

## TITLE 14

ZONING AND LAND USE CONTROL

## CHAPTER

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## CHAPTER 1

MUNICIPAL PLANNING COMMISSION

## SECTION

- 14-101. Membership.
- 14-102. Organization and rules.
- 14-103. Powers and duties.

14-101. Membership. The municipal planning commission shall consist of six members. One of the members shall be the mayor; one shall be a member of the board of mayor and aldermen, and selected by the board; and the four remaining members shall be citizens appointed by the mayor. The terms of the appointive members shall be for four years, excepting that in the appointment of the first municipal planning commission under the terms of this chapter, one of said members shall be appointed for terms of four years, one for terms of three years, and one for terms of two years, and one for a term of one year. Any vacancy in an appointive membership shall be filled for the unexpired term by the mayor, who shall have the authority to remove any appointive member at

his pleasure. The term of the member selected from the board of mayor and aldermen shall run concurrently with their term on the board. All members shall serve without compensation. (1985 Code, § 11-101)

14-102. Organization and rules. The municipal planning commission shall elect its chairman from among its appointive members. The term of the chairman shall be one year with eligibility for re-election. The commission shall adopt rules for the transactions, findings, and determinations, which record shall be a public record. (1985 Code, § 11-102)

14-103. Powers and duties. From and after the time when the municipal planning commission shall have organized and selected its officers together with the adoption of its rules or procedures, then said commission shall have all the powers, duties, and responsibilities as set forth in Tennessee Code Annotated, title 13. (1985 Code, § 11-103)

## CHAPTER 2

GENERAL ZONING PROVISIONS

## SECTION

- 14-201. Title and map.
- 14-202. Purpose.
- 14-203. General provisions.
- 14-204. Zoning affects every structure and use.
- 14-205. Only one principal building on any lot.
- 14-206. Reductions in lot area prohibited.
- 14-207. Obstruction to vision at street intersection provided.
- 14-208. Uses abutting federal or state highway.
- 14-209. Off-street automobile storage.
- 14-210. Manufactured residential dwellings.

14-201. Title and map. This ordinance shall be known as the Zoning Ordinance of Gleason, Tennessee, and the map herein referred to, which is identified by the title, "Gleason, Tennessee Zoning Map," dated December 21, 1973, shall be known as the "Zoning Map of Gleason, Tennessee," and all explanatory matters thereon are hereby adopted and made a part of this ordinance. (1985 Code, § 11-201)

14-202. Purpose. The zoning regulations and districts as herein set forth have been made in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and the general welfare of the community. They have been designed to lessen congestion in the streets, to secure safety from fire, panic and other dangers to provide adequate light and air, to prevent the overcrowding of land, to avoid undue concentration of population, to facilitate the adequate provisions of transportation, water, sewerage, schools, parks and other public requirements. They have been made with reasonable consideration among other things, as to the character of each district and its peculiar suitability for particular uses, and with a view of conserving the value of buildings and encouraging the most appropriate use of land throughout the city. (1985 Code, § 11-202)

14-203. General provisions. For the purpose of this ordinance there shall be certain general provisions which shall apply to the city as a whole as follows. (1985 Code, § 11-203)

14-204. Zoning affects every structure and use. No structure or land shall be hereafter used and no structure or part thereof shall be erected or

moved or shall the exterior be altered unless in conformity with the regulations herein specified for the district in which it is located. (1985 Code, § 11-204)

14-205. Only one principal building on any lot. (1) In residential district only one principal building and its customary accessory buildings may hereafter be erected on any lot.

(2) No residential building shall be erected on a lot which does not abut at least one street for at least fifty (50) feet.

(3) The equipment of an accessory building with sink, cook stove, or other kitchen facilities for the independent occupancy thereof, shall be prima-facie evidence that such building is not an accessory building but a separate dwelling and must meet all minimum standards of lot area and yard requirements of the district in which it is located. (1985 Code, § 11-205)

14-206. Reductions in lot area prohibited. No lot shall be reduced in area so that yards, lot area per family, lot width, building area, or other requirements of this ordinance are not maintained. This section shall not apply when a portion of a lot is acquired for a public purpose. (1985 Code, § 11-206)

14-207. Obstruction to vision at street intersection prohibited. On a corner lot not in central business districts, within the area formed by the center lines of the intersection or intercepting streets and a line joining points on such center lines at a distance of ninety (90) feet from their intersection, there shall be no obstruction to vision between a height of three and one-half (3½) and a height of ten (10) feet above the average grade of each street at the center line thereof. The requirements of this section shall not be construed to prohibit any necessary retaining wall. (1985 Code, § 11-207)

14-208. Uses abutting federal or state highway. (1) Any uses abutting a state or federal highway for a distance of one hundred (100) feet or more shall have not more than two (2) access driveways, and such driveways shall be no more than thirty (30) feet in width except those in the central business district.

(2) Except in the central business district, no building shall be erected closer than one hundred (100) feet to the center line of a federal or state highway. (1985 Code, § 11-208)

14-209. Off-street automobile storage. (1) There shall be provided, at the time of erection of any building, or structure, or at the time any main building or structure is enlarged or increased in capacity by adding dwelling units, guests rooms, seats or floor area, or before conversion from one zoning use or occupancy to another, permanent off-street parking space of at least two hundred (200) square feet with vehicular access to a street or alley for the specific uses as set

forth below. For lots with no access to either a public or private alley, the city reserves the right to control ingress and egress over public right-of-way. This space shall be deemed to be required open space associated with the permitted use and shall not hereafter be reduced or encroached upon in any manner.

(a) Dwelling. Not less than one (1) space for each dwelling and each family unit or apartment.

(b) Boarding houses, rooming houses. Not less than one (1) space for each room or unit occupied by boarders or roomers.

(c) Tourist accommodations. Not less than one (1) space for each room or unit offered for tourist accommodations.

(d) Office buildings, manufacturing or other industrial building or use. Not less than one (1) space for each two persons employed computed on the basis of total number of employees on the two largest consecutive shifts. In addition, there shall be provided vehicle storage or standing space for all vehicles used directly in the conduct of such office or industrial use.

(e) Retail uses. In all business districts except the central business district, not less than two (2) spaces for each two hundred (200) square feet of store sales area.

(f) Theaters, auditoriums, stadiums, churches or other use designed to draw an assembly of persons. No less than one (1) space for each five (5) seats provided in such place of assembly.

(g) Medical office and public building. Not less than one (1) space for each two hundred (200) square feet of total floor area of all floors in building except basement.

(h) Hotels and clinics. Not less than one (1) space for each five (5) beds.

(2) Parking space maintained in connection with an existing and continuing main building or structure on the effective date of this ordinance up to the number required by this ordinance shall be continued and may not be counted as serving a new structure or addition; nor may any parking space be substituted for a loading space, nor any loading space substituted for a parking space.

(3) If off-street parking space required above cannot be reasonably provided on the same lot on which the principal use is conducted, the board of zoning appeals may permit such space to be provided on other off-street property provided such space lies within four hundred (400) feet of the main entrance to such principal use. Such vehicle standing space shall be deemed to be required open space associated with the permitted use and shall not thereafter be reduced or encroached upon in any manner. (1985 Code, § 11-209)

14-210. Manufactured residential dwellings. Manufactured residential dwellings as defined in Tennessee Code Annotated, § 13-24-201, where allowed as a permitted use by this ordinance shall meet the following conditions:

(1) The manufactured residential dwelling shall have the same general appearance as required for site-built homes.

(2) The unit must be installed on a permanent foundation system consisting of brick, block, or under-pining in compliance with all applicable requirements of the Southern Standard Building Code.

(3) The home must be covered with an exterior material customarily used on conventional dwellings. Suitable exterior materials include but shall not be limited to clapboards, simulated clapboards, such as conventional or metal material, but excluding smooth, ribbed or corrugated metal or plastic panels.

(4) The hitches or towing apparatus, axles and wheels must be removed.

(5) The roof must be pitched so there is at least a two-inch vertical rise for each twelve (12) inches of horizontal run. The roof must consist of material that is customarily used for conventional dwellings including but not limited to approved wood, asphalt composition shingles or fiberglass, but excluding corrugated aluminum, corrugated fiberglass or metal.

(6) All such units shall be required to connect to a public utility system which includes gas, electric, water and sewer in compliance of the Southern Building Code and National Electrical Code.

(7) These provisions shall not apply to manufactured homes in an approved mobile home park. (Ord. #095-037, July 1995)

## CHAPTER 3

ESTABLISHMENT OF DISTRICTS

## SECTION

14-301. Classification of districts.

14-302. Boundaries of districts.

14-301. Classification of districts. The town is hereby divided into five (5) types of districts, designated as follows:

- R-1 (Low Density Residential)
- R-2 (High Density Residential)
- B-1 (Neighborhood Business)
- B-2 (Central Business)
- M (Industrial) (1985 Code, § 11-301)

14-302. Boundaries of districts. (1) The boundaries of districts in § 14-301 are hereby established as shown on the map entitled "Zoning Map of Gleason, Tennessee," dated December 21, 1973, which is a part of this ordinance and which is on file in the office of the city recorder.

(2) Unless otherwise indicated on the zoning map, the boundaries are the center lines of streets or alleys or a specific distance therefrom, railroad rights-of-way, or the corporate limit lines as they existed at the time of the enactment of this ordinance. Questions concerning the exact locations of district boundaries shall be determined by the board of zoning appeals.

(3) Where a district boundary divides a lot, as existing at the time this ordinance takes effect and the major portion of said lot is in the less restricted district, the regulations relative to that district may be extended twenty (20) feet within the more restricted district within said lot. (1985 Code, § 11-302)

## CHAPTER 4

R-1 DISTRICTS

## SECTION

- 14-401. R-1 (Low Density Residential) districts.
- 14-402. Uses permitted.
- 14-403. Uses permissible on appeal.
- 14-404. Uses prohibited.
- 14-405. Side yards on corner lots.
- 14-406. Location of accessory buildings.
- 14-407. Required lot area, lot width and yards.

14-401. R-1 (Low Density Residential) districts. Within the R-1 (Low Density Residential) districts, the following regulations shall apply. (1985 Code, § 11-401)

14-402. Uses permitted. (1) Single family dwellings.

(2) Accessory buildings or uses customarily incidental to any aforementioned permitted use. A satellite dish antenna shall be considered to be an accessory structure.

(3) Real estate signs advertising the sale, rental or lease of only the premises on which they are maintained, provided that they are not over two (2) square feet in area, and at least fifteen (15) feet from all lot lines. (1985 Code, § 11-402)

14-403. Uses permissible on appeal. (1) Churches and other places of worship, parish houses, public libraries, schools offering general education courses, public parks and public recreational facilities, railroad rights-of-way, municipal, county, and state or federal use, public utilities, cemeteries, hospitals for human care except primarily for mental cases, philanthropic institutions and clubs, except a club the chief activity of which is customarily carried on as a business, provided however, that no permit shall be issued except with the written approval of the board of zoning appeals and subject to such conditions as the board of zoning appeals may require in order to preserve and protect the character of the district in which the proposed use is located; and further provided that no permit or certificate of occupancy shall be issued for the building or use not compatible with the character of or needed in the district in which the proposed use is located.

(2) Customary general farming uses, gardens and buildings incidental thereto; provided, however, that no permit shall be issued for commercial animal or poultry farms or kennels except with the written approval of the board of

zoning appeals and subject to such condition as the board of zoning appeals may require in order to preserve and protect the character of the district in which the proposed use is located.

(3) Customary incidental home occupations provided that no building permit or certificate of occupancy for such use shall be issued without the written approval of the board of zoning appeals may require in order to preserve and protect the character of the neighborhood in which the proposed use is located; and provided further that:

(a) The proposed use shall be located and conducted in the principal building only;

(b) The principals and employees engaged in proposed use shall be residents of the dwelling unit in which the proposed use is located;

(c) Not more than fifteen (15) percent of the total floor area in dwelling unit shall be devoted to proposed use;

(d) Proposed use shall not constitute primary or incidental storage facilities for a business, industrial, or agricultural activity conducted elsewhere;

(e) No activity, materials, goods or equipment indicative of the proposed use shall be visible from any public way;

(f) For the purpose of advertising the proposed use, one (1) sign not over two (2) square feet in area may be used;

(g) The proposed use shall not generate noise, odor, fumes, smoke, vehicular or pedestrian traffic, nor nuisance of any kind which would tend to depreciate the residential character of the neighborhood in which the proposed use is located.

(4) A carport attached to the principal building may extend into the required side yard, except on side yards facing streets on corner lots, provided, that no part of the structure, including gutters, downspouts, etc., is nearer than seven (7) feet from the side lot line and, provided, further, that the structure is open and remains open on three (3) sides. (1985 Code, § 11-403)

14-404. Uses prohibited. (1) Any other use not specifically permitted or permissible on appeal in this district.

(2) Advertising signs and billboards except those specifically permitted under § 14-402.

(3) Mobile homes on individual lots. (1985 Code, § 11-404)

14-405. Side yards on corner lots. The minimum widths of side yards for dwellings along an intersecting street shall be thirty (30) feet for side facing street. (1985 Code, § 11-405)

14-406. Location of accessory buildings. (1) No accessory building shall be erected in any required front or side yard. Accessory buildings shall not cover more than thirty (30) percent of any required rear yard, and shall be at least five (5) feet from all lot lines and from any other buildings on the same lot provided, however, that a private garage may be built on a side or rear lot line, not an alley line, by mutual agreement between adjoining property owners.

(2) Accessory buildings on corner lots shall conform with front yard setbacks for both intersecting streets.

(3) An accessory structure may be located in the rear yard or in the rear one-half of the side yards provided that the structure is not less than ten (10) feet from any property line. (1985 Code, § 11-406)

14-407. Required lot area, lot width and yards. The principal building shall be located so as to comply with the following requirements:

Minimum required lot area	10,000 sq. ft.
Minimum required lot area per each additional family	6,000 sq. ft.
Minimum required lot width at building line	60 feet
Minimum required front yard	30 feet
Minimum rear yard	15 feet
Minimum required side yard on each side of every lot	
One or two story buildings	15 feet
Three story buildings	20 feet

(1985 Code, § 11-407)

## CHAPTER 5

R-1A DISTRICTS

## SECTION

14-501. R-1A (Medium Density Residential) districts.

14-502. Uses permitted.

14-503. Uses permissible on appeal.

14-504. Uses prohibited.

14-505. Side yards on corner lots.

14-506. Location of accessory buildings.

14-507. Required lot area, lot width, and yards.

14-501. R-1A (Medium Density Residential) districts. Within the R-1A (Medium Density Residential) districts, the following regulations shall apply. (Ord. #094-033, Jan. 1995)

14-502. Uses permitted. Any use permissible in R-1 districts. (Ord. #094-033, Jan. 1995)

14-503. Uses permissible on appeal. (1) Any use permissible in R-1 districts.

(2) Multiple family dwellings.

(3) Mobile homes on individual lots. (Ord. #094-033, Jan. 1995)

14-504. Uses prohibited. (1) Any other use not specifically permitted or permissible on appeal in this district.

(2) Advertising signs and billboards except those specifically permitted under § 14-502. (Ord. #094-033, Jan. 1995)

14-505. Side yards on corner lots. The minimum widths of side yards for dwellings along an intersecting street shall be thirty (30) feet for side facing street. (Ord. #094-033, Jan. 1995)

14-506. Location of accessory buildings. Same as for R-1 districts. (Ord. #094-33, Jan. 1995)

14-507. Required lot area, lot width, and yards. Required lot area, lot width, and yards shall be the same as for R-1 districts. (Ord. #094-33, Jan. 1995)

## CHAPTER 6

R-2 DISTRICTS

## SECTION

- 14-601. R-2 (High Density Residential) districts.
- 14-602. Uses permitted.
- 14-603. Uses permissible on appeal.
- 14-604. Uses prohibited.
- 14-605. Side yards on corner lots.
- 14-606. Location of accessory buildings.
- 14-607. Required lot area, lot width, and yards.

14-601. R-2 (High Density Residential) districts. Within the R-2 (High Density Residential) districts, the following regulations shall apply. (1985 Code, § 11-501)

14-602. Uses permitted. (1) Single family dwellings, multiple family dwellings.

(2) Accessory buildings or uses customarily incidental to any aforementioned permitted use, including accessory structures as provided in § 14-402(2) and § 14-406(3).

(3) Real estate signs advertising the sale, rental or lease of only the premises on which they are maintained, provided that they are not over two (2) square feet in area, and at least fifteen (15) feet from all lot lines. (1985 Code, § 11-502)

14-603. Uses permissible on appeal. (1) Any use permissible on appeal in R-1 (Low Density Residential) districts.

(2) Customary incidental home occupations, provided that no building permit or certificate of occupancy for such use shall be issued without the written approval of the board of zoning appeals and subject to such conditions as the board of zoning appeals may require in order to preserve and protect the character of the neighborhood in which the proposed use is located; and provided further that:

(a) The proposed use shall be located and conducted in the principal building only;

(b) Not more than one (1) person shall be employed who is not a resident of the dwelling unit in which the proposed use is located;

(c) Not more than twenty-five (25) percent of the total floor area in dwelling unit shall be devoted to proposed use, except that up to fifty

(50) percent of the total floor area may be devoted to the taking of boarders, tourists, or the leasing of rooms;

(d) Proposed use shall not constitute primary or incidental storage facilities for a business, industrial, or agricultural activity conducted elsewhere;

(e) No activity, materials, goods, or equipment indicative of the proposed use shall be visible from any public way;

(f) For the purpose of advertising the proposed use, one (1) sign not over two (2) square feet in area may be used;

(g) The proposed use shall not generate noise, odor, fumes, smoke, vehicular or pedestrian traffic, nor nuisance of any kind which would tend to depreciate the residential character of the neighborhood in which the proposed use is located.

(3) A mobile home park, subject to approval of the site and the development plans by the board of zoning appeals. The board of zoning appeals may impose such restrictions and requirements as it may deem necessary for the protection of adjoining property.

(4) A carport attached to the principal building may extend into the required side yard, except on side yards facing streets on corner lots, provided, that no part of the structure, including gutters, downspouts, etc., is nearer than seven (7) feet from the side lot line and, provided, further, that the structure is open and remains open on three (3) sides.

(5) Mobile homes on individual lots, provided that the board of zoning appeals may impose such restrictions and requirements as it may deem necessary for the protection of adjoining property. The mobile home may be occupied only by the owner and the right of occupancy granted by the board is not transferable to a new owner. (1985 Code, § 11-503)

14-604. Use prohibited. (1) Advertising signs not specifically permitted under § 14-502(3) or permissible on appeal under § 14-503(2)(f).

(2) Any other use not specifically permitted or permissible on appeal in § 14-503. (1985 Code, § 11-504)

14-605. Side yards on corner lots. The minimum width of side yards for dwellings along an intersecting street shall be twenty (20) feet for side facing street. (1985 Code, § 11-505)

14-606. Location of accessory buildings. Same restrictions as stated for R-1 (Low Density Residential) districts. (1985 Code, § 11-506)

14-607. Required lot area, lot width, and yards. The principal building shall be located so as to comply with the following minimum requirements:

Minimum required lot area	7,500 sq. ft.
Minimum required lot area per each additional family	3,000 sq. ft.
Minimum required lot width at building line	50 feet
Minimum required front yard	30 feet
Minimum required side yard on each side of every lot	10 feet
Minimum required rear yard	10 feet

(1985 Code, § 11-507)

## CHAPTER 7

B-1 DISTRICTS

## SECTION

- 14-701. B-1 (Neighborhood) districts.  
 14-702. Uses permitted.  
 14-703. Uses permissible on appeal.  
 14-704. Uses prohibited.  
 14-705. Required lot area, lot width, yards and setbacks.

14-701. B-1 (Neighborhood) districts. Within the B-1 (Neighborhood) business districts, the following regulations shall apply. (1985 Code, § 11-601)

14-702. Uses permitted. (1) Any use permitted in § 14-403(1) except that the written approval of the board of zoning appeals will not be required for any use thereby listed.

(2) Bank; barber shops, beauty shop; café; clinic; drug store; dry cleaners, collection and distribution; filling station, fruit market; grocery store; hardware store; ice cream store, launderettes (self-service); meat markets; offices; and restaurants, shoe repair shops, animal hospital; moving company; hotel and motel; places of amusement and assembly; public parking garages and lots; retail building materials except ready mixed concrete plant; any retail or wholesale business or service (except warehouses); manufacturing incidental to retail business or service where products incidental to retail business or service where products are sold on the premises by producers and where not more than ten (10) operatives are employed in such manufacture; any accessory use or building customarily incidental to the above permitted uses.

(3) Gasoline or alcohol storage above ground but not in excess of five hundred (500) gallons; and a laundry or bakery employing not more than five (5) persons.

(4) Any accessory use, building or structure customarily incidental to the above permitted uses.

(5) Sexually oriented businesses as defined by Gleason Municipal Ordinance entitled "Definitions for Sexually Oriented Businesses," provided that the following apply:

- (a) The sexually oriented business may not be operated within:
- (i) 750 feet of a church, synagogue or regular place of religious worship;
  - (ii) 750 feet of a public or private elementary or secondary school;
  - (iii) 750 feet of a boundary of any residential district;

- (iv) 750 feet of a public park;
- (v) 750 feet of a licensed day-care center;
- (vi) 750 feet of an entertainment business that is oriented

primarily towards children or family entertainment; or

(b) For the purpose of this ordinance, measurement shall be made in a straight line, without regard to intervening structures or objects, from the nearest portion of the building or structure used as a part of the premises where a sexually oriented business is conducted, to the nearest property line of the premises of a church, synagogue, regular place of worship or public or private elementary or secondary school, or to the nearest boundary of an affected public park, residential district, or residential lot, or licensed day care center, or child or family entertainment business.

(c) It shall be unlawful for an owner or operator of a sexually oriented business to allow the merchandise or activities at the establishment to be visible from a point outside the establishment.

(d) It shall be unlawful for the owner or operator of a sexually oriented business to allow the exterior portion of the sexually oriented business to have flashing lights, or any words, lettering, photographs, silhouettes, drawings, or pictorial representations of any manner except to the extent permitted by the provisions of this ordinance.

(e) Exterior signs shall contain no sexual or sexually oriented photographs, silhouettes, drawings or pictorial representations in any manner, and may contain only the name of the enterprise.

(f) Violation of any provision of this section shall constitute a misdemeanor punishable by a fine of \$50 per day, beginning with the date of notification. (1985 Code, § 11-602, as amended by Ord. #001-054, Feb. 2001)

14-703. Uses permissible on appeal. Warehouses. (1985 Code, § 11-603)

14-704. Uses prohibited. (1) Single and multiple family dwellings.

(2) Auto wrecking; bottling works; coal or lumber yards; dairy, electric welding; gasoline or alcohol storage above ground in excess of five hundred (500) gallons; grist and flour mill; ice plant; junk or scrap paper; or rage storage and bailing; laundry or bakery employing more than five (5) persons; machine shop; slaughter house, or stockyard, tinsmith shop, or any other use which in the opinion of the board of zoning appeals would be injurious because of offensive fumes, odors, dust, or other objectionable features or hazards to the community by reason of danger of fire or explosion even when conducted under proper safeguards. (1985 Code, § 11-604)

14-705. Required lot area, lot width, yards and setbacks.

(1) Buildings hereafter constructed shall be located so as to comply with the following requirements:

- (a) Minimum required front yard 25 feet
- (b) Minimum required rear yard 20 feet

(2) On lots adjacent to a residential district, all buildings shall be located so as to comply with the side yard requirement of the adjacent residential district on the side adjacent to the residential district.

(3) Installations essential to the business operation shall be set back from the street or alley so that any service rendered by the business shall not obstruct a public way. (1985 Code, § 11-605)

## CHAPTER 8

B-2 DISTRICTS

## SECTION

14-801. B-2 (Central Business) districts.

14-802. Uses permitted.

14-803. Uses permissible on appeal.

14-804. Uses prohibited.

14-801. B-2 (Central Business) districts. Within the B-2 (Central Business) district, the following regulations shall apply. (1985 Code, § 11-701)

14-802. Uses permitted. (1) Libraries; medical and dental offices, food; clothing, hardware and furniture stores; tailor shops, drug stores; shoe sales and repair shops; dry cleaning and laundry pickup offices; restaurants; offices; banks, churches, public uses; barber and beauty shops; club houses; hotels; schools and colleges; department stores and retail building materials except ready mixed concrete plant.

(2) Any accessory use, building, or structure customarily incidental to the above permitted uses.

(3) Sexually oriented businesses as defined by Gleason Municipal Ordinance entitled "Definitions for Sexually Oriented Businesses," provided that the following apply:

(a) The sexually oriented business may not be operated within:

(i) 750 feet of a church, synagogue or regular place or religious worship;

(ii) 750 feet of a public or private elementary or secondary school;

(iii) 750 feet of a boundary of any residential district;

(iv) 750 feet of a public park;

(v) 750 feet of a licensed day-care center;

(vi) 750 feet of an entertainment business that is oriented primarily towards children or family entertainment; or

(b) For the purpose of this section, measurement shall be made in a straight line, without regard to intervening structures or objects, from the nearest portion of the building or structure used as a part of the premises where a sexually oriented business is conducted, to the nearest property line of the premises of a church, synagogue, regular place of worship or public or private elementary or secondary school, or to the nearest boundary of an affected public park, residential district, or

residential lot, or licensed day care center, or child or family entertainment business.

(c) It shall be unlawful for an owner or operator of a sexually oriented business to allow the merchandise or activities at the establishment to be visible from a point outside the establishment.

(d) It shall be unlawful for the owner or operator of a sexually oriented business to allow the exterior portion of the sexually oriented business to have flashing lights, or any words, lettering, photographs, silhouettes, drawings, or pictorial representations of any manner except to the extent permitted by the provisions of this ordinance.

(e) Exterior signs shall contain no sexual or sexually oriented photographs, silhouettes, drawings or pictorial representations in any manner, and may contain only the name of the enterprise.

(f) Violation of any provision of this section shall constitute misdemeanor punishable by a fine of \$50 per day, beginning with the date of notification. (1985 Code, § 11-702, as amended by Ord. #001-054, Feb. 2001)

14-803. Uses permissible on appeal. Theaters and auditoriums provided written approval of the board of zoning appeals is obtained. (1985 Code, § 11-703)

14-804. Uses prohibited. Wholesaling, manufacturing, building materials yards, funeral homes, dry cleaning, filling stations, single-and-multiple family dwellings, apartments, jails and hospitals. (1985 Code, § 11-704)

## CHAPTER 9

M DISTRICTS

## SECTION

- 14-901. M (Industrial) districts.
- 14-902. Uses permitted.
- 14-903. Uses permissible on appeal.
- 14-904. Uses prohibited.
- 14-905. Required lot area, lot width, and yards.

14-901. M (Industrial) districts. Within the M (Industrial) districts, the following regulations shall apply. (1985 Code, § 11-801)

14-902. Uses permitted. (1) Any use permitted in B-1 (Neighborhood Business) districts except hotels and motels.

(2) Bakery, bottling works; building materials yard, cabinet making; carpenter's shop; shoe and clothing manufacture; contractor's yard; dairy products manufacturing; electric welding; feed or fuel yard; fruit canning or packing; ice plant; laundry; machine shop; milk distribution station; optical goods; paper boxes and pencil manufacturing; printing publication or engraving concern, tinsmith shop; trucking terminal; and warehouse. (1985 Code, § 11-802)

14-903. Uses permissible on appeal. Auto wrecking; bag cleaning, boiler and tank works; central mixing plant for cement, mortar; plaster or paving materials, creamery; crematory; curing, tanning and storage of raw hides and skins; distillation of bones, coal, wood or tar; fat rendering forge plant or foundry, metal fabrication plant; quarry; gasoline or oil storage above the ground in excess of five hundred (500) gallons; junk, scrap paper, rage storage and baling; sawmill, slaughter house or stockyard; smelting plant; and the manufacture of acetylene, acid, alcohol, alcoholic beverages, ammonia, bleaching powder, condensed milk; chemicals, brick, pottery, terra cotta or tile, candles, disinfectants, dye stuffs, fertilizers, illuminating or heating gas (or storage of same), linseed oil, paint, oil, turpentine, varnish, soap and tar products; screws and bolts, wire and tires, or any other use which in the opinion of the board of zoning appeals would cause injurious or obnoxious noise, vibrations, smoke, gas, fumes, odors, dust or other objectionable conditions, provided that written approval of the board of zoning appeals is obtained. (1985 Code, § 11-803)

14-904. Uses prohibited. Single-and multiple-family dwellings; hotels and motels. (1985 Code, § 11-804)

14-905. Required lot area, lot width, and yards. (1) All buildings and structures shall be located so as to comply with the following requirements:

- (a) Minimum required depth of front yard 25 feet
- (b) Minimum required depth of rear yard 20 feet
- (c) Minimum required width of each side yard 10 feet

(2) No yard will be required for that part of a lot which fronts on a railroad siding.

(3) On lots of adjacent to a residential district all buildings shall be located so as to conform to the side yard requirements of the adjacent residential districts on the side adjacent to the residential district. (1985 Code, § 11-805)

## CHAPTER 10

DEFINITIONS

## SECTION

14-1001. Definitions.

14-1002. Definitions for sexually oriented businesses.

14-1001. Definitions. Unless otherwise stated the following words shall, for the purpose of this ordinance, have the meaning herein indicated. Words used in the present tense include the future. The singular number includes the plural and the plural the singular. The word "shall" is mandatory, not directory.

(1) "Alley." Any public or private way set aside for public travel, twenty (20) feet or less in width.

(2) "Building." Any structure constructed or used for residence, business, industry, or other public or private purpose, or accessory thereto, and including tents, lunch wagons, dining cars, trailers, billboards, signs and similar structures whether stationary or moveable.

(a) "Principal building." A building in which is conducted the principal use of the lot on which it is situated. In any residential district any dwelling shall be deemed to be the principal building on the lot on which the same is situated.

(b) "Accessory building." A subordinate building the use of which is incidental to that of a principal building on the same lot.

(3) "Dwelling." A house, apartment building or other building designed or used primarily for human habitation. The word "dwelling" shall not include boarding or rooming houses, hotels, or other structures designed for transient residence.

(4) "Family." One (1) or more persons occupying a premises and living as a single, nonprofit housekeeping unit.

(5) "Lot." A piece, parcel or plot of land in one ownership, which may include one (1) or more lots of record, occupied or to be occupied by one principal building and its accessory buildings and including the open spaces required under this ordinance. All lots shall front on and have access to a street.

(a) "Lot line." The boundary dividing a given lot from a street, an alley, or adjacent lots.

(b) "Lot of record." A lot, the boundaries of which are filed as a legal record.

(6) "Nonconforming use." A use of a building or of land unlawful at the time of the enactment of this ordinance that does not conform with the provisions of this ordinance for the district in which it is located.

(7) "Story." That portion of a building included between the upper surface of any floor and the upper surface of the floor next above, or any portion of a building used for human occupancy between the topmost floor and the roof. A basement not used for human occupancy shall not be counted as a story.

(8) "Street." Any public or private way set aside for public travel twenty-one (21) feet or more in width. The word "street" shall include the words, "road," "highway," and "thoroughfare."

(9) "Total floor area." The area of all floors of a building, including finished attic, finished basements and covered porches.

(10) "Yard." An open space on the same lot with a principal building, open, unoccupied and unobstructed by buildings from the ground to the sky except as otherwise provided in this ordinance.

(a) "Front yard." The yard extending across the entire width of the lot between the front lot line, and the nearest part of the principal building, including covered porches and carports.

(b) "Rear yard." The yard extending across the entire width of the lot between the rear lot line, and the nearest part of the principal building, including covered porches and carports.

(c) "Side yard." A yard extending along the side lot line from the front yard to the rear yard, and lying between the side lot line and the nearest part of the principal building, including covered porches and carports.

(11) "Mobile home." Any portable structure or vehicle, equipped with a toilet and bathtub or shower, so constructed and designed as to permit occupancy thereof for dwelling or sleeping purposes.

(12) "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. (1985 Code, § 11-901, as amended by Ord. #085-010, Jan. 1986)

14-1002. Definitions for sexually oriented businesses. (1) "Adult arcade" means any place to which the public is permitted or invited wherein coin-operated or slug-operated or electronically, electrically, or mechanically controlled still or motion picture machines, projectors, or other image-producing devices are maintained to show images to five (5) or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by the depicting or describing of "specified sexual activities" or "specified anatomical areas."

(2) "Adult bookstore" or "adult video store" means a commercial establishment that, as the principal business, as defined by the lesser of the following: of fifty (50%) percent or more gross sales or fifty (50%) percent of the

overall floor space, offers for sale or rental for any form of consideration any one or more of the following:

(a) Books, magazines, periodicals or other printed matter, or photographs, films, motion picture, video cassettes or video reproductions, slides, or other visual representations that depict or describe "specified sexual activities" or "specified anatomical areas"; or

(b) Instruments, devices, or paraphernalia that are designed for use in connection with "specified sexual activities."

(3) "Adult cabaret" means a nightclub, bar, restaurant, or similar commercial establishment that regularly features:

(a) Persons who appear in a state of nudity or semi-nudity; or

(b) Live performances that are characterized by the exposure of "specified anatomical areas" or by "specified sexual activities"; or

(c) Films, motion pictures, video cassettes, slides, or other photographic reproductions that are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas"; or

(d) Persons who engage in erotic dancing or performances that are intended for the sexual interests or titillation of an audience or customers.

(4) "Adult motel" means a hotel, motel or similar commercial establishment that:

(a) Offers accommodation to the public for any form of consideration and provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, slides, or other photographic reproductions that are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas"; and has a sign visible from the public right of way that advertises the availability of this adult type of photographic reproductions; or

(b) Offers a sleeping room for rent for a period of time that is less than twenty-four (24) hours; or

(c) Allows a tenant or occupant of a sleeping room to subrent the room for a period of time that is less than twenty-four (24) hours.

(5) "Adult motion picture theater" means a commercial establishment where, for any form of consideration, films, motion pictures, video cassettes, slides, or similar photographic reproductions are regularly shown that are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas."

(6) "Adult theater" means a theater, concert hall, auditorium, or similar commercial establishment that regularly features persons who appear, in person, in a state of nudity and/or semi-nudity, and/or live performances that

are characterized by the exposure of "specified anatomical areas" or by "specified sexual activities."

(7) "Director" means the chief of police and such employee(s) of the police department as he may designate to perform the duties of the director under this ordinance.

(8) "Employee" means a person who performs any service on the premises of a sexually oriented business on a full time, part time, contract basis, or independent basis, whether or not the person is denominated an employee, independent contractor, agent, or otherwise, and whether or not the said person is paid a salary, wage, or other compensation by the operator of said business. "Employee" does not include a person exclusively on the premises for repair or maintenance of the premises or equipment on the premises, or for the delivery of goods to the premises, nor does "employee" include a person exclusively on the premises as a patron or customer.

(9) "Escort" means a person who, for consideration, agrees or offers to act as a companion, guide, or date for another person, or who agrees or offers to privately model lingerie or to privately perform a striptease for another person.

(10) "Escort agency" means a person or business association who furnishes, offers to furnish, or advertises to furnish escorts as one of its primary business purposes for a fee, tip, or other consideration.

(11) "Establishment" means and includes any of the following:

(a) The opening or commencement of any sexually oriented business as a new business;

(b) The conversion of an existing business, whether or not a sexually oriented business, to any sexually oriented business;

(c) The additions of any sexually oriented business to any other existing sexually oriented business; or

(d) The relocation of any sexually oriented business; or

(e) A sexually oriented business or premises on which the sexually oriented business is located.

(12) "Licensed day-care center" means a facility licensed by the State of Tennessee, whether situated within the town or not, that provides care, training, education, custody, treatment or supervision for more than twelve (12) children under fourteen (14) years of age where such children are not related by blood, marriage or adoption to the owner or operator of the facility, for less than twenty-four (24) hours a day, regardless of whether or not the facility is operated for a profit or charges for the services it offers.

(13) "Licensee" means a person in whose name a license has been issued, as well as the individual listed as an applicant on the application for a license.

(14) "Nude model studio" means any place where a person who appears in a state of nudity or displays "specified anatomical areas" is provided to be

observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by other persons for consideration.

(15) "Nudity" or a "state of nudity" means the appearance of a human bare buttock, anus, anal cleft or cleavage, pubic area, male genitals, female genitals, or vulva, with less than a fully opaque covering; or a female breast with less than a fully opaque covering of any part of the nipple; or human male genitals in a discernibly turgid state even if completely and opaquely covered.

(16) "Person" means an individual, proprietorship, partnership, corporation, association, or other legal entity.

(17) "Premises" means the real property upon which the sexually oriented business is located, and all appurtenances thereto and buildings thereon, including, but not limited to, the sexually oriented business, the grounds, private walkways, and parking lots and/or parking garages adjacent thereto, under the ownership, control, or supervision of the licensee, as described in the application for a business license pursuant to this ordinance;

(18) "Semi-nude" or "semi-nudity" means the appearance of the female breast below a horizontal line across the top of the areola at its highest point. This definition shall include the entire lower portion of the human female breast, but shall not include any portion of the cleavage of the human female breast exhibited by a dress, blouse, skirt, leotard, bathing suit, or other wearing apparel provided the areola is not exposed in whole or in part.

(19) "Sexual encounter center" means a business or commercial enterprise that, as one of its principal business purposes, offers for any form of consideration:

(a) Physical contact in the form of wrestling or tumbling between persons of the opposite sex; or

(b) Activities between male and female persons and/or persons of the same sex when one or more of the persons is in a state of nudity or semi-nudity.

(20) "Sexually oriented business" means an adult arcade, adult bookstore or adult video store, adult cabaret, adult motel, adult motion picture theater, adult theater, escort agency, nude model studio, or sexual encounter center or any other business primarily dealing with nude entertainment.

(21) "Specified anatomical areas" means:

(a) The human male genitals in a discernibly turgid state, even if fully and opaquely covered;

(b) Less than completely and opaquely covered human genitals, pubic region, buttocks, or a female breast below a point immediately above the top of the areola.

(22) "Specified criminal activity" means any of the following offenses:

(a) Prostitution or promotion of prostitution; dissemination of obscenity; sale, distribution, or display of harmful material to a minor;

sexual performance by a child; possession or distribution of child pornography; public lewdness; indecent exposure; indecency with a child; sexual assault; molestation of a child; or any similar sex-related offenses to those described above under the criminal or penal code of this state, other states, or other countries.

(b) For which:

(i) Less than five (5) years have elapsed since the date of conviction or the date of release from confinement imposed for the conviction, whichever is the later date, if the conviction is of a misdemeanor offense;

(ii) Less than ten (10) years have elapsed since the date of conviction or the date of release from confinement imposed for the conviction, whichever is the later date, if the conviction is of a felony offense;

(iii) Less than ten (10) years have elapsed since the date of the last conviction or the date of release from confinement imposed for the last conviction, whichever is the later date, if the convictions are of two (2) or more misdemeanor offenses or combination of misdemeanor offenses occurring within any twenty-four (24) month period;

(c) The fact that a conviction is being appealed shall have no effect on the disqualification of the applicant or a person residing with the applicant.

(23) "Specified sexual activities" means and includes any of the following:

(a) The fondling or other erotic touching of human genitals, pubic region, buttocks, anus, or female breasts, whether covered or uncovered;

(b) Sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation, or sodomy;

(c) Masturbation, actual or simulated; or

(d) Excretory functions as part of or in connection with any of the activities set forth in (a) through (c) above.

(24) "Substantial enlargement" of a sexually oriented business means the increase in floor areas occupied by the business by more than twenty-five (25%) percent, as the floor areas exist on January 31, 2000.

(25) "Transfer of ownership or control" of a sexually oriented business means and includes any of the following:

(a) The sale, lease, or sublease of the business;

(b) The transfer of securities that form a controlling interest in the business, whether by sale, exchange, or similar means; or

(c) The establishment of a trust, gift, or other similar legal device that transfers the ownership or control of the business, except for transfer by bequest or other operation of law upon the death of the person possessing the ownership or control. (Ord. #001-053, Feb. 2001)

## CHAPTER 11

EXCEPTIONS AND MODIFICATIONS

## SECTION

14-1101. Lot of record.

14-1102. Front yards.

14-1103. Group housing project.

14-1101. Lot of record. Where the owner of a lot consisting of one or more adjacent lots of official record at the time of the adoption of this ordinance, does not own sufficient land to enable him to conform to the yard or other requirements of this ordinance, an application may be submitted to the board of zoning appeals for a variance from the terms of this ordinance, in accordance with § 14-1305(1). Such lot may be used as a building site, provided, however, that the yard and other requirements of the district are complied with as closely as is possible in the opinion of the board of zoning appeals. (1985 Code, § 11-1001)

14-1102. Front yards. The front yard requirements of this ordinance for dwellings shall not apply to any lot where the average depth of existing front yards on developed lots, located within one hundred (100) feet on each side of such lot and within the same block and zoning district and fronting on the same street as such lot, is less than the minimum required front yard depth. In such case, the minimum front yard shall be the verge of the existing front yard depths on the developed lots. (1985 Code, § 11-1002)

14-1103. Group housing project. In the case of a group housing project of two or more buildings to be constructed on a plot of ground of at least one acre not subdivided or where the existing or contemplated street and lot layouts make it impracticable to apply the requirements of this ordinance to the individual building units in such housing projects, the application of the terms of this ordinance may be varied by the board of zoning appeals in a manner that will be in harmony with the character of the neighborhood, will insure substantially the same character of occupancy and an intensity of land use no higher and a standard of open space no lower than that permitted by this ordinance in the district in which the proposed project is to be located. However, in no case shall the board of zoning appeals authorize a use prohibited in the district in which the project is to be located, or a smaller lot area per family than the minimum required in such district. (1985 Code, § 11-1003)

## CHAPTER 12

ENFORCEMENT

## SECTION

- 14-1201. Enforcing officer.
- 14-1202. Building permits.
- 14-1203. Certificate of occupancy.
- 14-1204. Records.
- 14-1205. Remedies.

14-1201. Enforcing officer. The provisions of this ordinance shall be administered and enforced by a person who shall have the power to make inspection of buildings or premises necessary to carry out his duties in the enforcement of this ordinance. (1985 Code, § 11-1101)

14-1202. Building permits. (1) Building permit required. It shall be unlawful to commence the excavation for the construction of any building, including accessory buildings, or to commence the moving or alteration of any building, including accessory buildings, until the building inspector has issued a building permit for such work.

(2) Issuance of building permit. In applying to the building inspector for a building permit, the applicant shall submit a dimensional sketch or a scale plan indicating the shape, size, height, and location on the lot of all buildings to be erected, altered or moved and of any building already on the lot. He shall also state the existing and intended use of all such buildings and supply such other information as may be required by the building inspector for determining whether the provisions of this ordinance are being observed. If the proposed excavation or construction as set forth in the application are in conformity with the provisions of this ordinance and other ordinances of the Town of Gleason, Tennessee, then in force, the building inspector shall issue a building permit for such excavation or construction. If a building permit is refused, the building inspector shall state such refusal in writing with the cause.

(a) The issuance of a permit shall in no case be construed as waiving any provision of this ordinance.

(b) A building permit shall become void six (6) months from the date of issuance unless substantial progress has been made by that date on the project described therein. (1985 Code, § 11-1102)

14-1203. Certificate of occupancy. No land or building or part thereof hereafter erected or altered in its use of structure shall be used until the building inspector shall have issued a certificate of occupancy stating that such

land, building or part thereof, and the proposed use thereof are found to be in conformity with the provisions of this ordinance. Within three (3) days after notification that a building or premises or part thereof is ready for occupancy or use, it shall be the duty of the building inspector to make a final inspection thereof and to issue a certificate of occupancy if the land, building or part thereof and the proposed use thereof are found to conform with the provisions of this ordinance; or if such certificate is refused, to state such refusal in writing with the cause. (1985 Code, § 11-1103)

14-1204. Records. A complete record of such application, sketches, and plans shall be maintained in the office of the building inspector. (1985 Code, § 11-1104)

14-1205. Remedies. In case any building or structure is erected, constructed, reconstructed, repaired, converted, or maintained, or any building, structure, or land is used in the violation of this ordinance, the building inspector or any other appropriate authority, or any adjacent or neighboring property owner who would be damaged by such violation, in addition to other remedies may institute injunction, mandamus, or other appropriate action in proceeding to prevent the occupancy or use of such building, structure or land. (1985 Code, § 11-1105)

## CHAPTER 13

BOARD OF ZONING APPEALS

## SECTION

14-1301. Creation and appointment.

14-1302. Procedure.

14-1303. Appeals; how taken.

14-1304. Powers.

14-1305. Variance.

14-1301. Creation and appointment. A board of zoning appeals is hereby established. The board of zoning appeals shall consist of three members, at least one of whom is a member of the Gleason Municipal Planning Commission. They shall be appointed by the mayor and confirmed by majority vote of the board of aldermen. The term of membership shall be three years except that the initial individual appointments to the board shall terms of one, two and three years, respectively. Vacancies shall be filled for any unexpired term by the mayor in confirmation by the board of aldermen. (1985 Code, § 11-1201)

14-1302. Procedure. Meetings of the board of zoning appeals shall be held at the call of the chairman, and at such other times as the board may determine. All meetings of the board shall be open to the public. The board shall adopt rules and procedure and shall keep record of applications and action thereon, which shall be a public record. (1985 Code, § 11-1202)

14-1303. Appeals; how taken. An appeal to the board of zoning appeals may be taken by any person, firm, or corporation aggrieved, or by any governmental officer, department, board or bureau affected by any decision of the building inspector based in whole or in part upon the provisions of this ordinance. Such appeal shall be taken by filing with the board of zoning appeals a notice of appeal, specifying the grounds thereof. The building inspector shall transmit to the board all papers constituting the record upon which the action appealed was taken. The board shall fix a reasonable time for the hearing of the appeal, give public notice thereof, as well as due notice to the parties in interest, and decide the same within a reasonable time which shall not be more than fifteen (15) days from the date of the hearing. Upon the hearing any person or party may appear and be heard in person or by agent or by attorney. (1985 Code, § 11-1203)

14-1304. Powers. The board of zoning appeals shall have the following powers:

(1) Administrative review. To hear and decide appeals where it is alleged by the appellant that there is error in any order, requirement, permit, decision, determination or refusal made by the building inspector or other administrative official in the carrying out or enforcement of any provisions of this ordinance.

(2) Special exceptions. To hear and decide applications for special exceptions upon which the board of zoning appeals is specifically authorized to pass as follows: § 14-209(3); § 14-302(2); § 14-403; § 14-603; § 14-803; and § 14-903. (1985 Code, § 11-1204)

14-1305. Variance. To hear and decide applications for variance from the terms of this ordinance, but only where, by reason of exceptional narrowness, shallowness or shape of a specific piece of property at the time of the adoption of this ordinance was a lot of record; or where by reason of exceptional topographic conditions or other extraordinary or exceptional situations or conditions of a piece of property the strict application of the provisions of this ordinance would result in exceptional practical difficulties to or exceptional and undue hardship upon the owner of such property, provided that such relief may be granted without detriment to the public good and the intent and purpose of this ordinance. Financial disadvantage to the property owner is no proof of hardship within the purpose of zoning.

(1) In granting a variance the board may attach thereto such conditions regarding the location, character and other features of the proposed building, structure or use as it may deem advisable in furtherance of the purpose of this ordinance.

(2) Before any variance is granted it shall be shown that circumstances are attached to the property which do not generally apply to other property in the neighborhood.

(3) The board of zoning appeals does not have the power to permit a use prohibited by this ordinance. (1985 Code, § 11-1205)

## CHAPTER 14

AMENDMENTS

## SECTION

14-1401. Zoning amendment petition.

14-1402. Planning commission review.

14-1403. Public hearing on proposed amendment.

14-1401. Zoning amendment petition. The board of mayor and aldermen may amend the regulations, restrictions, boundaries, or any provision of this ordinance. Any member of the board of mayor and aldermen may introduce such amendment, or any official, board or any other persons may present a petition to the board of mayor and aldermen requesting an amendment or amendments to this ordinance. (1985 Code, § 11-1301)

14-1402. Planning commission review. No such amendment shall become effective unless the same be first submitted for approval, disapproval or suggestions to the municipal planning commission. If the municipal planning commission within thirty (30) days disapproves after such submission, it shall require the favorable vote of a majority of the board of mayor and aldermen to become effective.

If the municipal planning commission neither approves nor disapproves such proposed amendment within thirty (30) days after such submission, the action on such amendment by said commission shall be deemed favorable. (1985 Code, § 11-1302)

14-1403. Public hearing on proposed amendment. Upon the introduction of an amendment to this ordinance or upon the receipt of a petition to amend this ordinance, the board of mayor and aldermen shall publish a notice of such request for an amendment, together with the notice of time set for hearing by the board of mayor and aldermen on the requested change. Said notice shall be published in some newspaper of general circulation in the Town of Gleason, Tennessee. Said hearing by the board of mayor and aldermen shall take place not sooner than fifteen (15) days after the date of publication of such notice. (1985 Code, § 11-1303)

## CHAPTER 15

REQUIREMENTS FOR MOBILE HOME PARKS  
OR MOBILE HOME SUBDIVISIONS

## SECTION

14-1501. Streets.

14-1502. Water.

14-1503. Sewer.

14-1504. To be done by developer.

14-1501. Streets. To be done by developer.

(1) All streets in a mobile home park or mobile home subdivision must be fifty (50) feet wide.

(2) All streets must have proper ditches and drainage.

(3) All driveways must have sufficient culverts, at least twelve (12) inches by twenty (20) feet or swags sufficient to carry the water.

(4) All streets must be built with proper grade according to subdivision regulations.

(5) All streets must have gravel six (6) inches deep and twenty-four (24) feet wide.

(6) All streets must have a twenty (20) feet wide and two (2) inches deep hot mix surface before being dedicated to the Town of Gleason.

(7) All materials, labor, survey engineering and design must be paid for by the developer. (Ord. #000-052, Jan. 2001)

14-1502. Water. To be done by developer.

(1) In general, the water systems design for mobile home parks or mobile home subdivisions located in the Town of Gleason shall conform to the rules of Tennessee Department of Environment and Conservation, Division of Water Quality Supply, Minimum Criteria for Public Water Systems, or any Tennessee successor rules agency designated for such.

(2) Install six (6) inch water main with three (3) way fire plugs every five hundred (500) feet, and at end of line.

(3) Engineering plans and State of Tennessee stamped approved plans, must be submitted to the city and followed during construction.

(4) Install service line with meter box to each lot, when main line is installed. Service line and meter box to be at the front lot line, and be and remain accessible for reading, repair and maintenance.

(5) Before a service can be connected a tap and service fee must be paid according to § 18-106 of the Gleason Municipal Code, or any amendments thereof.

(6) In accordance with the Gleason Municipal Code, § 18-107, all materials, engineering fees and labor for water main extensions, must be paid for by the developer.

(7) According to the Gleason Municipal Code § 18-107, all main lines become the property of the Town of Gleason water system, when connected to the system.

(8) Developer must furnish the Town of Gleason with two (2) sets of "as built" plans of system before any service lines can be connected. (Ord. #000-052, Jan. 2001)

14-1503. Sewer. To be done by the developer.

(1) In general, the sewer system designed in or for mobile home parks or mobile home subdivisions located in the Town of Gleason shall conform to the rules of Tennessee Department of Environment and Conservation, Division of Water Pollution Control, Design of Waste Water Collection Lines and pumping stations, or any Tennessee successor rules agency designed for such.

(2) Install eight (8) inch main sewer line with manholes every three hundred (300) feet, and at end of line, with pumping stations where needed.

(3) State of Tennessee stamped engineering plans of all sanitary sewer line extensions, with design and hydraulics must be prepared by a licensed engineer and submitted to and approved by the Town of Gleason prior to the commencement of installation.

(4) Install tees in main line and service line to each lot at time main line is installed.

(5) Before a service can be connected a tap and service fee must be paid for in accordance with § 18-106 of the Gleason Municipal Code.

(6) In accordance with the Gleason Municipal Code, § 18-107, all materials, labor and engineering fees must be paid by the developer.

(7) According to the Gleason Municipal Code § 18-107, all main lines and manholes become the property of the Town of Gleason when connected to the system.

(8) Developer must furnish the Town of Gleason with two (2) sets of "as built" plans of system before any service lines can be connected. (Ord. #000-052, Jan. 2001)

14-1504. To be done by developer. (1) All lots must be marked.

(2) All streets must be named and street signs installed subject to Town of Gleason approval. (Ord. #000-052, Jan. 2001)

## CHAPTER 16

REQUIREMENTS FOR SUBDIVISIONS

## SECTION

14-1601. Streets.

14-1602. Water.

14-1603. Sewer.

14-1604. To be done by developer.

14-1601. Streets. To be done by developer.

- (1) All streets in a residential subdivision must be fifty (50) feet wide.
- (2) All streets must have proper ditches and drainage.
- (3) All driveways must have sufficient culverts, at least twelve (12) inches by twenty (20) feet or swags sufficient to carry the water.
- (4) All streets must be built with proper grade according to subdivision regulations.
- (5) All streets must have gravel six (6) inches deep and twenty-four (24) feet wide.
- (6) All streets must have a twenty (20) feet wide and two (2) inches deep hot mix surface before being dedicated to the Town of Gleason.
- (7) All materials, labor, survey engineering and design must be paid for by the developer. (Ord. #000-051, Jan. 2001)

14-1602. Water. To be done by developer.

- (1) In general, the water systems design for subdivisions located in the Town of Gleason shall conform to the rules of Tennessee Department of Environment and Conservation, Division of Water Quality Supply, Minimum Criteria for Public Water Systems, or any Tennessee successor rules agency designated for such.
- (2) Install six (6) inch water main with three (3) way fire plugs every five hundred (500) feet, and at end of line.
- (3) Engineering plans and State of Tennessee stamped approved plans, must be submitted to the Town of Gleason and followed during construction.
- (4) Install service line with meter box to each lot, when main line is installed. Service line and meter box to be at the front lot line, and be and remain accessible for reading, repair and maintenance.
- (5) Before a service can be connected a tap and service fee must be paid according to § 18-106 of the Gleason Municipal Code, or any amendments thereof.

(6) In accordance with Gleason Municipal Code § 18-107, all materials, engineering fees and labor for water main extensions, must be paid for by the developer.

(7) According to the Gleason Municipal Code, § 18-107, all main lines become the property of the Town of Gleason water system, when connected to the system.

(8) Developer must furnish the Town of Gleason with two (2) sets of "as built" plans of system before any service lines can be connected. (Ord. #000-051, Jan. 2001)

14-1603. Sewer. To be done by the developer.

(1) In general, the sewer system designed in or for subdivisions located in the Town of Gleason shall conform to the rules of Tennessee Department of Environment and Conservation, Division of Water Pollution Control, Design of Waste Water Collection Lines and Pumping Stations, or any Tennessee successor rules agency designed for such.

(2) Install eight (8) inch main sewer line with manholes every three hundred (300) feet, and at end of line, with pumping stations where needed.

(3) State of Tennessee stamped engineering plans of all sanitary sewer line extensions, with design and hydraulics must be prepared by a licensed engineer and submitted to and approved by the Town of Gleason prior to the commencement of installation.

(4) Install tees in main line and service line to each lot at time main line is installed.

(5) Before a service can be connected a tap and service fee must be paid for in accordance with § 18-106 of the Gleason Municipal Code.

(6) In accordance with the Gleason Municipal Code § 18-107, all materials, labor and engineering fees must be paid by the developer.

(7) According to the Gleason Municipal Code § 18-107, all main lines and manholes become the property of the Town of Gleason when connected to the system.

(8) Developer must furnish the Town of Gleason with two (2) sets of "as built" plans of system before any service lines can be connected. (Ord. #000-051, Jan. 2001)

14-1604. To be done by developer. (1) All lots must be marked.

(2) All streets must be named and street signs installed subject to Town of Gleason approval. (Ord. #000-051, Jan. 2001)