

Shelby County Environmental Court Major Areas of Violations

Health Code Violations

During the fiscal year of 1991, the Health Department responded to over 15,000 environmental health complaints. Prompt action by the court attempts to correct hazards that pose a threat to the public health and safety of the citizens of Memphis and Shelby County. These matters encompass all areas of the city and county. These primary areas of environmental concerns include the following:

SANITATION: These cases involve littering/illegal dumping, high grass and noxious growth, rat harborage/rat infestation, sewage outcropping, defective plumbing, improper food service operations and supervision of personal care homes. Some of these cases involve restaurants, stores and food vendors who sell food that represents a threat to consumers.

MOSQUITO CONTROL: Items may not accumulate so as to provide a breeding area for mosquitoes. Discarded and used tires are often responsible for offering a place for mosquitoes to breed. These cases obviously have a serious effect on the health and safety of citizens.

RABIES CONTROL: These cases involve dogs running at large, unlicensed and unvaccinated. Citizens often suffer dog bites in many of these cases and the court requires prompt action.

POLLUTION CONTROL: These matters can involve air pollution, water quality violations, and asbestos removal. This area of the law will see more activity in the future, and more court cases can be expected as the result of an increased awareness by the public.

INFECTIOUS DISEASES: These cases involve sexually transmitted diseases (STD). Persons with known STD may be brought to court in order to require treatment by the department. The court may order such individuals to be examined, tested and treated to prevent transmission of STD to the community.

Housing Code Violations

The Department of Housing improvement is responsible for citywide administration and enforcement of ordinances that establish minimum housing standards and regulate abandoned vehicles on public and private property. The department conducts systematic house-by-house inspections of designated geographic areas within the city and will also perform inspections in response to approximately 10,000 citizen complaints received annually.

Since substandard housing has become an increasing problem, this area of the law has received a great deal of attention in the past several years. Some of these cases involve landlords who offer substandard property for high rental prices. This is an area of the law that will see more activity in the future.

Fire Code Violations

The Fire Protection Bureau of the City of Memphis Fire Department and the Shelby County Fire Department are responsible for reducing the hazards of fire in the city of Memphis and Shelby County. They perform their tasks in three (3) major categories: Fire Code Enforcement, Arson Investigation & Prosecution and Public Fire Safety Education.

Compliance with fire code requirements is needed to provide reasonable regulations consistent with nationally recognized practices for the protection of life and property from the hazards of fire.

The type of violations brought to court may include arson, locked or blocked exit doors, failure to remove hazardous materials, dangerous accumulation of waste materials, failure to install smoke detectors, failure to install proper fire protection systems, leaking underground storage tanks, and failure to secure vacant buildings. Unfortunately many of these cases involve serious injuries and fatalities.

Building and Zoning Code Violations

The Zoning and Codes Enforcement Ordinances were enacted to prevent excessive congestion of population and to encourage classification of land uses as to promote both urban and non-urban development. These ordinances are rather complicated in nature and court cases can be rather complex. They include standards to which buildings or structures must conform, such as lot areas, set back and yard requirements, use limitations, parking, loading and storage requirements applicable to buildings, and uses of improper additions or alterations of existing buildings, special use requirements, site plan review, and cases involving Standard Building Code, Standard Mechanical Code, Standard Plumbing Code and Standard Gas Code. The Codes Enforcement Complaint Division makes approximately 12,000 inspections each year.