

ORDINANCE NO. 2511

AN ORDINANCE TO ESTABLISH A REASONABLE TIME FOR THE REMOVAL OF DEBRIS FROM PRIVATE PROPERTY CAUSED BY THE WILDFIRES IN THE CITY OF GATLINBURG, SAID REASONABLE DATE FOR REMOVAL IS HEREBY ESTABLISHED AS SEPTEMBER 30, 2017 AND PROVIDING FOR PENALTIES FOR VIOLATION THEREOF.

WHEREAS, the City of Gatlinburg and its vicinity experienced catastrophic wildfires commencing on or about November 28, 2016 which has resulted in the damage or destruction of 1,137 structures both residential and commercial; and

WHEREAS, the removal and cleanup of the remains of these structures is in the best interest of the citizens and residents of the City of Gatlinburg and for the health, safety and wellbeing of those persons coming in contact with such debris; and

WHEREAS, the City of Gatlinburg Building Code as previously adopted provides that a reasonable time shall be set for the removal of any debris occasioned by such disasters, the Board of Commissioners hereby establishes September 30, 2017 as a reasonable date by which such debris shall be removed.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF GATLINBURG, TENNESSEE:

Section 1. Hundreds of structures, both residential and commercial have been damaged or destroyed due to wildfires. The removal of all debris from such affected properties is in the best interest of the citizens and residents of the City of Gatlinburg and the overall health, safety and wellbeing of those persons coming in contact with said locations.

Section 2. The Board of Commissioners of the City of Gatlinburg hereby determines that a reasonable date for the removal of such debris occasioned by the wildfires occurring on November 28, 2016 is September 30, 2017.

Section 3. Any owner, renter or lessee responsible for the removal and maintenance of private property in the City of Gatlinburg containing wildfire debris and who has not complied with the provision of this Ordinance shall be subject to a penalty in the amount of fifty dollars (\$50.00) per day of each violation. Each day shall be considered a separate offense.

Section 4. Severability. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Section 5. This Ordinance shall take effect fifteen days from and after its passage, the public welfare requiring it.


MAYOR

ATTEST:


CITY RECORDER

Passed first reading: 2/7/17

Passed second reading: 2/21/17

APPROVED AS TO FORM:


RONALD E. SHARP, CITY ATTORNEY