

Code Enforcement Report

Request for Board of Mayor and Aldermen Direction Regarding Continued Property-Maintenance Violations.

Town of Mason Tennessee

Prepared by: Code Enforcement Officer F. Joyner

Date: August 17, 2026

Presented to: Board of Mayor and Aldermen

I am presenting this matter to the Board of Mayor and Aldermen to request direction concerning the continued enforcement of the town of Mason's Property-Maintenance ordinances when the property owner is an elected municipal figure.

This report is not intended to make a personal accusation against the elected official or to request that the elected official be treated differently from any other property owner.

My request is that the town establish and follow a clear, and consistent enforcement procedure that applies equally to all property owners, including elected officials.

The town currently publishes a Junk-Refuse-Weeds Ordinance, and the Town Council's adopted revisions to its weeds, trash and debris ordinance in 2025. The council's July 2025 minutes document discussion of revisions, and the August 2025 minutes document final approval of the revised ordinance.

Multiple Notices of Violations have been prepared and mailed by registered mail to elected officials P.O. Box. This elected Official does not maintain a mailbox at the residential property address known to the Town and uses a P.O. Box for mail.

The Postal records indicate that two (2) of the registered mails containing the Notice(s) of Violation were picked up, and there are multiple Notice of Violations that were sent by registered mail that were not picked up/claimed.

I am requesting that the Town Attorney determine whether the method of notice used satisfies the current ordinance and, if not, identify the proper method of service so that the Town's enforcement process can continue in accordance with the law.

Equal Enforcement Concern:

My primary concern I'm bringing before the Board is not the identity of the property owner.

The concern is whether the Town's Property-maintenance ordinances will be enforced consistently regardless of the owner's position, office or status within the community.

As Code Enforcement Officer, I am expected to enforce the Town's ordinances against property owners throughout Mason.

If a private citizen receives a Notice of Violation and is required to correct an ordinance violation, the same standard should apply to property owned by an elected official unless the law provides otherwise.

I believe inconsistent enforcement could create the appearance that the Town's ordinances apply differently depending upon who owns the property.

That appearance is damaging to public confidence in municipal government and places the Code Enforcement Officer in a difficult position.

Request for Board Direction:

I respectfully request that the Board of Mayor and Aldermen provide a clear direction concerning the following:

(1) Enforcement Procedure

What specific enforcement procedure does the Town want the Code Enforcement Officer to follow when a property remains in violation after the Notice of Violation?

(2) Notice

Does the current ordinance permit the Town to proceed based upon the mailing already attempted or is an addition method of notice needed?

(3) Unclaimed Registered Mail

Please have the Town Attorney determine the legal effect of an unclaimed registered/certified Notice of Violation mailed to the property owners P.O. Box.

(4) Continued non-compliance

If the property owner does not correct the violations after legally sufficient notice, what is the next enforcement step authorized by the current ordinance?

(5) Equal Application

Does the board affirm that the Town's property maintenance ordinances be enforced uniformly against all property owners including members of the Board and Mayor?

(6) Protection of the Enforcement Process

Because the Property owner is an elected official of the Town of Mason, I request clarification regarding who has the authority to direct or oversee the enforcement matter so there is no actual or perceived conflict of interest.

(7) IMPORTANCE OF BOARD DIRECTION

The Towns 2026 charter provides legislative powers of the Town are vested in the Board of Mayor and Aldermen. The revised charter also provides that the mayor does not have oversight authority over the Town Administrator and is not responsible for the day-to-day operations.

The charter further provides that the Board may ask the Town attorney to compel an elected official to perform a required official duty if the official fails to do so.

I am therefore requesting that the board address this matter through the towns' established governmental process rather than requiring the Code Enforcement Officer to resolve a conflict involving the Towns' highest elected official individually.

(8) Request for a Consistent Standard

I respectfully ask the Board to adopt or reaffirm the following principle:

Town of Mason ordinances shall be enforced according to the same standards and procedures for all property owners, regardless of whether the property owner is a private citizen, business owner, elected official, or municipal employee.

My objective is not to embarrass any individual. My objective is to ensure that the Town's ordinances are administered consistently, that the property owners receive the Notice and due process required by law, and that the Code Enforcement Officer has a clear direction from the governing body when an elected official's property is involved.

(9) Requested Action

- (1) Review of the documented violations**
- (2) Review of the Notices of Violations and Postal Documentation**
- (3) Direct the Town Attorney to determine whether the Notices were legally sufficient.**
- (4) Establish the next proper enforcement step under the current ordinance.**
- (5) Confirm that the same enforcement standards apply to all property owners.**
- (6) Clarify who is authorized to make enforcement decisions when the property owner is an elected official.**
- (7) Direct that the matter proceeds according to the same written procedure applicable to other property owners.**

(10) Conclusion

I am bringing this matter forward because I believe that the integrity of the Town's code enforcement process depends upon consistent application of the law.

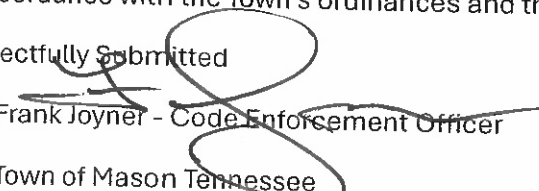
The question before the board should not be whether the property owner is an elected official.

The question should be:

Does the Town of Mason intend to enforce its property maintenance ordinances consistently and according to the law, regardless of who owns the property?

I respectfully request the board's direction so that I can perform my duties fairly, consistently, and in accordance with the Town's ordinances and the direction of the governing body.

Respectfully Submitted


Frank Joyner - Code Enforcement Officer

Town of Mason Tennessee