

ORDINANCE NO.: 2021-04

AN ORDINANCE AMENDING SECTION 12-1101 OF THE SIGNAL MOUNTAIN TOWN CODE TO GIVE THE ADMINISTRATIVE HEARING OFFICER THE POWER TO HEAR VIOLATIONS OF LOCALLY ADOPTED ZONING CODES.

WHEREAS, Tennessee Code Annotated (TCA) § 6-54-001 empowers municipalities to create the office of Administrative Hearing Officer with certain powers described therein; and

WHEREAS, the Town of Signal Mountain has established the office of Administrative Hearing Officer as provided for in TCA § 6-54-1001 in Title 12, Chapter 11 of the Signal Mountain Municipal Code; and

WHEREAS, TCA § 6-54-1002 was amended to include jurisdiction to hear cases involving locally adopted zoning codes;

NOW THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL OF SIGNAL MOUNTAIN, TENNESSEE, THAT:

SECTION 1. Section 12-1101(1) of the Town Code shall be deleted and replaced with the following:

(1) In accordance with title 6, chapter 54, section 1001, et seq., of the Tennessee Code Annotated, there is hereby created the Signal Mountain Municipal Office of Administrative Hearing Officer. The Administrative Hearing Officer has jurisdiction to hear cases involving violations of municipal ordinances regulating zoning, building and property maintenance, including:

- (a) Locally adopted building codes;
- (b) Locally adopted residential codes;
- (c) Locally adopted plumbing codes;
- (d) Locally adopted electrical codes;
- (e) Locally adopted gas codes;
- (f) Locally adopted mechanical codes;
- (g) Locally adopted energy codes;
- (h) Locally adopted property maintenance codes;
- (i) Locally adopted zoning codes; and
- (j) Ordinances regulating any subject matter commonly found in the codes mentioned in subdivisions (1)(a)-(i).

The Administrative Hearing Officer is not authorized to hear violations of codes adopted by the State Fire Marshal pursuant to § 68-120-101(a) enforced by a Deputy Building Inspector pursuant to § 68—120-101(f).

The utilization of the Administrative Hearing Officer shall be at the discretion of the Town Manager and/or the Town Manager's designee, and shall be an alternative to the enforcement included elsewhere in the Signal Mountain Municipal Code

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

Passed First Reading: April 12, 2021

Passed Second Reading: April 26, 2021



Charles Poss, Mayor

Date

4-26-21



Recorder

Date

4-26-2021