

**ORDINANCE NO. 1477**

**AN ORDINANCE TO PROHIBIT OUTSIDE DISPLAY OR STORAGE OF USED  
HOUSEHOLD GOODS OFFERED FOR SALE**

Whereas the City of Manchester wishes to encourage commercial activity in its commercial areas; and

Whereas there has been a proliferation of unsightly used household goods displayed in public view and offered for sale, which is detrimental to the development of vibrant commercial activity within the City of Manchester; and

Whereas the Board of Mayor and Aldermen of the City of Manchester believes that the City will benefit from the limitation of this activity,

BE IT THEREFORE ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF MANCHESTER, TENNESSEE that, on properties zoned other than residential, no person or entity shall publicly display, outside of permanent structures for which there exists an appropriate certificate of occupancy, used household goods offered for sale or exchange.

Used household goods shall include, but not be limited to, items traditionally used and kept within the confines of one's residential dwelling, including clothes, furniture, decorations, appliances, exercise equipment, entertainment equipment, utensils, dishes, tools and other like items.

Used household goods shall not include complete automobiles, tractors, boats and lawn care equipment, which are typically stored in the elements.

A non-participating owner of any property being used in violation of this section shall be subject to all penalties and enforcement actions if, after adequate notice, he or she fails to take the appropriate action to comply with the requirements of this section.

The prohibition of this ordinance shall not apply to:

- A) Activities on properties zoned "commercial," which are actually and lawfully being used as a residential property, as permitted by Manchester Municipal Code section 14-702, as long as there is participation by a resident of the premises; or
- B) to any properties owned by a school or church and being used as a school or church, as long as being used by a group affiliated with the school or church.

Violation of this ordinance shall be punishable by a fine of up to Fifty Dollars (\$50) plus a civil penalty up to \$2,500 per violation. Any used household goods offered for sale in violation of the ordinance are subject to confiscation and forfeiture. The City Court shall conduct a hearing before ordering any forfeiture. In addition to the fine imposed herein, the City Court shall assess a civil penalty, as a remedial measure.

In assessing the civil penalty, the City Court shall take into consideration:

- 1) any loss to the City or its citizens;
- 2) reimbursement to the City for its expenses of enforcement;
- 3) to disgorge any gains or benefit from the violation;
- 4) to provide restitution for harm; and/or
- 5) ensure future compliance through execution of a bond or a prospectively coercive fine.

This ordinance is supplementary to and does not limit any other ordinance addressing codes, cleanliness or maintenance of real estate. Codes Department employees, as well as Police Officers, are authorized to issue citations for violations.

BE IT FURTHER ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF MANCHESTER, TENNESSEE that this ordinance shall take effect on and after its publication and passage, the public welfare of the City of Manchester, Tennessee requiring it.

PASSED FIRST READING: November 3, 2015

PASSED SECOND READING: November 17, 2015

PASSED THIRD AND FINAL READING: December 8, 2015

SIGNATURES:

On the original in the file