

ORDINANCE NO. O-2026-10

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF SPRING CITY, TENNESSEE,
BY ADDING PROVISIONS FOR DEMOLITION PERMITS**

WHEREAS, the Town of Spring City has adopted a Zoning Ordinance for the purpose of promoting the public health, safety, and general welfare; and

WHEREAS, the demolition of structures, if not properly regulated, may create unsafe conditions, negatively impact neighboring properties, and result in blighted or unstable sites; and

WHEREAS, the Town desires to ensure that demolition activities are conducted in a safe manner and that properties are properly restored following demolition; and

WHEREAS, the Town further desires to coordinate demolition activities with existing zoning, floodplain, and property maintenance regulations;

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Town of Spring City, Tennessee, that the Zoning Ordinance is hereby amended as follows:

SECTION 1: Section 12.03.01 Demolition Permits to be created as follows:

Section 12.03.01. Demolition Permits

A. Purpose

Regulates demolition to protect health, safety, and welfare and ensure proper site restoration.

B. Applicability

Permit required for exterior demolition exceeding 200 sq ft or within flood hazard areas.

C. Definitions

Building Official: The individual designated by the Town of Spring City to administer and enforce building and related codes.

Contractor: Any person, firm, or entity engaged in the business of performing demolition work and properly licensed under the laws of the State of Tennessee.

Demolition: The dismantling, razing, destruction, or removal of a structure or any portion thereof, including the removal of structural components or exterior walls.

Demolition Plan: A written description of the proposed demolition procedures, including methods, sequence of work, safety measures, debris removal, and site stabilization practices.

Floodplain: Any area designated by the Federal Emergency Management Agency (FEMA) as a Special Flood Hazard Area (SFHA) on the Flood Insurance Rate Map (FIRM) as adopted by the Town.

Hazardous Materials: Any substances regulated by federal or state law, including but not limited to asbestos, lead based paint, petroleum products, or other materials requiring special handling, removal, or disposal.

Nonconforming Structure or Use: A structure or use that was lawfully established but does not conform to current zoning regulations.

Property Owner: The legal owner of record of the property on which demolition is proposed, or an authorized agent acting on behalf of the owner.

Stop Work Order: A written order issued by the Town requiring the immediate cessation of demolition activities due to violations of this ordinance or unsafe conditions.

Structure: Any building or constructed improvement, including residential, commercial, industrial, or accessory buildings, and any part thereof.

D. Permit Requirements

Applications for demolition permits shall be submitted to the Building Official and shall include the following information and documentation:

1. General Application Information
 - a. Completed demolition permit application on forms provided by the Town;
 - b. Name, address, and contact information of the property owner;
 - c. Name, address, license number and contact information of the contractor (if applicable);
 - d. Written authorization from the property owner if the applicant is not the owner;
2. Proof of Ownership
 - a. Documentation demonstrating legal ownership of the property, such as:
 - i. Deed;
 - ii. Tax record;
 - iii. Other documentation acceptable to the Town;
3. Demolition Plan
 - a. Conditions
 - i. Safety: The permit holder shall ensure that all demolition work is conducted in a safe manner and in accordance with applicable local, state, and federal safety regulations, including OSHA standards. The site shall be secured to prevent unauthorized access and protect the public from hazards.
 - ii. Utilities: Prior to the commencement of demolition, the applicant shall provide documentation that all utilities serving the structure, including water, sewer, electricity, gas, and telecommunications, have been properly disconnected and capped in coordination with the appropriate utility providers.
 - iii. Dust and Debris Control: Adequate measures shall be taken to control dust, debris, and airborne particles during demolition activities. This may include water spraying, covering loads, and other best management practices to minimize impacts to adjacent properties and public rights-of-way.
 - iv. Hours of Operation: Demolition activities shall be limited to the hours of 7:00 a.m. to 6:00 p.m. ET, Monday through Friday, unless otherwise approved by the Building Official.
 - v. 90-day Limit: All demolition work authorized under the permit shall be completed within ninety (90) days of permit issuance, unless an extension is granted by the Building Official upon written request and demonstration of good cause.

- vi. Demolition Signage and Notice: A demolition notice sign shall be posted on the subject property no less than forty-eight (48) hours prior to the commencement of demolition activities. The sign shall clearly state the scheduled date of demolition.

b. Inspections

- i. Pre-Demolition Inspection. Prior to the start of demolition, the Town may conduct an inspection to verify site conditions, utility disconnections, and compliance with permit requirements
- ii. Progress Inspections. The Town reserves the right to conduct inspections during demolition to ensure compliance with all applicable regulations, including safety, environmental, and operational standards.
- iii. Final Inspection. Upon completion of demolition, a final inspection shall be conducted to confirm that the site has been properly cleared, graded, stabilized, and brought into compliance with all post-demolition requirements. No permit shall be considered complete until final approval is granted.

c. Post-Demolition

- i. Site Clearance. All structures, foundations (unless otherwise approved), debris, and demolition materials shall be removed from the site and disposed of in accordance with applicable regulations.
- ii. Grading. The site shall be graded to eliminate hazards, prevent standing water, and ensure proper drainage consistent with surrounding properties.

- iii. Stabilization. The disturbed area shall be stabilized within a reasonable time frame using appropriate measures such as seeding, mulching, sodding, or other erosion control practices.
- iv. Ongoing Maintenance. The property owner shall maintain the site in a clean, safe, and sanitary condition following demolition, in compliance with all applicable property maintenance codes and ordinances.
- d. Floodplain Compliance
 - i. If the structure to be demolished is located within a designated floodplain or flood hazard area, the demolition shall comply with all applicable local floodplain management regulations, as well as state and federal requirements, including those of the Federal Emergency Management Agency (FEMA).
 - 1. All necessary permits and approvals related to floodplain development shall be obtained prior to demolition.
 - 2. The applicant shall ensure that demolition activities do not adversely impact flood storage capacity, drainage patterns, or adjacent properties.
 - 3. Documentation of compliance, including elevation certificates or other required materials, may be required by the City.
- e. Historic Structures
 - i. Applicability. If the structure proposed for demolition is listed on or determined eligible for listing on the National Register of Historic Places or is otherwise identified as historically significant by the Town or other recognized authority, additional review procedures may apply.
 - ii. Notification and Review. The Town may require notification to the Tennessee Historical Commission or other appropriate agencies prior to issuing a demolition permit. The Town may also initiate a review period to evaluate the historical significance of the structure.
 - iii. Delay of Demolition. The Town may impose a delay period of up to 60 days to allow for consideration of alternatives to demolition, including preservation, relocation, or documentation of the structure.
 - iv. Documentation. During the delay period, the applicant may be required to provide photographic documentation, historical records, or other materials to preserve a record of the structure.
 - v. Waiver. The delay or review requirement may be waived in cases where the structure poses an immediate threat to public health, safety, or welfare, as determined by the Town.

4. Debris Removal and Disposal Plan

- a. Applicants shall provide a plan describing:
 - i. Methods of removal of demolition debris;
 - ii. Schedule for debris removal
 - iii. Measures to prevent debris from leaving the site or entering public rights-of-way
 - b. All disposal shall comply with applicable local, state, and federal regulations
5. Erosion and Sediment Control
- a. For sites involving soil disturbance, the applicant shall provide:
 - i. A description of erosion and sediment control measures;
 - ii. Methods to prevent runoff onto adjacent properties or public rights-of-way;
 - iii. Proposed site stabilization measures following demolition;
6. Hazardous Materials and Environmental Compliance
- a. Where applicable, the applicant shall provide:
 - i. Documentation of compliance with state and federal regulations regarding hazardous materials; including asbestos;
 - ii. Notification or clearance documentation as required by regulatory agencies;
 - iii. Description of procedures for handling and disposal of hazardous materials;
7. Insurance Documentation
- a. Proof of insurance shall be submitted, including:
 - i. General liability insurance;
 - ii. Workers' compensation coverage (if applicable);
 - b. Insurance shall remain in effect for the duration of demolition activities.

E. Contractor Requirements

1. Licensing Requirements

- a. All demolition of work shall be performed by a contractor properly licensed in accordance with the laws of the State of Tennessee.
- b. Subcontractors performing specialty work (including but not limited to electrical, plumbing, and gas work) shall be separately licensed as required by state law.
- c. Property owners are exempt from licensing requirements for demolition work done on their own property.

2. Local Registration

- a. Prior to issuance of a demolition permit, all contractors shall be registered with the Town of Spring City. Registration shall include:
 - i. Business name and contact information;
 - ii. Proof of state contractor license (if required);
 - iii. Designation of a responsible party or on-site supervisor;
 - iv. Emergency contact information available during demolition activities.

3. Insurance Requirements

- a. Prior to permit issuance, the contractor shall provide proof of insurance meeting the following minimum requirements:

4. Additional Insured

- a. The Town of Spring City may be required to be named as an additional insured on the contractor's general liability policy.

5. Certificate of Insurance

- a. A certificate of insurance shall be submitted prior to permit issuance and shall require at least thirty (30) days' written notice to the Town prior to cancellation or material modification.

6. Maintenance of Coverage

- a. Insurance shall be maintained for the duration of the demolition project through final inspection approval.

7. Site Responsibility and Supervision

- a. The contractor shall be responsible for all demolition activities conducted on-site, including:
 - i. Maintaining continuous control and supervision of the work;
 - ii. Ensuring compliance with all applicable safety standards, including OSHA requirements;
 - iii. Preventing unauthorized access to the site;
 - iv. Installing and maintaining all required fencing, barricades, and warning signage;
 - v. Conducting operations in compliance with all applicable federal, state, and local laws, regulations, and codes.

F. Property Owner Requirements

1. Permit Responsibility

- a. The property owner shall be responsible for obtaining the required demolition permit unless otherwise authorized. The property owner shall:
 - i. Ensure the demolition permit is always posted in a visible location on-site during demolition;
 - ii. Ensure that all work performed complies with the approved permit and applicable regulations;
 - iii. Authorize and coordinate with the contractor performing the demolition work.

2. Contractor Compliance

- a. The property owner shall ensure that any contractor engaged in performing demolition work complies with all requirements of this ordinance, including licensing, registration, and insurance provisions.

3. Damage to Public Infrastructure

- a. The property owner shall be responsible for any damage resulting from demolition activities to public infrastructure, including but not limited to:
 - i. Streets, sidewalks, curbs, and gutters;

- ii. Water, sewer, and stormwater systems;
 - iii. Other public utilities or infrastructure.
 - b. The property owner shall be responsible for the repair or replacement of such damage to the satisfaction of the Town.
4. General Responsibility
- a. The property owner shall remain ultimately responsible for ensuring that the site is maintained in compliance with all applicable codes and ordinances following demolition, regardless of any contractual arrangements with a contractor.

G. Violations

1. General
 - a. Any person who violates any provision of this ordinance, or who fails to comply with the terms and conditions of an issued demolition permit, shall be in violation of this Code.
2. Stop Work Orders
 - a. Upon determination of a violation, the Town may issue a stop work order requiring all demolition activities to cease immediately until the violation is corrected to the satisfaction of the Town.
3. Permit Revocation or Suspension
 - a. The Town may suspend or revoke a demolition permit for:
 - i. Failure to comply with any provision of this ordinance;
 - ii. Failure to comply with permit conditions;
 - iii. Providing false or misleading information in the permit application;
 - iv. Unsafe or hazardous conditions on the site;
 - v. Failure to maintain required insurance or licensing.
4. Penalties
 - a. Violations of this ordinance shall be subject to penalties as provided under the Spring City Municipal Code and applicable Tennessee law. Each day a violation shall constitute a separate offense.
5. Additional Remedies
 - a. The Town may pursue any other remedies available at law or in equity, including injunctive relief, to enforce compliance

H. Stop Work Authority

1. Authority to Issue
 - a. The Building Official, Codes Enforcement Office, or other authorized representative of the Town are hereby authorized to issue stop work order for any demolition activity being performed:
 - i. Without a valid permit;
 - ii. In violation of this ordinance or any applicable code;
 - iii. In a manner that poses a threat to public health, safety, or welfare.

2. Effect of Order

- a. Upon issuance of a stop work order, all demolition activities shall immediately cease except for work necessary to stabilize the site or remove an immediate hazard.

3. Notice

- a. The stop of work order shall be posted on-site and/or delivered to the property owner and contractor. The notice shall state the reasons for the order and the conditions under which work may resume.
- b. Work Resumption
 - i. Work shall not resume until the violation has been corrected, and authorization to proceed has been granted by the Town.

I. Appeals

1. Right to Appeal

- a. Any person aggrieved by a decision, order, or determination made by the Building Official or other authorized Town representative under this ordinance may appeal such decision.

2. Filing of Appeal

- a. Appeals shall be filed with the Board of Zoning Appeals (BZA) within thirty (30) days of the date of the decision being appealed.

3. Appeal Procedure

- a. All appeals shall be submitted in writing and shall specify the grounds for the appeal. The appeal shall be processed in accordance with the procedures established by the Board of Zoning Appeals under the Spring City Zoning Ordinance.

4. Stay of Proceedings

- a. Filing an appeal shall not automatically stay enforcement actions, including stop work orders, unless specifically authorized by the Building Official or the Board of Zoning Appeals.

5. Decision of the BZA

- a. The decision of the Board of Zoning appeals shall be final, subject only to further appeal as provided by Tennessee law.

J. Zoning Compliance Required

1. General Requirement

- a. No demolition permit shall be issued unless the proposed demolition complies with all applicable provisions of the Spring City Zoning Ordinance, including but not limited to flood plain regulations, nonconforming use provisions, and any other applicable land use controls.

2. Floodplain Compliance

- a. Where the structure is located within a designated floodplain or flood hazard area, the applicant shall demonstrate compliance with all applicable floodplain management regulations prior to permit issuance.

3. Nonconforming Structures and Uses

- a. Demolition of a nonconforming structure or use shall be subject to the provisions of the Zoning Ordinance governing nonconformities, including any limitations of reconstruction or reestablishment.

4. Pending Violations or Enforcement Actions

- a. A demolition permit may be withheld if the property is subject to unresolved zoning violations, unless demolition is required to bring the property into compliance.

SECTION 2. SEVERABILITY

If any section, subsection, sentence, clause, phrase, or provision of this Ordinance is for any reason held to be invalid, unconstitutional, or unenforceable by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

The Board of Commissioners hereby declares that it would have adopted this Ordinance, and each section, subsection, sentence, clause, phrase, or provision thereof, irrespective of the fact that any one or more provisions may be declared invalid.

SECTION 3. REPEAL OF CONFLICTING ORDINANCES

All ordinances, resolutions, or parts thereof in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

In the event of a conflict between this Ordinance and any other provision of the Spring City Municipal Code or Zoning Ordinance, the more restrictive provision shall apply, as determined by the Building Official or other authorized representative of the Town.

Nothing in this Section shall be construed to repeal or modify any provision of state or federal law.

NOW, THEREFORE, BE IT FURTHER ORDAINED THAT this Ordinance shall be effective immediately from and after its date of final passage.

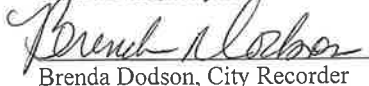
RECOMMENDED BY THE PLANNING COMMISSION: June 11, 2026

Passed on first reading this 25th day of June, 2026.

Passed on second and final reading this 30th day of July, 2026.

ADOPTED by the Town Commissioners of the Town of Spring City, Tennessee, on this 30th day of July, 2026.

TOWN OF SPRING CITY, TENNESSEE


Leon Locke, Mayor

Brenda Dodson, City Recorder


Date


Date