

TITLE 13

PROPERTY MAINTENANCE REGULATIONS¹

CHAPTER

1. MISCELLANEOUS.
2. JUNKYARDS.
3. JUNKED AND INOPERABLE MOTOR VEHICLES.

CHAPTER 1

MISCELLANEOUS

SECTION

- 13-101. Health officer.
- 13-102. Smoke, soot, cinders, etc.
- 13-103. Stagnant water.
- 13-104. Weeds.
- 13-105. Dead animals.
- 13-106. Health and sanitation nuisances.

13-101. Health officer.² The "health officer" shall be such officer as the board of mayor and aldermen shall appoint or designate to administer and enforce health and sanitation regulations within the municipality. (1970 Code, § 8-501)

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. (1970 Code, § 8-504)

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. (1970 Code, § 8-505)

13-104. Weeds. Every owner or tenant of property shall periodically cut the grass and other vegetation commonly recognized as weeds on his property,

¹Municipal code references
Animal control: title 10.
Littering streets, etc.: § 16-107.

²Charter reference: § 22.

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. (1970 Code, § 8-506)

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. (1970 Code, § 8-507)

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. (1970 Code, § 8-508)

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) All such junkyards within one thousand (1,000) feet of any right-of-way within the municipality shall be screened by natural objects, plantings, fences, or other appropriate means so as not to be visible from the right-of-way.

(4) 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. (1970 Code, § 8-509)

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

JUNKED AND INOPERABLE MOTOR VEHICLES

SECTION

13-301. Junked and inoperable motor vehicles.

13-301. Junked and inoperable motor vehicles. (1) It is unlawful for any person owning or possessing real property to willfully allow, permit or maintain an inoperable or junked motor vehicle on such property for a period longer than ten (10) consecutive days unless the premises are zoned and classified for lawful use as a junk yard or a garage for the repair of motor vehicles and such owner or possessor thereof then holds a validly issued business tax license from the municipality for such purpose.

(2) No citation or summons shall issue charging a violation hereof until the owner or person in possession of the real property is given written notice of the violation. If such condition is not abated within sixty (60) days thereafter a complaint may be filed with the municipal court requesting issuance of a citation or summons to the offender to appear and answer therefor. If the municipal court finds probable cause to believe an offense is occurring a citation or summons shall issue and be served on the offender.

(3) A person guilty of violating this regulation shall on conviction be fined fifty dollars (\$50.00) and shall pay the costs of the proceeding as otherwise provided. Each day of continued violation after each summons or citation issues is a separate violation and subjects the offender to assessment of a separate fine for each day of continued violation.

(4) Fines and costs levied and assessed against the owner of real property shall be a lien against such real property which the municipality may enforce by suit and attachment in the name of the municipality.

(5) The owner and the possessor of the real property may be jointly charged with violation hereof.

(6) There shall be a rebuttable presumption that a motor vehicle:

(a) Without an engine or other mechanical or electrical part necessary for its ordinary operation as a motor vehicle; or

(b) Without tires and wheels; or

(c) Mounted on a jack or blocks; or

(d) Unlicensed or unregistered is a junked or inoperable motor vehicle. (as added by Ord. #236, May 2005)