

*****DECEMBER 10, 2001*****

The Town Council of the Town of Signal Mountain held its regular meeting on Monday, December 10, 2001, at 7:00 p.m. in the Town Hall. Those present were:

Mayor James H. Althaus
Vice-Mayor Robert E. Steel, Jr.
Councilmember Rachel Bryant
Councilmember Steve Ruffin

Also present:

Town Manager Hershel Dick
Town Recorder Diana Campbell
Town Attorney Joe Wagner
Advisory Attorney Phil Noblett
See list for addition people present

The Mayor called the meeting to order and Councilmember Ruffin offered the prayer. The Recorder called the roll.

Councilmember Ruffin made a motion to approve the minutes of the November 12, 2001, regular monthly meeting. The motion was seconded by Vice-Mayor Steel and passed unanimously.

BEER BOARD CONVENED

The Mayor convened the Beer Board. He explained to the citizens that the Council was the Beer Board. He noted that the Beer Board had two applications from Nino Piccolo to consider, one for the sale of beer and one for brown bagging.

Vice-Mayor Steel made a motion to accept the application for the brown bagging and issue a permit. Councilmember Ruffin seconded the motion and it passed unanimously.

Vice-Mayor Steel made a motion to accept the application for an on-premises beer permit. Councilmember Ruffin seconded the motion and it passed unanimously.

The Beer Board was adjourned.

COUNCIL MEETING RE-CONVENED

The first ordinance for the Council to consider was "AN ORDINANCE TO AMEND THE TOWN OF SIGNAL MOUNTAIN MUNICIPAL CODE BY ADDING TO TITLE 18 A NEW CHAPTER 7 FOR THE PURPOSE OF REGULATING AND CONTROLLING THE RUNOFF OF STORMWATER" for the second and final reading.

Vice-Mayor Steel made a motion to approve the ordinance. Councilmember Bryant seconded the motion and it passed unanimously.

Bill Wagner, the Town's Building Inspector, spoke to the Council and explained the next step in complying with the EPA and State laws that required stormwater management and control by cities. The Town, as he explained, would need to produce a map of the stormwater system. The Town had ordered global positioning system equipment that would be used to map the system. A discussion followed with several questions from the Council.

Next Lou Oliphant from the Planning Commission addressed the Council. She noted that the Council had received copies of the minutes of the Planning Commission meeting. She informed the Council that the Planning Commission had recommended to the Council "a resolution adopting proposed areas of annexation to potentially occur with the Urban Growth Boundaries of the Town of Signal Mountain over the next ten (10) years, pursuant to the Urban Growth Master Interlocal Agreement and to publish the map

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showing the proposed areas of annexation south of Taft Highway prior to or by December 31, 2001.”

The Mayor explained to the Council and citizens that the Master Interlocal Agreement worked out between Hamilton County and all the municipalities in the county contained the condition that the municipalities must publish in the newspaper prior to December 31, 2001, a map showing what area might be annexed in the first ten years. He noted that the Agreement included the condition that the municipalities would not annex any residential area for the first five years. He pointed out that commercial areas and any residential area that petitioned to be annexed, however, could be annexed during the first five years. He then explained that another side agreement between the Town of Signal Mountain and the Town of Walden included the condition that the Town of Signal Mountain would not annex anything north of Taft Highway during the second five years. He stated that the Town should put all areas of the Town's Urban Growth Boundary south of Taft Highway in the map so the Town could consider those areas during the second five-year period. He further explained that if the Town did not include them in the map the Town might not be able to consider them for annexation until after ten years.

Vice-Mayor Steel made a motion to approve the resolution “A RESOLUTION ADOPTING PROPOSED AREAS OF ANNEXATION TO POTENTIALLY OCCUR WITHIN THE URBAN GROWTH BOUNDARIES OF THE TOWN OF SIGNAL MOUNTAIN OVER THE NEXT TEN (10) YEARS, PURSUANT TO THE URBAN GROWTH MASTER INTERLOCAL AGREEMENT AND TO AUTHORIZE THE TOWN RECORDER TO PUBLISH THE ATTACHED MAP SHOWING PROPOSED AREAS OF ANNEXATION WITHIN THE URBAN GROWTH BOUNDARIES OF THE TOWN OF SIGNAL MOUNTAIN PRIOR TO DECEMBER 31, 2001.” Councilmember Ruffin seconded the motion and it passed unanimously.

The second recommendation from the Planning Commission as stated by Lou Oliphant was “that 2001 evaluation of the Future Land Use Plan map be accepted with no changes made and the Land Use Plan is our zoning map.” Planning Commission member Brendan Olin made a brief presentation. He stated that in December, 1998, the Planning Commission recommended to the Council and the Council agreed that the Future Land Use Plan Map for the Town of Signal Mountain should be for the ensuing three years the existing zoning map. The existing zoning map showed the entire Town in the zoning classifications of each area in the Town. The zoning map must be reviewed every three years. He further explained that the Planning Commission had felt the conditions in the Town were substantially the same as they were in 1998; therefore, they were recommending the map be approved with no changes. The Mayor made a motion to approve for another three years the Future Land Use Plan map unchanged. Both Vice-Mayor Steel and Councilmember Bryant seconded the motion at the same time and it passed unanimously.

During the opportunity for citizens to address the Council, Mr. Ronnie Simpson of Ronnie's Service Center requested that a zoning ordinance be changed so he would be allowed to put a for sale sign in cars at his business. A discussion followed. Attorney Phil Noblett informed the Council that since April, 1998, any outdoor sales of any type of motor vehicle has been prohibited. In the discussion, it was noted that the Council could not consider a request for a change to a zoning ordinance until the request had been presented to the Planning Commission and they had made a recommendation, therefore, no action was taken.

The next item before the Council the Mayor noted was a request from the Library Board to appoint Mr. Art Dickerson, Dr. Paul Nolan, and Mr. Dave Kemmerer for a three-year term. Vice-Mayor Steel made a motion to approve the appointments. Councilmember Ruffin seconded the motion and it passed unanimously.

The Council then considered the reappointments to the Planning Commission for Dan Saieed, Jr., Hale Hamilton, and Dick Dillender. Councilmember Ruffin made a motion to

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approve the appointments. Vice-Mayor Steel seconded the motion and it passed unanimously.

The Town Recorder presented information to the Council on a bid item for tree removal. She stated that sealed bids had been opened on December 4, 2001. The lowest bid was from Chattanooga Tree Service for \$12,775. She noted that Art Parry, the Town Engineer, had recommended that the Council approve the low bid. Vice-Mayor Steel made a motion to approve the bid from Chattanooga Tree Service. Councilmember Ruffin seconded the motion and it passed unanimously.

Councilmember Bryant asked if anything could be done to unsightly partially-completed structures. A lengthy discussion followed. No action was taken.

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Councilmember Bryant requested the Council consider the matter of a yearly pass for non-residents to use the facilities and sports activities in the Town. The matter was postponed until the report from the State on recreational facilities in the Town is ready in February, 2002.

Councilmember Ruffin thanked the Town Manager for getting the speed limit enforced and requested that the enforcement continue.

Vice-Mayor steel requested the Council consider an ordinance to prevent derelict houses, unfinished houses or eyesores. He requested the Council revise the current ordinance or adopt an ordinance similar to other cities to control unsightly houses. No action was taken.

The meeting was adjourned.



Recorder



James H. Althaus, Mayor

List of additional people in attendance attached.

Date Dec 10, 2001

NAME	ADDRESS
1. John Houshrop	509 Brady Pt. Rd
2. Irby Park	105 Mountain Court
3. Pris / + Mark Shartle	501 James Blvd.
4. Chereé & Joe Dumas	1111 James Blvd.
5. Ron Olyphant	Cherokee Lane
6. Jean Halar	Cherokee Lane
7. Greg Goodgame	1112 Glamis Cct
8. NINO PICCOLO	1106 CLAWIS CR.
9. Patricia Vinciat	3 Bagdon Ct.
10. BREKIN OLIN	821 CHEROKEE LANE
11. Ken Holloway	103 Short Creek
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ORDINANCE NO. 2001-6

AN ORDINANCE TO AMEND THE TOWN OF SIGNAL MOUNTAIN MUNICIPAL CODE BY ADDING TO TITLE 18 A NEW CHAPTER 7 FOR THE PURPOSE OF REGULATING AND CONTROLLING THE RUNOFF OF STORMWATER

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF SIGNAL MOUNTAIN, TENNESSEE, as follows:

SECTION 1. A new Title 18, Chapter 7, is hereby added to the Town of Signal Mountain Municipal Code to read as follows:

TITLE 18

CHAPTER 7

STORMWATER RUNOFF REGULATION AND CONTROL

DIVISION I. GENERAL PURPOSE AND GENERAL REQUIREMENTS

SECTION 7-101. Purpose. The purpose of this ordinance is to diminish threats to the public health and safety caused by the runoff of excess stormwater, to minimize movement of soils resulting from development, to reduce the possibilities of hydraulic overloading of the storm sewer system, to reduce economic losses to individuals and the community at large as a result of erosion and the runoff of excess stormwater, and to protect and conserve land and water resources, while at the same time ensuring orderly development. The provisions of this ordinance are specifically intended to supplement existing ordinances regulating the following:

1. The subdivision, layout, and improvement of lands located within the Town of Signal Mountain.
2. The excavating, filling, and grading of lots and other parcels or areas.
3. The construction of buildings, including related parking and other paved areas, and the drainage of the sites on which those structures and their related parking and other paved areas are located.
4. The design, construction, and maintenance of erosion control and stormwater drainage facilities and systems.

SECTION 7-102. Definitions. For the purpose of this ordinance, the following definitions are adopted:

1. Base Flood Elevation. The elevation delineating the flood level having a one-percent probability of being equaled or exceeded in any given year (also known as the 100-year flood elevation), as determined from Flood Insurance Rate Maps (FIRMS) or the best available information.
2. Channel. A natural or man-made open watercourse with definite bed and banks which periodically or continuously contains moving water, or which forms a connecting link between two bodies of water.
3. Town Engineer. The person formally designated by the Town of Signal Mountain as the Town Engineer.
4. Conduit. Any channel, pipe, sewer, or culvert used for the conveyance of movement of water, whether open or closed.

5. Control Elevation. Contour lines and points of predetermined elevation used to denote a detention storage area on a plat or site drawing.
6. Design Standards for Public Improvements. Standards on file in the Town's offices to which all designs and the resulting public improvements, must conform.
7. Detention Facility. A facility constructed or modified to restrict the flow of stormwater to a prescribed maximum rate, and to concurrently detain the excess waters that accumulated behind the outlet.
8. Detention Storage. The temporary detaining or storage of stormwater in storage basins, on rooftops, in streets, parking lots, school yards, parks, open space, or other areas under predetermined and controlled conditions, with the rate of drainage therefrom regulated by appropriately installed devices.
9. Discharge. The rate of outflow of water from any source.
10. Drainage Area. The area from which water is carried off by a drainage system, i.e., a watershed or catchment area.
11. Excess Stormwater Runoff. The rate of flow of stormwater discharged from an urbanized drainage area which is or will be in excess of that volume and rate which represented or represents the runoff from the property prior to the date of this ordinance.
12. Floodplains. The special flood hazard lands adjoining a watercourse, the surface elevation of which is lower than the Base Flood Elevation and is subject to periodic inundation.
13. Hydrograph. A graph showing, for a given point on a stream or conduit, the runoff flow rate with respect to time.
14. Land Disturbance. Any man-made change to improve or unimprove real estate including but not limited to building structures, filling, grading, excavation, clearing, or removal of vegetation.
15. One-Hundred-Year Storm. A precipitation event of 24-hours' duration, having a one-percent chance of occurring in any one year.
16. Peak Flow. The maximum rate of flow of stormwater at a given point in a channel or conduit resulting from a predetermined storm or flood.
17. Stormwater Drainage System. All means, natural or man-made, used for conducting stormwater to, through, or from a drainage area to the point of final outlet including, but not limited to, any of the following: open and closed conduits and appurtenant features, canals, channels, ditches, streams, swales, culverts, streets, and pumping stations.
18. Stormwater Drainage Facility. Any element in a stormwater drainage system which is made or improved by man.
19. Stormwater Runoff. The waters derived from precipitation within a tributary drainage area flowing over the surface of the ground or collected in channels or conduits.
20. Time of Concentration. The elapsed time for stormwater to flow from the most distant point in a drainage area to the outlet or other predetermined point.

21. Two-Year Storm. A precipitation event having a fifty percent chance of occurring in any one year.
22. Two-Year Storm Runoff. The stormwater runoff having a fifty percent probability of occurring in any one year.
23. Unprotected Channel. A channel which receives stormwater discharge and which is not paved, rip-rapped, or otherwise improved by addition of man-made materials so as to reduce the potential for erosion.
24. Upland Areas. Any land whose surface drainage flows toward the area being considered for development.
25. Urbanization. The development, change, or improvement of any parcel of land consisting of one or more lots for residential, commercial, industrial, institutional, recreational, or public utility purposes.
26. Waterbody. Any natural or artificial pond, lake, reservoir, or other area which ordinarily or intermittently contains water and which has a discernable shoreline.
27. Watercourse. Any natural or artificial stream, river, creek, channel, ditch, canal, conduit, culvert, drain, waterway, gully, ravine, street, roadway, swale, or wash in which water flows in a definite direction, either continuously or intermittently, and which has a definite channel, bed, or banks.
28. Wet Bottom Detention Basin. A basin designed to retain a permanent pool of stormwater after having provided its planned detention of runoff during a storm event.
29. Nonpotable Water. Water not safe for drinking or personal or culinary utilization.

SECTION 7-103. Permit. Before initiating any activity regulated by this ordinance, an applicant shall be required to obtain a permit from the Town which indicated that the requirements of this Chapter 7 have been met.

Permit fees shall be: 0 - 2.0 Acres = \$25.00
 2.1 - 4.9 Acres = 50.00
 5.0 - Greater Acres = 100.00

SECTION 7-104. Other Requirements. In addition to meeting the requirements of Section 7-103 and the more specific requirements of Division 2 of this Chapter 7 and before starting any activity regulated by this ordinance, an applicant shall comply with the requirements set forth in all other related ordinances and State statutes and regulations.

SECTION 7-105. Nonpotable Water Discharges. Sewage or other waste from a plumbing system that is deleterious to surface or subsurface waters shall not be discharged into the ground or into any waterway unless it has been rendered innocuous through subjection to an approved form of treatment. An example would be the discharge of washing machine water into a drainage ditch or stormwater sewer.

SECTION 7-106 - 7-109. Reserved.

DIVISION II. SPECIFIC REQUIREMENTS

SECTION 7-110. General. Sediment shall be maintained on site and excess stormwater runoff shall be detained in connection with any new construction, development, redevelopment, or land use change occurring within the Town of Signal Mountain in accordance with the requirements set forth in this Chapter 7. Notwithstanding the foregoing, exceptions to this requirement are as follows:

1. For stormwater detention, the development of any subdivision of five or less single-family or two-family lots.
2. For stormwater detention, the development of commercial or industrial property in which the increase in run-off is less than ten percent (10%) of the pre-development runoff rate and less than five (5) cubic feet per second.
3. A determination by the Town that the excess runoff from the proposed construction, development, redevelopment, or land use change will be insufficient to adversely affect the carrying capacity of the receiving body or watercourse. In this connection and should the Town's determination of insufficient adverse effect be sought, the developer shall make available to the Town such hydraulic or hydrologic computations as will support the requested exception.

SECTION 7-111. Discharge Rate. The peak discharge rate after full development resulting from the proposed development shall not exceed the corresponding peak discharge rate prior to development during storms of 2-year, 5-year, 10-year, and 25-year return frequencies.

SECTION 7-112. Flood Elevation. There shall be no detrimental effect on the floodway or the flood elevation during a 100-year storm upstream or downstream of the proposed development area as a result of the proposed development.

SECTION 7-113. Allowable Detention Facilities. The increased stormwater runoff resulting from proposed development shall be detained by providing for appropriate detention storage as required by this Chapter 7.

Where streets are used for temporary storage of stormwater runoff all manholes for sanitary sewers shall be of a type which prevent the infiltration of the ponded water. Where streets are used for the temporary storage of stormwater runoff, in no case shall the maximum design depth exceed six (6) inches.

SECTION 7-114. Detention Storage. Designs for detention storage and related appurtenances shall be submitted to the Town for approval. Upon submittal of designs of detention storage the Town shall make a determination as to whether any or all of the facilities proposed are to become part of the public drainage system. The Town shall, at the same time, in the case of a proposed subdivision make a determination as to those control elevations that shall be entered on the final plat or make a determination as to the necessity for deed restrictions on any particular lot in said subdivision requiring the preservation of mandatory drainage facilities. Where a non-subdivided parcel of land is proposed for development, the Town shall make a determination as to the need for covenants to maintain responsibility for mandatory drainage facilities. All of said facilities shall be designed and constructed in accordance with Town of Signal Mountain specifications, shall be located in easements dedicated to the public, and shall be subject to continuing inspection during the construction period in the same manner as any other public improvement regulated under Title 18 of the Signal Mountain Municipal Code.

Detention facilities associated with residential subdivisions shall be in a separate lot (min. ½ acre) that shall be deeded to the Town after 75% of the lots in the subdivision are occupied and the lot soil stabilized. Prior to acceptance of the detention facility the Town and the developer will inspect the facility to assure it meets all of the requirements of this Chapter 7. If any deficiencies are found, the developer will be responsible to make the necessary changes at his expense. Wet bottom detention basin is not acceptable to the Town for operation and maintenance.

SECTION 7-115. Sizing of Detention Storage and Outlet.

1. The draining area used in computation will be the total area tributary to the detention storage outlet.

2. The developer will be required to submit detailed hydrologic and hydraulic calculations to show that the requirements of this Chapter 7 will be met. A unit hydrograph method of analysis will be used for detailed hydrologic computations.

SECTION 7-116. Discharge Velocity. The discharge velocity from detention facilities shall not exceed three feet per second unless it is determined by the Town that greater velocities will not be harmful to the receiving channel. Where the Town's determination is requested, the developer shall make available such hydraulic or hydrologic computations as will adequately support the course of action being requested.

SECTION 7-117. Emergency Spillway. Emergency spillways shall be provided to permit the safe passage of runoff generated from rainfall events in excess of the 100-year rainfall event.

SECTION 7-118. Freeboard. Detention storage areas shall have adequate capacity to contain the storage volume of tributary stormwater runoff with at least one foot of freeboard above the water surface during the 100-year rainfall event.

SECTION 7-119. Joint Development of Control System. Stormwater control systems may be planned in coordination by two or more property owners as long as the potential for damage from stormwater is not increased at intervening locations.

SECTION 7-120. Early Installation of Control Systems. Stormwater control measures shall be installed prior to undertaking other grading of site and a schedule of construction for this purpose shall be submitted by the owner(s)/developer(s) prior to construction in the Town of Signal Mountain.

SECTION 7-121. Flows from Upland Areas. The total drainage area must be used in calculating the allowable release rate. The required storage volume will be based on the project area only, with extraneous flows from upland areas being bypassed or discharged via overflow spillways or other devices. Where storm sewers are required they shall be of such size as will provide sufficient capacity to receive the flow generated by five-year storm from upland areas. As to the latter and regardless of whether it has occurred in fact, such upland area shall be deemed to have been fully developed for all purposes of this requirement.

SECTION 7-122. Land Disturbance of One Acre or More. The developer shall comply with the State of Tennessee General NPDES Permit for Stormwater Discharges Associated with Construction Activity and provide a copy to the Town prior to starting construction.

SECTION 7-123. Land Disturbance of Less than One Acre. The developer shall submit to the Town of Signal Mountain a sediment and erosion control plan that meets the requirements of the State of Tennessee General NPDES Permit for Stormwater Discharges Associated with Construction Activity prior to starting construction.

SECTION 7-124. All Land Disturbances. Land disturbances associated with any new construction, development, redevelopment, or land use change on any site of 2,500 square feet or larger or requiring a building permit shall incorporate into the development plan the following elements as minimum:

Stone construction entrance.

Silt fence or other sediment retaining device on the low side of the site.

Temporary seeding of disturbed areas remaining open more than three weeks.

Removal of soil tracked into the public right-of-way.

Permanent seeded.

A copy of the development plan shall be submitted to the Town prior to starting construction.

SECTION 7-125. Engineering Certification. Any plans submitted to the Town for the purpose of obtaining a building permit shall provide a Civil Engineer's Certification that appropriate measures have been taken to avoid the diversion of water flow and for adequate drainage without impairing neighboring properties. This provision shall apply only to those plans which cause a 10 percent increase in impervious area, to be covered with construction or involve changes in the grade of the lot upon which construction will be conducted.

SECTION 7-126. BMP Manual. This Ordinance adopts the best management practice manual which contains the six (6) minimum compliance requirements and other items for obtaining a State stormwater permit.

SECTIONS 7-127 - 7-130. Reserved.

DIVISION III.

ADDITIONAL SUBDIVISION AND BUILDING IMPROVEMENT REGULATIONS.

SECTION 7-131. Preliminary plats. Information indicating the manner in which the provisions of this ordinance are to be met shall be indicated on all preliminary plats.

SECTION 7-132. Requirements for Construction Plans. Information indicating the manner in which the provisions of this ordinance are to be met shall be submitted with all construction plan submissions or any other plan for improvements which falls under the requirements of Section 7-110. All computations, plans, and specifications shall be prepared and sealed by a professional engineer registered in the State of Tennessee.

SECTION 7-133. Requirements for Final Plats. The easements or separate lots required for detention facilities shall be shown on the final plat. The control elevation for each detention facility shall be shown on the plat near the detention facility. A benchmark shall be established on site near the center of the detention facility, and be referenced to mean sea level.

SECTION 7-134. Drainage and Detention Design Requirements. All subdivisions and other proposed improvements which are subject to the provisions of Section 7-110 shall incorporate such design features as are required in this Chapter 7. Variation from these requirements shall require the approval of the Town Council whose action shall be conditioned upon the following:

1. That a petition be submitted describing in detail the rationale for the proposed design change.
2. That there are special circumstances or conditions affecting the property under consideration such that strict compliance with the provisions of this Chapter 7 would deprive the applicant of the reasonable use of his land
3. That the variance is necessary for the preservation and enjoyment of a substantial property right of the proprietor.
4. That the granting of the variance will not be detrimental to the public health, safety, or welfare or injurious to other property in the territory in which said property is located.

SECTION 7-135. Off-Street Storm Drainage Systems. When the drainage system is outside of the road right-of-way, the subdivider shall provide and prepare a drainage easement according to accepted engineering practices.

The size and location of all off-street watercourses and/or ditches running through the subdivision shall be enclosed, or left open, in accordance with consideration for public safety and accepted engineering practices.

The developer shall protect all drainageways from erosion and sedimentation. Swales shall be seeded or sodded. All open channels or ditches shall be lined with rock and mortar, concrete, or other materials approved by the Town Engineer when the grade of the channel or ditch is less than one (1) percent or more than six (6) percent, or when deemed necessary by the Town Engineer.

SECTION 7-136. Maintenance. Designs of detention facilities will incorporate features which facilitate their inspection and maintenance. The designer shall submit an Operation and Maintenance (O&M) Plan for any detention facility prior to its approval by the Town. All privately-owned detention facilities may be inspected by representatives of the Town of Signal Mountain at such times as they deem necessary. If deficiencies, or conditions creating nuisances, are found, the owner shall be required to initiate the necessary corrections within fourteen (14) days, and all deficiencies shall be corrected within forty-five (45) days.

Prior to starting construction, the developer shall post a bond in the amount of 1.5 times the estimated construction cost of the detention facility plus an amount of \$10,000 for Operation and Maintenance. The bond will remain in force until the detention facility is accepted by the Town.

SECTION 7-137. Safety Features. Designs of detention facilities shall incorporate safety features, particularly at inlets, outlets, on steep slopes, and at any attractive nuisances. These features shall include, but not be limited to, fencing, handrails, lighting, steps, grills, signs, and other protective or warning devices so as to restrict access.

SECTION 7-138. Drainage Easement. Drainage easements shall be maintained by the developer until sold and from that time on maintained by the property owner.

SECTION 7-139. Reserved.

DIVISION IV. ADMINISTRATION.

SECTION 7-140. Responsibility. The administration of this ordinance shall be the responsibility of the Town of Signal Mountain.

SECTION 7-141. Interpretation. In the interpretation and application of this ordinance, the provisions expressed herein shall be held to be the minimum requirements and shall be liberally construed in favor of the Town of Signal Mountain.

SECTION 7-142. Appeals:

1. Any person found in violation of Chapter 7 may appeal such action to the Stormwater Appeals Board.

This Board will consist of the following:

- Town Manager
- Town Recorder
- Town Engineer
- Director of Water and Sewers
- Director of Public Safety
- Building Official
- Citizen Representative

After hearing all the facts, the Appeals Board will issue a decision at the time of the hearing.

2. The Town of Signal Mountain Town Council is hereby designated as the final appeals board for disputes arising from the application of this Ordinance provided the Stormwater Appeals Board cannot resolve the dispute. The Town Council shall be to hear appeals where it is alleged by an appellant that there is error in any order, requirement, decision, grant or refusal made by the Town in the enforcement of the provisions of this Ordinance.

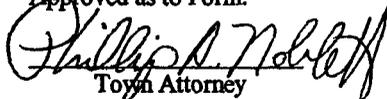
SECTION 7-143. Penalties for violation:

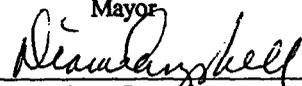
1. General: Any person, firm, organization, association, or corporation violating any of the provisions of this Chapter 7, including violation of any variances granted under the authority of this Chapter 7, shall be deemed guilty of a violation of a municipal ordinance and each such person or other entity shall be deemed guilty of a separate offense for each and every day or portion thereof that any violation of any of the provisions of this Code is committed, continued or permitted, and upon conviction of such violation, such person or other entity may be punished by a fine of not less than fifty dollars (\$50) and not more than five hundred dollars (\$500).
2. Additional Corrective Actions: Any building or structure constructed in violation of the provisions of this Chapter 7 or any use carried on in violation of this Chapter 7 is hereby declared to be a nuisance per se, with any court of competent jurisdiction having the authority to determine that the owner or developer is guilty of maintaining a nuisance per se and to order such nuisance abated. In this connection, the Town is hereby authorized to institute any appropriate action or proceeding in any appropriate court to prevent, restrain, correct, or abate any violations of this Chapter 7.
3. The provisions of this ordinance are in addition to and not in restriction of limitations or rights that the citizens of the Town of Signal Mountain may have under the common laws of the State of Tennessee.
4. Any person violating any of the provisions of this chapter upon recommendations by the Building Official will be issued a citation by the Signal Mountain Police Department.

SECTION 2. All ordinance or parts of ordinance in conflict herewith are hereby repealed only to the extent necessary to give this ordinance full force and effort.

SECTION 3. This ordinance shall take effect from and after the date of its final passage, the public welfare of the town of Signal Mountain, Tennessee, requiring it.

Approved as to Form:


 Phillip A. North
 Town Attorney


 Mayor

 Town Recorder

11-12-01
 Passed on First Reading

12-10-01
 Passed on Second/Final Reading

RESOLUTION NO. R 2001-12

A RESOLUTION ADOPTING PROPOSED AREAS OF ANNEXATION TO POTENTIALLY OCCUR WITHIN THE URBAN GROWTH BOUNDARIES OF THE TOWN OF SIGNAL MOUNTAIN OVER THE NEXT TEN (10) YEARS, PURSUANT TO THE URBAN GROWTH MASTER INTERLOCAL AGREEMENT AND TO AUTHORIZE THE TOWN RECORDER TO PUBLISH THE ATTACHED MAP SHOWING PROPOSED AREAS OF ANNEXATION WITHIN THE URBAN GROWTH BOUNDARIES OF THE TOWN OF SIGNAL MOUNTAIN PRIOR TO DECEMBER 31, 2001.

WHEREAS, the Master Interlocal Agreement executed by the Town of Signal Mountain, Hamilton County, Tennessee and all municipalities located within Hamilton County, Tennessee was executed on May 23, 2001 and contains growth boundary maps for future growth of the Town over the next twenty (20) years; and

WHEREAS, Section 10(B) of the Master Interlocal Agreement provides that "the Town of Signal Mountain shall provide residents within such approved urban growth boundaries with an estimated timeline of proposed annexations which will occur within ten (10) years of the effective date of this Agreement, on or before December 31, 2001"; and

WHEREAS, the Mayor has requested the Town Attorney and the Town Manager to review the Urban Growth Boundaries adopted by the Town of Signal Mountain to consider the costs of providing services and appropriate areas for any potential annexations which may occur within ten (10) years of the effective date of this Agreement; and

WHEREAS, the attached map has been developed containing an estimated timeline of proposed annexations within the Urban Growth Boundaries of the Town of Signal Mountain which may occur within ten (10) years of the effective date of this Agreement provided that such annexations are approved by Ordinance of the Town Council or by referendum or petition of the property owners within these Urban Growth areas;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF SIGNAL MOUNTAIN that the attached map containing an estimated timeline of proposed annexations which could occur within ten (10) years of the effective date of the Master Interlocal Agreement is adopted in accordance with Section 10(B) of the Master Interlocal Agreement.

BE IT FURTHER RESOLVED that the Town Recorder is authorized to publish this estimated timeline map and to provide notice to residents within such approved boundaries by usual publication on or before December 31, 2001.


MAYOR


RECORDER

12-10-01
DATE

12-10-01
DATE

**TOWN OF SIGNAL MOUNTAIN
ESTIMATED TIME LINE OF
PROPOSED ANNEXATION**

 **CURRENT TOWN LIMITS**

 **MARCH 21, 2006
THROUGH
MARCH 23, 2011**

