

ORDINANCE NO. 58-9

"AN ORDINANCE TO AMEND AN ORDINANCE DESIGNATED AS ORDINANCE NO. 58-7, AND ADOPTED ON THIRD READING DECEMBER 8, 1958, ENTITLED 'AN ORDINANCE TO ADOPT A CODE FOR SANITARY SUB-SURFACE SEWAGE DISPOSAL SYSTEMS (HEREINAFTER CALLED "SANITARY CODE"); TO PROVIDE FOR THE APPLICATION AND ENFORCEMENT THEREFOR; TO RESTRICT THE ISSUANCE OF BUILDING PERMITS FOR NEW CONSTRUCTION, REMODELING OR ADDITIONS; TO REQUIRE THE APPLICATION OF SANITARY CODE BY THE MUNICIPAL PLANNING COMMISSION AND BOARD OF ZONING APPEALS, AND TO AMEND THE PROVISIONS OF ORDINANCES NO. 55-4, AND 58-4, INSOFAR AS SAME MAY BE IN CONFLICT WITH THE PROVISIONS OF SAID SANITARY CODE; AND PROVIDING PENALTIES FOR VIOLATIONS OF SAME' SO AS TO PROVIDE FOR THE APPLICATION OF SANITARY CODE ONLY TO NEW STRUCTURES; AND SO TO ELIMINATE THAT SECTION OF SAID ORDINANCE WHICH AMENDS ORDINANCE NO. 55-4 AND SO AS TO PROVIDE FOR THE APPLICATION OF SAID CODE TO SITUATIONS WHERE SANITARY NUISANCE EXISTS, OR IS ABOUT TO OCCUR."

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

SECTION I. SECTION 2 of Ordinance No. 58-7 which was adopted upon Third Reading on December 8, 1958, is stricken out, in its entirety, and in lieu thereof is substituted the following:

"From and after the passage hereof, no building permit shall be issued for the construction of any new structure, unless it shall be made to appear to the satisfaction of the City Building Inspector that same will comply with all the requirements of the Sanitary Code".

SECTION 2. SECTION 3 of Ordinance No. 58-7, adopted on Third Reading on December 8, 1958, is stricken out, in its entirety, and in lieu thereof is substituted the following:

"No certificate of occupancy based upon a building permit issued after the adoption hereof shall be issued, nor shall any new structure be occupied, until it shall appear to the satisfaction of the City Building Inspector that the construction and installation of an adequate septic tank and disposal field for same has been completed in accordance with the requirements of the Sanitary Code."

SECTION 3. SECTION 6 OF ORDINANCE NO. 58-7, adopted on Third Reading on December 8, 1958, is stricken out, in its entirety, and in lieu thereof is substituted the following:

"Whenever it shall appear to the City Building Inspector that a nuisance is being committed within the City of Belle Meade by excessive discharge of effluent from a septic tank or overflow from an absorption trench or trenches, and that same is caused, or is likely to be caused by:

- (a) inadequate percolation qualities of the soil for the amount of waste being discharged into it; or

(b) inadequate capacity of septic tank for waste being discharged into same; or


(c) inadequate total absorption area for disposal of the amount of waste being discharged into same; or

(d) inadequate plan for disposal of waste water, or the use of the septic tank and disposal field system to carry off rain or other surface water, or a combination of these and/or those set forth in (a), (b), and (c) above;

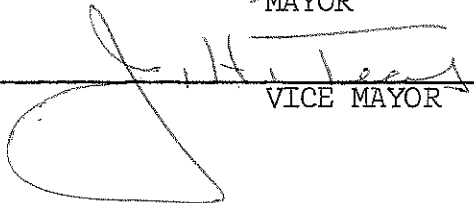
then, in any such event, the City Building Inspector shall cause same to be investigated and inspected by the City Sanitary Engineer, or by such other qualified person as shall be designated by resolution of the Board of Commissioners of the City of Belle Meade, and a full report upon such condition, and recommendation for the abatement and/or prevention thereof; a copy of same shall be prepared for the owner of the property upon which the nuisance appears to be committed, and the head of the occupant family, if same shall not be the owner, and a copy for the study of the Board of Commissioners, to be kept in the files of the City.

Following study of such report, the Board of Commissioners shall cause a copy of same to be forwarded by registered or certified U. S. Mail to the owner of the property, and/or the head of the occupant family. The Board shall, at the same time, fix a date upon which the said owner and/or occupant may appear before it, to show cause, if any there be, why such condition is allowed to exist, and such hearing shall be held not sooner than 7 days after notice of same, together with a copy of said report, shall have been forwarded.

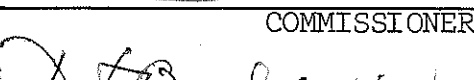
At the hearing, the Board of Commissioners may by resolution find that a nuisance exists and require the cessation or abatement of the nuisance being committed within not less than 30 nor more than 90 days, and shall provide for a further inspection to be made at the end of such period. In the event such nuisance shall continue at the end of such period, the Board of Commissioners shall then by resolution direct the institution of legal proceedings to bring about the abatement of such nuisance.



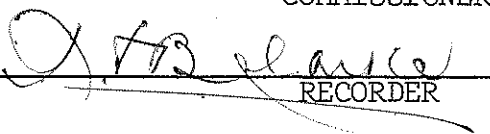
 MAYOR



 VICE MAYOR



 COMMISSIONER



 RECORDER

Passed on First Reading
 December 15, 1958.

Passed on Second Reading
 December 18, 1958.

Passed on Third Reading
 and Adopted
 December 22, 1958.

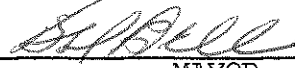
"ORDINANCE NO. 59-1

"AN ORDINANCE TO AMEND AN ORDINANCE DESIGNATED AS NO. 23 AND ENTITLED 'AN ORDINANCE PROVIDING FOR THE COLLECTION OF DELINQUENT TAXES SO AS TO OMIT THEREFROM THE LIMITATION 'LAND TAXES' AND FURTHER SO AS TO PROVIDE FOR THE USE OF CERTIFIED MAIL IN PLACE OF REGISTERED MAIL.

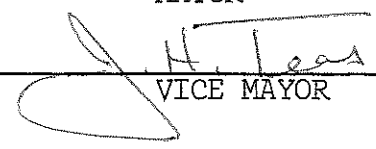
"BE IT ORDAINED BY THE CITY OF BELLE MEADE AS FOLLOWS:

SECTION 1. Section 1 of Ordinance No. 23 adopted on September 2, 1943 and entitled "An ordinance providing for the collection of delinquent taxes" is amended so as to delete therefrom the words "registered mail" and insert in lieu thereof the words "certified mail".

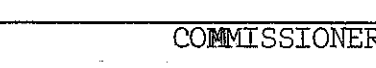
SECTION 2. Section 2 of Ordinance No. 23 adopted September 2, 1943 and entitled "An ordinance providing for the collection of delinquent taxes" be and is hereby amended as follows: wherever the word 'land' appears in Section 2 of said Ordinance No. 23 the same shall be and is hereby stricken."



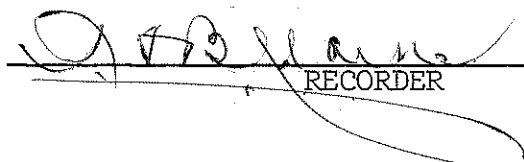
 MAYOR



 VICE MAYOR



 COMMISSIONER



 RECORDER

Passed on First Reading
 February 3, 1959.

Passed on Second Reading
 February 5, 1959.

Passed on Third Reading
 and Adopted
 March 3, 1959.