

ORDINANCE NO. 14038

AN ORDINANCE AMENDING CHATTANOOGA CITY CODE,
PART II, CHAPTER 21, SECTION 21-62, MUNICIPAL LIEN
FOR COSTS; COLLECTION OF LIENS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA,
TENNESSEE:

SECTION 1. That Chattanooga City Code, Part II, Chapter 21, Section 21-62, be amended by deleting same in its entirety and substituting in lieu thereof the following:

Sec. 21-62. Municipal lien for costs; collection of liens.

- (a) Pursuant to the authority granted under T.C.A. §§ 13-21-101 *et seq.*, the amount of the cost of repairs, alterations or improvements, or of vacating and closing, or of demolishing and removing a structure, as well as administrative fees, shall be assessed against the owner and shall be a lien on the property in favor of the municipality, second only to liens of the state, county and municipality for taxes, any lien of the municipality for special assessments, and any valid lien, right or interest in such property duly recorded or duly perfected by filing prior to the filing of such notice. These costs shall be collected by the municipal tax collector or county trustee at the same time and in the same manner as property taxes are collected.
- (b) If the Owner fails to pay the costs and administrative fees, they may be collected at the same time and in the same manner as delinquent property taxes are collected and shall be subject to the same penalty and interest as delinquent property taxes as set forth in T.C.A. §§ 67-5-2010 and 67-5-2410.
- (c) In addition, the municipality may collect the costs assessed against the owner through an action for debt filed in any court of competent jurisdiction. The municipality may bring one (1) action for debt against more than one (1) or all of the Owners of properties against whom the costs have been assessed, and the fact that multiple owners have been joined in one (1) action shall not be considered by the court as a misjoinder of parties.
- (d) Any lien placed on a property pursuant to this Section shall be memorialized in a written lien document. Such lien document shall be signed by the City's Chief Code Enforcement Inspector, or her or his designee, and shall be recorded with the Hamilton County Register of Deeds.

- (e) In the event a lien placed on a property pursuant to this Section is paid in full, or in the event the City determines, in its sole discretion, that a lien should be released, a written release document shall be prepared, signed by the City's Chief Code Enforcement Inspector, or her or his designee, and shall be recorded with the Hamilton County Register of Deeds in the normal course of business.

SECTION 2. BE IT FURTHER ORDAINED, That this Ordinance shall take effect two

(2) weeks from and after its passage.

Passed on second and final reading: October 3, 2023



CHAIRPERSON

APPROVED DISAPPROVED:



MAYOR

HGB/mem