

ORDINANCE NO.: 2020-19

AN ORDINANCE TO AMEND TITLE 12, CHAPTER 7, SIGNAL MOUNTAIN MUNICIPAL CODE, BY MOVING IT TO TITLE 12, CHAPTER 9 AND RENUMBERING THE SECTIONS, SO AS TO AMEND TO SAID CODE AS THE OFFICIAL SITE PREPARATION, EXCAVATION AND GRADING CODE OF THE TOWN OF SIGNAL MOUNTAIN.

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BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SIGNAL MOUNTAIN, TENNESSEE, That Title 12, Chapter 7, of the Town of Signal Mountain Municipal Code, be moved to Title 12, Chapter 9 and is hereby amended by striking the same said section in its entirety and substituting in lieu thereof the following words and figures:

CHAPTER 9

SITE PREPARATION, EXCAVATION AND GRADING CODE

SECTION

- 12-701. Creation.
- 12-702. Land Disturbance Permit required.
- 12-703. Hazards.
- 12-704. Application.
- 12-705. Reinspection and correction of defects.
- 12-706. Violations and penalties.
- 12-707. Stop work orders.
- 12-708. Fee Schedule.

12-701. Creation. There is hereby created and established a site preparation, excavation and grading code for the Town of Signal Mountain. (Ord. # 87-4)

12-702. Land Disturbance Permit required. No person shall do any site preparation, stump removal, filling, excavation or grading without obtaining a Land Disturbance Permit for said work. This shall also include site preparation, for footings, foundation work and any ground work being performed in conjunction with construction authorized by a building permit and set out in the building permit so obtained. (Ord. # 87-4)

12-703. Hazards. Whenever the Building Official determines that any existing excavation, embankment or fill on private property has become a hazard to life or property, or adversely affects the safety, use, or stability of a public way of drainage channel, the owner of the property upon which the excavation or fill is located or such other person or agent in control of said property, upon receipt of notice in writing from the Building Official, shall within the time period specified thereon repair or eliminate such hazard and to otherwise conform with the specifications and requirements of this code. (Ord. # 87-4)

12-704. Application. To obtain a permit, the applicant shall first file an application therefor in writing on a form furnished by the Town of Signal Mountain for that purpose. Every application shall:

- (1) Identify and describe the work to be covered by the permit for which application is made.
- (2) Describe the location of the land where the proposed work is to be done including parcel number, subdivision and lot number.
- (3) State the estimated quantities of work to be performed.
- (4) Give such other information as reasonably may be required by the Building Official and or Stormwater Manager. (Ord. # 87-4)

12-705. Reinspection and correction of defects. Any work which fails initial inspection shall be subject to reinspection including fees associated with reinspection per Title 5, Chapter 5, Section 507(c).

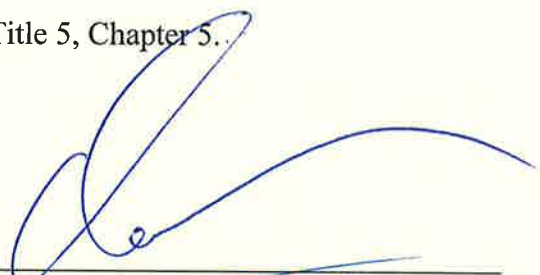
12-706. Violations and penalties. Any person who shall violate or fail to comply with any of the provisions of this chapter will be subject to citation to appear before the Administrative Hearing Officer. Upon determining that a violation does exist, the Hearing Officer has the authority to levy a fine in accordance with Section 12-1108 of the Signal Mountain Municipal Code. 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 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. Any fine levied by a hearing officer must be reasonable based upon the totality of the circumstances.

12-707. Stop work orders. Upon notice from the Code Official, any work that is being done contrary to the provisions of this code or in a dangerous or unsafe manner shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's agent, or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the Code Official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work in or about the structure 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, will be subject to citation to appear before the Administrative Hearing Officer.

12-708. Fee Schedule. Fee Schedule is located in Title 5, Chapter 5.

Passed First Reading: August 24, 2020

Passed Second Reading: September 14, 2020

  
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Dan Landrum, Mayor

  
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Recorder