

TITLE 13

PROPERTY MAINTENANCE REGULATIONS¹

CHAPTER

1. MISCELLANEOUS.
2. SATELLITE DISH ANTENNAS.

CHAPTER 1

MISCELLANEOUS

SECTION

- 13-101. Health officer.
- 13-102. Smoke, soot, cinders, etc.
- 13-103. Stagnant water.
- 13-104. Weeds.
- 13-105. Overgrown and dirty lots.
- 13-106. Dead animals.
- 13-107. Health and sanitation nuisances.

13-101. Health officer. (1) There is hereby created the position of health officer for the City of South Pittsburg, Tennessee.

(2) The position of health officer shall be filled by appointment, upon proper resolution of the board of mayor and commissioners, and the term of said office shall be for a period of one (1) year, commencing on March 1. Any appointment made on a date other than March 1, shall continue until March 1 of the next succeeding year and any person so appointed shall continue to hold the office beyond his term until his successor is duly appointed by the board of mayor and commissioners.

(3) The health officer shall have the authority to enforce and/or regulate all ordinances of the City of South Pittsburg, Tennessee, relating to health matters. (1994 Code, § 13-101)

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

¹Municipal code references

Animal control: title 10.

Littering streets, etc.: § 16-107.

Wastewater treatment: title 18, chapter 2.

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. (1994 Code, § 13-102)

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 to prevent the breeding of mosquitoes. (1994 Code, § 13-103)

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. (1994 Code, § 13-104)

13-105. Overgrown and dirty lots. (1) Prohibition. Pursuant to the authority granted to municipalities under Tennessee Code Annotated, § 6-19-101, it shall be unlawful for any owner of record of real property to create, maintain, or permit to be maintained on such property the growth of trees, vines, grass, underbrush and/or accumulations of debris, trash, litter, junk automobiles and vehicles, junk appliances, junk equipment, or garbage or any combination of the preceding elements so as to endanger the health, safety, or welfare of other citizens or to encourage the infestation of rats and other harmful animals.

Pursuant to the authority granted to municipalities under Tennessee Code Annotated, § 6-19-101, it shall be unlawful for a commercial unit, as defined as "all premises, locations or entities, public or private, requiring refuse collection within the corporate limits of the city, not a residential unit," to place commercial refuse, defined as "garbage generated by a producer at a commercial unit, including bulky waste, construction debris, and stable matter" for collection at the expense of the City of South Pittsburg.

(2) Designation of public officer. The South Pittsburg Board of Mayor and Commissioners hereby designates the South Pittsburg Chief of Police as the enforcement officer for the provisions of this section.

(3) Notice to property owner. It shall be the duty of the chief of police to serve notice upon the owner of record in violation of section 1 above, a notice in plain language to remedy the condition within ten (10) days, excluding Saturdays, Sundays and legal holidays. If the owner of record is a carrier engaged in the transportation of property or is a utility transmitting communications, electricity, gas, liquids, steam, sewage or other materials the notice shall be in plain language to remedy the condition within twenty (20) days, excluding Saturdays, Sundays and legal holidays. The notice shall be issued in person to the property owner or shall be sent by registered or certified United States Mail, addressed to the last known address of the owner of record.

The notice shall state that the owner of the property is entitled to a hearing, and shall, at the minimum, contain the following additional information:

(a) A brief statement that the owner is in violation of this section and that the property of such owner shall be cleaned-up at the expense of the owner;

(b) The person, office, address and telephone number of the chief of police; and

(c) A place wherein the party may return a copy of the notice, indicating the desire for a hearing.

(4) Penalties for Violation. If the property owner of record fails or refuses to remedy the condition within ten (10) days after the notice [twenty (20) days if the owner is a carrier engaged in the transportation of property or is a utility transmitting communications, electricity, gas, liquids, steam, sewage or other materials], the chief of police shall immediately cause the property owner to be issued a misdemeanor violation citation. Upon conviction, any person violating the provisions of this section shall be fined not less than two (\$2.00) nor more than fifty (\$50.00) dollars for each offense. Each day such violations continue shall constitute a separate offense.

(5) Appeal. The owner of record who is aggrieved by the determination and order of the chief of police may appeal the determination and order to the South Pittsburg Board of Mayor and Commissioners. The appeal shall be filed with the city recorder within ten (10) days following the receipt of the notice issued pursuant to section 3 above. The failure to appeal within this time shall, without exception, constitute a waiver of the right to a hearing.

(6) Judicial review. Any person aggrieved by an order or act of the South Pittsburg Board of Mayor, and Commissioners under section (5) above may seek judicial review of the order or act. The time period established in section 4 above shall be stayed during the pendency of judicial review.

(7) Supplemental nature of this section. The provisions of this section are in addition and supplemental to, and not in substitution for any other provision in the municipal charter, the municipal code of ordinances or other applicable law which permits the city to proceed against an owner, tenant or occupant of property who has created, maintained, or permitted to be maintained on such property the growth of trees, vines, grass, weeds, underbrush and/or the accumulation of debris, trash, litter, or garbage or any combination of the preceding elements, under its charter, any other provisions of the municipal code or any other applicable law.

(8) Definition of junk. For the purposes of this section the term "junk", in section 1 and 7, shall be defined as follows:

Junk. Any automobile, vehicle, appliance or equipment which is incapable of being operated under its own power. (1994 Code, § 13-105)

13-106. 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. (1994 Code, § 13-106)

13-107. 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. (1994 Code, § 13-107)

CHAPTER 2**SATELLITE DISH ANTENNAS****SECTION**

13-201. Regulations.

13-201. Regulations. Satellite dish antennas, subject to the following regulations, may be located within the City of South Pittsburgh.

(1) Satellite dish antennas shall be located in the rear yard and behind the principal dwelling of structure located on the lot; are not closer than ten (10) feet from the base of antenna to any lot line; are not on an easement; and do not cover more than thirty (30) percent of any required rear yard; or

(2) Satellite dish antennas may be located on a corner lot provided they observe the following special setback provisions. The placement of a satellite dish antenna must be located on the inside quadrant of the lot, provided that the front yard setback from each street applies and that the structure is properly screened with fencing and/or landscaping.

(3) Satellite dish antennas may be located on a rooftop provided they are properly screened from sight.

(4) A satellite dish antenna may be installed or erected in a location not specified in this chapter provided that the installing technician submits a written notice including a location site plan to the city specifying the proposed placement as the only signal receiving location on the lot from the aforementioned specifications.

(5) Satellite dish antennas are permissible in all commercial districts provided that the placement and installation thereof comply with this chapter.

(6) No installation or erection of a satellite dish antenna shall commence before a permit is obtained from the City of South Pittsburgh. (1994 Code, § 13-201)