public officer may cause such structure to be repaired, altered or improved, or to be vacated and closed. The public officer may cause to be posted on the main entrance of any structure so closed (or on the most publicly visible point of a structure such as a billboard or a fence) a placard with the following words: "This structure or building is dangerous or unfit for human occupation or use, and the utilization of this structure of building for human occupation or use is prohibited and unlawful." (Ord. #EWJ-27, May 1989)

13-411. Removal or demolition by municipality. If the owner fails to comply with an order to remove or demolish the structures, the public officer may cause such structure to be removed or demolished. (Ord. #EWJ-27, May 1989)

13-412. Recovery of cost and placement of liens. The amount of the cost of such repairs, alterations or improvements, or vacating and closing, or removal or demolition by the public officer shall be a lien against the real property upon which such cost was incurred.

(1) If the structure is removed or demolished by the public officer, he shall sell the materials of such structure and shall credit the proceeds of such sale against the cost of removal or demolition, and any balance remaining shall be deposited in the chancery court by the public officer; shall be secured in such manner as may be directed by such court, and shall be disbursed by such court to the person found to be entitled thereto by final order or decree of such court.

(2) Nothing in this section or chapter shall be construed to impair or limit in any way the power of the municipality to define and declare nuisances and to cause their removal or abatement, by summary proceedings or otherwise. (Ord. #EWJ-27, May 1989)

13-413. Allocation of funds for program. The governing body of the municipality shall prepare an estimate of the annual expenses or cost to establish, maintain and administer the program authorized by this chapter, and same shall be allocated and funded as a component of the city's annual general fund budget. (Ord. #EWJ-27, May 1989)

13-414. Applicability. The provisions of this chapter extend to all man-made structures within the municipality, including, but not limited to: residential dwellings or abodes; commercial, business or industrial facilities; storage buildings; barns, sheds, and outbuildings; towers; outdoor advertising signs or billboards, and fences. (Ord. #EWJ-27, May 1989)

13-415. Conflicts. In any case where the provisions of this chapter may be in conflict with the provisions of other chapters of the "Camden Municipal Code" which relate to the regulation of dangerous, unfit or nonconforming buildings or structures, the provisions of the chapter or regulation providing the highest degree of protection to the residents of the municipality shall prevail. (Ord. #EWJ-27, May 1989)

CHAPTER 5

ACCUMULATION OF WEEDS, JUNK CARS, ABANDONED APPLIANCES AND OTHER DEBRIS PROHIBITED

SECTION

13-501. Unlawful to allow weeds, junk cars, abandoned appliances and other debris to accumulate on the premises.

13-502. Definitions.

13-503. Notice to clean up premises by owner.

13-504. Cleaning up the premises by the city.

13-505. Collection of costs incurred by the city.

13-506. Administration.

13-507. Attorney's fee for collecting costs.

13-501. Unlawful to allow weeds, junk cars, abandoned appliances and other debris to accumulate on the premises. The owners of all lots or property within the corporate limits of the City of Camden are hereby required to cut, trim, or remove all weeds, grass, tree branches and offensive or hazardous materials from the site. It shall be unlawful for any person to allow junk cars, abandoned appliances and other debris to accumulate on property under his control. (Ord. #EWJ-28, May 1989)

13-502. Definitions. The purpose of this section is to eliminate ambiguity by providing full definition of certain words which are used in this chapter.

(1) "Weeds." Any of various usually common or abundantly growing plants measured to be a minimal of one foot in height, measuring from the base of the plant at ground-surface level.

(2) "Grass." Any of numerous plants of the family Graminea measured to be a minimal of one foot in height measuring from the base of the plant at ground-surface level.

(3) "Offensive or hazardous materials." Any tangible or intangible material which is disagreeable to the senses, and/or a material which may be dangerous to the environment or the people.

(4) "Junk car." Any automobile or any motor vehicle manufactured for transportation which is incapable of being self-propelled upon the public streets or which does not meet the requirements for operation upon the public streets, including current license and registration. Also, if the vehicle is not functional within 15 days of the notice and registered within 15 days is considered a junk car.

(5) "Abandoned appliances." Any manufactured appliance(s) not functional and not presently used for its manufactured purpose. (Ord. #EWJ-28, May 1989, as amended by Ord. #JT2003-3, Jan. 2004)

13-503. Notice to clean up premises by owner. Upon the failure of any owner to cut, trim, and remove all weeds, grass, tree branches, and offensive or hazardous materials and/or junk cars, abandoned appliances, and other debris as noted in the first section of this chapter, it shall be the duty of the building inspector/code enforcement officer, to serve a notice mailed by certified mail to the last known address of the person or persons having control over the offending premises, or such notice may be served personally to the owner of the property or may be posted on the property on which the violation exists. Service of notice shall consist of any of the above methods and shall state:

You are hereby notified that the premises under your control, being (property description) have been found to be in an unsanitary, unhealthy and unattractive condition.

You are directed by the City of Camden, Tennessee, to remove all accumulation of _____ (weeds, grass, tree branches, offensive or hazardous materials to include junk cars, abandoned appliances and other debris) from the premises with the next five (5) days at your own expense.

Should you fail to act upon this directive within the above described time the city shall take appropriate action. (Ord. #EWJ-28, May 1989)

13-504. Cleaning up the premises by the city. The owners of all lots or property in violation may request that the City of Camden, Tennessee, clean up the premises with the property owner re-imbursing the City of Camden for the costs incurred by the City of Camden for such cutting, cleaning or removal of his, her, or their property, and all such costs and payment methods shall be set by the City of Camden.

Upon the failure of any owner of lots or property to cut/remove or to cause to be cut/removed all violations specified in this chapter upon the property described in the sections above, within five (5) days thereof, the street department, acting through the direction of public works and at his direction, is authorized and directed to cut/remove or have cut/removed, trimmed, clipped, or cleared all such violations as specified in this chapter and a statement of the cost thereof shall be prepared by the office of the director of public works and filed with the city clerk for collection. Pursuant to the authority conferred by the General Assembly of Tennessee, a tax lien may be declared on such property for all costs and expenses, of cutting, clearing, or removing incurred by the street department if costs incurred are not re-imbursed to the City of Camden by the property owner after submission of statement of costs. (Ord. #EWJ-28, May 1989)

13-505. Collection of costs incurred by the city. Upon receipt of such statement of costs, the city clerk shall bill the owner, by certified mail, in a manner similar to that followed in mailing monthly utility bills, for the amount of the costs incurred by the City of Camden for such cutting or clearing of his property and all such bills or charges shall bear interest at the rate of 10% per annum, during that period of time commencing thirty (30) days after the date of mailing such bills or statements of charges and ending on the date of payment. At the same time unpaid real estate taxes are certified or turned over to the city attorney for collection, the city clerk may also certify or turn over to him for collection all unpaid and uncollected bills or charges for the cutting, trimming, or removal of the accumulated debris specified in this chapter and the city attorney shall file suit or take such other steps as may be necessary to enforce the lien for same on such property. (Ord. #EWJ-28, May 1989)

13-506. Administration. The city building inspector shall be responsible for the administration and enforcement of this chapter. (Ord. #EWJ-28, May 1989)

13-507. Attorney's fee for collecting costs. All uncollected sums for the cutting, trimming, and removal of the accumulated debris, as specified in this chapter, for each year, including interest and all costs incurred by the City of Camden for remedying the specified violation, after notice to the property owner as herein provided, are hereby declared to be a special tax to be collected as other general taxes levied by the City of Camden, including real estate taxes and special assessments. When placed in the hands of the city attorney for collection, 15% of the unpaid charges for such costs incurred by the City of Camden, shall be added to the principal and interest for the attorney's services in making such collections and retained by him. (Ord. #EWJ-28, May 1989)