ORDINANCE NO. 1100

AN ORDINANCE TO AMEND TITLE 12, CHAPTER 5, SECTION 12-501 THROUGH 12-504, ESTABLISHING THE MAINTENANCE OF ALL PROPERTY, BUILDINGS AND STRUCTURES; BY PROVIDING THE STANDARDS FOR SUPPLIED UTILITIES AND FACILITIES AND OTHER PHYSICAL THINGS AND CONDITIONS ESSENTIAL TO INSURE THAT STRUCTURES ARE SAFE, SANITARY AND FIT FOR OCCUPATION AND USE; AND THE CONDEMNATION OF BUILDINGS AND STRUCTURES UNFIT FOR HUMAN OCCUPANCY AND USE AND THE DEMOLITION OF SUCH STRUCTURES; KNOWN AS THE INTERNATIONAL PROPERTY MAINTENANCE CODE 2018 EDITION

WHEREAS, it is the desire of the City of East Ridge to adopt in all respects certain of the various International Codes relating to property maintenance; and

WHEREAS, the adoption of these codes is done to facilitate proper inspection activities by the City of East Ridge, Tennessee relating to maintenance of buildings and properties within the corporate limits of the City and relating to public safety, health and general welfare.

BE IT ORDAINED BY THE CITY OF EAST RIDGE, TENNESSEE, that Title 12, East Ridge City Code, Chapter 5, Section 12-501, be and is hereby amended by striking said section in its entirety and substituting in lieu thereof the following:

Section 12-501. International Property Maintenance Code Adopted.

Pursuant to authority granted by Tennessee Code Annotated, §§ 6-54-501 through 6-54-506, and for the purpose of securing the public safety, health, and general welfare through structural strength, sanitation, adequate light, and ventilation in dwellings, apartment houses, rooming houses, and buildings, structures, or premises used as such, the International Property Maintenance Code, 2018 edition, as prepared and adopted by the International Code Congress, is hereby adopted and incorporated by reference as a part of this code and is hereafter referred to as the International Property Maintenance Code.

BE IT FURTHER ORDAINED, that Title 12, Section 12-502, East Ridge City Code, be amended by deleting same in its entirety and substituting in lieu thereof the following words and figures:

Section 12-502, Amendments to Code Adopted.

The following sections of the International Property Maintenance Code, 2018 edition, are hereby amended, as hereinafter provided:

1) Section 101.1 is deleted in its entirety and the following language is substituted in lieu thereof:

   Section 101.1 Title. These regulations shall be known as the International Property Maintenance Code hereinafter referred to as "this code."

2) Section 103.5 is deleted in its entirety

3) Section 304.14 insert March 15 to October 15 where it says [DATE]

4) Section 602.3 insert September 15 to April 15 where it says [DATE]

5) Section 602.4 insert September 15 to April 15 where it says [DATE]

6) Section 202 General Definitions, wherever International Property Maintenance Code refers to the Code Official it shall mean the person appointed or designated by the City Council to administer and enforce the provisions of the International Property Maintenance Code. Wherever the Department of Law is referred to it shall mean the city attorney. Wherever the Chief Appointing Authority is referred to it shall mean the city manager.

7) Section 302.4 Weeds. Insert 12 inches where it says [Jurisdiction to insert height in inches].

8) New Section Added 302.10 Care of Premises It shall be unlawful for the owner or occupant of a residential building, structure or property to utilize the premises of such residential property for the open storage of any ice box, refrigerator, stove, glass, building material, building rubbish, dead trees or similar items. It shall be the duty and responsibility if every such owner or occupant to keep the premises of such residential property clean and to remove from the premises all such items listed above, including but not limited to weeds, dead trees, trash, garbage, etc., upon notice from the code official.

9) New Section Added 302.11 Right of Ways All property owners shall maintain the portion of the public right of way abutting their property. No weeds or growth shall be permitted on corner lots which may cause a reduction in traffic visibility at intersections.

BE IT FURTHER ORDAINED, That Title 12, Chapter 5, Section 12-503, East Ridge City Code, be amended by deleting same in its entirety and substituting in lieu thereof the following language:

Section 12-503. Available at City Hall.

Pursuant to the requirements of Tennessee Code Annotated, § 6-54-502, one (1) copy of the International Property Maintenance Code, 2018 edition, has been placed on file in city hall and shall be kept there for the use and inspection of the public.

BE IT FURTHER ORDAINED, That Title 12, Chapter 5, Section 12-504, East Ridge City Code, be amended by deleting same in its entirety and substituting in lieu thereof the following language:

Section 12-504 Violations and penalty

Any person who shall violate a provision of the Property Maintenance Code of the city or fail to comply therewith, or with any of the requirements thereof, shall be prosecuted within the limits provided by state or local laws.

1) For Violations occurring upon residential property a hearing officer has the authority to levy a fine upon the violator not to exceed five hundred dollars ($500.00) per violation. For purposes of this part, "residential property" means a single-family dwelling principally used as the property owner's primary residence and the real property upon which it sits.

2) For Violations occurring upon non-residential property a hearing officer has the authority to levy a fine upon the violator not to exceed five hundred dollars ($500.00) per violation per day. For purposes of this part, "non-residential property" means all real property, structures, buildings and dwellings that are not residential property.

BE IT FURTHER ORDAINED, that a new section be added, section 12-505. Supplemental Provisions.

Section 12-505, Supplemental Provisions.

The provisions of this ordinance are supplemental to other ordinances of the City of East Ridge. The Code Official is authorized to use whichever ordinance provisions he/she deems appropriate to obtain compliance with property standards.

BE IT FURTHER AND FINALLY ORDAINED, that this Ordinance takes effect immediately after its passage, the public welfare of the City requiring it.

Passed first reading February 14, 2019

Passed second reading February 28, 2019

Brian W. Williams, Mayor

ATTEST:

Kenneth W. Custer, Jr, Assistant City Manager
(Interim City Manager)

APPROVED AS TO FORM:

Mark W. Litchford, City Attorney