



Blount County Government

TO: Blount County Commissioners

FROM: Jeff Headrick, Highway Superintendent

RE: Appropriation of funds for cleanup of properties in violation of T.C.A. § 5-1-115

DATE: June 20, 2024

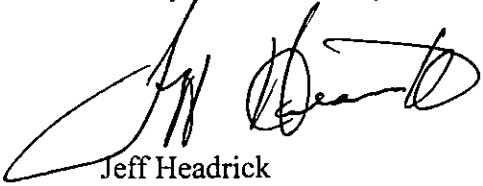
At the regularly scheduled meeting of the Public Service Committee on June 13, 2024, the committee directed staff to prepare a resolution for the County Commission to appropriate funds of \$100,000 for abatement of violations of T.C.A. § 5-1-115 to include overgrown trees, vines, grass, underbrush or the accumulation of debris, trash, litter, garbage, or any combination of the preceding elements, or a vacant dilapidated building or structure, so as to endanger the health, safety or welfare of other citizens. The funds would allow the Building Commissioner to contract with appropriate vendors, as needed, to remedy violations in a timely manner.

Development Services receives and processes all citizens' complaints alleging violations of T.C.A. § 5-1-115, environmental health, stormwater, zoning, and building codes. This request is specific only to remediation of overgrown lots, junk and debris removal, and demolition of dilapidated structures pursuant to § 5-1-115. All of the other regulations managed under the Development Services umbrella have their own processes for enforcement, most of which involve the court system.

When a property is found to be in violation of § 5-1-115, the property owner is notified of the violation with a certified letter. The letter gives the owner the opportunity to remedy the violation and/or appeal to the Public Service Committee. If, after receipt of the final notice, the property owner does not clean up the violation or appeal within the required time (ten days), then the County is obligated to immediately abate the violation. By appropriating the monies, staff would have the ability to "clean-up" the properties through an approved third-party contractor. After the vendor is paid for their work, the final numbers would be given to the County Attorney who would place a lien on the property for the actual amount of the cleanup, plus any applicable legal and recording fees.

The Highway Department has explored the possibility of using county staff and equipment to cleanup such properties. Liability concerns, limited personnel, and potentially jeopardizing the safety of County employees, however, make this an unviable option. As such, if this is not funded, there is no way for the County to get properties in violation cleaned up. We would instead continue to make the property owner aware of the situation and hope that they make the necessary corrections on their own. Arguably, that alone would not satisfy our requirement to

“immediately” correct the violation. Another option would be to rescind the County’s adoption of 5-1-115 since it is, “permissive and not mandatory and may or may not be exercised by a county, as each county deems appropriate.”

A handwritten signature in black ink, appearing to read 'Jeff Headrick', written in a cursive style.

Jeff Headrick
Blount County Highway Superintendent