

CITY OF LOOKOUT MOUNTAIN, GEORGIA

ORDINANCE NO. 41

JUNK AND MATERIALS CONTROL

AN ORDINANCE

Defining and regulating the storage and display of junk and building materials and the completion of buildings and other structures.

BE IT ORDAINED by the City Council of the City of Lookout Mountain, Georgia, and it is hereby ordained:

Section 1. To promote the public safety, health, welfare, convenience and enjoyment of public travel, protect the public investment in public highways and to preserve and enhance the scenic beauty of lands bordering public highways, it is hereby declared to be in the public interest to regulate the storage or display of junk and other materials and the completion and restoration of buildings and other structures in areas adjacent to any public street.

Section 2. Definitions, as used in this Ordinance:

(a) The term "junk" shall mean old or scrap copper, brass, rope, rags, batteries, paper, trash, rubber debris, waste, junked, dismantled or wrecked automobiles, trucks or other vehicles or parts thereof, iron, steel, used household appliances, used tires and used bottles, containers, boxes and barrels.

(b) The term "street" shall include any public road, street, highway, alley or thoroughfare within this City.

(c) The term "building materials" includes, but is not limited to, paint, lumber, sand, cement, bricks, blocks, plywood, roofing supplies, electrical and plumbing fixtures and sheetrock not incorporated in a building or other structure.

Section 3. Except as hereinafter provided, no person shall place or allow to remain on his property any junk, building materials or uncompleted or partially burned or otherwise damaged building or other structure, any portion of which is within 1,000

feet of the nearest edge of the right of way of any street, except those which are screened by natural objects, plantings or other appropriate means so as not to be visible from the main traveled way of such thoroughfares or otherwise removed from sight.

Section 4. This Ordinance shall not apply to articles involved in bona fide current construction, repair, restoration or replacement activities, being diligently carried on, during, and only during, the period required for such construction, repair or replacement and for thirty (30) days after such work is completed, and the debris and damaged section of all burned or damaged structures which in the determination of the Chief of Fire and Police constitute a health or safety hazard shall be cleared from the lot within thirty (30) days of the date of damage.

Section 5. The Chief of Police and persons under his direction are hereby authorized and directed to take all necessary or advisable steps to remove any junk, building materials and uncompleted buildings and other structures within this City placed or located in violation of this Ordinance, including entering any yards, fields and woodlands for such purpose and to dispose of the same as trash, charging the owner, or owners, of the property from which removed, with all costs of such removal, which amount shall be a lien upon said property and shall be enforced as are other tax liens of the City.

Section 6. Each person violating this Section shall be guilty of a misdemeanor punishable as provided in Section 1-8. Each day of violation shall be punishable as a separate offense.

Section 7. It is the intention of the governing body and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Lookout Mountain, Georgia, and the sections of this Ordinance may be renumbered to accomplish such intention.

Section 8. If any section, subsection, sentence, or clause in this Ordinance be adjudged invalid, such adjudication

shall not affect the validity of the Ordinance or Code as a whole or of any section, subsection, sentence, or clause hereof or thereof not adjudged invalid.

Section 9. This Ordinance shall be effective ten (10) days after its adoption by at least three (3) members of the Council of this City after two (2) readings at least one (1) week apart.

Approved on first reading on June 15, 1972.

Jac H. McGinnis
Member of City Council of Lookout Mountain, Ga.

John Amick
Member of City Council of Lookout Mountain, Ga.

[Signature]
Member of City Council of Lookout Mountain, Ga.

Member of City Council of Lookout Mountain, Ga.

Member of City Council of Lookout Mountain, Ga.

Herwood D. Dudley
Mayor of Lookout Mountain, Georgia

Approved and adopted on second reading on July 27, 1972.

Jac H. McGinnis
Member of City Council of Lookout Mountain, Ga.

John Amick
Member of City Council of Lookout Mountain, Ga.

[Signature]
Member of City Council of Lookout Mountain, Ga.

Member of City Council of Lookout Mountain, Ga.

Member of City Council of Lookout Mountain, Ga.

Herwood Dudley
Mayor of Lookout Mountain, Georgia

ATTEST:

Herwood Dudley
City Clerk of Lookout Mountain, Ga.

(SEAL)