

TOWN OF COLLIERVILLE

General Services Department

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§ 95.08 ACTS OR CONDITIONS WHICH CREATE A NUISANCE ON PROPERTY.

(A) No owner or tenant of property within the Town shall commit an act, or allow a condition to exist on property within the Town, which act or condition endangers life or health, violates the laws of decency, obstructs or interferes with the reasonable and comfortable use of other property in the vicinity and/or causes the value of property in the near vicinity to be diminished in value.

(B) No person or entity shall encroach upon any public street, public park, greenbelt trail, right-of-way, alley, boulevard, or other public property by placing or storing thereon any personal property and/or erecting thereon any building or structure. Violations of the provisions of this Subsection shall trigger the issuance of a fifteen day written notice from the Town requesting corrective action(s), after which the Town Administrator shall direct that appropriate corrective action(s) be taken upon the subject property, including, but not limited to, the removal and/or destruction of the offending encroachment. Upon completion of such corrective action(s), the Town Administrator shall determine the reasonable costs, which may include, without limitation, labor hours for corrective action, landfill fees, and restoration costs to return property to its original or intended state, and any other resulting damages, and shall assess such amounts against the persons or entities responsible for the violation(s). Failure to pay the assessment will result in its being placed as a lien against property of the violator.

(C) Notwithstanding the foregoing, residents with a fence immediately adjacent to Town property may, at their sole expense, perform maintenance on such fence by removing vegetation located within Town property that is no more than six feet from the fence. Removal of trees with trunk diameters measuring six inches or more is prohibited. Further, there shall be no plantings, structures, pathways, etc. planted, placed, left, or constructed within the cleared area.

(D) At times, the Town may need to clear an area adjacent to a resident's fence in order to perform required maintenance, including, without limitation, on or in creek banks, laterals, drainage sewers, or other related utilities. The Town will not be responsible for maintaining this area once work has been completed for it to return to its natural state.

(E) Persons or entities that violate any provision of this Section shall be guilty of committing a nuisance or allowing a nuisance to exist. A violation of this Section shall subject the offender to a fine not to exceed the maximum permitted by law. Each violation on a separate day shall constitute a separate offense. (Ord. 2019-13, passed 9-9-2019)