

May 1, 2014

Town of Bell Buckle  
Ms. Janet Robinson  
Town Clerk  
8 Railroad Square  
Bell Buckle, Tennessee 37020

VIA ELECTRONIC MAIL

Dear Ms. Robinson:

You have recently requested sample demolition by neglect ordinances. It is my understanding that the genesis for your request is to evaluate the adoption of a similar ordinance as a regulatory tool to cause the repair of historic structures within the community. To that end, the following ordinances are enclosed:

- ❖ Columbia – Section 2.70 – 2.80
- ❖ Kingsport – Chapter 114, Article VIII.
- ❖ Knoxville – Chapter 6, Article VII.

It is further my understanding that the Town of Bell Buckle has already met the requirements to enact such an ordinance under Tennessee Code Annotated Title 13, Chapter 7, Part 4 including the establishment of a historic district (TCA §13-7-402); creation of a historic zoning commission (TCA §13-7-403); and adoption of a set of review guidelines guiding the construction, alteration, repair, rehabilitation, relocation or demolition of any building, structure, or improvement to real estate in the historic district (TCA §13-7-406). Please be advised that a demolition by neglect ordinance is applicable to buildings or structures within an established historic district only [TCA§13-7-407(b)].

Please also be aware that the town has also adopted a slum clearance ordinance (Code of Ordinances Title 13, Chapter 3) that provides authorities to address blighted structures located outside of a historic district. Section 13-306 authorizes the town to cause dilapidated structures to be repaired as follows:

**13-306. When public officer may repair, etc.** If the owner fails to comply with the order to repair, alter, or improve or to vacate and close the structure as specified in the preceding section hereof, the public officer may cause such structure to be repaired, altered, or improved, or to be vacated and closed; and the public officer may cause to be posted on the main entrance of any dwelling so closed, a placard with the following words: "This building is unfit for human occupation or use; the use or occupation of this building for human occupancy or use is prohibited and unlawful." (1996 Code, § 13-306)

Ms. Janet Robinson  
May 1, 2014  
Page 2

Should the passage of a condemnation by neglect ordinance take place, please be aware that the ability of the town to proceed with the repair or demolition of a structure located within a historic district under your slum clearance ordinance is precluded [TCA§13-7-402(c)].

Please let me know if you have any questions or require any additional assistance on this matter.

Very truly yours,

A handwritten signature in blue ink, consisting of a series of loops and a long horizontal stroke extending to the right.

Jeffrey J. Broughton  
Municipal Management Consultant