

- j. Landscaping. To help minimize the impact of the required opaque fencing on adjacent properties, landscaping shall be installed along the opaque fencing for additional telecommunications site screening. Landscaping materials may include trees, shrubs, ground cover, perennials and annuals. The installation of landscaping shall not exceed thirty (30) days after the completion of tower construction and associated appurtenances. Plant materials selected shall provide required additional screening year-round. If seasonal circumstances prevent the planting of vegetation on a tower site, then the building inspector may allow an extension of the thirty (30) day time limit into the next growing season, but for no more than thirty (30) days of that season.
- k. Public Notices. For purposes of this ordinance, any application for the construction of a new tower, special exception request, variance request, or appeal of an administrative decision shall require public notice to all abutting property owners and all property owners that are located within one thousand (1000) feet of the property on which the tower is proposed or a decision is sought. The applicant shall provide the building official with documentation verifying compliance with this public notice requirement at the time that the applicant submits an application for review by the Planning Commission or the board of Zoning Appeals.
- l. Removal of abandoned Antennas and Towers. Any antenna or tower that is not operated for a continuous period of twelve (12) months shall be considered abandoned, and the owner of such antenna or tower, or the owner of the real property upon which the abandoned antenna or tower is located, shall remove the same within ninety (90) days of receipt of notice from the building official notifying the owner of such abandonment. Failure to remove an abandoned antenna or tower within the said ninety (90) days shall be grounds to remove the antenna or tower at the owner's expense. If there are two or more users of a single tower, then this provision shall not become effective until all users abandon the tower.

CHAPTER 7

ENFORCEMENT

SECTION

- 11-701. ENFORCING OFFICER**
- 11-702. BUILDING PERMIT REQUIRED.**
- 11-703. ISSUANCE OF BUILDING PERMIT.**
- 11-704. CERTIFICATE OF OCCUPANCY.**
- 11-705. RECORDS.**
- 11-706. VIOLATIONS AND REMEDIES.**

11-701. Enforcing officer. The provisions of this ordinance shall be administered and enforced by a building inspector who shall have the power to make such inspections of buildings or premises as are necessary to carry out his duties in the enforcement of this ordinance.

The building inspector shall be appointed by the city council of the City of LaFollette. (Ordinance No. 382, Section 11-701)

11-702. Building permit required. It shall be unlawful to commence the excavation for or the construction of any building, including accessory buildings, or to commence the moving or alteration of any building, including accessory buildings, until the building inspector has issued a building permit for such work. (Ordinance No. 382, Section 11-702)

11-703. Issuance of building permit. In applying to the building inspector for a building permit, the applicant shall submit a dimensioned sketch of scale plan indicating the shape, size, height, and location of all buildings to be erected, altered, or moved and of any building already on the lot. He shall also state the existing and intended use of all such buildings and supply such other information as may be required by the building inspector for determining whether the provisions of his ordinance are being observed. If the proposed excavation or construction as set forth in the application are in conformity with the provisions of this zoning ordinance, and other ordinances of the City of LaFollette, Tennessee, then in force, the building inspector shall issue a building permit for such excavation or construction if a building permit is refused, the building inspector shall state such refusal in writing, with the cause.

The issuance of a permit shall, in no case, be construed as waiving any provision of this ordinance.

A building permit shall become void six (6) months from the date of issuance unless substantial progress has been made by that date on the project described therein. (Ordinance No. 382, Section 11-703)

11-704. Certificate of occupancy. No land or building or part thereof hereafter erected or altered in its use or structure shall be used until the building inspector shall have issued a certificate of occupancy stating that such land, building, or part thereof, and the proposed use thereof are found to be in conformity with the provisions of this ordinance.

Within three (3) days after notification that a building or premises or part thereof is ready for occupancy or use, it shall be the duty of the building inspector to make a final inspection thereof and to issue a certificate of occupancy if the land, building or part thereof and the proposed use thereof are found to conform with the provisions of this ordinance; or, if such certificate is refused, to state such refusal in writing, with the cause. (Ordinance No. 382, Section 11-704)

11-705. Records. A complete record of applications, sketches, and plans shall be maintained in the office of the building inspector. (Ordinance No. 382, Section 11-705)

11-706. Violations and remedies. Any person violating any provision of this ordinance shall be guilty of a misdemeanor, and upon conviction shall be fined under the general penalty clause for this code.

In case any building or structure is erected, constructed, reconstructed, repaired, converted or maintained, or any building, structure or land is used in violation of this ordinance, the building inspector or any other appropriate authority, or any adjacent or neighboring property owner who would be damaged by such violation, in addition to other remedies, may institute injunction, mandamus, or other appropriate action in proceeding to prevent the occupancy of such building, structure, or land. (Ordinance No. 382, Section 11-706)