

**ORDINANCE NO. 1012**

**“AN ORDINANCE TO UPDATE THE ATHENS MUNICIPAL CODE TO REFLECT CURRENT CITY OF ATHENS POLICIES AND PROCEDURES.”**

**BE IT ORDAINED BY THE CITY OF ATHENS, TENNESSEE, AS FOLLOWS:**

**SECTION 1.** That Title 13, Chapter 2, Section 13-201 (Overgrown and dirty lots) be amended by adding subparagraph (9) which reads as follows:

(9) Exempt lands. This Section is not meant to prohibit the growth of plants in natural areas that have not been developed and have existed historically in their natural state. Other areas that are exempt include but are not limited to the following: public parks, designated wildlife areas, conservation easements, buffers around streams, wetlands, and vegetation within designed retention areas that are kept within the designed conditions approved by the City of Athens. In addition, the City of Athens Public Works Director has the right to make a determination on the vegetative growth on any property within the municipal boundary to see if it qualifies for an exemption from the requirements of Section 13-201.

**SECTION 2.** That Title 17, Chapter 1, Section 17-102 (Premises to be kept clean) be amended by removing the word “fifth” and inserting in lieu thereof the word “*filth*”.

**SECTION 3.** That Title 17, Chapter 1, Section 17-116 (Collections under supervision of city manager), Paragraph 2 be amended by deleting the wording “thirty dollars (\$30.00) per trailer load or fraction thereof” and replacing it with “a minimum fee as determined by city council and adopted through its annual budget”.

**SECTION 4.** That Title 16, Chapter 4, Section 16-404 (Financing improvements) be amended by deleting the wording “except as qualified in (2) below.” Further amend Section 16-404 by deleting subsections (2), (3) and (4) in their entirety.

**SECTION 5.** Any Ordinance, Resolution, Motion or parts thereof in conflict herewith are hereby repealed and superseded. If any sentence, clause, phrase or paragraph of this Ordinance is declared to be unconstitutional by any Court of competent jurisdiction; such holding will not affect any other portion of this Ordinance.

**SECTION 6.** BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon final passage and as provided by law.

PASSED ON FIRST READING: November 20, 2012

PASSED ON SECOND READING: December 18, 2012

DATE OF PUBLIC HEARING: December 18, 2012



R. HAL BUTTRAM, Mayor



MITCHELL B. MOORE, City Manager

APPROVED AS TO FORM:



H. CHRIS TREW, City Attorney