

## ORDINANCE NO. 61-1

AN ORDINANCE TO PROHIBIT ACCUMULATION OF TRASH, REFUSE, LEAVES, GRASS CLIPPINGS, TREE LIMBS, AND OTHER SUBSTANCES LIKELY TO CONSTITUTE OR CREATE A FIRE HAZARD, AND TO PROHIBIT RETENTION OF DILAPIDATED ACCESSORY OR AUXILIARY STRUCTURES, AND TO PROHIBIT SETTING FIRE TO GRASSY AREAS, AND BURNING LEAVES OR OTHER SUBSTANCES, IN OR NEAR PUBLIC STREETS AND PROPERTY LINES, OR ELSEWHERE EXCEPT UNDER SUPERVISION AND PROVIDING PENALTIES FOR VIOLATIONS HEREOF.

WHEREAS, the City of Belle Meade is a city of homes, where the advantage of trees and gardens, open spaces and uncrowded premises should be available for the health and enjoyment of all citizens residing in said City; and

WHEREAS, in order to promote sanitation and health, and prevent accumulation of trash, garbage, and refuse of any kind, a system of collection and disposal is provided by the City, whereby each residence is served by such collection twice each week, an opportunity for disposal of all such waste, without cost to resident, being thereby regularly afforded; and

WHEREAS, it is recognized that the accumulations of waste are apt to create or constitute fire hazards, and the continuing existence of dilapidated accessory or auxiliary buildings or structures, are also apt to create or constitute fire hazards, as well as being detrimental to the morals, comfort and convenience of citizens of the City and certain practices of burning leaves, grass, waste wood and waste paper also create unpleasant smoke and odors;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF BELLE MEADE AS FOLLOWS:

SECTION 1. (a) The accumulation of organic or inorganic refuse or waste, including, but not limited to, tree leaves, grass or weed clippings, dead branches, brush and limbs, newspapers and magazines, empty bottles, jars or other used containers, wooden, paper or cardboard cartons and boxes, under such conditions as will allow such collection or accumulation to be exposed to accidental fire, dispersion by high wind, or other occurrence which is likely to be detrimental to the health, morals, comfort, safety, convenience or welfare of the inhabitants of the City, is hereby prohibited; provided, however, that this ordinance shall not be construed to prohibit the accumulation and keeping of any such substances or articles as are hereinabove enumerated where such an accumulation or keeping is done in an orderly fashion and, when such accumulation is kept in place either

within an existing building, or in such other place as may be designated and properly maintained for the safekeeping of such substances.


(b) The continued retention upon premises within the City of dilapidated accessory or auxiliary buildings or structures, which cause, or are likely to cause, or constitute, hazards of fire, or disease, or to harbor vermin or to constitute a peril to others because of the likelihood of sudden collapse, is also prohibited.

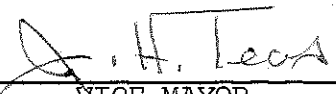
SECTION 2. The burning or setting fire to grassy or wooded areas, or to accumulations of dead leaves, tree limbs, grass clippings, trash, waste, or refuse of any kind, within fifteen (15) feet of any public street, road or highway, or within the same distance from any property line, is hereby prohibited; burning of any such substance by a householder, or property owner, upon his own premises only, and provided same is done at distances not less than specified hereinabove, may be carried on, provided some adult person is in constant attendance and supervision of such burning so long as any combustion is taking place.


SECTION 3. The Chief of Police of the City of Belle Meade is hereby designated as the Fire Marshal of the City, and it shall be his duty to make frequent and regular inspections, in person, and by the patrolmen of the City acting under his supervision, to enforce the provisions of this ordinance. In the event any accumulation or keeping of materials, or the existence or retention of any accessory or auxiliary building is found, which, in the opinion of the City Fire Marshal, constitutes a violation of Section 1 of this ordinance, then written notice of same shall be given to the person in possession of the premises wherein such violation is found, and such person shall be allowed a period of ten (10) days from receipt of such notice to discontinue such practice and dispose of, or otherwise provide for, such accumulation or removal of such building, in the manner permitted in said Section 1 of this ordinance. In the event such person shall not comply with the provisions of said Section 1 within the said ten (10) day period, or shall not obtain an extension of time for such compliance, then such person shall be cited to appear in the Recorder's Court of the City of Belle Meade to show cause why he should not be found in violation of said Section 1 of this Ordinance. The said Fire Marshal of the City may, upon application in good cause shown, grant extensions not exceeding thirty (30) days, in the aggregate, from the date of delivery of the first notice of the violation hereinabove provided, to the person so charged of violation, within which time such person may comply with this ordinance.


SECTION 4. Any person who shall be charged with violation of the provisions of this Ordinance shall be cited to appear before the Recorder's Court of the City of Belle Meade and answer such charge, and in the event such person shall be found guilty of such violation he shall be fined not less than TWO (\$2.00) DOLLARS nor more than FIFTY (\$50.00) DOLLARS, or imprisoned for not more than thirty (30) days.

SECTION 5. The provisions of the foregoing Ordinance are hereby declared to be severable, and in the event any portion hereof shall be found invalid by any Court having jurisdiction to make such determination, then such invalid portion shall be stricken and the remainder of the Ordinance shall remain in effect.

  
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 MAYOR

  
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 VICE MAYOR

  
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 COMMISSIONER

  
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 RECORDER

Passed First Reading  
February 2, 1961.

Passed Second Reading  
February 9, 1961.

Passed Third Reading  
and Adopted  
March 21, 1961.