

**ORDINANCE NO. 2010-3**

AN ORDINANCE TO AMEND THE SIGNAL MOUNTAIN TOWN CODE, TITLE 2, TO AMEND TITLE 2 BY DELETING CHAPTERS 1 THROUGH CHAPTERS 7 AND ADDING NEW CHAPTERS 1 THROUGH CHAPTERS 16 TO INCLUDE REFERENCES TO ALL CURRENT BOARDS AND COMMISSIONS IN THE TOWN.

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SECTION 1. BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SIGNAL MOUNTAIN, TENNESSEE, that Title 2 of the Signal Mountain Town Code be amended to delete Chapters 1 through 7 in their entirety and to add new Chapters 1 through 16 to include references to all current Boards and Commissions in the Town as follows:

TITLE 2

**BOARDS AND COMMISSIONS**

CHAPTER 1

GENERAL BOARD AND COMMISSION REQUIREMENTS

The following requirements will apply to all procedures, appointments and terms of any Boards and Commissions in the Town except where otherwise provided by the Charter of the Town of Signal Mountain, state or other superior law. The following conditions will apply to all terms of Board and Commission members beginning on or after January 1, 2010 unless otherwise stated.

SECTION 2-101. Appointment Process. Appointments to any board, committee or commission of the Town of Signal Mountain (hereinafter referred to generally as "board" or "town board") shall be by a majority vote of the Town Council. The Town Council will make every effort to ensure that the membership of its standing and advisory boards reflects the diversity of the community. Board openings shall be publicly advertised for a period not less than three (3) weeks. Board applicants shall submit a letter of intent and a resume and/or an application supplied by the Town listing qualifications and other reasonable information requested by the Town Council for making an informed decision. Re-appointment for sitting board members shall not be automatic. Members will receive letters from the Town manager near the end of their terms. Members who are still

eligible and wish to apply for re-appointment shall advise the Town Manager by the date required in the letter. All appointments and re-appointments will be determined by a majority vote of the Town Council. At the time of appointment, applicants shall be bona fide residents of the Town except for specific exceptions as noted on certain boards. Members will serve without pay, but with prior approval shall be reimbursed for expenses.

SECTION 2-102. Terms of Appointment. Members shall serve for three (3) years commencing on the first day of January of the year in which their terms begin. To assure continuity when establishing a new board, initial terms shall be staggered; for example, for a five member board, one member shall be appointed for one year, two members shall be appointed for two years and two members shall be appointed for three years. For a seven member board, two members shall be appointed for one year, two members shall be appointed for two years, and three members shall be appointed for three years, and so on.

SECTION 2-103. Meetings and Officers. The date and time of regular meetings shall be decided by a majority vote of the board. A majority of members shall constitute a quorum necessary to transact board business. All meetings shall be publicly noticed and comply with the provisions of public meetings law. At the beginning of each calendar year, boards shall elect a chairman who will set the agenda, call and preside over meetings, provide orientation to new members, and keep all members informed; a vice-chairman to serve in the chairman's absence, and a secretary who shall keep minutes for the board, and following their approval, shall provide copies of them to the Town Manager for the public record and for distribution to the Town Council. Should an elected officer resign or be unable to complete his/her term for any reason, a new officer shall be elected at the next regular meeting.

SECTION 2-104. Staff and Council Support. Each board will be provided staff support as needed as determined by the Town Council in consultation with the Town Manager. The Town Council by majority vote will appoint a council member to serve as liaison on each board to facilitate communication between the board and the Council. The Council liaison shall not be an official voting member of any board unless required by superior law.

SECTION 2-105 Vacancies and Removals. In the event that a vacancy shall occur during the term of a member, his or her successor shall be appointed for the unexpired portion of the term by means of the appointment process (Section 1-101). Board members serve at the pleasure of the Council. Members may be removed for cause by a majority vote of the Council on a recommendation by the chairman of a board or by a majority vote of the board members. Cause shall include, but not be limited to, if a member:

1. Lacks at any time during the term of office any qualification for the office prescribed by the Charter or by law;
2. Violates any express prohibition of the Charter;

3. Is convicted of a state or federal felony, appeals notwithstanding;
4. Fails to stay current and participate in the work of the board;
5. Fails to attend 70% or more of regular meetings of the board;
6. If required for membership, fails to maintain a bona fide residence within the Town for sixty (60) consecutive days.

## CHAPTER 2

### BOARD OF ADJUSTMENTS AND APPEALS FOR MECHANICAL CODES

#### **2-201. Establishment and Purpose.**

#### **2-202. Organization and Membership.**

#### **2-203. Duties and Functions.**

#### **2-204. Appeals.**

2-201. Establishment and Purpose. There is hereby established a Board of Adjustments and Appeals for Mechanical Codes to facilitate citizens' appeals to decisions by various enforcement officers of the town and to evaluate other issues relating to the mechanical codes of the town.

2-202. Organization and Membership. (See General Board Requirements, Chapter 1, Section 1-101 to 1-105.) The board shall consist of eight (8) residents of the Town (this requirement may be waived by a unanimous vote of the Council if necessary to complete the board with appropriately skilled appointments) and shall be active in the field of construction. One (1) member of the board shall be a building contractor; one (1) member of the board shall be a plumbing contractor; one (1) member shall be an electrical contractor; one (1) member shall be a realtor; one (1) member shall be an architect; one (1) member shall be an engineer; one (1) member shall be a building supply dealer; and, one (1) member shall be a homeowner. (1985 Code, § 4-702) The board shall meet on call by its chairman to consider appeals from the decisions of the various enforcement officers of the various mechanical Codes of the Town adopted in this code or other ordinances of the Town and to consider adjustments in the various mechanical codes.

2-203. Duties and Functions. The board shall decide questions of administrative interpretations of the various mechanical Codes of the Town Code and hear citizens' appeals to decisions made by enforcement officers of the codes pertaining to the use of materials and types of construction. The board shall also evaluate the safety and performances of new materials or materials not specifically covered in the codes and determine the usability of such materials as well as evaluate the safety and performance of various types of construction. The board shall also make recommendations to the Town Council for revisions or modifications of existing mechanical codes. (1985 Code, § 4-705)

2-204. Appeals. Any person aggrieved by any action or decision of the board may appeal to the Town Council by requesting an appeal, in writing, within ten (10) days after said action or decision is rendered. (1985 Code, § 4-706)

### CHAPTER 3 BOARD OF ZONING APPEALS

**2-301. Establishment and Purpose.**

**2-302. Organization and Membership.**

**2-303. Duties and Functions.**

**2-304. Appeals, Hearings, Notice.**

2-301. Establishment and Purpose. A Board of Zoning Appeals (BZA) is hereby established to hear and decide appeals to the Signal Mountain Zoning Ordinance or to hear and decide appeals to decisions by the building official or other officials of the Town.

2-302. Organization and Membership. (See General Board Requirements, Chapter 1, Section 1-101 to 1-105.) The BZA shall consist of five (5) residents of the Town. The BZA shall adopt rules necessary to the conduct its affairs in accordance with the provisions of Article X-XIII of the Signal Mountain Zoning Ordinance. Meetings of the BZA shall be held at the call of the chairman, or in his absence, the vice chairman, who may administer oaths and compel the attendance of witnesses. The BZA shall also keep minutes of its proceedings listing members who are present and each member's vote upon each question, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the BZA, located in the Signal Mountain Town Hall and shall be a public record. A copy of such record shall also be provided to the appellant.

2-303. Duties and Functions. The BZA shall hear and decide appeals of any alleged error in any order, requirement, permit, decision or refusal made by the building official or any other administrative official in carrying out the enforcement of the Signal Mountain Zoning Ordinance. The BZA shall also consider, grant or deny requests for variances or other special exceptions to the Zoning Ordinance or Town Map based on the intent and purpose of the Zoning Ordinance or the Town's current Land Use and Transportation Plan. The Appeals process is as follows:

1. Appeals to the BZA concerning the interpretation or administration of zoning regulations may be made by any person aggrieved by any officer, department, board, or bureau of the Town affected by any decision of the building official. Such appeals shall be taken within a reasonable time as provided by the procedures of the BZA by filing with the building official and with the BZA a notice of appeal specifying the grounds for the request.

2. Persons objecting to an appeal sought by an applicant or interested in the review made by the BZA may likewise submit their views and evidence in writing within the time provided in its rules of procedure.
3. The building official shall forthwith transmit to the BZA all the papers constituting the record upon which the action appealed from was taken.

2-304 Appeals, Hearing and Notice. The BZA shall fix a reasonable time for the hearing of an appeal with public notice and due notice to the parties in interest, and decide the same within a reasonable time. At the hearing, any party may appear in person or by agent or attorney. If a lawsuit is filed contesting any decision of the BZA, the action of the BZA shall be stayed by a restraining order from a court of competent jurisdiction after notice to the building official.

#### CHAPTER 4 CITIZEN'S ADVISORY COMMITTEE

- 2-401. Establishment and Purpose.**
- 2-402. Organization and Membership.**
- 2-403. Duties and Functions.**

2-401. Establishment and Purpose. There is hereby created a Citizen's Advisory Committee to serve in an advisory capacity to the Town Council and the Town Manager as a research and discovery entity devoted to special projects with potential benefits to the community.

2-402. Organizations and Membership. (See General Board Requirements, Chapter 1, Section 1-101 to 1-105.) The Board may be divided into independent subcommittees to address current topics or areas of community interest. Such subcommittees shall have specific functions and terms of existence as determined by the Town Council. The Board shall consist of up to fifteen (15) members, in some instances requiring a particular skill set or area of expertise. The majority of members shall be residents of the town.

2-403. Duties and Functions. The Board shall be charged with information gathering and consolidation as well as communication of its conclusions to the Town Council, including suggestions and recommendations for improvements or changes to the community.

CHAPTER 5  
CONDEMNATION BOARD

**2-501. Establishment and Purpose.**

**2-502. Organization and Membership.**

**2-503. Duties and Functions.**

2-501. Establishment and purpose. There is hereby established a Condemnation Board authorized to assure that buildings and structures in the Town of Signal Mountain remain in good repair and in compliance with the Codes of the Town.

2-502. Organization and Membership. (See General Board Requirements, Chapter 1, Section 1-101 to 1-105.) The board shall be comprised of five (5) voting members as follows: the chief of the town fire department, the town's building official, and three residents of the town of whom one shall be in real estate and one in the insurance business.

2-503. Duties and Functions. The Condemnation Board shall investigate buildings or structures that are purported to be a menace to the public health, safety or the public convenience as requested by the Town Manager, who shall report such findings to the Town Council. The Board shall be empowered to require owners to repair or otherwise bring such buildings or structures into compliance with building, plumbing, electrical, gas, housing and other similar Codes of the Town relating to buildings or structures or demolish them. (As defined in Title 12, Chapter 3)

CHAPTER 6  
SIGNAL MOUNTAIN DESIGN REVIEW COMMISSION

**2-601. Establishment and Purpose.**

**2-602. Organization and Membership.**

**2-603. Duties and Functions.**

**2-604. Development Requiring DRC Review.**

**2-605. Submission of Plans.**

**2-606. Standards.**

**2-607. Building Applications--Issuance of Permits.**

**2-608. Appeals.**

**2-609. Project Development Contract.**

2-601. Establishment and Purpose. There is hereby established a Design Review Commission ("DRC") that shall have the structure, powers, and functions as hereinafter provided (As added by Ord. #93, \_ 3, June 1993). The purpose of the DRC is to

1. Maintain the Town of Signal Mountain as a predominantly single-family

residential community by protecting the character and integrity of existing and future residential areas through the provision of high quality design standards in new development and the protection of residential areas from encroachment by non-compatible land uses; and,

2. Maintain a balance among land uses within the Town favoring residential over commercial or industrial growth, a policy requiring the town to protect its residential property tax base through the implementation of appropriate community appearance standards generally and, more specifically, of standards insuring that commercial, industrial and multi-family development do not impair the property values of single-family detached residential development within the town. (As added by Ord. #93-8, § 2, June 1993.)

2-602. Organization and Membership. (See General Board Requirements, Chapter 1, Section 1-101 to 1-105.) The DRC shall consist of seven (7) residents of the Town. The following fields may be represented through the appointment of at least one member professionally qualified as an architect, realtor, builder/contractor, landscape architect, or horticulturist. (As added by Ord. #93-8, § 4, June 1993, and amended by Ord. #95-2, § 1, Feb. 1995.) A majority of members shall constitute a quorum. The secretary shall keep minutes of its proceedings showing the vote of each member upon each question or if a member is absent or fails to vote. The DRC by majority vote may adopt rules governing its procedures. (As added by Ord. #93-8, § 6, June 1993.)

2-603. Duties and Functions. The DRC shall enforce comprehensive design guidelines for commercial buildings, commercial properties, government buildings, the Golf Course, duplexes and planned unit developments. The DRC shall meet pursuant to the submission of any application requiring its review and approval under its governing Standards. The following are subject to DRC review and approval:

1. Site plans for new construction;
2. Improvements to existing structures;
3. Remodeling and alterations;
4. Signage;
5. Lighting;
6. Parking and pavement areas;
7. Landscaping and site treatment;
8. Screening; and,
9. Demolitions or changes in use for land and/or buildings.

2-604. Development Requiring DRC Review.

1. Plans shall be submitted to the DRC or all development requiring a building permit for the following:

- a. New construction, change in exterior appearance, exterior alteration, moving a structure, demolition or change in use for either land, buildings or buildings or land for all categories of construction except single-family residential detached structures.
  - b. Planned unit developments.
2. Plans shall be submitted to the DRC where a building permit is not required, for the following:
  - a. Re-roofing or if there is a color change in the roofing.
  - b. Exterior painting, if there is a color change.
  - c. Landscaping if there is a change of more than twenty-five percent (25%) in the area currently landscaped.
  - d. New or repaired driveways or parking lots, if there is new paving in an area of more than twenty-five percent (25%) of the area currently paved.

Work shall not begin in the above-mentioned items (a) through (d) until DRC review and approval of the plans is complete. For categories of development for which Planning Commission review is also required, applicants shall, at the time of submission of plans also submit to the Planning Commission such plans, plats or sketches as may be required by law. Plans subject to approval both by the Planning Commission and the DRC shall ordinarily be reviewed first by the planning commission with the exception of planned unit development final plans, which shall first be reviewed by the DRC. However, the Planning Commission, at its option, may secure the preliminary final plans from the DRC of the planned unit development prior to its approval of such plans. (As added by Ord. #93-8, § 7, June 1993, as amended by Ord. #99-9, April 1999)

#### 2-605. Submission of Plans.

1. Plan submissions shall be in a form approved by the DRC.
2. Should the DRC, either on its own motion or in response to a recommendation from the building official or Town Manager, determine that an application is incomplete, it shall notify the applicant of such additional materials as it may require for reviewing the application. The DRC shall certify the date, on which an application, whether in original form or as supplemented, is complete. Unless the DRC agrees, the applicant may submit no additional supplemental material after the certification date other than such modifications in the original or supplemental plans as the DRC may request in the course of its consideration of these plans. Modified plans and additional supplemental materials shall be submitted to the building official for review and subsequent transmission to the DRC.

3. The DRC shall approve, approve with conditions, or disapprove plans submitted to it within sixty (60) days of their receipt in a form it specifies, or within a time period on which the DRC and applicant may agree. The DRC shall set forth its decision and the reasons therefore in writing. In cases of conditional approval or disapproval, the DRC shall include in its report comments advising the applicant of the right of appeal provided in the appeal section below, and informing the applicant, the building official, the town manager, and the Town Council how the conditionally approved or disapproved plans might be modified to secure their conformity with this division. (As added by Ord. #93-8, § 8, June 1993).

2-606. Standards Governing the DRC. DRC review of applicants' development plans shall be based on the Design Standards set forth in the manual that is created and recommended by the DRC for approval by the Town Council. (As added by Ord. #93-8, § 9, June 1993.)

2-607. Building Applications—Issuance of Permits. If the DRC passes an application to the building official with approval, the building official may issue the permit. If the DRC returns the application with its disapproval and recommendations, the building official shall refuse to issue a building permit until such time as appropriate changes have been made and resubmitted in such form as meets the approval of the DRC. If, in the opinion of the chairman, the re-submittal clearly meets the design standards and recommendations of the DRC, he/she may approve the application without further delay. (As added by Ord. #93-8, § 10, June 1993)

2-608. Appeals. Applicants whose plans are conditionally approved or are disapproved by the DRC may appeal such action to the Town Council at a regular meeting not more than sixty (60) days after the date of the DRC's action. The Council, after hearing all parties who desire to be heard, shall approve, approve with conditions or disapprove the application in a written statement setting forth its reasons for such action. If the Council approves or conditionally approves the application, the building official may issue the building permit forthwith provided that the applicant has complied with the terms of the approval or conditional approval as well as with other provisions of this section, and with all other codes, ordinances, regulations and procedures regarding building permits. (As added by Ord. #93-8, § 11, June 1993)

2-609. Project Development Contract. A project development contract, incorporating, among other elements, any conditions or requirements imposed on the applicant pursuant to this chapter, shall be executed by and between the DRC and the applicant at the time of approval of the project or, when appealed and approved, between the Town Council and the applicant before any building permit can be issued for any development. The project development contract will outline the requirements of the DRC or the Town Council in writing, in addition to any drawings or sketches which are attached to the contract. (As added by Ord. #93-8, § 12, June 1993.)

CHAPTER 7  
HEALTH, EDUCATIONAL AND HOUSING FACILITY BOARD

**2-701. Establishment and Purpose.**

**2-702. Organization and Membership.**

**2-703. Functions and Duties.**

2-701. Establishment and Purpose. There is hereby established a Health, Educational and Housing Board to promote health and higher education to the citizens of the Town.

2-702. Organization and Membership. (See General Board Requirements, Chapter 1, Section 1-101 to 1-105.) The Board is comprised of seven (7) residents of the Town, one member of which shall be appointed by the Town Council. His/her term of appointment shall be for 6 years. Annual meetings will be held the second Tuesday in May. Other meetings may be scheduled as necessary.

12-703. Duties and Functions. Pursuant to Article V of the Certificate of Incorporation of the Health Educational and Housing Certificate of Incorporation of the Health, Facility Board, the board is responsible for promoting the health and higher education of the people of the Town of Signal Mountain, Hamilton County, Tennessee, and surrounding areas, and to exercise the authority and pursue the objectives of health and education corporations as provided in Tennessee Code Annotated, and particularly Chapter 3, Part 3, of Title 48 thereof, including amendments.

CHAPTER 8  
HISTORICAL COMMITTEE

**2-801. Establishment and Purpose.**

**2-802. Organizations and Membership.**

**2-803. Duties and Functions.**

2-801. Establishment and Purpose. There is hereby established an Historical Committee to maintain an historical archive of the Town of Signal Mountain and Walden's Ridge at the Signal Mountain Library.

2-802. Organization and Membership. (See General Board Requirements, Chapter 1, Section 1-101 to 1-105.) The Committee will be comprised of up to seven (7) mountain residents, at least five (5) of whom shall reside in the Town.

2-803. Duties and Functions. The Historical Committee will research, record, copy and maintain all photographs, printed materials, and artifacts which reference the Town of Signal Mountain and/or Walden's Ridge in the Town of Signal Mountain Archive, currently located in the at the Signal Mountain Library.

## CHAPTER 9 LIBRARY BOARD

### **2-901. Establishment and Purpose.**

### **2-902. Organizations and Membership.**

### **2-903. Duties and Functions.**

2-901. Establishment and Purpose. There is hereby established a Library Board to advance the mission of the Library "...to provide the population of Signal Mountain with a core collection of recreational and informational library materials and technological resources, to assure easy access to these materials, and to provide programs that stimulate the awareness and use of these programs and resources.

2-902. Organizations and Membership. (See General Board Requirements, Chapter 1, Section 1-101 to 1-105.) The Library Board shall consist of seven (7) members, at least five (5) of whom shall be residents of the town.

2-903. Duties and Functions. The Library Board shall serve in an advisory capacity to the library director, the Town Manager, and the Town Council to recommend policies, programs, capital improvements and other functions to benefit the collection, services and other needs of the Library including fund-raising and/or soliciting gifts, memorials and donations consistent with the Memorial Policy.

## CHAPTER 10 MOUNTAIN ARTS COMMUNITY CENTER (MACC) BOARD

### **2-1001. Establishment and Purpose.**

### **2-1002. Organization and Membership.**

### **2-1003. Duties and Functions.**

2-1001. Establishment and Purpose. There is hereby established a Mountain Arts Community Center Board to act in an advisory capacity to the MACC Director and the Town Manager to provide and facilitate artistic, cultural, civic, and educational activities that foster personal growth and benefit the community.

2-1002. Organization and Membership. (See General Board Requirements, Chapter 1, Section 1-101 to 1-105.) The board shall consist of seven (7) members, at least five (5) of whom shall reside in the Town, including a representative from the Friends of MACC and a representative from the Signal Mountain Playhouse as recommended by those organizations.

2-1003. Duties and Functions. The MACC Board shall work with the MACC Director and Town Manager to recommend policies, programs and other functions to benefit the

advancement and success of the of the MACC as an active and viable arts center for the Town of Signal Mountain. The Board shall also solicit, accept and recommend gifts and memorials consistent with the Memorial Policy.

## CHAPTER 11 MUNICIPAL PLANNING COMMISSION

TITLE 14, CHAPTER 1 is hereby repealed and the following substituted:

**2-1101. Establishment and Purpose.**

**2-1102. Organization and Membership.**

**2-1103. Duties and Functions.**

2-1101. Establishment and Purpose. Pursuant to the provisions of Tennessee Code Annotated, section 13-4-101, there is hereby created a municipal planning commission, hereinafter referred to as the planning commission, to maintain the Town as a predominantly single-family residential community by protecting existing and future land areas from encroachment by incompatible land uses and endeavoring to prevent commercial, industrial and multi-family development from impairing the property values of single-family residential areas within the Town in accordance with the Comprehensive Land Use Plan.

2-1102. Organization and Membership. (See General Board Requirements, Chapter 1, Section 1-101 to 1-105.) The Planning Commission shall consist of nine (9) residents of the Town; two (2) of these shall be the mayor and another member of the Town Council, selected by the Town Council. The terms of the mayor and the council member shall run concurrently with their terms of office. (The mayor may appoint another council member to serve in his place if approved by a majority vote of the Town Council.) (1985 Code, § 11-101, as amended by Ord. #2001-1, Jan. 2001)

1. Officers:

- a. Chairman and Vice Chairman. The planning commission shall elect a chairman and vice chairman from among its appointed members whose term of office shall be for a period of one year. (1985 Code, § 11-103, as amended by Ord. #2001-2, April 2001)
- b. Secretary. The planning commission shall appoint a secretary from among its membership who shall have the custody of the books and records of the planning commission. The secretary shall serve at the will and pleasure of the commission. (1985 Code, § 11-104)

2. Meetings: The planning commission shall meet at the beginning of each year for the purpose of organization elections and it shall thereafter meet not less than once every three (3) months and at such times and places as it may fix by

resolution. Its chairman or secretary may call special meetings from time to time.

- a. A majority of the members of the planning commission shall constitute a quorum.
- b. Any vacancy shall be filled for the un-expired term by a majority vote of the Town Council. (1985 Code, § 11-102)
- c. The planning commission shall keep a proper record of its proceedings recording the vote of each member upon each question or if a member is absent or fails to vote. (1985 Code, § 11-105, as amended by Ord. #2001-2, April 2001)

2-1103. Duties and Functions. The powers and duties of the planning commission require that it shall:

1. Collect data and keep itself informed as to the best practices and the advancements made in the art of municipal planning so that it is qualified to act on matters that affect the present and future movements of traffic, the convenience and safety of persons and property, the health, recreation and general welfare and the use of buildings, structures and land for trade, industry, residence, recreation, public activities and all other needs of the town which are dependent upon at town plan. (1985 Code, § 11-106, as replaced by Ord. #97-12, § 1, Oct. 1997)
2. Work in cooperation with Town departments and employees. The various departments of the government of the town and the employees thereof shall give the planning commission all possible assistance, advice and cooperation consistent with the performance of the other duties required of them by law or assigned to them by the heads of their respective departments or by the Town Council. (1985 Code, § 11-107)
3. Make maps and plans of the whole or any portion of the town or any land outside of the town, which bears a relation to the planning and future growth of the municipality and to make changes in the plans and maps as necessary. The plans shall show the planning commission's recommendations for any streets, alleys, ways, viaducts, bridges, subways, railroads, terminals, transit lines, parkways, parks, playgrounds or any other public grounds or public improvements and the removal, relocation on, widening or extension of such public works then existing. (1985 Code, § 11-108)
4. Certify to the Town Council a zoning plan, in accordance with Tennessee Code Annotated, section 13-4-201, which shall include both a full text of a proposed zoning ordinance and maps, representing the recommendations of the planning commission for the regulation by districts or zones of the location, height, bulk, number of stories and size of buildings and other structures, the percentage of the lot that may be occupied, the size of years,

courts and other open spaces, the density of population and the uses of buildings, structures and land for trade, industry, residence, recreation, public activities and other purposes. In making such recommendations, the planning commission shall take into consideration the present character of the district, the value of the land therein and the character building thereon, the peculiar suitability of the district for a particular use and other considerations which will promote the public health, safety, convenience and general welfare. (1985 Code, § 11-109, as amended by Ord. #2001-2, April 2001)

5. Carry out its power and authority to review plats for the subdivision of land within the limits of the Town and decide whether to permit or deny such plat applications. The planning commission's review shall include, but is not limited to, subdivision and right-of-way designs; access, frontage, depth and area of lots; drainage, easements, utility layout and designs; street grades; and conformity to official plans. In addition, the planning commission may require additional information and data be furnished by applicants on particular matters of concern. (1985 Code, § 11-110, as amended by ord. No. 92-2, and Ord. #2001-2, April 2001)
6. Hire the services of architects, engineers and contract for other professional services or appoint clerks, draftsmen and other subordinates, as it shall deem necessary for the performance of its functions. The expenditures for such services and employment shall be within the amounts appropriated for the use of the planning commission. (1985 Code, § 11-111)
7. Make an annual report to the Town Council giving a summary of its work during the preceding year; in the report, it shall also make recommendations as to future projects to be undertaken, and from time to time it shall also make like recommendations for public improvements which, in its judgment, should be undertaken. (1985 Code, § 11-112)
8. Carry out all of its powers, functions and duties in accordance with all applicable provisions of Tennessee Code Annotated, title 13. (1985 Code, § 11-113)

## CHAPTER 12 PARKS BOARD

**2-1201. Establishment and purpose.**

**2-1202. Organization and membership.**

**2-1203. Duties and Functions.**

2-1201. Establishment and Purpose. There is hereby established a Parks Board to assist the recreation director in providing the Town Council and the Town Manager with recommendations relating to parks in the Town. (1985 Code, § 1-701)

2-1202. Organization and Membership. (See General Board Requirements, Chapter 1, Section 1-101 to 1-105.) The Board shall consist of five (5) residents of the Town and shall make annual reports to the Town Council as well as other reports from time to time, as requested. (1985 Code, § 1-705)

2-1203. Duties and Functions. The Board shall assist the recreation director in providing recommendations concerning all facets of public parks in the town to the Town Council and the Town Manager. This shall include but not be limited to such activities as:

1. Recommending signage for parks;
2. Designating, creating and maintaining trails;
3. Organizing volunteers for park activities;
4. Organizing public activities to promote usage of parks for physical activity, education, and enjoyment of nature (1985 Code, § 1-704); and,
5. Soliciting and receiving gifts or bequests of money or other personal property or any donation to be applied, principal or income, for either temporary or permanent use for playgrounds or other recreational purposes consistent with the Memorial Policy. (1985 Code, § 1-706)

### CHAPTER 13 PERSONNEL COMMITTEE

**2-1301. Establishment and Purpose.**

**2-1302. Organization and Membership.**

**2-1303. Duties and Functions.**

2-1301. Establishment and Purpose. There is hereby established a Personnel Committee to serve in an advisory capacity to the Town Council and the Town Manager.

2-1302. Organization and Membership. (See General Board Requirements, Chapter 1, Section 1-101 to 1-105.) The committee shall be composed of five (5) residents of the Town preferably with business, human resource, insurance benefits or other pertinent experience, and up to two council members.

2-1303. Duties and Functions. The Personnel Committee shall study and evaluate all aspects of employee personnel policy, job descriptions, pay plans, benefits, and any other personnel issues as requested by the Town Manager and/or the Town Council and make recommendations for changes or improvements in same.

### CHAPTER 14 RECREATION BOARD

**2-1401. Establishment and Purpose.**

**2-1402. Organization and Membership.**

**2-1403. Duties and Functions.**

2-1401. Establishment and Purpose. There is hereby created a Recreation Board to represent the citizens of the Town, assist the recreation director and serve in an advisory capacity to the Town Manager and the Town Council. The Recreation Board shall advance the mission of the Signal Mountain Recreation Department "...to provide quality recreation programs, to utilize the facilities as fully as possible, and increase the number and diversity of recreational facilities and activities in Signal Mountain."

2-1402. Organizations and Membership. (See General Board Requirements, Chapter 1, Section 1-101 to 1-105.) The Board shall consist of seven (7) members, at least five (5) of whom shall be residents of the town. Members of the Recreation Board shall not sit on the boards of Signal Mountain recreational leagues or organizations.

2-1403. Duties and Functions. The board shall represent the citizens of the Town of Signal Mountain to determine recreational objectives and needs and shall recommend policies and goals to fulfill them. The Board will assist the recreation director in providing the Town Council and Town Manager with recommendations concerning all facets of recreational activities in the town. (1985 Code, § 1-602, as replaced by ord. No. 91-12.) Among other duties and functions, the Board shall:

2. Recommend budget priorities to the recreation director for the spending of funds for recreational purposes.
3. Solicit or receive any gifts or bequests of money or other personal property or any donation to be applied, principal or income, for either temporary or permanent use for playgrounds or other recreational purposes consistent with the Memorial Policy.
4. Entertain suggestions, complaints, and/or comments from league representatives, interested citizens or other parties pertaining to the recreational policies of Signal Mountain.
5. Review the organization of participating leagues to assure proper communication to the board and assure compliance with the recreation plan of Signal Mountain.
6. Assure leagues comply with established recreational goals.
7. Collect financial data from leagues.
8. Receive a listing from each league at the beginning and end of its season regarding requested maintenance and suggested improvements for Town recreational facilities.
9. Recommend fee structures for all town recreational charges and league fees.
10. Recommend event schedules for all recreational activities within Town of Signal Mountain. (1985 Code, § 1-603, as replaced by ord. No. 91-12).

CHAPTER 15  
STORMWATER APPEALS BOARD

**2-1501. Establishment and Purpose.**

**2-1502. Organization and Membership.**

**2-1503. Duties and Functions.**

**2-1504. Appeals.**

2-1501. Establishment and Purpose. A Stormwater Appeals Board is hereby established to address citizens' appeals to storm water determinations and fees within the town.

2-1502. Organization and Membership. (See General Board Requirements, Chapter 1, Section 1-101 to 1-105.) The Board shall consist of eight (8) members as follows: the Town Manager, the town recorder, the public works director, the water department director, the police chief, the fire chief, the building official, and a citizen representative. The Board shall meet only as needed and when called by the Town Manager.

2-1503. Duties and Functions. The Board is responsible for hearing citizens' appeals relating to storm water violations, calculations and fees levied by the Town. Appeals regarding user fees must be made within thirty (30) days from the date of the last bill. Appeals requests shall detail the grounds for the appeal and be made in writing. Additional information may be required by the town manager.

2-1504. Appeals. In the event the Storm water Appeals Board cannot resolve a dispute, a final appeal shall be brought before the Town Council for resolution.

## CHAPTER 16 TREE BOARD

**2-1601. Establishment and Purpose.**

**2-1602. Organization and Membership.**

**2-1603. Duties and Functions.**

2-1601. Establishment and Purpose. There is hereby established a Tree Board to protect the Town's extensive resource of native trees as significant to the environment and as a part of the natural beauty of the Town through tree advocacy and education.

2-1602. Organization and Membership. (See General Board Requirements, Chapter 1, Section 1-101 to 1-105.) The Signal Mountain Tree Board shall consist of seven (7) members, at least five (5) of whom shall be residents of the Town. Preferably, members of the Tree Board should have some educational and/or professional experience concerning landscaping and/or trees, which may include such occupations as a landscape architect, arborist, forester, master gardener, teacher, botanist or biologist. A certified arborist may serve as a consultant and ad hoc member.

2-1603. Duties and Functions. The Tree Board shall serve in an advisory capacity to the Town Council and the Town Manager to recommend the adoption of programs, policies,

and regulations for the protection of trees. Capital needs to support the Board's programs may include fund-raising and/or soliciting gifts, memorials and donations consistent with the Memorial Policy. Other duties and responsibilities of the Board are as follows:

1. General Advice:
  - a. Provide education, advice and recommendations about trees to the Town Council and the general public.
  - b. Provide builders, contractors or developers with recommendations on tree protection and maintenance prior to the issuance of any land disturbing or building permit by the building official.
2. Advice Relating to Municipal Trees:
  - a. Provide advice and assistance in tree pruning.
  - b. Provide safety inspections of trees in the Town.
  - a. Provide advice to municipal departments on tree problems and tree removal needs.
  - c. Collect data on trees in the Town or arrange for a tree inventory.
3. Educational Outreach:
  - a. Work with schools, civic clubs, garden clubs, scout troops, hiking clubs, etc., to provide educational information on the importance of trees and to promote tree planting and proper maintenance.
  - b. Provide education on the importance of controlling non-native invasive species such as honeysuckle, bittersweet, wisteria, English ivy, and kudzu vines; burning bush and privet shrubs; princess and mimosa trees, etc.
  - c. Work with Board members, garden clubs, other local groups, and volunteers to remove and eradicate non-native invasive species from municipal property.
  - d. Participate in community events such as the Fall Hodgepodge, the 4<sup>th</sup> of July Barbecue, Sunday on Signal, etc., to distribute and provide the public information to advocate and educate the importance of trees, tree planting, and proper maintenance of trees.
  - e. Arrange for publicity about the importance of trees and tree planting activities.
3. Planting Trees:
  - a. Celebrate Arbor Day in coordination with elementary schools.
  - b. Prepare plans for tree planting activities.
  - c. Arrange for donations of trees or funding for tree planting projects.
  - d. Select species for various planting projects.
  - e. Coordinate with other groups that might plant trees.
4. Honor Tree Program:

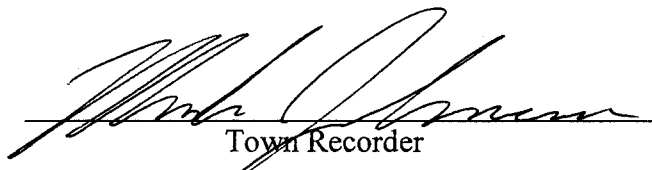
- a. Provide a means for individuals or groups to donate trees to honor special people, commemorate important events, and create living memorials for loved ones.
- b. For a tax-deductible donation the Tree Board shall plant an Honor Tree and install a special inscribed marker.
- c. The board shall recommend a species and an appropriate planting site on Town property in coordination with the Parks Board and review and recommendation by the Town Manager or his/her designee.
- d. The successful growth of donated trees shall not be guaranteed. The Town reserves the right not to replace donated trees that are removed, damaged or diseased.
- e. The Town shall not be responsible for vandalism, repair or replacement of plaques. If a plaque presents an eyesore or public liability, the Town at its discretion may remove it. The donor will be contacted or informed of the action, if taken.

SECTION 2. That this Ordinance shall become effective immediately from and after its passage as provided by law.

Passed First Reading 12-14, 2009.

Passed Second Reading 1-11, 2010.

  
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Mayor

  
\_\_\_\_\_  
Town Recorder