

ORDINANCE 2024-5

AN ORDINANCE TO AMEND CERTAIN SECTIONS OF TITLE 13, CHAPTERS 1-3 (“PROPERTY MAINTENANCE REGULATIONS”) TO CLARIFY AND SIMPLIFY ENFORCEMENT PROCEDURES.

WHEREAS, the Property Maintenance Regulations of the City of Belle Meade, as contained in Title 13, Chapters 1 to 3 of the Municipal Code, contain unnecessarily cumbersome provisions for the appeal of citations and other enforcement actions to either the board of commissioners or the board of building code appeals; and

WHEREAS, the Board of Commissioners of the City of Belle Meade hereby finds that the more efficient procedure for addressing a failure to comply with citations or orders from the city manager or codes enforcement officer, without sacrificing fairness or due process, would be for the cases to be taken directly to city court.

NOW THEREFORE:

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

SECTION 1. Chapter 2 of Title 13 (“Unsafe Buildings”) of the Belle Meade Municipal Code is hereby amended to delete Section 13-204 in its entirety, renumber all subsequent sections of the said chapter, and to add the following:

13-207. Enforcement in City Court. In addition to all other remedies provided in this chapter, the city manager or codes official may bring an action in city court as for any other violation of a city ordinance, pursuant to Title 3 and Title 11 of the Municipal Code.

SECTION 2. Chapter 3 of Title 13 (“Maintenance Code”) is hereby amended to delete sub-part (e) of Section 13-308 (3) in its entirety and reorder all subsequent subsections accordingly. Section 13-308 (e) currently provides:

13-308. Notice of violation.

(e) Inform the owner of a right to hearing before the board of building code appeals on a date set forth in the notice.

SECTION 3. Chapter 3 of Title 13 (“Maintenance Code”) is further amended to delete subsection (4) of Section 13-308 in its entirety.

SECTION 4. Chapter 3 of Title 13 (“Maintenance Code”) is further amended to delete Section 13-309 in its entirety.

SECTION 5. Chapter 3 of Title 13 (“Maintenance Code”) is further amended to delete from Section 13-310 (1) and (4) the following language:

(1) “Upon determination of the board of building codes appeals as set forth in §13-309(2)(b) above”

(4) "the board of building code appeals determines that"

SECTION 6. Chapter 3 of Title 13 ("Maintenance Code") is further amended to delete

from Section 13-312 (1), (2) and (3):

(1) "members of the board of building code appeals"

(2) "or board member"

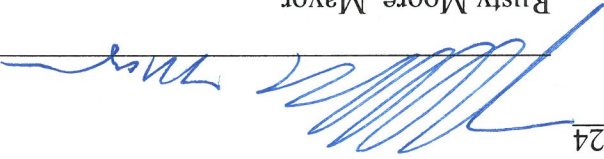
(3) "or board member"

SECTION 7. This ordinance shall become effective fifteen days after its

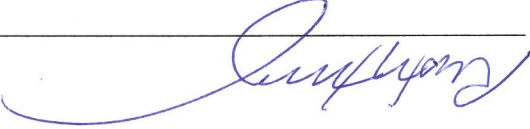
passage, the health, safety, and welfare of the citizens of Belle Meade requiring it.

Passed on First Reading: April 15, 2024

Passed on Second Reading: May 15, 2024



Rusty Moore, Mayor



Rusty Terry, City Recorder