

## Modifications to the 2018 International Property Maintenance Code in the City of Maryville

**13-102. Local Modifications:** The following sections and appendices of the International Property Maintenance Code, 2018 Edition, are hereby amended in the City of Maryville, as hereinafter provided:

(1) Chapter 1, Scope and Administration: Section 101.1 Title, is hereby amended locally in the City of Maryville by inserting "City of Maryville" as the name of the jurisdiction.

(2) Chapter 1, Scope and Administration: Section 103.5 Fees, is hereby amended locally in the City of Maryville by deleting the section in its entirety with no replacement.

(3) Chapter 1, Scope and Administration: Section 106.3 Prosecution of violation, is hereby amended locally in the City of Maryville by deleting the section in its entirety and replacing with:

“Prosecution of violation. Any person failing to comply with a notice of violation or order served in accordance with Section 107 shall be deemed guilty of a misdemeanor and of a violation of the City Code. If the notice of violation is not complied with the Code Official may in his discretion institute the appropriate proceeding at law or in equity to restrain, correct, or abate such violation or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this Code or of the order or direction made pursuant thereto. Any action taken by the authority having jurisdiction on such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.”

(4) Chapter 1, Scope and Administration: Section 106.4 Failure to comply, is hereby amended locally in the City of Maryville by deleting the section in its entirety and replacing with:

“Violation Penalties. Any person who shall violate a provision of this Code or fail to comply therewith or of any of the requirements thereof shall be prosecuted within the limits provided by state or local laws and may be penalized pursuant to the general penalty clause of the City of Maryville. Each day that violation continues after due notice has been served shall be deemed a separate offense regardless of whether an additional citation has been issued. If the City must resort to the equitable relief to abate a violation, the violator should be liable to the City for the City's reasonable attorney's fees and litigation expenses in bringing and prosecuting the equitable action.

Additionally, violators may in the discretion of the City be subject to fines and penalties to be imposed by the Administrative Hearing Officer pursuant to T.C.A. §6-54-1001 et seq. as adopted locally in the City Code.”

(5) Chapter 1, Scope and Administration: Section 108.2 Closing of vacant structures, is hereby amended locally in the City of Maryville by inserting after Section 108.2.1 a new section as follows:

“108.2.2 Boarding of abandoned structures. All windows and doors of abandoned structures shall be boarded in an *approved* manner to prevent entry by unauthorized persons. Boarding sheet material shall be minimum ½-inch (12.7 mm) nominal thick wood structural panels complying with the *International Building Code*.”

(6) Chapter 1, Scope and Administration: Section 109.6 Hearing, is hereby amended locally in the City of Maryville by deleting the last sentence in its entirety with no replacement.

(7) Chapter 1, Scope and Administration: Section 111 Means of Appeal, is hereby amended locally in the City of Maryville by deleting the section and all of its subsections in their entirety with no replacement.

(8) Chapter 1, Scope and Administration: Section 112.4 Failure to comply, is hereby amended locally in the City of Maryville by deleting the section in its entirety and replacing with:

“Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by law and the enforcement section and penalty clause of this Ordinance.”

(9) Chapter 3, General Requirements: Section 302.4 Weeds, is hereby amended locally in the City of Maryville by deleting the first paragraph in its entirety and inserting the following in its place:

“All mowable parcels or mowable portions of parcels of a parcel located in the City limits, shall be maintained free from weeds or plant growth in excess of twelve (12) inches.

Parcels that are three (3) acres or larger and are adjacent to the city rights-of-way or adjacent to a parcel which contains an existing dwelling within one hundred fifty (150) feet of the larger parcel shall have a fifty (50) feet setback from the shared property line that shall be maintained free from weeds or plant growth in excess of eighteen (18) inches. However, parcels three (3) acres or larger shall mow the entire parcel at least two (2) times during growing season.

Mowable shall mean all parcels other than heavily wooded parcels where equipment cannot maneuver because of the natural density of the vegetation. Slopes where the gradient is steeper than three units horizontal to one unit vertical (33%) shall not be considered mowable.

The requirements of this section shall apply only to the extent that they do not conflict with the City of Maryville's Stormwater Quality Management Plan and stormwater regulations City Code Title 19 as amended which shall both supersede the provisions of this part.

This section does not apply to government owned property including greenways, parks and recreation areas nor does it apply to active and bona fide agricultural uses for livestock, crops or plant nurseries. Further, this section shall not apply to properties that legitimately qualify for and have Greenbelt classification for tax assessment purposes.

(10) Chapter 3, General Requirements: Section 302.6 Exhaust vents. Is hereby amended locally in the City of Maryville by deleting the entire section and replacing with:

302.6 Wood smoke. Wood smoke (smoke coming from the burning of wood) shall not be permitted to escape one commercially operated property and come on to abutting or adjacent public or private property where such wood smoke:

1. Is detectable by sight or smell below the roof lines or 15 feet above grade, whichever is less, at the affected neighboring buildings or structures; and
2. Results in complaints from owners or tenants of such abutting or adjoining property.

A person or entity producing such wood smoke will not be considered in violation of this ordinance if there exists on its property for each wood smoke producing fire:

1. A properly functioning, and at least 15 foot high chimney, smoke stack, flue or chute directing the wood smoke upward; and a functioning commercial grade exhaust fan to disburse the wood smoke to a higher altitude; or
2. Any commercially designed system or device, such as a scrubber, that removes particulate matter.

Persons or entities producing wood smoke as part of participation in a city-approved special event are exempted from the provisions of this ordinance.

(11) Chapter 3, General Requirements: Section 302.9 Defacement of property. Is hereby amended locally in the City of Maryville by inserting at the end:

“All graffiti shall be removed or the surface repainted to match the existing surfaces.”

(12) Chapter 3, General Requirements: Section 302 Exterior property areas. is hereby amended locally in the City of Maryville by inserting at the end a new section as follows:

“302.10. Junkyards. All junkyards and other places where vehicles or scrap is collected before being discarded, reused or recycled shall be operated and maintained subject to the following regulations:

(1) All vehicles, junk and/or scrap stored or kept in such yard shall be kept so that they will not catch and hold water in which mosquitoes may breed and so that they will not constitute a place 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 is to be built so that it will be impossible for stray cats and/or stray dogs to have access to such junkyards. Additionally, such fence shall be subject to any other regulations that are provided in the City of Maryville Municipal Code or Maryville Land Development Regulations.

(3) All such junk yards within one thousand (1,000) feet of any right-of-way within the municipality shall be screened by natural objects, plantings, fences, or other appropriate

means so as not to be visible from the right-of-way. Additionally, such screening, plantings, or fences shall be subject to any other regulations that are provided in the City of Maryville Municipal Code or Maryville Land Development Regulations.

(4) 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.”

(13) Chapter 3, General Requirements: Section 304.14 Insect screens. is hereby amended locally in the City of Maryville by inserting “January 1 to December 31” as the dates to be inserted.

(14) Chapter 6, Mechanical and Electrical Requirements: Section 602.3 Heat supply. is hereby amended locally in the City of Maryville by inserting “January 1 to December 31” as the dates to be inserted.

(15) Chapter 6, Mechanical and Electrical Requirements: Section 602.4 Occupiable work spaces. is hereby amended locally in the City of Maryville by inserting “January 1 to December 31” as the dates to be inserted.