

ORDINANCE NO. 16-1071

AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE AMENDING TITLE 12 OF THE RED BANK CITY CODE BY ADDING CHAPTER 13, SECTION 101, ET SEQ., AND ADOPTING THE PROVISIONS OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE, 2012 EDITION, AS THE PROPERTY MAINTENANCE CODE FOR THE CITY OF RED BANK, TENNESSEE

WHEREAS, pursuant to the authority of Tennessee Code Annotated Section 6-54-501, et seq., the City is authorized and required to regulate conditions hazardous to life and property from fire or explosion with respect to buildings, structures, utilities, appurtenances, events, occurrences, etc. constructed, erected, attached, occurring, and situated within the City of Red Bank, Tennessee; and

WHEREAS, uniform standards are necessary and desirable for the orderly administration of such ordinances, laws, rules and regulations; and

WHEREAS, it is necessary to periodically update the standards adopted and followed by the City.

NOW, THEREFORE, BE IT ORDAINED by the City Commission of the City of Red Bank, Tennessee, as follows:

1. That Title 12, Chapter 13, Section 13-101, Property Maintenance Code, to be codified at Title 12, Chapter 13, Section 13-101 of the Red Bank City Code be adopted by incorporating therein by reference the International Property Maintenance Code, 2012 Edition, including Appendix A, all of which is hereby adopted as the official Property Maintenance Code of the City.

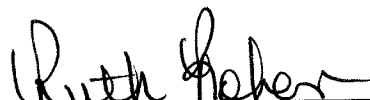
2. That Title 12, Chapter 13, be further enacted and amended by adding Section 13-102 thereto, entitled Civil Penalties; Violations as follows:

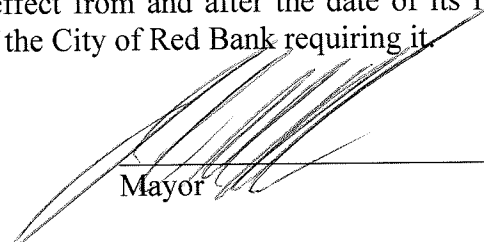
13-102. Enforcement of Violation; Civil Penalties. In addition to abatement of any condition as provided by any of the sections of Chapter 13 of Title 12, hereinabove or hereinafter set forth, failure to remedy any such condition after Notice, is declared to be in violation of such particular Ordinance or code section cited in the Notice as to which the owners and/or occupants may be cited to City Court or to appear before the City Codes Administrative Hearing Officer to answer for such violations. Each day of a continued violation after notice shall constitute a separate offense and for each day that said condition is unremedied, subject to the provisions of Tennessee Code Annotated Section 6-54-109, the offending owner and/or occupant may be fined, assessed the sum/civil penalty of up to \$500.00 per day by the City Judge or the City Codes Administrative Hearing Officer upon a finding of violation or of continued violation. The City Court Judge or the City Codes Administrative Hearing Officer have the authority and power to require the owner and/or occupant to abate any and all violations of any of the provisions of this Chapter of Title 12. Additionally, the City Judge and/or Administrative Hearing Officer shall, upon proper proof, add the amount of the enforcement costs, including attorney fees and abatement costs, incurred by the City to the amount of the fine/civil penalty to be paid by the owner and/or occupant of the offending premises. In addition, the City Manager may file a Municipal Lien against the property found to be in violation to enforce the collection of the civil fine, civil penalty, enforcement costs, attorney fees, etc.

3. Conflicting provisions of any previously enacted Ordinance(s) of the City of Red Bank are hereby, but to the extent of conflict only, REPEALED.

4. Every section, sentence, clause, and phrase of this Ordinance is separable and severable. Should any section, sentence, clause, or phrase be declared unconstitutional or invalid by a court of competent jurisdiction, said unconstitutionality or invalidity shall not effect or impair any other section, sentence, clause, or phrase.

5. This Ordinance shall take effect from and after the date of its final passage the health, safety and welfare of the citizens of the City of Red Bank requiring it.

  
\_\_\_\_\_  
City Recorder

  
\_\_\_\_\_  
Mayor

**October 4, 2016**  
Passed on First Reading

**October 18, 2016**  
Passed on Second and Final Reading

Approved as to form:

  
\_\_\_\_\_  
City Attorney