

TITLE 13

PROPERTY MAINTENANCE REGULATIONS¹

CHAPTER

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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 governing body shall appoint or designate to administer and enforce health and sanitation regulations within the municipality. (1985 Code, § 8-101)

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. (1985 Code, § 8-104)

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. (1985 Code, § 8-106)

¹Municipal code references

Animal control: title 10.

Littering streets, etc.: § 16-107.

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. (1985 Code, § 8-107)

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. (1985 Code, § 8-108)

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. (1985 Code, § 8-109)

13-107. Notice to clean up premises. Whenever a person violates any of the provisions of §§ 13-103 through 13-106, the health officer or the city recorder shall have notice mailed by first class mail to the last known address of the owner or occupant of the offending premises. The notice shall state the violation and that the owner or occupant shall have five (5) days in which to correct the situation. The notice shall also state that should the owner or occupant fail to correct the situation within the time specified, the town will enter onto the property, correct the situation and charge the actual cost of the work against the property. (1985 Code, § 8-110)

13-108. Failure to comply with notice. Upon a failure to comply with the notice set out in § 13-107 within five (5) days, the town shall enter onto the premises and correct the violation. The actual costs of correcting the violation shall be charged against the property as a municipal lien, or added to the tax duplicate as an assessment, or levied as a special tax against the property, or be recovered as a suit at law against the owner. (1985 Code, § 8-111)

CHAPTER 2

DANGEROUS BUILDINGS

SECTION

- 13-201. Dangerous buildings defined.
- 13-202. Standards for repair, vacation, or demolition.
- 13-203. Dangerous buildings declared nuisances.
- 13-204. Duties of the mayor.
- 13-205. Duties of the board of aldermen.
- 13-206. Duties of the city attorney.
- 13-207. Emergency cases.
- 13-208. Where owner absent from town.

13-201. Dangerous buildings defined. All buildings or structures which have any or all of the following defects shall be deemed "dangerous buildings":

(1) Those whose interior walls or other structural members list, lean, or buckle to such an extent that a plumbline passing through the center of gravity falls outside the middle third of its base.

(2) Those which exclusive of the foundation show thirty-three (33) percent or more of damage or deterioration of the supporting member or members or fifty (50) percent of damage or deterioration of the nonsupporting enclosing or outside walls or covering.

(3) Those which have improperly distributed loads upon the floors or roofs or in which the same are overloaded, or which have insufficient strength to be reasonably safe for the purpose used.

(4) Those which have been damaged by fire, wind, or other causes so as to have become dangerous to life, safety, morals, or the general health and welfare of the occupants or the people of the town.

(5) Those which have become or are so dilapidated, decayed, unsafe, unsanitary, or which so utterly fail to provide the amenities essential to decent living that they are unfit for human habitation, or are likely to cause sickness or disease, so as to work injury to the health, morals, safety, or general welfare of those living therein.

(6) Those having light, air, and sanitation facilities which are inadequate to protect the health, morals, safety, or general welfare of human beings who live or may live therein.

(7) Those having inadequate facilities for egress in case of fire or panic or those having insufficient stairways, elevators, fire escapes, or other means of communication.

(8) Those which have parts thereof which are so attached that they may fall and injure members of the public or property.

(9) Those which because of their condition are unsafe, unsanitary, or dangerous to the health, morals, safety, or general welfare of the people of this town. (1985 Code, § 4-201)

13-202. Standards for repair, vacation, or demolition. The following standards shall be followed in substance by the mayor or his designated representative and the board of aldermen in ordering repair, vacation, or demolition:

(1) If the "dangerous building" can reasonably be repaired so that it will no longer exist in violation of the terms of this chapter, it shall be ordered repaired.

(2) If the "dangerous building" is in such condition as to make it dangerous to the health, morals, safety, or general welfare of its occupants, it shall be ordered to be vacated.

(3) In any case where a "dangerous building" is fifty (50) percent damaged or decayed, or deteriorated from its original value or structure, it shall be demolished, and in all cases where a building cannot be repaired so that it will not longer exist in violation of the terms of this ordinance or any ordinance of the town or statute of the State of Tennessee, it shall be demolished. (1985 Code, § 4-202)

13-203. Dangerous buildings declared nuisances. All "dangerous buildings" within the terms of § 13-201 are hereby declared to be public nuisances, and shall be repaired, vacated, or demolished as hereinbefore provided. (1985 Code, § 4-203)

13-204. Duties of the mayor. The mayor, or his designated representative, shall:

(1) Inspect any building, wall, or structure about which complaints are filed by any person to the effect that a building, wall or structure is or may be existing in violation of this chapter.

(2) Inspect any building, wall, or structure reported by the fire or police departments as probably existing in violation of the terms of this chapter.

(3) Notify in writing the owner, occupant, lessee, mortgagee, agent, and all other persons having an interest in said building as shown by the land records of the recorder of deeds of Weakley County, of any building found by him to be a "dangerous building" that:

(a) The owner must vacate, repair, or demolish said building in accordance with the terms of the notice and this chapter.

(b) The occupant or lessee must vacate said building or may have it repaired in accordance with the notice and remain in possession.

(c) The mortgagee, agent, or other persons having an interest in said building may at his own risk repair, vacate, or demolish said building or have such work or act done; provided, that any person notified under this subsection to repair, vacate, or demolish any building shall be given such reasonable time, not exceeding 30 days, as may be necessary to do, or have done, the work or act required by the notice provided for herein.

(4) Set forth in the notice a description of the building or structure deemed unsafe, a statement of the particulars which make the building or structure a "dangerous building," and an order requiring the same to be put in such condition as to comply with the terms of this chapter within such length of time, not exceeding 30 days, as is reasonable.

(5) Report to the board of aldermen any non compliance with the "notice" provided for in subsection (3) and (4) hereof.

(6) Appear at all hearings conducted by the board of aldermen and testify as to the condition of "dangerous buildings."

(7) Place a notice on all "dangerous buildings" reading as follows:

"This building has been found to be a dangerous building. This notice is to remain on this building until it is repaired, vacated, or demolished in accordance with the notice which has been given the owner, occupant, lessee, mortgagee, or agent of this building, and all other persons having an interest in said building. It is unlawful to remove this notice until such notice is complied with." (1985 Code, § 4-204)

13-205. Duties of the board of aldermen. The board of aldermen shall:

(1) Upon receipt of a "non compliance" report of the mayor as provided for herein, give written notice to the owner, occupant, mortgagee, lessee, agent, and all other persons having an interest in said building as shown by the land records of the recorder of deeds of Weakley County to appear before them on the date specified in the notice to show cause why the building or structure reported to be a "dangerous building" should not be repaired, vacated, or demolished in accordance with the statement of particulars set forth in the board's notice.

(2) Hold a hearing and hear such testimony as the mayor or the owner, occupant, mortgagee, lessee, or any other person having an interest in said building shall offer relative to the "dangerous building."

(3) Make written findings of fact from the testimony offered pursuant to subsection (2) as to whether or not the building in question is a "dangerous building" within the terms of § 13-201.

(4) Issue an order based upon findings of fact commanding the owner, occupant, mortgagee, lessee, agent, and all other persons having an interest in

said building, to repair, vacate, or demolish any building found to be a "dangerous building" within the terms of this chapter and provided that any person so notified, except the owners, shall have the privilege of either vacating or repairing said "dangerous building"; or any person not the owner of said "dangerous building" but having an interest in said building may demolish said "dangerous building" at his own risk to prevent the acquiring of a lien against the land upon which said "dangerous building" stands by the town as provided in subsection (5) hereof.

(5) If the owner, occupant, mortgagee, or lessee fails to comply with the order within 10 days, the board of aldermen shall cause such building or structure to be repaired, vacated, or demolished as the facts may warrant under the standards hereinbefore provided for in this chapter, and shall with the assistance of the city attorney cause the costs of such repair, vacation, or demolition to be charged against the land on which the building existed as a municipal lien or cause such costs to be added to the tax duplicate as an assessment, or to be levied as a special tax against the land upon which the building stands or did stand, or to be recovered in a suit at law against the owner, provided, that in cases where such procedure is desirable and any delay thereby caused will not be dangerous to the health, morals, safety, or general welfare of the people of this town, the board of aldermen shall notify the city attorney to take legal action to force the owner to make all necessary repairs or demolish the building.

(6) Report to the city attorney the names of all persons not complying with the order provided for in subsection (4) hereof. (1985 Code, § 4-205)

13-206. Duties of the city attorney. The city attorney shall:

(1) Prosecute all persons failing to comply with the terms of the notices provided for herein.

(2) Appear at all hearings before the board of aldermen in regard to "dangerous buildings."

(3) Bring suit to collect all municipal liens, assessments, or costs incurred by the town in repairing or causing to be vacated or demolished "dangerous buildings."

(4) Take such other legal action as is necessary to carry out the terms and provisions of this chapter. (1985 Code, § 4-206)

13-207. Emergency cases. In cases where it reasonably appears that there is immediate danger to the life or safety of any person unless a "dangerous building" as defined herein is immediately repaired, vacated, or demolished, the mayor shall report such facts to the board of aldermen, and the board shall cause the immediate repair, vacation, or demolition of such "dangerous building." The cost of such emergency repair, vacation, or demolition of such

"dangerous building" shall be collected in the same manner as provided in § 13-205(5). (1985 Code, § 4-207)

13-208. Where owner absent from town. In cases except emergency cases where the owner, occupant, lessee, or mortgagee is absent from the town, all notices or orders provided for herein shall be sent by registered mail to the owner, occupant, mortgagee, lessee, and all other persons having an interest in said building as shown by the land records of the recorder of deeds of Weakley County to the last known address of each, and a copy of such notice shall be posted in a conspicuous place on the "dangerous building" to which it relates. Such mailing and posting shall be deemed adequate service. (1985 Code, § 4-208)

CHAPTER 3

MOBILE HOME PARKS

SECTION

- 13-301. Definitions.
- 13-302. Permit required.
- 13-303. Location and planning.
- 13-304. Minimum mobile home space and spacing of mobile homes.
- 13-305. Parking spaces.
- 13-306. Water and sewer services.
- 13-307. Refuse.
- 13-308. Alterations and additions.

13-301. Definitions. For the purposes of this chapter, the following words and phrases are defined as follows:

(1) "Mobile home." A detached single-family dwelling unit with any or all of the following characteristics:

(a) Designed for long-term occupancy, and containing sleeping accommodations, a flush toilet, a tub or shower bath and kitchen facilities, with plumbing and electrical connections provided for attachment to outside systems.

(b) Designed to be transported after fabrication on its own wheels.

(c) Arriving at the site where it is to be occupied as a complete dwelling including major appliances and ready for occupancy except for minor and incidental unpacking and assembly operations, location of foundation supports, connection to utilities and the like.

(2) "Mobile home park." Any plot of ground upon which two or more mobile homes, occupied for dwelling or sleeping purposes, are located regardless of whether or not a charge is made for each accommodation.

(3) "Mobile home space." A plot of ground within a mobile home park which is designated for the accommodation of one mobile home.

(4) "Permit." The permit required for the operation of a mobile home park. (Ord. #085-011, Jan. 1986)

13-302. Permits. It shall be unlawful for any person to construct maintain, operate, or alter a mobile home park within the corporate limits unless he holds a permit issued by the board of mayor and aldermen. (Ord. #085-011, Jan. 1986)

13-303. Location and planning. A mobile home park shall be located on a well drained and flood free site and shall be so located so that its drainage shall not endanger any water supply. A mobile home park shall be located only in those districts specified in the zoning ordinance. (Ord. #085-011, Jan. 1986)

13-304. Minimum mobile home space and spacing of mobile homes. Each mobile home space shall have a minimum area of four thousand (4,000) square feet. Mobile homes shall be parked on mobile home spaces so that there will be at least thirty (30) feet of open space between mobile homes; at least fifteen (15) feet between a mobile home and any detached structure such as a storage building; at least ten (10) feet between any mobile home and a property line; and at least fifty (50) feet between a mobile home and the center line of the traveled portion of any street. (Ord. #085-011, Jan. 1986)

13-305. Parking spaces. There shall be two off-street parking spaces provided for each mobile home space. (Ord. #085-011, Jan. 1986)

13-306. Water and sewer services. Each mobile home space shall be provided with independent water and sewer service lines which shall be connected directly with public mains. (Ord. #085-011, Jan. 1986)

13-307. Refuse. The storage, collection, and disposal of refuse within the mobile home park shall be so managed as to create no health hazards or nuisances. (Ord. #085-011, Jan. 1986)

13-308. Alterations and additions. All mobile homes shall be set on blocks or jacks and shall be securely anchored. All mobile homes must be skirted with a suitable material of neat appearance. No addition of any kind shall be built onto, or become a part of any mobile home. (Ord. #085-011, Jan. 1986)