

**CHAPTER 3****WEEDS, JUNK CARS, ETC.****SECTION**

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**13-301. Unlawful to allow weeds, junk cars, abandoned appliances and other debris to accumulate on the premises.** The owners of all lots or property within the corporate limits of the City of McKenzie are hereby required to cut, trim, or remove all weeds, grass, tree branches and offensive or hazardous materials from the site. It shall be unlawful for any person to allow junk cars, abandoned appliances and other debris to accumulate on property under his control.

This chapter shall be enforceable when it is determined by the building inspector/code enforcement officer, that a nuisance or a health hazard exists. (Ord. #278, Oct. 1985)

**13-302. Definitions.** The purpose of this section is to eliminate ambiguity by providing full definition of certain words which are used in this chapter.

(1) "Weeds" - Any of various usually common or abundantly growing plants measured to be a minimal of one foot in height, measuring from the base of the plant at ground - surface level.

(2) "Grass" - Any of numerous plants of the family Graminea measured to be a minimal of one foot in height measuring from the base of the plant at ground - surface level.

(3) "Offensive or hazardous materials" - Any tangible or intangible material which is disagreeable to the senses, and/or a material which may be dangerous to the environment or the people.

(4) "Junk car" - Any automobile or any motor vehicle manufactured for transportation which is incapable of being self-propelled upon the public streets or which does not meet the requirements for operation upon the public streets including current licenses and registration also, if the vehicle is not functional within 60 days of the notice and registered within 60 days is considered a junk car.

(5) "Abandoned appliances" - Any manufactured appliance(s) not functional and not presently used for its manufactured purpose. (Ord. #278, Oct. 1985)

**13-303. Notice to clean up premises by owner.** Upon the failure of any owner to cut, trim, and remove all weeds, grass, tree branches, and offensive or hazardous materials and/or junk cars, abandoned appliances, and other debris as noted in the first section of this chapter, it shall be the duty of the building inspector/code enforcement officer, to serve a notice mailed by certified mail to the last known address of the person or persons having control over the offending premises, or such notice may be served personally to the owner of the property or may be posted on the property on which the violation exists. Service of notice shall consist of any of the above methods and shall state:

You are hereby notified that the premises under your control, being (property description) have been found to be in an unsanitary, unhealthy and unattractive condition.

You are directed by the City of McKenzie, Tennessee to remove all accumulation of \_\_\_\_\_ (weeds, grass, tree branches, offensive or hazardous materials to include junk cars, abandoned appliances and other debris) from the premises within the next five (5) days at your own expense.

Should you fail to act upon this directive within the above described time the city shall take appropriate action. (Ord. #278, Oct. 1985)

**13-304. Cleaning up the premises by the city.** The owners of all lots or property in violation may request that the City of McKenzie, Tennessee clean up the premises with the property owner reimbursing the city of the costs incurred by the city for such cutting, cleaning or removal of his, her or their property, and all such costs and payment methods shall be set by the city.

Upon the failure of any owner of lots or property to cut/remove or to cause to be cut/removed all violations specified in this chapter upon the property described in the sections above, within five (5) days thereof, the street department, acting through the direction of public works and at his direction, is authorized and directed to cut/remove or have cut/removed, trimmed, clipped, or cleared all such violations as specified in this chapter and a statement of the cost thereof shall be prepared by the office of the director of public works and filed with the city clerk for collection. Pursuant to the authority conferred by the General Assembly of Tennessee, a tax lien may be declared on such property for all costs and expenses, of cutting, clearing, or

removing incurred by the street department if costs incurred are not reimbursed to the city by the property owner after submission of statement of costs. (Ord. #278, Oct. 1985)

**13-305. Collection of costs incurred by city.** Upon receipt of such statement of costs, the city clerk shall bill the owner, by certified mail, in a manner similar to that followed in mailing monthly utility bills, for the amount of the costs incurred by the city for such cutting or clearing of his property and all such bills or charges shall bear interest at the rate of \_\_\_\_ per annum, during that period of time commencing thirty (30) days after the date of mailing such bills or statements of charges and ending on the date of payment. At the same time unpaid real estate taxes are certified or turned over to the city attorney for collection, the city clerk may also certify or turn over to him for collection all unpaid and uncollected bills or charges for the cutting, trimming, or removal of the accumulated debris specified in this chapter, and the city attorney shall file suite or take such other steps as may be necessary to enforce the lien for same on such property. (Ord. #278, Oct. 1985)

**13-306. Administration.** The city building inspector shall be responsible for the administration and enforcement of this chapter. (Ord. #278, Oct. 1985)

**13-307. Attorney's fee for collecting costs.** All uncollected sums for the cutting, trimming, and removal of the accumulated debris, as specified in this chapter, for each year, including interest and all costs incurred by the city for remedying the specified violation, after notice to the property owner as herein provided, are hereby declared to be a special tax to be collected as other general taxes levied by the city, including real estate taxes and special assessments. When placed in the hands of the city attorney for collection, 15% of the unpaid charges for such costs incurred by the city, shall be added to the principal and interest for the attorney's services in making such collections and retained by him. (Ord. #278, Oct. 1985)