

**TITLE 13****PROPERTY MAINTENANCE REGULATIONS<sup>1</sup>****CHAPTER**

1. MISCELLANEOUS.
2. JUNKYARDS.
3. UNFIT HOUSING.

**CHAPTER 1****MISCELLANEOUS****SECTION**

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

**13-101. Health officer.** The "health officer" shall be such municipal, county, or state officer as the board of commissioners shall appoint or designate to administer and enforce health and sanitation regulations within the municipality. (1975 Code, § 8-101)

**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 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. (1975 Code, § 8-105)

**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 effectively prevent the breeding of mosquitoes. (1975 Code, § 8-106)

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<sup>1</sup>Municipal code references

Animal control: title 10.

Littering streets, etc.: § 16-107.

Toilet facilities in beer places: § 8-211(11).

**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 town clerk or chief of police to cut such vegetation when it has reached a height of over one (1) foot. (1975 Code, § 8-108)

**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. (1975 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. (1975 Code, § 8-109)

**CHAPTER 2****JUNKYARDS****SECTION**

13-201. Junkyards.

**13-201. Junkyards.**<sup>1</sup> All junkyards within the corporate limits shall be operated and maintained subject to the following regulations:

(1) All junk stored or kept in such yards shall be so kept that it will not catch and hold water in which mosquitoes may breed and so that it will not constitute a place or places in which rats, mice, or other vermin may be harbored, reared, or propagated.

(2) All such junkyards shall be enclosed within close fitting plank or metal solid fences touching the ground on the bottom and being not less than six (6) feet in height, such fence to be built so that it will be impossible for stray cats and/or stray dogs to have access to such junkyards.

(3) Such yards shall be so maintained as to be in a sanitary condition and so as not to be a menace to the public health or safety. (1975 Code, § 8-111)

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<sup>1</sup>State law reference

The provisions of this section were taken substantially from the Bristol ordinance upheld by the Tennessee Court of Appeals as being a reasonable and valid exercise of the police power in the case of Hagaman v. Slaughter, 49 Tenn. App. 338, 354 S.W.2d 818 (1961).

**CHAPTER 3****UNFIT HOUSING****SECTION**

- 13-301. Definitions.
- 13-302. Dwellings unfit for habitation.
- 13-303. Procedure for abating unfit dwellings.
- 13-304. Condition rendering dwelling unfit.
- 13-305. Service of complaints or orders.
- 13-306. Enjoining enforcement or order.
- 13-307. Powers of public officer.
- 13-308. Annual expense and costs.
- 13-309. Confers supplementary powers.
- 13-310. Dangerous buildings defined.
- 13-311. Standards for repair, vacation, or demolition.
- 13-312. Dangerous buildings--Nuisances.
- 13-313. Duties of building inspector.
- 13-314. Duties of town commission.
- 13-315. Violations--penalty for disregarding notices or orders.
- 13-316. Duties of the town attorney.
- 13-317. Emergency cases.
- 13-318. Where owner absent from the town.
- 13-319. Administrative liability.
- 13-320. Duties of fire department.
- 13-321. Duties of police department.

**13-301. Definitions.** The following terms whenever used or referred to in this chapter shall have the following respective meanings for the purposes of this chapter, unless a different meaning clearly appears from the context:

- (1) "Municipality" shall mean the Town of Hartsville.
- (2) "Governing body" shall mean the board of commissioners of the Town of Hartsville.
- (3) "Public officer" shall mean the building inspector. He is hereby designated and authorized to exercise the powers prescribed by this chapter and by Tennessee Code Annotated, title 13, chapter 21.
- (4) "Public authority" shall mean any housing authority or any officer who is in charge of any department or branch of the government of the Town of Hartsville or state relating to health, fire, building regulations, or other activities concerning dwellings in the Town of Hartsville.
- (5) "Owner" shall mean the holder of the title in fee simple and every mortgagee of record.

(6) "Parties in interest" shall mean all individuals, associations, corporations and others who have interests of record in a dwelling and any who are in possession thereof.

(7) "Dwelling" shall mean any building or structure, or part thereof, used and occupied for human habitation or intended to be so used, and includes any outhouses and appurtenances belonging thereto or usually enjoyed therewith. (1975 Code, § 8-501)

**13-302. Dwellings unfit for habitation.** The Hartsville Board of Commissioners hereby finds that there exists in this municipality dwellings which are unfit for human habitation due to dilapidation, defects increasing the hazards of fire, accident or other calamities, lack of ventilation, light or sanitary facilities, or due to other conditions rendering such dwellings unsafe or insanitary, or dangerous or detrimental to the health, safety or morals, or otherwise inimical to the welfare of the residents of this municipality, and, therefore, hereby ordains that such dwellings shall be repaired, closed, or demolished in the manner herein provided. (1975 Code, 8-502)

**13-303. Procedure for abating unfit dwellings.** (1) Whenever a petition is filed with the public officer by a public authority or by at least five (5) residents of the municipality charging that any dwelling is unfit for human habitation, or whenever it appears to the public officer (on his own motion) that any dwelling is unfit for human habitation, the public officer 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 dwelling a complaint stating the charges in that respect and containing a notice that a hearing will be held before the public officer (or his designated agent) at a place therein fixed, not less than ten (10) days nor more than thirty (30) days after the serving of said complaint; 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 that the rules of evidence prevailing in courts of law or equity shall not be controlling in hearings before the public officer.

(2) If after such notice and hearing, the public officer determines that the dwelling under consideration is unfit for human habitation, he shall state in writing his findings of fact in support of such determination and shall issue and cause to be served upon the owner thereof an order, (1) if the repair, alteration or improvement of the said dwelling can be made at a reasonable cost in relation to the value of the dwelling (not to exceed fifty percent (50%) of the value of the dwelling), requiring the owner, within the time specified in the order, to repair, alter, or improve such dwelling to render it fit for human habitation or to vacate and close the dwelling as a human habitation; or (2) if the repair, alteration or improvement of the said dwelling cannot be made at a reasonable cost in relation to the value of the dwelling (not to exceed fifty

percent (50%) of the value of the dwelling), requiring the owner, within the time specified in the order, to remove or demolish such dwelling.

(3) If the owner fails to comply with an order to repair, alter, or improve or to vacate and close the dwelling, the public officer may cause such dwelling 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 dwelling so closed, a placard with the following words: "This building is unfit for human habitation; the use or occupation of this building for human habitation is prohibited and unlawful."

(4) If the owner fails to comply with an order to remove or demolish the dwelling, the public officer may cause such dwelling to be removed or demolished.

(5) The amount of the cost of such repairs, alterations, or improvements, or vacating and closing, or removal or demolition by the public officer shall be a lien against the real property upon which such cost was incurred. If the dwelling is removed or demolished by the public officer, he shall sell the materials of such dwelling 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 public officer, 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, provided, however, that nothing in this section shall be construed to impair or limit in any way the power of the municipality to define and declare nuisances and to cause their removal or abatement, by summary proceedings or otherwise. (1975 Code, § 8-503)

**13-304. Conditions rendering dwellings unfit.** The public officer may determine that a dwelling is unfit for human habitation if he finds that conditions exist in such dwelling which are dangerous or injurious to the health, safety or morals of the occupants of such dwelling, the occupants of neighboring dwellings or other residents of the municipality; such conditions may include the following (without limiting the generality of the foregoing); defects therein increasing the hazards of fire, accident, or other calamities; lack of adequate ventilation, light, or sanitary facilities; dilapidation; disrepair; structural defects; uncleanliness. (1975 Code, § 8-504)

**13-305. Service of complaints or orders.** Complaints or orders issued by the public officer pursuant to this chapter shall be served upon persons either personally or by registered mail, but if the whereabouts of such persons is unknown and the same cannot be ascertained by the public officer in the exercise of reasonable diligence, and the public officer shall make an affidavit to that effect, then the serving of such complaint or order upon such persons may be made by publishing the same once each week for two (2) consecutive weeks in a newspaper printed and published in the municipality,

or in the absence of such newspaper, in one printed and published in the county and circulating in the municipality. A copy of such complaint or order shall be posted in a conspicuous place on premises affected by the complaint or order. A copy of such complaint or order shall also be filed for record in the register's office of Trousdale County, and such filing of the complaint or order shall have the same force and effect as other lis pendens notices provided by law. (1975 Code, § 8-505)

**13-306. Enjoining enforcement of order.** Any person affected by an order issued by the public officer may file a bill in the chancery court for an injunction restraining the public officer from carrying out the provisions of the order, and the court may, upon the filing of such bill, issue a temporary injunction restraining the public officer pending the final disposition of the cause; provided, however, that within sixty (60) days after the posting and service of the order of the public officer, such person shall file such bill in the court. Hearings shall be held by the court on such bills within twenty (20) days, or as soon thereafter as possible, and shall be given preference over other matters on the court's calendar.

The court shall hear and determine the issues raised and shall enter such final order or decree as law and justice may require. In all such proceedings the findings of the public officer as to facts, if supported by evidence, shall be conclusive. Costs shall be in the discretion of the court. The remedies herein provided shall be exclusive remedies and no person affected by an order of the public officer shall be entitled to recover any damages for action taken pursuant to any order of the public officer, or because of noncompliance by such person with any order of the public officer. (1975 Code, § 8-506)

**13-307. Powers of the public officer.** The public officer is hereby authorized to exercise such powers as may be necessary or convenient to carry out and effectuate the purposes and provisions of this chapter, including the following powers in addition to others herein granted:

(1) To investigate the dwelling conditions in the municipality in order to determine which dwellings therein are unfit for human habitation;

(2) To administer oaths, affirmations, examine witnesses and receive evidence;

(3) To enter upon premises for the purpose of making examinations, provided that such entries shall be made in such manner as to cause the least possible inconvenience to the persons in possession;

(4) To appoint and fix the duties of such officers, agents and employees as he deems necessary to carry out the purposes of this chapter; and

(5) To delegate any of his functions and powers under this chapter to such officers and agents as he may designate. (1975 Code, § 8-507)

**13-308. Annual expense and costs.** The board of commissioners shall estimate the appropriation that will be necessary to meet the annual expenses or costs necessary to provide the equipment, personnel and supplies necessary for periodic examinations and investigations of the dwellings in the municipality, for the purpose of determining the fitness of such dwellings for human habitation, and for the enforcement and administration of this chapter. In addition to making appropriations from its revenues, the town may accept and apply grants or donations to assist it in carrying out the provisions of this chapter. (1975 Code, § 8-508)

**13-309. Confers supplementary powers.** Nothing in this chapter shall be construed to abrogate or impair the powers of the courts or of any department of the municipality to enforce any provisions of its charter or other ordinances or regulations, nor to prevent or punish violations thereof, and the powers and procedures prescribed by this chapter shall be in addition and supplemental to the powers conferred by any other law. (1975 Code, § 8-509)

**13-310. Dangerous buildings defined.** All buildings or structures which have any or all of the following defects shall be deemed "dangerous buildings:"

(1) Those whose interior walls or other vertical structural members list, lean or buckle to such an extent that a plumb line passing through the center of gravity falls outside of the middle third of its base.

(2) Those which, exclusive of the foundation, show thirty-three (33) per cent or more, of damage or deterioration of the supporting member or members, or fifty (50) per cent of damage or deterioration of the non-supporting enclosing or outside walls or covering.

(3) Those which have improperly distributed loads upon the floors or roofs or in which the same are overloaded, or which have insufficient strength to be reasonably safe for the purpose used.

(4) Those which have been damaged by fire, wind or other causes so as to have become dangerous to life, safety, morals, or the general health and welfare of the occupants or the people of the Town of Hartsville.

(5) Those which have become or are so dilapidated, decayed, unsafe, unsanitary or which so utterly fails to provide the amenities essential to decent living that they are unfit for human habitation, or are likely to cause sickness or disease, so as to work injury to the health, morals, safety or general welfare of those living therein.

(6) Those having light, air, and sanitation facilities which are inadequate to protect the health, morals, safety, or general welfare of human beings who live or may live therein.

(7) Those having inadequate facilities for egress in case of fire or panic or those having insufficient stairways, elevators, fire escapes, or other means of movement.

(8) Those which have parts thereof which are so attached that they may fall and injure members of the public or property.

(9) Those which because of their condition are unsafe, insanitary, or dangerous to the health, morals, safety or general welfare of the people of this town.

(10) Those buildings or structures existing in violation of any provision of the building code of this town, or any provision of the fire prevention code, or other ordinances of this town.

(11) Wells or other underground structures not adequately covered or maintained. (Ord. #1-86, March 1986)

**13-311. Standards for repair, vacation, or demolition.** The following standards shall be followed in substance by the building inspector and the town commission in ordering repair, vacation or demolition:

(1) If the "dangerous building" can reasonably be repaired so that it will no longer exist in violation of the terms of this chapter it shall be ordered repaired.

(2) If the "dangerous building" is in such condition as to make it dangerous to the health, morals, safety or general welfare of its occupants, it shall be ordered to be vacated.

(3) In any case where a "dangerous building" is 50 per cent damaged or decayed, or deteriorated from its original value or structure, it shall be demolished, and in all cases where a building cannot be repaired so that it will no longer exist in violation of the terms of §§ 13-310 through 13-321 it shall be demolished. In all cases where a "dangerous building" is a fire hazard existing or erected in violation of the terms of this chapter or any ordinance of the city or statute of the State of Tennessee it shall be demolished or placed in acceptable condition. (Ord. #1-86, March 1986)

**13-312. Dangerous buildings--nuisances.** All "dangerous buildings" within the terms of § 13-310 of this chapter are hereby declared to be public nuisances and shall be repaired, vacated, covered, filled, closed or demolished as hereinafter provided. (Ord. #1-86, March 1986)

**13-313. Duties of building inspector.** The building inspector shall:

(1) Inspect or cause to be inspected semi-annually all public buildings, schools, halls, churches, theaters, hotels, tenements, commercial, manufacturing, or loft buildings for the purpose of determining whether any conditions exist which render such places a "dangerous building" within the terms of § 13-310.

(2) Inspect any building, wall or structure about which complaints are filed by any person to the effect that a building, wall or structure is or may be existing in violation of this chapter.

(3) Inspect any building, wall or structure reported (as hereinafter provided for) by the fire or police departments of this town as probably existing in violation of the terms of this chapter.

(4) Inspect annually buildings in the entire Town of Hartsville, Tennessee to determine whether they are "dangerous buildings" within the terms of § 13-310 when it is suspected that they may be dangerous as herein defined.

(5) Notify in writing the owner, occupant, lessee, mortgagee, agent and all other persons having an interest in said building as shown by the land records of the Register of Deeds of the County of Trousdale of any building found by him to be a "dangerous building" within the standard set fourth in § 13-310, that:

(a) The owner must vacate, or repair, or demolish said building or underground structure in accordance with the terms of the notice and this chapter;

(b) The occupant or lessee must vacate said building or may have it repaired in accordance with the notice and remain in possession;

(c) The mortgagee, agent or other persons having an interest in said building as shown by the land records of the Register of Deeds of the County of Trousdale may at his own risk repair, vacate or demolish said building or have such work or act done; provided, that any person notified under this subsection to repair, vacate or demolish any building shall be given such reasonable time, not exceeding 30 days, as may be necessary to do, or have done, the work or act required by the notice provided for herein.

(6) Set forth in the notice provided for in subsection (5) hereof, a description of the building, or structure deemed unsafe, a statement of the particular which make the building or structure a "dangerous building" and an order requiring the same to be put in such condition as to comply with the terms of this chapter within such length of time, not exceeding 30 days, as is reasonable.

(7) Report to the town commission any non-compliance with the "notice" provided for in subsection (5) and (6) hereof.

(8) Appear at all hearings conducted by the town commission, and testify as to the condition of the "dangerous building."

(9) Place a notice on all "dangerous buildings" reading as follows:

"This building or structure has been found to be a dangerous building or structure by the building inspector. This notice is to remain on this building or structure until it is repaired, vacated, covered, filled, closed or demolished in accordance with the notice which has been given the owner, occupant, lessee, mortgagee, or agent of this building or structure, and all other persons having an interest in said building or structure as shown by the land records of the Register of Deeds of the County of Trousdale. It is unlawful to remove this notice until such notice is complied with." (Ord. #1-86, March 1986)

**13-314. Duties of town commission.** The town commission shall:

(1) Upon receipt of a report of the building inspector as provided for in § 13-313(7) hereof, give written notice to the owner, occupant, mortgagee, lessee, agent, and all other persons having an interest in said building as shown by the land records of the Register of Deeds of the County of Trousdale to appear before them on the date specified in the notice to show cause why the building or structure reported to be a "dangerous building" should not be repaired, vacated, covered, filled, closed or demolished in accordance with the statement of particulars set forth in the building inspector's notice provided for herein in § 13-313(6).

(2) Hold a hearing and hear such testimony as the building inspector or the owner, occupant, mortgagee, lessee, or any other person having an interest in said buildings shown by the land records of the Register of Deeds of the County of Trousdale shall offer relative to the "dangerous building."

(3) Make written findings of fact from the testimony offered pursuant to subsection (2) as to whether or not the building in question is a "dangerous building" within the terms of § 13-310.

(4) Issue an order based upon findings of fact made pursuant to subsection (3) commanding the owner, occupant, mortgagee, lessee, agent and all other persons having an interest in said building as shown by the land records of the Register of Deeds of the County of Trousdale to repair, vacate, cover, fill, close or demolish any building found to be a "dangerous building" within the terms of this chapter and provided that any person so notified, except the owners, shall have the privilege of either vacating or repairing a "dangerous building"; or any person not the owner of said "dangerous building" but having an interest in said building as shown by the land records of the Recorder of Deeds of the County of Trousdale may demolish said "dangerous building" at his own risk to prevent the acquiring of a lien against the land upon which said "dangerous building" stands by the town as provided in subsection (5) thereof.

(5) If the owner, occupant, mortgagee, or lessee fails to comply with the order provided for in subsection (4) hereof, within 10 days, the town commission shall cause such building or structure to be repaired, vacated, closed, filled, covered or demolished as the fact may warrant, under the standards hereinbefore provided for in § 13-311, and shall with the assistance of the town attorney cause the costs of such repair, vacation, or demolition to be charged against the land on which the building existed as a municipal lien or cause such costs to be added to the tax duplicate as an assessment, or to be levied as a special tax against the land upon which the building or structure stands or did stand, or to be recovered in a suit at law against the owner; provided, that in cases where such procedure is desirable and any delay thereby caused will not be dangerous to the health, morals, safety, or general welfare of the people of this city, the town commission shall notify the town

attorney to take legal action to force the owner to make all necessary repairs or demolish the building.

(6) Report to the town attorney the names of all persons not complying with the order provided for in §13-314(4). (Ord. #1-86, March 1986)

**13-315. Violations--penalty for disregarding notices or orders.**

The owner of any "dangerous building" who shall fail to comply with any notice or order to repair, vacate, cover, fill, close or demolish said building given by any person authorized by this chapter to give such notice or order shall be guilty of a misdemeanor and upon conviction thereof shall be fined not exceeding fifty dollars (\$50.00) for each offense and a further sum of fifty dollars (\$50.00) for each and every day such failure to comply continues beyond the date fixed for compliance.

The occupant or lessee in possession who fails to comply with any notice to vacate and who fails to repair said building or structure in accordance with any notice given as provided for in this chapter shall be guilty of a misdemeanor and upon conviction thereof shall be fined not exceeding fifty dollars (\$50.00) for each and every day such failures to comply continues beyond the date fixed for compliance.

Any person removing the notice provided for in § 13-313(9) hereof shall be guilty of a misdemeanor and upon conviction shall be fined not exceeding fifty dollars (\$50.00) for each offense. (Ord. #1-86, March 1986)

**13-316. Duties of the town attorney.** The town attorney shall:

(1) Prosecute all persons failing to comply with the terms of the notice provided for herein in § 13-313(5) and (6) and the order provided for in § 13-314(4).

(2) Appear at all hearings before the town commission in repairing or causing to be vacated covered, filled, closed or demolished "dangerous buildings."

(3) Take such other legal action as is necessary to carry out the terms and provisions of this chapter. (Ord. #1-86, March 1986)

**13-317. Emergency cases.** In cases where it reasonably appears that there is immediate danger to the life or safety of any person unless a "dangerous building" as defined herein is immediately repaired, vacated, covered, filled, closed or demolished, the building inspector shall report such facts to the commission and the town commission shall cause the immediate repair, vacation, coverage, filling, closure or demolition of such "dangerous building." The costs of such emergency repair, vacation, coverage, filling, closure or demolition of such "dangerous building" shall be collected in the same manner as provided in § 13-314(5) hereof. (Ord. #1-86, March 1986)

**13-318. Where owner absent from the town.** In cases, except emergency cases, where the owner, occupant, lessee, or mortgagee is absent from the town all notices or orders provided for herein shall be sent by registered mail to the owner, occupant, mortgagee, lessee and all other persons having an interest in said building as shown by the land records of the Register of Deeds of the County of Trousdale to the last known address of each, and a copy of such notice shall be posted in a conspicuous place on the "dangerous building" to which it relates. Such mailing and posting shall be deemed adequate notice. (Ord. #1-86, March 1986)

**13-319. Administrative liability.** No officer, agent, or employee of the Town of Hartsville, Tennessee shall render himself personally liable for any damage that may accrue to persons or property as a result of any act required or permitted in the discharge of his duties under this chapter. Any suit brought against any officer, agent, or employee of the Town of Hartsville, Tennessee, as a result of any act required or permitted in the discharge of his duties under this chapter shall be defended by the town attorney until the final determination of the proceedings therein. (Ord. #1-86, March 1986)

**13-320. Duties of fire department.** The employees of the fire department shall make a report in writing to the building inspector of all buildings or structures which are, may be, or are suspected to be "dangerous buildings" within the terms of this chapter. Such reports must be delivered to the building inspector within 24 hours of the discovery of such buildings by any employee of the fire department. (Ord. #1-86, March 1986)

**13-321. Duties of police department.** All employees of the police department shall make a report in writing to the building inspector of any buildings or structures which are, or are suspected to be "dangerous buildings" within the terms of this chapter. Such reports must be delivered to the building inspector within 24 hours of the discovery of such buildings by any employee of the police department. (Ord. #1-86, March 1986)

HARTSVILLE/TROUSDALE COUNTY GOVERNMENT  
**ORDINANCE #187-2020-02**

**AN ORDINANCE TO PROVIDE FOR THE ESTABLISHMENT, CONTROL, AND REGULATION OF ADDRESS NUMBERING DISPLAY WITHIN HARTSVILLE/TROUSDALE COUNTY**

**WHEREAS**, The Hartsville/Trousdale County Codes and Zoning Enforcement Committee has met and considered regulating the display of postal address numbers within the jurisdiction of Hartsville/Trousdale County; and

**WHEREAS**, this Committee has recommended the adoption of an ordinance to provide for the establishment, control and regulation of postal address display within Hartsville/Trousdale County, to provide for penalties for violation of the Ordinance and to repeal any Metropolitan ordinance or parts of Metropolitan ordinances in direct conflict herewith.; and

**WHEREAS**, The Hartsville/ Trousdale County Commission has determined that the health, safety and welfare of the residents of Trousdale County would be better served by the establishment of a uniform county-wide house number display system. Such system will enable police agencies, ambulance services, fire services, public utilities, postal service, county officials, and other necessary services to more rapidly identify and locate properties within Trousdale County; and

**WHEREAS**, The Hartsville/Trousdale County Commission and County Attorney have reviewed the attached policy and recommend the adoption of the policy attached herewith.

**NOW THEREFORE, BE IT ORDAINED** by the Hartsville/Trousdale County Commission that existing Title 13 of the Hartsville Municipal Code be amended by the addition of the attached policy as a new Chapter 4 herewith entitled "Display of Postal Address."

**AND BE IT FURTHER ORDAINED** by the Hartsville/Trousdale County Commission that this Ordinance shall take effect 180 days following publication, as required by law, on September 1, 2020.

*Sponsored by Commissioner Ken Buckmaster*

*Recommended by Codes and Zoning Enforcement Committee January 2, 2020*

*Recommended by Emergency Communications District Board January 14, 2020*

*Recommended by Emergency Services Committee January 14, 2020*

	1M <u>Gary Walsh</u>	Roll Call Vote	
First Reading:	<u>January 27, 2020</u>	2m <u>Amber Russell</u>	YES <u>14</u> NO <u>6</u> ABS <u>0</u>
			<b>PASSED</b>

	1M <u>Amber Russell</u>	Roll Call Vote	
Second Reading:	<u>February 24, 2020</u>	2m <u>Gary Walsh</u>	YES <u>15</u> NO <u>5</u> ABS <u>0</u>
			<b>PASSED</b>

**APPROVED AND ENACTED ON FEBRUARY 24, 2020**

**Approved:**

  
Dwight Jewell, Commission Chairman

**Attest:**

  
Rita Crowder, County Clerk

**TITLE 13**

**CHAPTER 4**

**DISPLAY OF POSTAL ADDRESS**

**SECTION**

- 13-401. Definitions
- 13-402. Regulation
- 13-403. Violation
- 13-404. Saving Clause
- 13-405. Penalties
- 13-406. Jurisdiction

**13-401- Definitions**

- A. The term "premises" shall mean any location improved with structure identified by building codes as capable of being usually occupied by persons, whether occupied or unoccupied, owned by any person, firm or corporation, public or private.
- B. The term "address number" shall mean the official number assigned that premises by duly authorized and appointed person(s) and recognized by the Trousdale County 911 governing board.
- C. The term "street or road" name shall refer to any official name as recognized by governmental agencies, whether public or private.

**13-402. Regulation**

- A. No street or road name, public or private shall be modified or added without the approval of the Trousdale County 911 governing board with affirmation of the Hartsville/Trousdale County Commission and when applicable, adoption by the Trousdale County Road Commission.
- B. Every premises shall display the distinctive address number assigned to that premises by duly authorized and appointed person(s) and recognized by the Trousdale County 911 governing board. The individual digits shall be no less than four (4) inches in height (three (3) inches if of a reflective material) in block style letters and shall be in a contrasting color to the background. The house number shall be displayed, at a minimum, in one of the following fashions:
  - 1) If the number is displayed on a mailbox, the mailbox must be located at the entrance to the property adjacent to the street or road on which the property fronts. The number shall be placed in such a position as to be plainly visible to all persons coming to the premises from either direction at a height that assures that the number will not be obscured.
  - 2) If a mailbox is not located at the property entrance the address number shall be displayed on a pole, post or similar device and must be located at the entrance to the property adjacent to the street or road on which the property

fronts. The number shall be placed in such a position as to be plainly visible to all persons coming to the premises from either direction at a height that assures that the number will not be obscured.

- 3) If two (2) or more houses share a driveway, right of way, easement etc. each house number shall be displayed on a sign at the driveway, right of way, easement etc. adjacent to the street or road on which the property fronts. Such sign shall be attached to a pole, post or similar device at a height that assures that the number will not be obscured as well as each house shall have the number displayed on the house, the number shall be placed upon the front of the house in such a position as to be plainly visible and reasonable to discern for all persons.

### **13-403. Violation**

Failure to display or maintain such display of an address number within (180) days after the adoption of this Ordinance, or in the case of new construction, prior to the issuance of a Certificate of Occupancy, shall be considered a violation of this Ordinance and shall be subject to penalties hereinafter provided.

### **13-404. Saving Clause**

The provisions of this Ordinance are hereby declared to be severable and if any clause, sentence, word, section or provision is declared void or unenforceable, for any reason, by a court of competent jurisdiction, the remaining portions of said Ordinances shall remain in full force and effect.

### **13-405. Penalties**

Any person, firm or corporation violating the provisions of this Ordinance shall be guilty of a civil offense subject to a fine or fee of not more than fifty dollars (\$50), as determined by the Court of General Sessions or in the case of new construction such fee shall be at the discretion of the building and zoning inspector, as directed by the Hartsville/Trousdale County Commission.

Each and every day during which such violation continues shall be considered as a separate and distinct violation hereof and may be charged as such. The above specified penalties may be imposed for each such violation.

### **13-406. Jurisdiction**

This Address Display Policy shall be applicable to the jurisdiction of Hartsville/Trousdale County.