

## TITLE 13

### PROPERTY MAINTENANCE REGULATIONS

#### CHAPTER

1. MISCELLANEOUS.
2. JUNKED VEHICLES.

#### CHAPTER 1 MISCELLANEOUS

##### SECTION

- 13-101. Definitions.
- 13-102. Health officer.
- 13-103. Stagnant water.
- 13-104. Weeds and grass.
- 13-105. Flower and vegetable gardens and landscaping; exception.
- 13-106. Duty to maintain property free of litter and nuisances.
- 13-107. Notice to the property owner.

13-101. The following definitions shall apply to this chapter.

(1) "Junk" shall mean discarded, broken, or disabled materials, including, but not limited to, furniture, appliances, tools, machinery, or other items that are not functioning.

(2) "Litter" shall mean discarded waste materials, including but not limited to paper wrappings, packaging materials, discarded or used bottles, and discarded or used cans.

(3) "City Limits" shall refer to the boundaries of the City of Woodland Mills, TN.

(4) "Owner" shall mean any person owning property, as shown on the actual property records for Obion County or the last assessment role for taxes, and shall also mean any lessee, tenant, or other person having control or possession of the property.

(5) "Property" shall mean land and any buildings or structures within the city limits of Woodland Mills, TN.

(6) "Trash" means waste food products and other household solid wastes or garbage.  
(Ord. #26, July 2001)

(7) "Pool of stagnant water" shall refer to but are not limited to the following. Above and below-ground swimming pools, kiddie pools, bird baths, fountains, koi ponds, tires, or any other object that may hold water for any extended period.

13-102. Health officer.

The "health officer" shall be such municipal, county, or state officer as the city council shall appoint or designate to administer and enforce health and sanitation regulations within the municipality.

13-103. Stagnant water.

It shall be unlawful for any property owner within the city limits to knowingly allow any pool of stagnant water to accumulate and stand on the property without treating it so as effectively to prevent the breeding of mosquitoes. It shall be unlawful for any property owner to fail to comply with an order from the mayor when a notice of violation is received. (1985 Code, § 8-407)

13-104. Weeds and grass.

Property owners shall periodically cut the grass and other vegetation commonly recognized as weeds, underbrush, and vines on the property. It shall be unlawful for any person to fail to comply with an order from the mayor to cut such vegetation when it has reached a height of over eight (8) inches. (1985 Code, § 8-407)

13-105. Flower and vegetable gardens and landscaping; exception.

Nothing in this chapter shall prohibit the cultivation of those plants commonly maintained in a flower or vegetable garden, nor shall this chapter be construed to prohibit the maintenance of landscaping plants that exceed eight (8) inches in height. (Ord. #26, July 2001)

13-106. Duty to maintain property free of litter and nuisances.

No person owning, leasing, renting, occupying, being in possession, or having charge of any property in the city limits, including vacant lots, shall maintain or allow to be maintained on such property, except as may be permitted by any other city ordinance, any of the following conditions visible from any public street or alley:

(1) Junk, trash, litter, boxes, discarded lumber, salvage materials, or other similar materials in any front yard, side yard, rear yard, or vacant lot.

(2) Attractive nuisances are dangerous to children, including but not limited to abandoned, broken, or neglected equipment, machinery, refrigerators and freezers, excavations, wells, or shafts.

(3) Broken or discarded furniture, household equipment, and furnishings in any front yard, side yard, rear yard, or vacant lot.

13-107. Notice to the property owner.

It shall be the duty of the department or person designated by the board of mayor and aldermen to enforce this section to serve notice upon the owner of the record in violation of subsection.

- (1) A notice in plain language to remedy the condition within fifteen (15) days, excluding Saturdays, Sundays, and legal holidays. The notice shall be sent by registered or certified United States Mail, addressed to the last known address of the owner of record. If no valid last known address exists for the owner of record, the city may publish the notice in the local newspaper for two consecutive issues.
- (2) 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 the City of Woodland Mills, TN Municipal Code, which has been enacted under the authority of Tennessee Code Annotated, § 6-54-113, and that the property may be cleaned up at the expense of the owner and a lien placed against the property to secure the cost of the clean-up.
  - (b) The person, office, address, and telephone number of the department or person giving the notice.
  - (c) A cost estimate for remedying the noted condition, which shall conform with the standards of cost in the city/town
  - (d) A place wherein the notified party may return a copy of the notice, indicating the desire for a hearing.
- (3) If the property owner of record fails or refuses to remedy the condition within fifteen (15) days after receiving the notice, the department or person designated by the board of mayor and aldermen to enforce the provisions of this section shall immediately cause the condition to be remedied or removed at a cost in conformity with reasonable standards, and the costs thereof shall be assessed against the owner of the property. The city/town may collect the costs assessed against the owner through an action for debt filed in any court of competent jurisdiction.

## CHAPTER 2

### **JUNKED VEHICLES**

#### SECTION

- 13-201. Definitions.
- 13-202. Junked vehicles declared to be public nuisance.
- 13-203. Provisions of this chapter are supplemental.
- 13-204. Duties of the health officer.
- 13-205. Notice to the property owner.
- 13-206. Disposal of junked vehicles.

13-301. Definitions. For the purposes of this chapter, the following terms, phrases, words, and their duration shall have the meaning given herein. When not inconsistent with the context, words used in the present tense shall include the future; words used in the plural number shall include the singular number; words used in the singular number shall include the plural number. The word "shall" be always mandatory and not merely directory.

(1) "Junked motor vehicles." Any contrivance, or parts thereof, propelled by power and used for transportation of persons and property on public streets and highways, the condition of which is one or more of the following:

- (a) Wrecked.
- (b) Dismantled.
- (c) Partially dismantled.
- (d) Inoperative.
- (e) Abandoned.
- (f) Discarded.
- (g) "Person." Any individual, firm, partnership, corporation, association, company, or organization of any kind. (1985 Code, § 8-301)
- (h) "City Limits" shall refer to the boundaries of the City of Woodland Mills, TN.

13-202. Junked vehicles declared to be public nuisance.

Junked vehicles declared to be public nuisance. The presence of any junked motor vehicle on public property or on any private lot, tract or parcel of land or portion thereof, occupied or unoccupied, improved or unimproved, within the city limits, shall be deemed a public nuisance, and shall further be considered rubbish or refuse and it shall be unlawful for any person to cause or maintain such a public nuisance by wrecking, dismantling, partially dismantling, rendering inoperable, abandoning or discarding any motor vehicle or appliance on the real property of another or to suffer, permit or allow a junked motor vehicle to be parked, left or maintained on his own real property, provided that this provision shall not apply with regard to:

(1) Any motor vehicle in an enclosed building:

(2) Any motor vehicle on the premises of a business enterprise operated in a lawful manner, when necessary to the operation of such business enterprise during normal business hours.

(3) Any motor vehicle on property occupied and used for repair, reconditioning and remodeling of motor vehicles shall within a 6 (six) month period after final reading of this ordinance put in place a fence to shield from public view, all wrecked, dismantled, partially dismantled, inoperable, or discarded motor vehicles.

(4) Any motor vehicle classified as antique or classic while in wrecked, dismantled, partially dismantled, or inoperative state shall be maintained in enclosed building or placed in enclosed area 72 (seventy-two) inches in height which shields vehicles from public view, said vehicle will hold all current state, county, and city registrations.

13-203. Provisions of this chapter are supplemental.

This chapter is not the exclusive regulation of abandoned, wrecked, dismantled or inoperative vehicles within the city. Such junked motor vehicles are hereby declared to be a public nuisance and unlawful as set out in § 13-202 above. The provisions of this chapter are supplemental and in addition to all other regulatory codes, statutes and ordinances heretofore enacted by the city, state or any other legal entity or agency having jurisdiction. (1985 Code, § 8-303)

13-204. Duties of the health officer.

The provisions of this chapter shall be administered and enforced by the health officer (as directed by the mayor and board of alderman). In the enforcement of this chapter, such officer and his duly authorized agents, assistants, employees, or contractors may enter upon private or public property to examine a junked motor vehicle or appliance; or obtain information as to the identity of a junked motor vehicle or appliance and of the owner thereof, and to remove or cause removal of a junked motor vehicle or appliance declared to be a nuisance pursuant to this chapter. (1985 Code, § 8-304)

13-205. Notice to the property owner.

It shall be the duty of the department or person designated by the board of mayor and aldermen to enforce this section to serve notice upon the owner of the record in violation of subsection.

- (4) A notice in plain language to remedy the condition within thirty (30) days, excluding Saturdays, Sundays, and legal holidays. The notice shall be sent by registered or certified United States Mail, addressed to the last known address of the owner of record. If no valid last known address exists for the owner of record, the city may publish the notice in the local newspaper for two consecutive issues.
- (5) 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:
  - (e) A brief statement that the owner is in violation of the City of Woodland Mills, TN Municipal Code, which has been enacted under the authority of Tennessee Code Annotated, § 6-54-113, and that the property may be cleaned up at the expense of the owner and a lien placed against the property to secure the cost of the clean-up.
  - (f) The person, office, address, and telephone number of the department or person giving the notice.
  - (g) A cost estimate for remedying the noted condition, which shall conform with the standards of cost in the city/town
  - (h) A place wherein the notified party may return a copy of the notice, indicating the desire for a hearing.
- (6) If the property owner of record fails or refuses to remedy the condition within fifteen (30) days after receiving the notice, the department or person designated by the board of mayor and aldermen to enforce the provisions of this section shall immediately cause the condition to be remedied or removed at a cost in conformity with reasonable standards, and the costs thereof shall be assessed against the owner of the property. The city/town may collect the costs assessed against the owner through an action for debt filed in any court of competent jurisdiction.

### 13-206. Disposal of junked vehicles.

Upon the failure, neglect, or refusal to abate by any owner-occupant or owner of private property who has been notified and ordered to abate such public nuisance within the times as set forth above, the enforcement officer is hereby authorized, empowered, and directed to remove same and dispose of it. The cost of such removal and disposal shall be accounted for by the enforcement officer, and where the full amount due the city for such service is not paid by such owner within thirty (30) days after the disposal of such nuisance, then and in that case, the enforcement officer shall cause to be recorded in the Obion County Register's Office a sworn statement showing the cost and expenses incurred for the work, the date the work was done, and the location of the property on which said work was done.

The recordation of such sworn statement shall constitute a lien and privilege on the property and shall remain in full force and effect for the amount due in principal and interest, plus the cost of court, if any, for collection, until final payment has been made. Sworn statements recorded in accordance with the provisions hereof shall be prima facie evidence that all legal formalities have been complied with and shall be full notice to every person concerned that the amount of the statement, plus interest, constitutes a charge against the property designated or described in the statement and that the same is due and collectible as provided by law. (1985 Code, § 8-306)