

## ARTICLE 6

### Administration and Enforcement

**Section 6.1 - Highest Standard Applies.** Should provisions of this Resolution be found to be in conflict with provisions of any other county resolution or state law, the provisions establishing a higher standard shall prevail.

**Section 6.2 - Enforcement.** It shall be the duty of the County Health Officer and Tax Assessor to enforce the provisions of this ordinance.

**Section 6.3 - McMinn County Regional Planning Commission to Hear Appeals.** The applicability of this Resolution or the validity or applicability of a regulation promulgated pursuant to this Resolution, may be determined in a hearing before the McMinn County Regional Planning Commission. The planning commission shall grant a hearing to

aggrieved persons upon request. The complainant shall file a written petition. The planning commission shall hold a hearing on the appeal within sixty (60) days of receipt of petition. The complainant and all other interested parties shall be given notice of the time and place of the hearing.

The complainant may appeal such decision of the planning commission to the county legislative body of McMinn County. Such an appeal shall be in writing. After an appeal to the county legislative body, the complainant may seek judicial review.

**Section 6.4 - Variance Process.** Variance from the requirements of these regulations shall only be based upon hardship created through lot conditions necessitating such when the intent of these regulations shall not be changed. Variance shall be through the approval of the site plan by a two-thirds vote of the quorum present. Such variance and the reason as to why granted shall be noted in the minutes of the planning commission.

**Section 6.5 - Violations.** Violations of this Resolution or the regulations promulgated hereunder shall be punishable by a fine of not less than twenty-five (25) nor more than fifty (50) dollars for each offense. Each day a violation is continued shall constitute a separate offense. Prior to the levy of a fine, written notice shall be given to the offender specifying in what manner he has violated this Resolution. This notice shall specify the manner and Resolutions necessary to correct conditions in violation.

**Section 6.6 - Existing Mobile Home Parks (Grandfather Clause).** Any mobile home park or travel trailer park permitted pursuant to the provisions of the McMinn County Mobile Home Resolution adopted on September 11, 1971 may be continued even though such use does not entirely conform with the provisions of this Resolution provided they do not violate public health regulations and provided, however, that this Resolution will govern:

1. Mobile home parks or travel trailer parks re-established after a discontinuance for more than one (1) year;
2. The extension or enlargement of any mobile home park or travel trailer park in existence prior to the adoption of this Resolution; and
3. Mobile home parks or travel trailer parks rebuilt, altered, or repaired after the effective date of this Resolution due to damage or destruction of more than one-half (1/2) of the park's total capacity.

**Section 6.7 - Amendment.** Any member of the county commission may introduce such amendment, or any official, board or any other person may present a petition to the county commission requesting an amendment or amendments to this Resolution. All changes and amendments shall be effective only after a thirty-day (30) official notice and public hearing. No such amendment shall become effective unless it is first submitted to the planning commission for approval. If such amendment is disapproved by the planning commission, it shall receive the favorable vote of a majority of the entire membership of the McMinn County Commission.

**Section 6.8 - Severability.** If any provision of this Resolution or its application to any person or circumstances is held invalid, this shall not affect other provisions or applications of the Resolution which are independent of the invalid provision or application, and to that end the various provisions of this Resolution are severable.

**Section 6.9 - Approval by County Commission Necessary.** This Resolution shall have no effect unless it is approved by a majority vote of the McMinn County Commission. Its approval or non-approval shall be proclaimed by the presiding officer of the McMinn County Commission.

**NOW THEREFORE, BE IT FURTHER RESOLVED** that this County Resolution shall become effective as county law upon being approved by the McMinn County Commission as provided in Section 6.9 above.

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APPROVED BY  
MCMINN COUNTY REGIONAL PLANNING COMMISSION

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DATE

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APPROVED BY  
MCMINN COUNTY COMMISSION

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DATE

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ATTEST  
COUNTY CLERK

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DATE