

Local Amendments to the 2006 International Property Maintenance Code

(1) Section 101.1 is deleted and replaced with the following:

“101.1 Title. These regulations shall be known as the Property Maintenance Code of Hendersonville, Tennessee, hereinafter referred to as ‘this code.’”

(2) Section 102.1 is hereby amended by deleting the last sentence and replacing with the following:

“Where, in a specific case, different sections of this code specify different requirements or where State law may conflict with certain provisions of this code, the most restrictive shall apply.”

(3) Section 103 is hereby amended by deleting all references to “Department of Property Maintenance Inspection” and replacing it with “Department of Building and Codes”.

(4) Section 103.5 is deleted and replaced with the following:

“103.5 Fees. The department may establish necessary fees for the activities and services performed by the department in carrying out its responsibilities under this code. Those fees shall be made available for public inspection.”

(5) Delete Sections 111.2 - 111.8, replace with the following and renumber the following sections:

“111.2 Board of Appeals. The Board of Appeals referred to in this code shall be the Board of Appeals as established by Section 12-102 of the Hendersonville Municipal Code.”

(6) Section 302.4 is amended by replacing the first paragraph with the following language and adding new subsections 302.4.1 and 302.4.2.

“302.4 Weeds. All premises and exterior property shall be maintained free from weeds or plant growth in excess of ten (10) inches. For undeveloped properties the growth shall not exceed eighteen (18) inches. For large tracts refer to Section 302.4.1. All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens.

302.4.1 Large Tracts. For properties involving more than two (2) acres the following provisions shall apply.

- (1) *Properties located adjacent to improved properties of less than two (2) acres shall be maintained at less than eighteen (18) inches in height to a depth of twenty five (25) feet along property lines that abut a public right of way, public property or adjacent improved property. Improved properties shall also be required to maintain a minimum distance of fifty (50) feet around any structure.*
- (2) *Properties located adjacent to unimproved properties of less than two (2) acres shall be maintained at less than eighteen (18) inches in height to a depth of twenty five (25) feet along property lines that abut a public right of way or public property.*

302.4.2 Right of Ways. All property owners shall maintain the portion of the public right-of-way abutting their property in accordance with Section 16-109 of the Hendersonville City Code. No weeds or other growth shall be permitted on corner lots which may cause a reduction in traffic visibility at intersections.”

(7) Section 302.8 is deleted and replaced with the following:

“302.8 Motor Vehicles. Except as provided for in other regulations, no inoperative or unlicensed motor vehicle shall be parked, kept or stored on any premises, and no vehicle shall at any time be in a state of disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an approved spray booth.

Exception 1. On non-residential property a vehicle of any type is permitted to undergo major overhaul, including bodywork, provided that such work is performed in a structure, or similarly enclosed area, designed and approved for such purpose. Vehicles being repaired, to be repaired, or already repaired may be stored on the premises only in an approved manner and location. Vehicles may not be stored for parts or salvage unless located on property approved for such use. Unlicensed motor vehicles may be parked or stored on a premise where sales of motor vehicles have been approved. This exception is not intended to override or set aside other regulations limiting or authorizing these activities.

Exception 2. On residential property a privately owned vehicle, owned by the owner and/or tenant of the property, is permitted to undergo major overhaul including bodywork, or be stored, provided it is done in a fully-enclosed structure designed and approved for such purpose. This exception is not intended to override or set aside other regulations limiting these activities.”

(8) Add the following language at the end of Section 304.3:

“This provision is to be applied in conjunction with any and all other regulations controlling this issue.”

(9) Modify Section 304.14 by adding the following dates:

“May 1” to “September 31”

(10) Delete Section 404.5 and add the following new Section:

“404.5 Overcrowding. The number of persons occupying a dwelling unit shall not create conditions that, in the opinion of the code official, endanger the life, health, safety or welfare of the occupants. Occupancy of a dwelling unit by more occupants than permitted by the provisions of Table 404.5 and Sections 404.5.1 and 404.5.2 shall be deemed to be overcrowding and therefore not permitted.”

TABLE 404.5
MINIMUM AREA REQUIREMENTS

SPACE	MINIMUM AREA IN SQUARE FEET		
	1-2 occupants	3-5 occupants	6 or more occupants
Living room ^{a,b}	No requirements	120	150
Dining room ^{a,b}	No requirements	80	100
Bedrooms	Shall comply with Section 404.4		

For SI: 1 square foot = 0.093 m².

a. See Section 404.5.2 for combined living room/dining room spaces.

b. See Section 404.5.1 for limitations on determining the minimum occupancy area for sleeping purposes.

404.5.1 Sleeping area. *The minimum occupancy area required by Table 404.5 shall not be included as a sleeping area in determining the minimum occupancy area for sleeping purposes. All sleeping areas shall comply with Section 404.4.*

404.5.2 Combined spaces. *Combined living room and dining room spaces shall comply with the requirements of Table 404.5 if the total area is equal to that required for separate rooms and if the space is located so as to function as a combination living room/dining room.”*