

TITLE 13

PROPERTY MAINTENANCE REGULATIONS¹

CHAPTER

1. MISCELLANEOUS.
2. SLUM CLEARANCE.

CHAPTER 1

MISCELLANEOUS

SECTION

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

13-101. Health officer. The "health officer" shall be such municipal, county, or state officer as the town council shall appoint or designate to administer and enforce health and sanitation regulations within the Town of White Bluff. (1983 Code, § 8-401)

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. (1983 Code, § 8-405)

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. (1983 Code, § 8-406)

13-104. Weeds, etc. On any lot or parcel of land within the corporate limits where weeds or similar obnoxious vegetation has grown in height of more

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

than one (1) foot, the recorder shall notify in writing the owner or tenant of such property to cut the said vegetation. Should the owner or tenant fail to cut such weeds, etc. within ten (10) days from date of notice, he shall be cited before the town council to show cause why such vegetation should not be cut by the town at his expense. Any expenditure made by the town in clearing the property in question of such weeds, etc. shall constitute a lien on said property until paid. (1983 Code, § 8-407)

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. (1983 Code, § 8-408)

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. (1983 Code, § 8-409)

13-107. House trailers. It shall be unlawful for any person to park, locate, or occupy any house trailer or portable building unless it complies with all plumbing, and sanitary provisions applicable to stationary structures and unless a permit therefor shall have been first duly issued by the mayor. (1983 Code, § 8-404)

CHAPTER 2

SLUM CLEARANCE¹

SECTION

- 13-201. Appointment of building inspector.
- 13-202. Initiation of proceedings; hearings.
- 13-203. Orders to owners of unfit structures.
- 13-204. When public officer may repair, etc.
- 13-205. When public officer may remove or demolish.
- 13-206. Lien for expenses; sale of salvaged materials; other powers not limited.

13-201. Appointment of building inspector. The Building Inspector for the Town of White Bluff, Tennessee is hereby appointed to exercise the powers prescribed by this chapter. (Ord. #109, Nov. 1990)

13-202. Initiation of proceedings; hearings. When a petition is filed with the building inspector by a public authority or by at least five (5) residents of the municipality charging that any structure is unfit for human occupation or use, or whenever it appears to the building inspector (on his own motion) that any structure is unfit for human occupation or use, the building inspector shall, if his preliminary investigation discloses a basis for such charges, issue and cause to be served upon the owner of, and parties in interest of, such structure a complaint stating the charges in that respect and containing a notice that a hearing will be held before the building inspector (or his designated agent) at a place therein fixed, not less than ten (10) days nor more than thirty days after the serving of the complaint. The notice shall contain the following information:

- (1) That the owner and parties in interest shall be given the right to file an answer to the complaint and to appear in person, or otherwise, and give testimony at the place and time fixed in the complaint; and
- (2) That the rules of evidence prevailing in courts of law or equity shall not be controlling in hearings before the building inspector. (Ord. #109, Nov. 1990)

13-203. Orders to owners of unfit structures. If, after such notice and hearing the building inspector determines that the structure under consideration is unfit for human occupation or use, he shall state in writing his finding of fact in support of such determination and shall issue and cause to be served upon the owner thereof an order:

¹State law reference

Tennessee Code Annotated, title 13, chapter 21.

(1) If the repair, alteration or improvement of the structure can be made at a reasonable cost in relation to the value of the structure requiring the owner, within the time specified in the order, to repair, alter, or improve such structure to render it fit for human occupation or use or to vacate and close the structure as a place of human occupation or use; or

(2) If the repair, alteration or improvement of structure cannot be made at a reasonable cost in relation to the value of the structure requiring the owner within the time specified in the order, to remove or demolish such structure. (Ord. #109, Nov. 1990)

13-204. 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; that the public officer may cause to be posted on the main entrance of any structure 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 occupation or use is prohibited and unlawful" (Ord. #109, Nov. 1990, modified)

13-205. When public officer may remove or demolish. If the owner fails to comply with an order, to remove or demolish the structure, the building inspector may cause such structure to be removed and demolished. (Ord. #109, Nov. 1990)

13-206. Lien for expenses; sale of salvaged materials; other powers not limited. The amount of the cost of such repairs, alterations improvements, or vacating and closing, or removal or demolition by the building inspector shall, upon the filing of the notice with the office of the register of deeds of the county in which the property lies, be a lien on the property in favor of the municipality, second only to liens of the state, county, and municipality for taxes, any lien of the municipality for special assessments, and any valid lien, right or interest in such property duly recorded or duly perfected by filing, prior or the filing of such notice. These costs shall be placed upon the tax rolls of the municipality as a lien and shall be added to property tax bills to be collected at the same time and in the same manner as property taxes are collected. If the owner fails to pay the costs, they may be collected at the same time and in the same manner as delinquent property taxes are collected and shall be subject to the same penalty and interest as delinquent property taxes. If the structure is removed or demolished by the building inspector, he shall sell the materials of such structure and shall credit the proceeds of such sale against the cost of the removal or demolition, and any balance remaining shall be deposited in the chancery court by the building inspector, shall be secured in such manner as may be directed by such court, and shall be disbursed by such

court to the person found to be entitled thereto by final order or decree of such court. (Ord. #109, Nov. 1990)