CITY OF WHITE HOUSE
Board of Mayor and Aldermen Agenda
Study Session
July 23, 2015
3:30 p.m.

1. Call to Order by the Mayor

2. Roll Call

3. Adoption of the Agenda

4. New Business

    a. Discussion regarding possible renovations to Municipal Code Title 13, Chapter 1 Miscellaneous, Section 13-104. (Overgrown and Dirty Lots)

5. Adjournment

13-104. Overgrown and dirty lots. (1) Prohibition. Pursuant to the authority granted to municipalities under Tennessee Code Annotated, § 6-54-113, 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 the accumulations of debris, trash, litter, 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.

(2) Designation of public officer or department. The mayor or administrator shall designate an appropriate department or person to enforce the provisions of this section.

(3) Notice to property owner. It shall be the duty of the department or person so designated to enforce this section to serve notice upon the owner of record in violation of subsection (1) above, a notice in plain language to remedy the condition within ten (10) days (or twenty (20) days 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), 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. 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 § 13-104 of the municipal code, which has been enacted under the authority of Tennessee Code Annotated, § 6-54-113, and that the property of such owner 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 be in conformity with the standards of cost in the city; and

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

(4) Clean-up property owner's expense. If the property owner of record fails or refuses to remedy the condition within ten (10) days after receiving 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 department or person designated by the city administrator 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 cost thereof shall be assessed against the owner of the property. Upon the filing of the notice with the office of the register of deeds in Sumner or Robertson County, the costs shall 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 to the filing of such notice. These cost shall be placed on 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.

(5) Appeal. The owner of record who is aggrieved by the determination and order of the public officer may appeal the determination and order to the city administrator. The appeal shall be filed with the city recorder within ten (10) days following the receipt of the notice issued pursuant to subsection (3) above. The failure to appeal within the 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 city administrator under subsection (4) above may seek judicial review of the order or act. The time period established in subsection (3) 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, this 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 the debris, trash, litter, or garbage or any combination of the preceding elements, under its charter, any other provisions of this municipal code of ordinances or any other applicable law.

(8) General requirements. Weeds and other similar regulated vegetation which has attained the height of twelve (12) inches or more shall be presumed to be detrimental to the public health and therefore a public nuisance. Such vegetation shall be controlled on property as set forth below:

(a) The entire area of any lot, parcel or tract containing two (2) acres or less.

(b) The entire area of any right-of-way between any lot, parcel or tract and the pavement of a public street. No weeds or other growth shall be permitted on corner lots which may cause a reduction in traffic visibility at intersections.

(c) Within twenty-five (25) feet on any building on any lot, parcel, or tract containing more than two (2) acres.

(d) Within twenty-five (25) feet of an adjacent property line at the request of the owner, regardless of acreage.

(e) Two (2) or more contiguous lots shall be treated as one (1) lot by this section.

(i) Nothing in this chapter shall preclude the use of a parcel for agricultural purposes such as gardens, compost piles, orchards, vineyards, silage, or specific domesticated plants, which normally tend to exceed twelve (12) inches. In addition, nothing herein shall preclude the use of a parcel as a natural wooded area or the maintenance of natural screening provided that the health, safety, and welfare not be impaired.

(ii) Nothing in this section shall prevent the open storage of items of inventory within a fenced area of any commercial or industrial activity such as lumber in a lumberyard, unless otherwise limited; nor shall this section prevent the open storage of building materials on an active construction site. Firewood stacked in an orderly manner shall not be considered a violation of this chapter provided it does not constitute a fire or health hazard.

(iii) All enforcement actions with respect to § 13-104 shall commence upon receipt of a written signed complaint. All complaints should be appropriately documented, including photographic evidence of violation, and reflect the specific nature and location of the complaint.

(1979 Code, § 8-107, as replaced by Ord. #01-12, June 2001, and amended by Ord. #02-26, Oct. 2002, and Ord. #13-08, Oct. 2013)

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. (1979 Code, § 8-108)

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. (1979 Code, § 8-109)

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, electrical, sanitary, and building provisions applicable to stationary structures and the proposed location conforms to the zoning provisions of the city and unless a permit therefor shall have been first duly issued by the building official, as provided for in the building code. (1979 Code, § 8-104)

No person shall park any truck or motor vehicle of more than 18,000 pounds gross weight, or any trailer, semi-trailer, or motor coach, whether or whether not attached to a tractor, on any street from 6:00 P.M. to 6:00 A.M.; except this section shall not apply to trucks, trailers or semi trailers so parked while actually engaged in loading or unloading, or in performing a service, including moving vans and vehicles needed for construction purposes at the adjoining property. (1979 Code, § 12-101, as amended by Ord. #04-13, Sept. 2004)

16-102. Trees projecting over streets, etc., regulated. It shall be unlawful for any property owner or occupant to allow any limbs of trees on his property to project out over any street or alley at a height of less than fourteen (14) feet or over any sidewalk at a height of less than eight (8) feet. (1979 Code, § 12-102)

16-103. Trees, etc., obstructing view at intersections prohibited. It shall be unlawful for any property owner or occupant to have or maintain on his property any tree, shrub, sign, or other obstruction which prevents persons driving vehicles on public streets or alleys from obtaining a clear view of traffic when approaching an intersection. (1979 Code, § 12-103)

16-104. Projecting signs and awnings, etc., restricted. Signs, awnings, or other structures which project over any street or other public way shall be erected subject to the requirements of the building code.[1] (1979 Code, § 12-104)

16-105. Banners and signs across streets and alleys restricted. It shall be unlawful for any person to place or have placed any banner or sign across any public street or alley except when expressly authorized by the board of mayor and aldermen after a finding that no hazard will be created by such banner or sign. (1979 Code, § 12-105)

16-106. Gates or doors opening over streets, alleys, or sidewalks prohibited. It shall be unlawful for any person owning or occupying property to allow any gate or door to swing open upon or over any street, alley, or sidewalk except when required by law. (1979 Code, § 12-106)

16-107. Littering streets, alleys, or sidewalks prohibited. It shall be unlawful for any person to litter, place, throw, track, or allow to fall on any street, alley, or sidewalk any refuse, glass, tacks, mud, or other objects or materials which are unsightly or which obstruct or tend to limit or interfere

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[1]Municipal code reference
Building code: title 12, chapter 1.

CITY OF WHITE HOUSE	
VEGETATION MANAGEMENT	
1	Boyles Road
2	Pleasant Grove Road
3	Pinson Lane
4	Union Road
5	Webster Road
6	North Swift Road
7	Meadowlark Road
8	Sage Road
9	Hester Drive
10	Maiden Lane
11	Wilkinson Lane
12	Calista Road
13	Byrum Drive
14	Kennedy Drive 1st block
15	Heritage Drive 1st block
16	Brinkley Lane
17	Hickory Springs
18	Valley View
19	North Palmers Chapel Road
20	Tyree Springs Road (Portland Rd-Meadows)
21	Meadows Road
22	South Palmers Chapel Road
23	Ben Albert Road (City Limits)
24	Marlin Road (City Limits)
25	Rolling Acres Drive
26	McCurdy Road
27	Spring Street
28	Industrial Drive
29	SCT Drive
30	Center Drive
31	Shady Lane (Detention Pond)