

Chapter 8

AVIATION¹

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ARTICLE I. IN GENERAL

Sec. 8-1. Aircraft and pilots to be registered and certified.

Only aircraft and airmen registered and certified by the Federal Aviation Administration of the United States shall be permitted within the jurisdiction of the city; provided, that this restriction shall not apply to public aircraft of the United States Government, or of a state, territory or political subdivision thereof or aircraft licensed by a foreign country with which the United States has a reciprocal agreement covering the operation of such licensed aircraft.

(Code 1986, § 8-1)

Secs. 8-2 -- 8-15. Reserved.

ARTICLE II. MUNICIPAL AIRPORT

DIVISION 1. GENERALLY

Sec. 8-16. Scope of division.

The rules and regulations contained in this division shall govern the conduct of all persons engaged in aeronautical activities at the Chattanooga Municipal Airport, or while flying in the airport traffic zone.

(Code 1986, § 8-16)

¹ **Cross reference**--Dropping litter from aircraft, § 18-156.

State law reference--Aeronautics generally, T.C.A. § 42-1-101 et seq.

Annotation--Jurisdiction of city over airport operated by city outside city limits sustained, Silverman v. Chattanooga, 1965 (Tenn. (1 Beeler) 642, 57 S.W.2d 552).

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Sec. 8-17. Duties of instructors, students.

Instructors shall fully acquaint their students with the provisions of this division and shall be responsible for the conduct of students under their direction during dual instruction. When a student is flying solo, it shall be the student's own responsibility to comply with the provisions of this division.
(Code 1986, § 8-17)

Sec. 8-18. Compliance with civil air regulations.

All aeronautical activity at the airport, and all aircraft departing from or arriving at the airport, in the space which constitutes the airport traffic area, shall be conducted in uniformity with existing pertinent provisions of the Federal Aviation Regulations or as such regulations may be amended from time to time.
(Code 1986, § 8-18)

Sec. 8-19. Radio required.

All aircraft operating from the airport shall be equipped with a transmitter and radio receiver capable of receiving instruction from the control tower at all times while operating within the limits of the air traffic area.
(Code 1986, § 8-19)

Sec. 8-20. Manager may suspend operations.

All operations, without regard to weather conditions may be suspended by the airport manager whenever such action is deemed necessary in the interest of public safety.
(Code 1986, § 8-20)

Sec. 8-21. Authority required for commercial activity.

No commercial aeronautical operation or commercial field activity shall be conducted from the airport without a contract or a permit from the city, unless specifically authorized by the airport manager.
(Code 1986, § 8-21)

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Sec. 8-22. Aircraft to be equipped with wheel brakes.

All aircraft operating from the municipal airport shall be equipped with wheel brakes in proper operating order, unless exceptions are granted by the chief airport traffic controller.
(Code 1986, § 8-22)

Sec. 8-23. Using taxi strips for taking off, landing.

Taxi strips shall not be used for taking off or landing unless specifically authorized by the control tower or airport manager.
(Code 1986, § 8-23)

Sec. 8-24. Clearance required for taxiing.

Aircraft shall not be taxied on any part of the field, runways or taxi strips that are depicted on Exhibit "A" until cleared to do so by the airport traffic control tower.
(Code 1986, § 8-24)

Sec. 8-25. Radio contact procedure, phraseology.

Whenever practicable, radio contacts between pilots and control tower personnel shall be conducted in accordance with the procedures and phraseologies prescribed by the Federal Aviation Administration of the United States.
(Code 1986, § 8-25)

Sec. 8-26. Taxiing speed.

Aircraft shall be taxied at a safe and reasonable speed.
(Code 1986, § 8-26)

Sec. 8-27. Duty to stop before entering runway.

Aircraft awaiting take-off shall stop at the holding lines marked for the runway in use.
(Code 1986, § 8-27)

Sec. 8-28. Where landing aircraft to leave runway.

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Landing aircraft shall leave the runway at the nearest taxiway turnoff when sufficiently slowed to turn.

(Code 1986, § 8-28)

Sec. 8-29. Taxiing pilot to avoid collisions.

No person shall taxi an aircraft until he has ascertained that there will be no danger of collision with any person or object in the immediate area.

(Code 1986, § 8-29)

Sec. 8-30. Landings, take-offs to conform to tower instructions.

Landings and take-offs shall be made on runways in the direction prescribed by the control tower.

(Code 1986, § 8-30)

Sec. 8-31. Landings, take-offs near obstructions.

No landing or take-off shall be made except at a safe distance from obstructions and other aircraft.

(Code 1986, § 8-31)

Sec. 8-32. Turns after take-off.

No turn shall be made after take-off until the departure end of the runway has been reached and the pilot has attained an altitude of at least four-hundred (400) feet and has ascertained that there will be no danger of turning into the path of a following aircraft unless otherwise prescribed by the control tower.

(Code 1986, § 8-32)

Sec. 8-33. Circling to be counterclockwise.

All traffic patterns will be counterclockwise unless otherwise prescribed by the control tower.

(Code 1986, § 8-33)

Sec. 8-34. Contact with tower following takeoff.

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During and after take-off, pilots shall monitor the appropriate airport traffic control tower frequency until authorized by the control tower to leave the frequency or until leaving the airport traffic area.

(Code 1986, § 8-34)

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Sec. 8-35. Aircraft intended to remain in the traffic pattern.

Aircraft intending to remain in the traffic pattern shall continue to climb to traffic altitude fifteen hundred (1500) feet mean sea level after the first ninety (90) degree turn. The traffic pattern will be counterclockwise unless otherwise prescribed by the airport control tower.

(Code 1986, § 8-35)

Sec. 8-36. Movement area chart adopted.

The movement area chart known as Exhibit "A" is set forth on chart on file in the office of the airport manager, which part is, by reference, adopted and made a part of this article.

(Code 1986, § 8-36)

Sec. 8-37. Competent operator required when engine started.

Aircraft engines shall not be started unless there is a competent operator at the controls.

(Code 1986, § 8-37)

Sec. 8-38. Place for starting or warming up engines.

Aircraft engines shall be started or warmed up only in the places designated for such purposes by the airport manager. At no time shall engines be run up when hangars, shops, other buildings or persons in the observation area are in the path of the propeller stream.

(Code 1986, § 8-38)

Sec. 8-39. Aircraft parking areas.

Aircraft shall not be parked except in the areas and in the manner designated by the airport manager.

(Code 1986, § 8-39)

Sec. 8-40. Persons on ramp, parking area, taxiways, runways; trespassing.

No person, except airmen, duly authorized personnel, passengers going to and from aircraft, or persons being conducted by airmen or airport attendants shall be permitted to enter ramp, parking area, taxiways or runways. These privileges are confined to the necessary use of this space in connection with flights, inspection or routine duties. There shall be no trespassing on the airport property at any time.

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(Code 1986, § 8-40)

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Sec. 8-41. Movement of vehicles restricted.

Movement of any vehicle on the airport property shall not be permitted, unless permission has been granted for such vehicular traffic by the airport manager and clearance has been obtained by visual or radio signal from the control tower. All vehicles crossing runways, taxiways or landing areas shall be marked with clearly visible flags.

(Code 1986, § 8-41)

Cross reference--Motor vehicles and traffic, Ch. 24.

Sec. 8-42. Vehicular parking.

No automobile shall be parked on the airport property except in areas designated for that purpose by the airport manager.

(Code 1986, § 8-42)

Cross reference--Stopping, standing and parking of vehicles generally, § 24-286 et seq.

Sec. 8-43. General duty to guard against fire and injury.

All persons using in any way the airport area or airport facilities shall exercise the utmost care to guard against fire and injury to persons and property.

(Code 1986, § 8-43)

Cross references--Fire department, § 16-26 et seq.; fire prevention, Ch. 17.

Sec. 8-44. Where repairs to be made .

All repairs to aircraft or engines, except emergency repairs, shall be made in the spaces designated for this purpose by the airport manager and no such repairs shall be made in the area reserved for landings and take-offs.

(Code 1986, § 8-44)

Sec. 8-45. Smoking near aircraft.

No person shall smoke near any aircraft in violation of section 28.3 of the city's fire prevention code.

(Code 1986, § 8-45)

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Sec. 8-46. When fueling prohibited

No aircraft shall be fueled while the engine is running or while passengers are in the plane.
(Code 1986, § 8-46)

Sec. 8-47. Grounding required during fueling.

All aircraft shall be positively grounded while being serviced with gasoline.
(Code 1986, § 8-47)

Sec. 8-48. Caution required during taxiing.

All pilots are required to taxi with caution in the administration building area on the airport where there is danger of persons on foot being struck by turning propellers.
(Code 1986, § 8-48)

Sec. 8-49. Violations .

In addition to being guilty of a misdemeanor, any person wilfully violating any of the provisions of this division or refusing to comply with same may, at the request of the airport manager, be removed from the premises.
(Code 1986, § 8-49)

Secs. 8-50 -- 8-60. Reserved.

DIVISION 2. FIXED BASE OPERATORS

Sec. 8-61. Standards established; compliance.

There are hereby established the following minimum standards which must be met and maintained by fixed base operators in order to do, and while doing, business at the municipal airport.
(Code 1986, § 8-61)

Sec. 8-62. Compliance with building code; performance bond required.

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All construction required herein shall be in accordance with design and construction standards established by the city building code for the facility involved, and the city shall be furnished with a performance bond commensurate with the construction required under this division.

(Code 1986, § 8-62)

Cross reference--Building code, § 10-1.

Sec. 8-63. City to determine substantial conformance.

The city reserves the right to determine substantial conformance to the standards for fixed base operators.

(Code 1986, § 8-63)

Sec. 8-64. Procedure for becoming an operator.

Anyone desiring to become a fixed base operator under the provisions of this division shall file an application or form prescribed by the airport manager and shall answer the questions therein contained under oath. Such airport manager shall investigate such application and report his findings and recommendations thereon to the Chattanooga Metropolitan Airport Authority in not more than ninety (90) days, but the Chattanooga Metropolitan Airport Authority may, for cause, grant a reasonable extension of time to the airport manager. The Chattanooga Metropolitan Airport Authority shall then consider such application, the findings and recommendations of the airport manager and, within thirty (30) days, either grant or deny or require modification of the proposal. The Chattanooga Metropolitan Airport Authority may grant the applicant an informal hearing.

(Code 1986, § 8-64; Ord. No. 9654, § 74, 1-6-92)

Sec. 8-65. Lease with city required.

No fixed base operator is allowed to operate on the municipal airport without a fully executed lease agreement between the city and the fixed base operator.

(Code 1986, § 8-65)

Cross reference-Businesses, trades and occupations, Ch. 11.

Sec. 8-66. Terms of leases.

Fixed base operators shall pay to the city such amount as may be mutually agreed upon per square foot per annum under a land lease for the amount of land mutually agreed upon to construct hangars, aprons and tie-down areas. Term of lease may be up to a period of twenty (20) years and may contain periodic renegotiation clauses, after which time title to all structures and improvements shall

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revert to the city, and shall then be subject to lease by the city. If the lessee should terminate the lease for any reason, including death or bankruptcy, or if the lessor should terminate the lease for cause, before the expiration of such twenty (20) years, then the city may lease such land, and any improvements thereon, to any other fixed base operator.

(Code 1986, § 8-66)

Sec. 8-67. Approval of leases.

Any lease agreements with fixed base operators shall be approved by the Chattanooga Metropolitan Airport Authority.

(Code 1986, § 8-67; Ord. No. 9654, § 75, 1-6-92)

Sec. 8-68. Activity fees levied.

During the amortization period, the operator (or operators) shall remit to the city the following activity fees:

Flight activity.....	2% of gross.
Sales and services.....	2% of gross.
Aircraft fuel sales on all fuel sold or used.....	2¢ per gallon.
Aircraft sales.....	2% of net profit.

(Code 1986, § 8-68)

Cross reference--Businesses, trades and occupations, Ch. 11.

Sec. 8-69. Liability insurance.

The minimum liability insurance which a fixed base operator shall carry is as follows:

Aircraft repair and service.....	\$100,000.00
Sale of gasoline and oil.....	100,000.00
Stores (aircraft parts & accessories)	50,000.00
Bodily injury.....	50,000.00
Hangar owner liability.....	200,000.00
Aircraft liability (per person).....	100,000.00
Fuel tender liability.....	200,000.00
Fuel tender bodily injury.....	100,000.00

(Code 1986, § 8-69)

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Sec. 8-70. General qualifications; office facilities.

All fixed base operators shall be full time progressive business enterprises with manned office facility at the airport during all business hours.

(Code 1986, § 8-70)

Sec. 8-71. Violators of regulations barred from airport.

No operator will be admitted to the airport who has previously been found to have consistently or wilfully violated any rules, regulations and directives of the Federal Aviation Agency and other governmental bodies having jurisdiction thereof.

(Code 1986, § 8-71)

Sec. 8-72. Solvency, business ability required

Fixed base operators must show at all times financial solvency and business ability to the satisfaction of the city.

(Code 1986, § 8-72)

Sec. 8-73. Services required.

Fixed base operators providing sale of aviation petroleum products and hangar rental must meet the minimum standards as shown herein, and meet all of the requirements listed below in subparagraphs (1) through (4) of this section. The fixed base operator shall provide the following services in connection with his operations at the airport:

- (1) *Sale of aviation petroleum products.* To provide this service, the fixed base operator must provide and maintain two thousand (2,000) square feet of office, lounge, and rest rooms, which may be an adjunct to other structures and facilities.
- (2) *Ramp services.* Ramp services shall be provided full time during daylight hours, and by call at night, seven (7) days a week by the fixed base operator.
- (3) *Aircraft sales.* The fixed base operator selling aircraft shall provide and maintain a minimum of two thousand (2,000) square feet of hangar, showroom and office space, which space may be the same as that required above for fuel service. This shall be a

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full time progressive business operation providing sales facilities and sales personnel during normal daily business hours.

- (4) *Flight instruction; charter service, aircraft rental.* The fixed base operator may engage in flight instruction, charter service, and/or aircraft rental, any one or all of these services, provided that the fixed base operator shall provide a minimum of two (2) aircraft at the airport, and the fixed base operator must make suitable arrangements for hangaring and/or parking of his aircraft at the airport. The fixed base operator must provide and maintain a full time office at the airport and provide full time necessary office personnel. The fixed base operator must provide only properly certified instructors and pilots with ratings and qualifications as required by the Federal Aviation Agency in the performance of all operations outlined in this subparagraph (4) of this section.

(Code 1986, § 8-73)

Sec. 8-74. Hangar size, design.

General storage hangar shall contain a minimum square footage of fourteen thousand four hundred (14,400) square feet and the plans and specifications must be approved by the city engineer. If "T" hangars are erected they must be of the same type and design as those existing on the airport on September 28, 1965.

(Code 1986, § 8-74)

Sec. 8-75. Area of lean-to offices, shops.

Lean-to construction containing office and shop space shall contain a minimum of two thousand (2,000) square feet.

(Code 1986, § 8-75)

Sec. 8-76. Facilities required in offices.

Offices shall contain adequate furnishings, lounge for pilots and passengers and rest rooms for men and women.

(Code 1986, § 8-76)

Sec. 8-77. City may require audits, reports, set rates and require filing.

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The city, through its airport manager, shall have the right to regularly audit the financial records of fixed base operators and the right to approve or establish reasonable and nondiscriminatory rates and require that all rates be filed with the airport manager. The city may likewise require periodic reports on volume of business done from time to time.
(Code 1986, § 8-77)

Secs. 8-78 -- 8-90. Reserved.

ARTICLE III. ZONING²

Sec. 8-91. Short title.

This article shall be known, and may be cited as the "Airport Zoning Ordinance of the City of Chattanooga".
(Code 1986, § 8-91)

Sec. 8-92. Definitions.

As used in this article, unless the context otherwise requires:

Airport means Lovell Field, the Chattanooga Municipal Airport.

Airport hazard means any structure, or tree, or use of land which obstructs the air space for the flight of aircraft in landing or taking off at the airport, or is otherwise hazardous to such landing or taking off of aircraft.

Approach zones means the area extending from the runways as now designated on the map attached to this article.

² **Cross reference--**Zoning regulations generally, App. B.

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Glide angle. As used herein "glide angle" shall mean the angle made with the horizontal by aircraft approaching or taking off from the airport, and may be expressed in degrees or by a ratio of a number of feet of vertical rise from the horizontal as related to the number of feet or horizontal travel from a designated point.

Landing area means the area of the airport used for the landing, take-off, or taxiing of aircraft.

Non-conforming use means any structure, tree or use of land which does not conform to a regulation prescribed in this article or an amendment thereto, as of the effective date of such regulations.

Person means any individual, firm, co-partnership, corporation, company, association, joint stock association or body politic, and includes any trustee, receiver, assignee, or other similar representative thereof.

Structure means any object constructed or installed by man, including, but without limitation, building, towers, smoke-stacks and overhead transmission lines.

Transition zone means the area designated outside of approach zones, adjacent to the glide angles, as designated on the map hereto attached.

Tree means any object of natural growth.

Turning zone means the area outside of the approach zone and transition zone, as designated on the map hereto attached.

(Code 1986, § 8-92)

Cross reference-Definitions and rules of construction generally, § 1-2.

Sec. 8-93. Zones.

In order to carry out the purposes of this article all of the land within the boundary of the airport proper and within the area as designated on the map or plan hereinafter mentioned, is hereby divided into airport approach zones, airport transition zones, and airport turning zones, the boundaries of which are shown on the Chattanooga Airport Approach Plan or Map dated January, 1950, which is attached hereto and made a part hereof.

(Code 1986, § 8-93)

Sec. 8-94. Height limits.

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Except as otherwise provided in this article, no structure, or tree, shall be erected, allowed to grow, or maintained in any airport approach zone, or any airport transition zone, or any airport turning zone, to a height in excess of the height limit herein established for such zone. For purposes of this regulation, the following height limits are hereby established for each of the zones in question:

- (1) *Approach zone.* A vertical height which does not intersect the glide angle of one (1) foot vertically to fifty (50) feet horizontally, beginning two hundred (200) feet from either end of the north northeast-south southwest runway, which does not intersect the glide angle of one (1) foot vertically to forty (40) feet horizontally, beginning two hundred (200) feet from the northwest-southeast runway, and designated on the Airport Layout Plan, Approach and Clear Zone Plan, dated July, 1966. Drawing No. 866-3.0, approved by the Federal Aviation Agency January 16, 1967, hereto attached, or as may hereafter be laid out or designated by valid rule or regulation of the Federal Aviation Administration.
- (2) *Transition zone.* A vertical height which does not intersect the glide angle of one foot vertically to seven (7) feet horizontally, from the edge of the approach zone to the intersection of the turning zone, as designated on the map or plan of the runways as now laid out or designated by valid rule or regulation of the Civil Aeronautics Authority.
- (3) *Turning zone.* Any structure or tree not in excess of 50 feet may be erected, or permitted to grown within the Turning Zone, with permit; provided, however, than any such structure, or tree, shall not be erected or permitted to grow, regardless of its net height, which will exceed in height the number of feet above sea level of the elevation of the nearest airport obstruction light, or will obscure or otherwise interfere with the operation of any of said obstruction lights.

(Code 1986, § 8-94)

Sec. 8-95. Use restrictions.

Notwithstanding any other provisions of this article, no use may be made of land within any airport approach zone, transition zone, or airport turning zone, in such a manner as to create electrical interference with radio communication between the airport and aircraft, create smoke, fumes, etc., make it difficult for flyers to distinguish between airport lights and others, result in glare in the eyes of flyers using the airport, impairing visibility in the vicinity of the airport, or otherwise endanger the landing, taking-off or maneuvering of aircraft.

(Code 1986, § 8-95)

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Sec. 8-96. Non-conforming uses.

The regulation prescribed in sections 8-94 and 8-95 of this article shall not be construed to require the removal, lowering, or other change or alteration of any structure or tree which did not conform to the regulations as of the effective date of Ordinance No. 4180, or otherwise interfere with the continuance of any non-conforming use. Nothing herein contained shall require any change in the construction, alteration, or intended use of any structure the construction or alteration of which was begun prior to the effective date of Ordinance No. 4180, and which was diligently prosecuted and completed within two years thereof.

(Code 1986, § 8-96)

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Sec. 8-97. Variances.

Any person desiring to erect any structure or increase the height of any structure, or permit the growth of any tree, or use his property, not in accordance with the regulations prescribed in this article, may apply for a variance therefrom. Such variance may be allowed where a literal application or enforcement of the regulations would result in practical difficulty or unnecessary hardship and the relief granted could not be contrary to the public interest but do substantial justice and be in accordance with the spirit of this article.

(Code 1986, § 8-97)

Sec. 8-98. Permits.

(a) *Future uses.* No material change shall be made in the use of the land, and no structure or tree shall be erected, altered, planted, or otherwise established in any airport approach zone or airport turning zone which exceeds the height limits hereinbefore provided in section 8-94 hereof, unless a permit therefor shall have been applied for and granted. Each such application shall indicate the purpose for which the permit is desired, with sufficient particularity to permit it to be determined whether the resulting use, structure, or tree would conform to the regulations herein prescribed. If such determination is in the affirmative, the permit applied for shall be granted.

(b) *Existing uses.* Before any existing use, structure or tree may be replaced, substantially altered, or repaired, rebuilt, allowed to grow higher, or replaced within any airport approach zone or airport turning zone, a permit must be secured authorizing such replacement, change or repair which exceeds the height limits. No such permit shall be granted that would allow the establishment or creation of an airport hazard or permit a non-conforming use, structure, or tree, to be made or become higher, or become a greater hazard to air navigation than it was on the effective date of Ordinance No. 4180, or than it is when the application for a permit is made. Except as indicated, all applications for a permit for replacement, change or repair of existing use, structure, or tree, shall be granted.

(Code 1986, § 8-98)

Sec. 8-99. Hazard marking and lighting.

Any permit or variance granted under section 8-97 or 8-98 may, if such action is deemed advisable to effectuate the purposes of this article, and reasonable in the circumstances, be so conditioned as to require the owner of the structure or tree in question to permit the city, at its own expense, to install, operate and maintain thereon such markers and lights as may be necessary to indicate to flyers the presence of an airport hazard.

(Code 1986, § 8-99)

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Sec. 8-100. Appeals.

(a) Any person aggrieved, or taxpayer affected by any decision of the city and county building inspectors made in their administration of this article, if of the opinion that a decision of the building inspectors is an improper application of this article may appeal to the board of adjustment, for which provision is made in section 8-102.

(b) All appeals taken under this section must be taken within a reasonable time, as provided by the rules of the board, by filing with the building inspectors, and with the board, a notice of appeal, specifying the grounds thereof. The building inspectors shall forthwith transmit to the board all the papers constituting the record upon which the action appealed from was taken.

(c) An appeal shall stay all proceedings in furtherance of the action appealed from, unless the building inspectors certify to the board, after notice of appeal has been filed with them, that, by reason of the facts stated in the certificate, a stay would, in their opinion, cause imminent peril to life or property. In such case proceedings shall not be stayed otherwise than by order of the board on notice, and on due cause shown.

(d) The board shall fix a reasonable time for the hearing of the appeal, give public notice and due notice to the parties in interest, and decide the same within a reasonable time. Upon the hearing any party may appear in person or by agent or by attorney.

(e) The board may, in conformity with the provisions of this article, reverse or affirm, wholly or partly, or modify, the order, requirement, decision, or determination appealed from, and may make such order, requirement, decision, or determination as ought to be made, and to that end shall have all the powers of the Chattanooga-Hamilton County Planning Commission.

Editor's note-Sections 2-401 et seq. provide for a metropolitan planning commission, the same apparently being successor to the Chattanooga-Hamilton County Planning Commission.

(f) The board shall make written findings of fact and conclusions of law, giving the facts upon which it acted and its legal conclusions from such facts, in reversing or affirming or modifying any order, requirement, decision, or determination which comes before it under the provisions of this article.

(g) The concurring vote of a majority of the members of the board shall be sufficient to reverse any order, requirement, decision or determination of the building inspectors, or to decide in favor of the applicant on any matter upon which it is required to pass under this article or to effect any variation in this article.

(Code 1986, § 8-100)

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Sec. 8-101. Administrative agency.

The building inspectors are hereby designated the administrative agency, with the duty of administering and enforcing the regulations herein prescribed. The duties of the building inspectors shall include that of hearing and deciding all permits under section 8-98, but the building inspectors shall not have or exercise any of the powers or duties herein delegated to the board of adjustment.

(Code 1986, § 8-101)

Sec. 8-102. Board of adjustment.

(a) There is hereby created a board of adjustment, composed of mayor and city council and the county commission, to have and exercise the following powers:

- (1) To hear and decide appeals from any order, requirement, decision or determination made by the building inspectors in the enforcement of this article;
- (2) To hear and decide special exceptions to the terms of this article upon which such Board may be required to pass by subsequent ordinance;
- (3) To hear and decide specific variances under section 8-98.

(b) The board shall adopt rules for its governance and procedure in harmony with the provisions of this article. Meetings of the board shall be held at the call of the chairman, who shall be the mayor of the city. and at such other times as the board may determine. The chairman, or, in his absence, the acting chairman, may administer oaths and compel the attendance of witnesses. All hearings of the board shall be public. The board shall keep minutes of its proceedings, showing the vote of each member upon each question, or, if absent, or failing to vote, indicating each fact; and shall keep records of its examinations and other official actions, all of which shall immediately be filed in the office of the board and shall be a public record.

(Code 1986, § 8-102; Ord. No. 9654, § 76, 1-6-92)

Sec. 8-103. Judicial review.

(a) Any person aggrieved, or taxpayer affected by any decision of the board of adjustment may appeal its decision as provided in section 27-9-101 et seq., Tennessee Code Annotated.

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(b) No provision of this article shall be construed to modify or repeal any provision of the county zoning ordinance.
(Code 1986, § 8-103)

Sec. 8-104. Penalties.

Each violation of this article or of any regulation, order or ruling promulgated hereunder shall be punishable by a fine of not less than two dollars (\$2.00) nor more than fifty dollars (\$50.00).
(Code 1986, § 8-104)

Sec. 8-105. Conflicting regulations.

Where this article imposes a greater or more stringent restriction upon the use of land than is imposed or required by any other ordinance or regulation the provisions of this article shall govern.
(Code 1986, § 8-105)