

11.6. Property Maintenance and Community Appearance Standards.

11.6.1. Purpose and Intent.

The provisions of this part are based on the following findings:

- (1) The City of Tupelo is committed to retaining the architectural style and character of its older homes and neighborhoods.
- (2) Conversion of single family houses into rental housing has made a negative impact on the City.
- (3) The City has invested large sums of money to provide adequate infrastructure including street, curb, gutter and sidewalk repairs.
- (4) There is a legitimate municipal interest in preserving and promoting the City of Tupelo so that it's intrinsic value to the residents and to the community as a whole is maintained.
- (5) The absence of the regulations in this part will result in the continued decline and deterioration of existing neighborhoods, the diminution of land values, and the growth in the possibility of blight and crime.
- (6) Homeowners and landlords are likewise expected to invest money into the maintenance and upkeep of their property.
- (7) Provide a higher level of standards to maintain property values in the City of Tupelo.
- (8) Promote, preserve, and protect the health, safety, and general welfare of property owners and taxpayers of the City of Tupelo.
- (9) Protect and promote the visual quality of the area.
- (10) Restore the character and style of the older neighborhoods in the City of Tupelo.
- (11) Prevent the development of property that would be out of character with the predominant style in the area and which would adversely affect property values or hurt the potential for continued and prolonged prosperity of the area.
- (12) Provide code inspectors to identify and enforce city code through completion and to do so proactively.

11.6.2. Applicability.

- (1) **General Applicability:** The provisions of this Part shall apply to all buildings used for residential purposes within the City of Tupelo. All residential structures, and additions thereto, constructed within the City of Tupelo after the date of adoption of this Part, shall be constructed in accordance with the terms of this Part.
- (2) **Standards Conflict:** The provisions contained in this Part are in addition to, and supplemental to all other provisions contained in the Development Code. In case of conflicts between the standards in this Part and standards of the underlying base district, other requirements of the Development Code or other rules, regulations, covenants and agreements, the provisions of this Part shall prevail.

11.6.3. Standards.

(1) Outdoor Storage of Materials:

- (a) No storage of any kind shall be permitted on a porch, open carport, or yard, except in an enclosed porch, as defined in Chapter 2 of this Ordinance. No refrigerators or similar appliances, or upholstered furniture, or similar items, may be stored or placed on the porch, unless the porch is enclosed.
- (b) No laundry shall be placed on any fence, porch, or clothesline, except in the rear yard.
- (c) All residential properties must be brought into compliance with terms of this part within six months after the adoption of this Part.

(2) Minimum Landscape Standards:

- (a) One hundred percent of the front yard must be landscaped with proper materials including but not limited to grass, shrubs, and flowers. A maximum of 25 percent of the front yard may be concrete or paved, unless necessary to meet minimum parking requirement.
- (b) Shrubs must be planted in front of the house in the front yard of the property, as defined by Chapter 2 of this Ordinance. A minimum of one shrub per four feet of length of the front side of the building is required. Shrubs must be kept trimmed and shaped.
- (c) All landscaping must be maintained with regard to the mowing of grass, raking of leaves, and maintenance of landscape beds on the property.
- (d) All landscaping must be maintained so as to ensure its continued growth.
- (e) All residential properties must be brought into compliance with terms of this part within six months after the effective date of this Part.

(3) Parking of Vehicles:

- (a) The parking of vehicles, including recreational vehicles, will not be permitted in the front yard of a residence, as defined by Chapter 2 of the Development Code, except where a concrete, paved, stone or gravel driveway is in place
- (b) All residential properties must be brought into compliance immediately following the adoption of this Part.
- (c) Parking of vehicles will not be permitted on streets less than 24 feet from street edge to street edge in residential areas, except where approved by Traffic Committee.
- (d) Residential driveways shall be maintained to be free of holes, depressions, or projections that may cause tripping or may injure a person or otherwise present a hazard.

(4) Removal of Garbage Containers:

- (a) All residential garbage collection containers must be removed from the curbside within 12 hours of collection by the Contractor.
- (b) Residents are responsible for the cleanliness of the area around the garbage container both next to the house and at the curbside.
- (c) All residential properties must be brought into compliance immediately following the effective date of this Part.

(5) Building Design Standards:

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- (a) To the greatest extent possible, the architectural and historical value of existing buildings, structures, and other historically significant areas are to be conserved.
 - (b) New structures, additions, and renovations shall be designed to be compatible with the existing structures in terms of architectural design and exterior building materials, colors and arrangements of buildings and other features.
 - (c) All exterior wall coverings shall be of consistent color, material, and style with neighboring buildings.
 - (d) All accessory buildings, as defined in Chapter 2 of the Development Code, must be maintained in sound structural condition. Any dilapidated accessory buildings must be removed within 30 days of the receipt of notice from the City of Tupelo. These structures are to be in rear yard and not visible from the street.
- (6) Building Maintenance: It shall be unlawful and a violation of this code for any person to erect, maintain, use, place, deposit, cause, allow, leave or permit any of the following on any residential property:
- (a) Any wood surfaces unprotected from the elements by paint or other protective treatment;
 - (b) Exterior painted surfaces with loose, cracked, scaling, chipping, or peeling paint, visible from a public area, in such amounts as to present a deteriorated appearance;
 - (c) Broken, rotted, split, curled or missing roofing material in such amounts as to present a deteriorated appearance.
 - (d) Property owners are responsible for maintenance of property and behavior of tenants in rental property.
- (7) Junk Vehicles: Junk vehicles are prohibited from being located within the city except within completely enclosed buildings or garages or at vehicle salvage yards, vehicle repair shops and wrecker services complying with the terms of this ordinance. Within a residential zoning district no more than one junk vehicle may be stored behind opaque fencing or landscaping. This required screening shall completely block the view of the vehicle from all surrounding property.
- (8) Junk: It shall be unlawful for the owner or occupant of any property within the City to utilize said property for the storage and accumulation of used, discarded or worn out materials or manufactured products, whether reusable or not, including but not limited to appliances, building materials, building rubbish, trash, garbage, waste products, metal products, and similar items.
- (9) Open Storage: Open or outside storage of materials and products shall be prohibited in all zoning districts except Industrial, if within view from the street or if not screened from the view of neighbors by opaque fencing or landscaping.
- (10) Screening of Junkyard: Within one year from the effective date of the ordinance, all existing junkyards, vehicle salvage yards, vehicle repair shops and wrecker services where junk or wrecked vehicles are stored shall be screened from view from adjacent properties by opaque fencing and landscaping complying with Section 9.6 of this Code. All new junkyards, vehicle salvage yards, vehicle repair shops and wrecker services shall be provided with such screening prior to obtaining a certificate of occupancy.
- (11) Restrictions on Parking Commercial and Recreational Vehicles in Residential Districts:
- (a) No Commercial vehicle rated greater than three-quarter ton, bus, trailer exceeding 15 feet in length, tractor or heavy equipment such as bulldozers and road graders shall be parked or stored in any Low Density Residential, Medium Density Residential, or Mixed Use Residential Districts, except in the rear yard of lots 40,000 square feet in size or larger.

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- (b) Under no circumstance may any of the vehicles and equipment listed above be stored in any residential district closer than 50 feet to any property line and are prohibited altogether in a subdivision unless used expressly for the purpose of unloading, loading, or construction on that lot.
 - (c) Recreational vehicles, boats and campers shall maintain the same setback as a structure, according to the zoning district, except for a rear setback of five feet, and shall not be used for sleeping quarters while in said residential district for greater than 15 days per year. Concrete pads for such recreational vehicles, boats, or campers which do not meet these setback requirements may be approved by compatible use review as provided in Section 12.12.
- (12) Corner Visibility: On a corner lot in any zoning district except the Mixed Use Downtown District, nothing shall be erected, placed, planted or allowed to grow in such a manner as materially to impede vision between a height of two and one-half and ten feet above the centerline grades of the intersecting streets in the area bounded by the street lines of such corner lots and a line joining points along said street lines 50 feet from the point of the intersection.
- (13) Fences: Fences shall be maintained so that they do not constitute a hazard, blight, or condition of disrepair. Examples of hazard, blight, or condition of disrepair shall include but not be limited to: leaning, missing slats or blocks, graffiti, peeling paint, rotting or deteriorated materials, affecting five percent or more of the length of the fence.

(Ord. of 6-19-2018(1) , § 2; Ord. of 1-2-2019(1) , § 2)