

**TITLE**

AN ORDINANCE TO AMEND TITLE 13, TITLED "PROPERTY MAINTENANCE REGULATIONS," OF THE CODE OF ORDINANCES, CITY OF OAK RIDGE, TENNESSEE, BY DELETING CHAPTER 2, TITLED "OAK RIDGE PROPERTY MAINTENANCE CODE," IN ITS ENTIRETY AND SUBSTITUTING THEREFOR A NEW CHAPTER 2, TITLED "OAK RIDGE PROPERTY MAINTENANCE CODE," TO ADOPT THE 2018 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE, INCLUDING APPENDIX A, AND TO PROVIDE FOR ANY NECESSARY AMENDMENTS THERETO.

WHEREAS, the City of Oak Ridge has adopted the International Property Maintenance Code, 2012 edition, establishing minimum standards for the condition of maintenance of all property, buildings, and structures within the City Limits of Oak Ridge for the protection and safety of the public; and

WHEREAS, the 2018 edition of the International Property Maintenance Code is now available for adoption; and

WHEREAS, the City desires to adopt the International Property Maintenance Code, 2018 edition, specifically including Appendix A, Boarding Structures, with any necessary amendments thereto.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

Section 1. Title 13, titled "Property Maintenance Regulations," of the Code of Ordinances, City of Oak Ridge, Tennessee, is hereby amended by deleting Chapter 2, titled "Oak Ridge Property Maintenance Code," in its entirety and substituting therefor a new Chapter 2, titled "Oak Ridge Property Maintenance Code," which new chapter shall read as follows:

Chapter 2

Oak Ridge Property Maintenance Code

Sec. 13-201. International Property Maintenance Code Adopted.

The International Property Maintenance Code, 2018 edition, specifically including Appendix A, *Boarding Standard*, as published by the International Code Council, Inc., is hereby adopted by reference as the "Oak Ridge Property Maintenance Code" for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said code; and shall become a part of this chapter as if copied herein verbatim, with the additions, insertions, deletions and changes prescribed in this chapter.

Sec. 13-202. Deletions and Insertions to the International Property Maintenance Code, 2018 Edition.

The City of Oak Ridge, Tennessee, hereby amends the International Property Maintenance Code, 2018 Edition, as follows:

Section 101.1 Title. Delete in its entirety and replace with a new section as follows:

Section 101.1 Title.

These regulations shall be known as the Oak Ridge Property Maintenance Code of the City of Oak Ridge, Tennessee, hereinafter referred to as “this code”, “ORPMC” and/or “IPMC.”

Section 103 Department of Property Maintenance Inspection. Shall be renamed and known as the “Code Enforcement Division of the Community Development Department.”

Section 103.1 General. Delete in its entirety and replace with a new section as follows:

Section 103.1 General.

The Code Enforcement Division of the Community Development Department is hereby created and the City Manager or the City Manager’s duly authorized designee is in charge thereof shall be known as the “code official” for the enforcement of the provisions of the Oak Ridge Property Maintenance Code.

Section 103.5 Fees. Delete in its entirety and replace with a new section as follows:

Section 103.5 Conflict of Interest.

No City employee having investigative or enforcement responsibilities under this code shall be financially benefited or involved in the furnishing of labor, materials, or appliances for the construction, alteration, or maintenance of a building, or in the making of plans or specifications thereof, unless he or she is the owner of such building.”

Section 104.5 Notices and Orders. Delete in its entirety and replace with a new section as follows:

Section 104.5 Notices and Orders.

The City Manager or the City Manager’s duly authorized designee, the City of Oak Ridge Board of Building and Housing Code Appeals (BBHCA) or the Administrative Hearing Officer (AHO) shall have the authority to issue all necessary notices or orders as needed to ensure compliance with this code.”

Section 106 Violations. Insert three (3) new subsections as follows:

Section 106.6 Repeat Violations.

Owners, operators or legal occupants of any occupancy that previously violated provision(s) of this code which ultimately caused the City to abate such violation(s) any repeat or future violation(s) of the same provision(s) within twelve (12) calendar months shall give cause to the City to correct or abate the same violation(s) without further notice per §107 of this code at the owners, operators or legal occupants expense and the City may assess unpaid expenses against the property as a lien.

Exception:

- (a) Violations of Unfit for Human Occupation or Use
- (b) Change of property ownership, operator or legal occupant

Section 106.7 Recovery of Costs.

If any person fails to comply with any order or notice given under the Oak Ridge Property Maintenance Code, the code official may cause such structure to be repaired, altered, improved, vacated, cleaned and sealed or closed, or demolished or removed and the cost of the same shall be assessed against the owner and shall, upon filing of a notice of lien on the property in the office of register of deeds in the county in which the property is located, constitute a lien on the property in favor of the city, second only to liens of the state, county and municipality for taxes, or any other special assessments and any other valid lien, right or interest in such property duly recorded or duly perfected prior to the filing of such notice. These costs shall be placed upon the tax roll of the city as a lien, and shall be added to the property tax roll to be collected at the same time and in the same manner as property taxes are collected. If the owner fails to pay the costs, they may be collected at the same time and in the same manner as delinquent property taxes are collected, and shall be subject to the same penalty and interest as delinquent property taxes. Any cost recovered by the sale of any of the materials of a structure demolished or removed hereunder shall be credited to the cost of demolition or removal, and any balance remaining shall be deposited in the chancery court and shall be disbursed by such court to such person(s) found to be entitled thereto. Nothing in this section shall be construed to impair or limit in any way the power of the city to define and declare nuisances and to cause their removal or abatement by summary proceeding or otherwise.

Section 106.8 Legal Action.

The City Attorney or the City Attorney's duly authorized designee may institute appropriate action to compel necessary repairs, vacating, or demolition as provided by notice or order of the code official under the Oak Ridge Property Maintenance Code.

Section 107 Notice and Orders. Insert a new subsection as follows:

Section 107.3.2 Presumption.

There is hereby created a rebuttable presumption that the person listed upon the most recent city tax roll as the owner of a property, dwelling, dwelling unit or structure is the owner for purposes of enforcement of the Oak Ridge Property Maintenance Code.

Section 108.1.3 Structure Unfit for Human Occupancy. Delete in its entirety and replace with a new section as follows:

Section 108.1.3 Structures Unfit for Human Occupation or Use.

A structure is unfit for human occupancy whenever the code official finds that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is insanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the structure constitutes a hazard to the occupants of the structure or to the public. Under Tennessee Code Annotated (T.C.A.), §13-21-102, the code official has the power to exercise its police powers to clean, repair, vacate, seal and/or demolish structures found to be unfit for human occupation or use.

Section 108 Unsafe Structures and Equipment. Insert three (3) new subsections as follows:

Section 108.1.3.1 Structural Defects.

Structures to be considered unfit for human occupation or use for structural defects, the following conditions apply but not limited to: those interior vertical walls or other vertical structural members list, lean or buckle to such an extent that a plumb line passing through the center of gravity falls outside the middle third of its base; or those which exclusive of the foundation show thirty-three percent (33%) or more of damage or deterioration of the supporting member(s) of fifty percent (50%) or more of damage or deterioration of the non-supporting portions of the structure or outside walls or coverings; or those which have improperly distributed loads upon the floors or roofs or in which the same are overloaded or which have insufficient strength to be reasonably safe for the purpose used.”

Section 108.1.6 Extensive Alterations.

When the total area of all the work areas included in an alteration or repair exceeds fifty percent (50%) of the total area of the structure or dwelling unit, the works shall be considered a reconstruction and shall comply with the requirements of the provision for new construction work.

Exception: When the alteration or repair work is exclusively plumbing or mechanical or electrical, it shall not be considered reconstruction work that requires the entire structure to be updated.

Section 108.1.7 Unmaintained presence of animals or pets.

Property unfit for human occupation or use due to continued unmaintained presence of animals or pets. It shall be unlawful to allow the presence of any animals or pets in any commercial or residential structure intended for human occupation or use to cause an unhealthy condition or public nuisance in said structure. Whenever the code official finds that such structure is unsafe in this manner, the City of Oak Ridge, Police Department Animal Control Office shall have the authority to remove the animals or pets from the premises regardless of the physical appearance of the animals or pets.

Exception: Service Animals as defined by the U.S. Department of Justice, Americans with Disability Act (ADA) are exempt from this provision.

Section 109.2 Temporary Safeguards. Modify section by inserting the phrase: “or the recognition of a public or attractive nuisance” after the existing “imminent danger due to an unsafe condition,…”

Section 111.2 Membership of board. Delete in its entirety and replace with a new section as follows:

Section 111.2 Membership of board.

The board of appeals shall be known as the Board of Building and Housing Code of Appeals (BBHCA).

- (a) There is hereby created a board of building and housing code appeals consisting of seven (7) members, which shall be residents of the City of

Oak Ridge, Tennessee and shall consist of the following: one physician or person from a health related field; one architect or engineer; one building-related contractor or building supply dealer; one realtor; and three members from the public at large; provided that, if no individuals meeting these criteria apply for appointment, City Council may appoint persons who do not possess such qualifications. Effective January 1, 2021, the Board of Building and Housing Code Appeals will reduce in membership to five (5) members by attrition. Members will continue to be residents of the City of Oak Ridge, Tennessee. When possible, the board will consist of the following: one physician or person from a health related field; two building/trades related contractor or building supply dealer; and two members from the public at large; provided that, if no individuals meeting these criteria apply for appointment, City Council may appoint persons who do not possess such qualifications.

- (a) Appointment to the board shall be staggered three (3) year terms. Effective January 1, 2021, , provided the terms of members of the initial board shall be as follows:
  - (i) Two (2) members from the public at large (initial appointment 3 years)
  - (ii) One (1) Physician or other member from health related field (initial appointment 1 year)
  - (iii) Two (2) Building/Trades related contractor or design professional (initial appointment 2 years)
- (b) Members of the board may be removed by the City Council for good cause shown.
- (c) Vacancies on the board shall be filled by City Council for the unexpired term of such vacancy.
- (d) All members of the board shall serve without compensation.
- (e) As soon as practical after appointment, the members of the board shall meet and organize by electing a chairperson, vice-chairperson and secretary annually. The City Manager or the City Manager's duly authorized designee shall serve as ex-officio. Thereafter, officers of the board shall be elected by the members at the first annual meeting of the board. Three (3) members shall constitute a quorum and the affirmative vote of at least three (3) members shall be required to take any action, except to continue a meeting where no quorum is present. A member shall not act in a case in which such member or his or her family member or employer has a personal or financial interest. The board shall establish such other written rules and regulation for its own procedure not inconsistent with the provisions of ORMPC and a copy shall be kept on file with the City Clerk.
- (f) Any reference in any provision of the Code of Ordinance, City of Oak Ridge, Tennessee to the board of building code appeals or the board of housing code appeals shall be deemed to refer to the Board of Building and Housing Code Appeals.

Section 111.2.1 Alternate members. Delete in its entirety.

Section 111.2.2 Chairman. Delete in its entirety.

Section 111.2.3 Disqualification of member. Delete in its entirety.

Section 111.2.4 Secretary. Delete in its entirety and replace with a new section as follows:

Section 111.2.4 Secretary.

The secretary shall file a detailed record of all proceedings to the City Manager or the City Manager's duly authorized designee. The board may allow secretarial duties be shared with the designated city staff member serving as liaison to the board.

Section 111.2.5 Compensation of members. Delete in its entirety.

Section 112.4 Failure to Comply. Delete in its entirety and replace with a new section as follows:

Section 112.4 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 liable and subject to penalties of not less than \$50.00 or more than \$500.00 dollars per violation as state and local laws allow.

Section 202 General Definitions. Delete the title of this section and rename it "General Definitions and Phrases" and insert the following new definitions:

**Abandoned Vehicle.** A vehicle is classified as abandoned when the vehicle, trailer, or recreational vehicle designed to be towed by a separate power source that: (A) is otherwise in good working condition left unattended on public property or right-of-way for more than fifteen (15) calendar days; or (B) has remained illegally placed on public property for a period of more than forty-eight (48) hours; or (C) has remained on private property without the consent of the owner or person in control of the property for forty-eight (48) hours or more. Refer also to Property Maintenance Regulations, Title 13 of the City of Oak Ridge Code of Ordinances Chapter 3 Section 13-301(4).

**Antique Motor Vehicle.** A motor vehicle over twenty-five (25) years old with a non-modified engine and body which is used for participation in club activities, exhibits, tours, parades and similar uses as a collector's item, but in no event used for general transportation.

**Any and all other objectionable, unsightly or unsanitary matter of whatever nature** means any condition, object, material or other matter that is dangerous or detrimental to human life or health; that renders the ground, the water, the air or food a hazard or likely to cause injury to human life or health; that is offensive to the senses; or that threatens to become detrimental to the public health. The term includes but is not limited to any abandoned wells, pools, landscape water features, shafts or basements; abandoned refrigerators; stagnant or unwholesome water; sinks; privies; filth; carrion; rubbish; junk, trash, debris or refuse; impure or unwholesome matter of any kind; and any matter, condition or object which is objectionable, unsightly or unsanitary to a person of ordinary sensitivities.

**Attractive Nuisance.** The doctrine in tort law which holds that one who maintains a dangerous instrumentality on his or her property which is likely to attract children is under a duty to reasonably protect those children against the dangers of that attraction.

**Bushes and Hedges** means vegetative growth or plant that includes but not limited to holly, box hedges, azaleas, roses, rhododendrons, laurel, lilac, hibiscus and evergreens.

**“Corner Visibility Triangle** means a triangular area formed within a corner lot by the intersecting lot lines abutting the streets or the projections thereof and a straight line connecting them 7.5 meters (24.6 feet) from their point of intersection.

**“Driveway Visibility Triangle** means a triangular area formed by the intersection of the lateral limit of the travelled portion of a driveway and a lot line abutting a street or the projections thereof and a straight line connecting them 4.57 meters (15 feet) from their point of intersection.

Delete “Inoperable motor vehicle” and replace with definition: **“Inoperable, obsolete or in a state of disrepair.** Any vehicle or device in, upon or by which a person or property may be transported or drawn upon a highway or street, excepting devices moved by human power or used exclusively upon stationary rails or tracks, and shall include, but not limited to, motor vehicle, automobile, truck, trailer, motorcycle, tractor, buggy, wagon, camper, boat trailer or any combination thereof, which exhibits any one of the following characteristics is considered a public nuisance: (A) Any vehicle or part of a vehicle with a broken windshield beyond minor crack(s) or any other broken glass that constitutes a safety hazard; (B) Any vehicle or part of a vehicle with a broken or loose fender, door, bumper, hood, wheel, steering wheel, hood/trunk top or exhaust system; (C) Any vehicle lacking an engine, one or more wheels or other structural parts which renders such vehicle unsafe to operate; (D) Any vehicle or part of a vehicle which is a habitat for rats, mice or snakes or any other vermin or insects; (E) Any vehicle or part of a vehicle which, because of its defective or obsolete condition, constitutes a threat to the public health and safety; (F) Any vehicle that is not capable of moving by its own intended power source in both forward and reverse directions; (G) Any vehicle that is being used for excessive storage thereby causing unsafe operation or nuisance; (H) Any vehicle that cannot be driven legally on public streets under city ordinance and/or state law. Refer also to Property Maintenance Regulations, Title 13 of the City of Oak Ridge Code of Ordinances Chapter 3 Section 13-301(3).”

**Junked Vehicle.** Any motorized or non-motorized vehicle, including but not limited to campers, trailers, boats and semi-trailers, the condition of which is one or more of the following: wrecked, abandoned, discarded, in a state of disrepair, lacking vital component parts, economically impractical to restore to operating condition, poses a safety hazard, or declared a public nuisance. Refer also to Property Maintenance Regulations, Title 13 of the City of Oak Ridge Code of Ordinances Chapter 3 Section 13-301(2) and enforcement laws contained therein.

**Lot or parcel of real estate** includes, in addition to those grounds within their respective boundaries, all lots or parcels of ground lying and being adjacent thereto and extending beyond the property line of any such lot or parcel of real estate to the curb-line of adjacent streets where a curb-line has been established, and any abutting rights-of-way beyond the property line where no curb-line has been established and also to the center of adjacent alleys.

**Natural Landscaped Area** means natural landscaping, also called **Native Gardening**, is the use of native plants, including trees, shrubs, ground cover and grasses which are indigenous to the geographic area of the garden which is either naturally established or designated and cultivated that when established will sustain itself with minimal maintenance effort that do not contain noxious weeds or poisonous plants that cause a public nuisance.

**Nuisance.** Use of property or course of conduct that interferes with the legal rights of others by causing damage, annoyance, or inconvenience which can also be considered an attractive or public nuisance.

**Parties of Interest** means all individuals, associations, corporations and others who have interests of record in a structure and any who are in possession thereof.

**Permanent Heat Supply.** Any listed and approved heat source permanently wired or piped, safely attached, sized and operating properly, not removable without the use of tools and capable of continuously maintaining a temperature of 68 degrees Fahrenheit at an approximate height of 3 feet above the floor in the center area of each habitable space as required.

**Place of Public Accommodation** means any building or structure in which goods are supplied or services performed, or in which the trade of the general public is solicited.

**Public Nuisance** means a nuisance which affects numerous members of the public or the public at large (how many people it takes to make a public is unspecified), as distinguished from a nuisance which only does harm to a neighbor or a few private individuals. A public nuisance is an unreasonable interference with the public's right to property. It includes conduct that interferes with public health, safety, peace or convenience. The unreasonableness may be evidenced by statute, or by the nature of the act, including how long, and how bad, the effects of the activity may be. All structures and appurtenances which are found unfit for human occupation or use within the terms of § 108.1.3 as determined by the code official are also considered a public nuisance.

**Rental Unit.** Dwelling, dwelling unit, rooming unit, or sleeping unit or any part of a structure used as a home, residence, or sleeping unit by a single person, household unit by any person(s) other than the legal owner of the property which is leased, rented, or otherwise occupied from the owner or other person in control of such unit(s), whether by day, week, month, year or any other term, regardless of monetary exchange.

**Swimming Pool** means any structure intended for swimming or recreational bathing that contains water more than 24 inches (610 mm) deep. This includes in-ground, above ground and on-ground swimming pools, hot tubs and spas.

**Trash and Debris** means all manner of refuse, including but not limited to mounds of dirt, compost, piles of leaves, grass and weed clippings, paper trash, useless fragments of building material, rubble, household items and appliances, items of salvage such as scrap metal and wood, barrels, tires, objects that hold water for an extended time, tree and brush trimmings, and other miscellaneous wastes or rejected matter.

**Turf Grass.** Refers to all species of grass that are perennial and are typically used for lawns.

**Utility Trailers.** Any wheeled structure, without motive power, designed to be towed by a separate power source and which is generally and commonly used to carry and transport personal effects and/or property.

**Vines** means a vegetative growth or plant with a long stem that grows along the ground or climbs a support such as, but not limited to: Clematis, Climbing Roses, Honey Suckle, Ivy, Jasmine, Morning Glory, Trumpet Vines, and Wisteria.”

**Weeds.** A plant other than trees, shrubs, turf grass and cultivated flowers or gardens that is not valued where it is growing and is usually of vigorous growth; especially on that tends to overgrow or choke out more desirable plants.

Section 302.4 Weeds. Insert height in bracket: “10 inches”

Section 302.4 Weeds. Insert two (2) new sections as follows:

302.4.1 Accumulation or Condition Declared Unlawful.

- (a) Whenever and wherever weeds, shrubbery, rubbish or any other objectionable, unsightly and unsanitary matter of whatever nature shall exist, covering or partly covering the surface of any lot or parcel of real estate within the city so as to produce an unsightly appearance or which may harbor reptiles or rodents, create a fire hazard or result in unsanitary conditions, such a condition is declared to be unlawful, the abatement of which shall be a public necessity.
- (b) Vines that cover fifty percent (50%) or more of the ground surface area in a residential front yard, to include side yards if visible from the street, shall not exceed 12 inches in height. Vines used as ground cover, shall be cut back so they do not grow onto any curb, sidewalk, or driveway.
- (c) Bushes and hedges shall be trimmed to prevent encroachment on any sidewalk, walk-way or extend over the curb or edge of a street. Bushes and hedges shall not be allowed to create a visibility triangle issue for vehicles or pedestrians.

302.4.2 Natural Landscaped Area, Native Gardens.

Natural landscaped areas and native gardens shall be allowed for the purposes of vegetated buffers, stormwater retention and control, stabilizing slopes and preventing erosion, supporting birds and other desirable wildlife and establishment of plant communities’ native to this region. Natural landscaped areas and native gardens shall not violate the provisions of this code or have a negative impact on any structures or appurtenances nor be permitted to become a public nuisance or fire hazard as determined by the authority having jurisdiction.

Section 302.8 Motor Vehicles. Insert as the last sentence “Refer also to Property Maintenance Regulations, Title 13 of the City of Oak Ridge Code of Ordinances Chapter 3, and Titled “Junked Vehicles.”

Section 302.8 Motor Vehicles. Insert six (6) new subsections as follows:

#### 302.8.1 Residential off-street parking.

Residential off-street parking shall consist of a parking strip, driveway, garage, stall or combination thereof (collectively referred to as approved parking surface). All approved parking surfaces shall be located on the lot it is intended to serve and there shall be vehicular access from each approved parking surface to the public street via an approved curb cut. The portion of the vehicular access to the public street (approved parking surface such as driveway, parking strip, etc.) that is located on the street right-of-way shall have a hard paved surface.

#### 302.8.2 Single family detached dwellings and duplexes.

For single family detached dwellings and duplexes, the approved parking surface shall be a hard surface which is comprised of either gravel, asphalt, concrete, pavers, or some combination thereof.

#### 302.8.3 Attached or multifamily dwellings.

For single-family attached dwellings with three (3) or more contiguous units and multiple-family dwellings, all approved parking surfaces shall be paved.

#### 302.8.4 Front yard parking.

It shall be unlawful for any person to park or store any vehicle or trailer, including but not limited to recreational vehicles and utility trailers, within the front yard in any residential district unless such vehicle is parked on an approved parking surface. It shall also be unlawful for the registered owner of any such vehicle or trailer to allow another person to park or store a vehicle or trailer within the front yard in any residential district unless such vehicle is parked on an approved parking surface. No more than fifty percent (50%) of the required front yard shall be utilized for an approved parking space.

Exception: Parking in a front yard off of an approved parking surface will be allowed under these special circumstances:

1. Temporary loading or unloading
2. When construction, remodeling, maintenance or repairs are being performed on the property, provided a Temporary Use Permit is obtained and all applicable requirements of Section 3.18(h) of the Zoning Ordinance are met prior to issuance of the Temporary Use Permit.
3. Parking for isolated, non-recurring gatherings or parties or for visitors. This exception is not intended and shall not be used to provide permanent or semi-permanent parking for extra vehicles.

#### 302.8.5 Side & Rear yard parking.

For single-family detached dwellings and duplexes, residential off-street parking is permitted outside of an approved parking surface only in the side and rear yard provided side and rear yard setbacks are met and remain clear of all vehicles.”

302.8.6 Attached multi-family dwelling parking.

For single-family attached dwellings with three (3) or more contiguous units and multiple-family dwellings, all off-street parking shall be on an approved paved parking surface.”

Section 302 Exterior Property Areas. Insert a new section as follows:

302.10 Animal(s) to be controlled so as to not commit nuisances.

It shall be unlawful for any person owning or having control or custody of any animal to permit the animal to defecate upon public property of this City or upon private property of another unless the person in control of said animal immediately remove the feces and properly dispose of it; provided however, that nothing herein contained authorizes such person to enter upon the private property of another without permission.”

302.10.1 Suitable container or instrument for removal.

It shall be unlawful for any person to walk an animal on public property of this City or upon the private property of another without carrying at all times a suitable container or other suitable instrument for the removal and disposal of animal feces.

302.10.2 Visually disabled or impaired.

Visually disabled or impaired persons with a service animal are exempt from the provisions of Section 302.10 of this code.

Section 304.10 Stairways, decks, porches and balconies. Insert new language at the end of last sentence: “...and shall not be used for excessive storage of trash, junk, debris or hazardous items, furniture or appliances intended and designed for indoor use.”

Section 304.14 Insect Screens. Insert dates in two brackets respectively: “April 1”... “November 1”

Section 308.1 Accumulation of rubbish or garbage. Insert after “...property and premises,” new language to sentence: “including decks, porches, and open carports...”

Section 602.3 Heat Supply. Delete in its entirety and replace with the following new section:

602.3 Permanent Heat Supply.

Every owner and operator of any building who rents, leases or lets one or more dwelling units or sleeping units on terms, either expressed or implied, to furnish permanent heat supply as defined in Chapter 2 of this Code to the occupants thereof shall supply heat during the period from September 1 to May 1 to maintain a minimum temperature of 68 °F (20 °C) in all habitable rooms, bathrooms and toilet rooms. Temporary electrically plugged or fuel burning space heaters are prohibited to be used in place of permanent heat except in an emergency case by case basis.

Section 602.4 Occupiable Work Spaces. Insert dates in two brackets respectively: “September 1” ... “May 1”

Appendix A, Boarding Standards. A102 Materials insert new subsection as follows:

Section A102.4 Other approved method(s).

The code official may allow alternative means or methods of boarding structures meeting the intent of this code in the event the requirement herein is determined to be impractical or cost infeasible.

Section 2. All other ordinances or parts thereof in conflict with this ordinance are hereby repealed.

Section 3. That nothing in this legislation or in the Property Maintenance Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 2 of this law; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this legislation.

Section 4. This ordinance shall become effective ten (10) days after adoption on second reading, the welfare of the City of Oak Ridge requiring it.

APPROVED AS TO FORM AND LEGALITY:

\_\_\_\_\_  
Kenneth R. Krushenski, City Attorney

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Warren L. Gooch, Mayor

\_\_\_\_\_  
Mary Beth Hickman, City Clerk

First Reading: 10/12/2020  
Publication Date: 10/15/2020  
Second Reading: \_\_\_\_\_  
Publication Date: \_\_\_\_\_  
Effective Date: \_\_\_\_\_