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# Mountain Ridge Protection Act

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We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with county government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other CTAS website material.

Sincerely,

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# Mountain Ridge Protection Act

## Private Acts of 1996 Chapter 197

**SECTION 1.** This act shall be known and may be cited as "The Mountain Ridge Protection Act of Johnson County."

**SECTION 2.** As used in this act, unless the context otherwise requires:

(a) "Crest of a protested mountain ridge" means the uppermost line of a mountain or chain of mountains from which the land falls away on at least two (2) sides to a lower elevation, has an elevation of three thousand feet (3000'), and has an elevation which is five hundred (500) or more feet above the elevation of an adjacent valley floor.

(b) "Map" means any drawing or document based on information provided by the United States Geological Survey.

**SECTION 3.** No building in Johnson County may protrude more than thirty-five feet (35') above the crest of a protected mountain ridge. This restriction applies to the uppermost portion of the roof and not protuberances such as chimneys, flag poles or like, nor does it include equipment used for the transmission of electricity, communications or other public utilities.

**SECTION 4.** A map identifying the crests of protected mountain ridges within Johnson County shall be filed with the Board of County Commissioners and with the Register of Deeds in Johnson County where it will be made available for inspection during regular business hours.

**SECTION 5.** It is the intent and purpose of this act to grant the Governing Body of Johnson County the authority to enforce the provisions of this act through a five hundred dollar (\$500) civil penalty to be assessed for each separate violation. In addition, any person injured by a violation or any person who resides in the county may bring a civil action against the person alleged to be in violation. The General Sessions Court, in issuing any final order, may award all costs of litigation to the plaintiff in any case in which the plaintiff prevails.

**SECTION 6.** This act shall have no effect unless it is approved by a two-thirds ( $\frac{2}{3}$ ) vote of the Legislative Body of Johnson County. Its approval or nonapproval shall be proclaimed by the presiding officer of the Legislative Body of Johnson County and certified by him to the Secretary of State.

**SECTION 7.** For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 6.

Passed: April 24, 1996.

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