

**IN THE CHANCERY COURT OF WILLIAMSON COUNTY
STATE OF TENNESSEE**

IN RE:

***PERSON TO BE SEARCHED
LOCATION TO BE SEARCHED.***

**CITY OF FRANKLIN, TENNESSEE
DEPARTMENT OF CODES ADMINISTRATION
ADMINISTRATIVE INSPECTION WARRANT APPLICATION**

AFFIDAVIT

Personally appeared before me, Gary Luffman, Codes Official and makes oath that he has good ground and belief, and does believe that violations of Tennessee law or the City of Franklin's Code section 12-501, the International Property Maintenance Code, are taking place upon the following described property as detailed in the attached Notice of Violation as Exhibit A hereto and incorporated by reference as if fully stated herein.

Pursuant to authority granted by Tennessee Code Annotated, §§ 6-54-501 through 6-54-506, and for the purpose of securing the public safety, health, and general welfare through structural strength, stability, sanitation, adequate light and ventilation in dwellings, apartment houses, rooming houses, and other buildings, the International Property Maintenance Code, 2003 edition, (hereinafter "IMPC") was adopted by the City of Franklin on April 12, 2004.

The Codes Official, having been authorized pursuant to T.C.A. § 68-120-117(A) to conduct an inspection of said premises for compliance with the aforementioned code provisions respectfully requests the Court, having been authorize pursuant to T.C.A. § 68-120-117(B) as a court of record in the county of the residence of the agency making application for the administrative warrant, to issue the same for the property located at:

(PREMISES TO BE SEARCHED, INCLUDING SPECIFIC ADDRESS)

Further, Affiant states that the City of Franklin Codes Administration has statutory authority to inspect the above premises, that he, as a certified building official, has properly notified owner/occupants but has been denied permission to enter said premises and the following facts or circumstances exist establishing probable cause that a violation of the aforementioned code(s) is (are) occurring upon said premises:

(PROBABLE CAUSE FOR SEARCH: Choose one OR both)

- 1) Previous inspection on __*(date)*_____ showed violation(s) of law and the present inspection is necessary to determine whether those violations have been abated.

- 2) Complaints have been received by the agency and presented herein by persons who by status or position have personal knowledge of violations of law occurring on the named premises.
(NAME COMPLAINANTS, TITLE)

Affiant further states that the purpose of the inspection is:

(BRIEF SUMMARY OF PURPOSE OF INSPECTION)

Affiant further states that the purpose of the inspection is: to confirm suspected continuing violations of code as portrayed in the photographs, to determine the extent of repairs made, if any, and to take proper legal action to abate the nuisance existing within and outside the exterior of the structure.

Affiant further states that the inspection is reasonable in scope and not intended to arbitrarily harass the persons or business involved; that the purpose of the inspection is not criminal in nature and the City of Franklin is not seeking sanctions against the person for refusing entry.

Gary Luffman, therefore, complains and asks that a warrant issue to inspect the said **PREMISES** of the above named **PERSON**, above described in said City, where he believes said **PREMISES** described above are currently in violation of City Code(s) .

Gary Luffman,
Codes Official

Sworn to and subscribed before me, this ___ day of _____ 200__.

(Signature of Judge or Magistrate)

Title: _____

Court: _____
Williamson County, Tennessee

Prepared by

WEED, HUBBARD, BERRY & DOUGHTY, PLLC

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**IN THE CHANCERY COURT OF WILLIAMSON COUNTY
STATE OF TENNESSEE**

IN RE:

***PERSON TO BE SEARCHED
LOCATION TO BE SEARCHED.***

**CITY OF FRANKLIN, TENNESSEE
FIRE DEPARTMENT
ADMINISTRATIVE INSPECTION WARRANT APPLICATION**

AFFIDAVIT

Personally appeared before me, Jason Jones, Acting Fire Marshal of the City of Franklin, and makes oath that he has good ground and belief, and does believe that violations of Tennessee law or the City of Franklin's Code section 12-501, the International Property Maintenance Code, are taking place upon the following described property as detailed in the attached Notice of Violation as Exhibit A hereto and incorporated by reference as if fully stated herein.

Pursuant to authority granted by Tennessee Code Annotated, §§ 6-54-502 et seq., and for the purpose of regulating and governing the safe-guarding of life and property from fire or explosion, hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises, the City of Franklin, has adopted on _____ the 2003 edition of the International Fire Code, including Appendix B and Appendix C, with any subsequent amendments or revisions that may be added, or as replaced by any later editions, as prepared by the International Code Council, Inc.

Under the International Fire Code, Section 104.3,

“Whenever it is necessary to make an inspection to enforce the provisions of (the International Fire Code), or whenever the fire code official has reasonable cause to believe that there exists in a building or upon any premises any conditions or violations of the code which make the building or premises unsafe, dangerous or hazardous, the fire code official shall have the authority to enter premises at all reasonable times to inspect or to perform the duties under (that) code.”

Jason Jones, Acting Fire Marshal of the City of Franklin requests the court's permission to conduct an inspection of said premises for compliance with the aforementioned code provisions respectfully requests the Court, having been authorize pursuant to T.C.A. § 68-120-117(B) as a court of record in the county of the residence of the agency making application for the administrative warrant, to issue the same for the property located at:

(PREMISES TO BE SEARCHED, INCLUDING SPECIFIC ADDRESS)

Further, Affiant states that the City of Franklin Fire Department has statutory authority to inspect the above premises, that he has properly notified (or reasonably attempted) to notify owner/occupants but has not been given permission by the owners/occupants to enter said premises and the following facts or circumstances exist establishing probable cause that a violation of the aforementioned code(s) is (are) occurring upon said premises:

(PROBABLE CAUSE FOR SEARCH: Choose one OR both)

- 3) Previous inspection on (date) showed violation(s) of law and the present inspection is necessary to determine whether those violations have been abated.

- 4) Complaints have been received by the agency and presented herein by persons who by status or position have personal knowledge of violations of law occurring on the named premises.
(NAME COMPLAINANTS, TITLE)

Affiant further states that the purpose of the inspection is:

(BRIEF SUMMARY OF PURPOSE OF INSPECTION)

Affiant further states that the purpose of the inspection is: to confirm suspected continuing violations of code as portrayed in the photographs, to determine the extent of repairs made, if any, and to take proper legal action to abate the nuisance existing within and outside the exterior of the structure.

Affiant further states that the inspection is reasonable in scope and not intended to arbitrarily harass the persons or business involved; that the purpose of the inspection is not criminal in nature and the City of Franklin is not seeking sanctions against the person for refusing entry.

Jason Jones, therefore, complains and asks that a warrant issue to inspect the said ***PREMISES*** of the above named ***PERSON***, above described in said City, where he believes said ***PREMISES*** described above are currently in violation of City Code(s) .

Jason Jones

Acting Fire Marshal, City of Franklin

Sworn to and subscribed before me, this ___ day of _____ 200__.

(Signature of Judge or Magistrate)

Title: _____

Court: _____

Williamson County, Tennessee

Prepared by

WEED, HUBBARD, BERRY & DOUGHTY, PLLC

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**IN THE CHANCERY COURT OF WILLIAMSON COUNTY
STATE OF TENNESSEE**

IN RE:

***PERSON TO BE SEARCHED
LOCATION TO BE SEARCHED***

ADMINISTRATIVE INSPECTION WARRANT

TO ANY BUILDING OFFICIAL OF THE CITY OF FRANKLIN:

Proof by affidavit having been made before me by Gary Luffman, Codes Official of the City of Franklin, Tennessee, Department of Codes Administration, that there is probable cause for believing that violations of the laws of the State of Tennessee or the building, fire, or life safety codes of the City of Franklin are occurring upon the following described property, as stated in his affidavit and Application for Inspection Warrant

(insert property address, tax map description)

situated in FRANKLIN, WILLIAMSON County, Tennessee;

And the Codes Inspector, having been authorized pursuant to the under T.C.A. § 68-120-117 to conduct an inspection of said premises for compliance with Franklin’s building, fire and life safety codes, including but not limited to the International Property Maintenance Code, you are, therefore, commanded to make an immediate inspection of the above described property and to return this Administrative Inspection Warrant **within ten (10) days**.

TO THOSE IN POSSESSION OF SAID PREMISES:

Tennessee Code § 68-120-117 having been complied with, you are hereby notified that subsection (g) of that code section states:

Any person who willfully refuses to permit inspection, obstructs inspection or aids in the obstruction of an inspection of property commits a Class C misdemeanor.

Furthermore, under the International Fire Code, Section 104.3.1, “When the fire code official has first obtained a proper inspection warran or other remedy provided by law to secure entry, an owner or occupant or person having charge, care or control of the building or premises shall not fail or neglect, after proper request is made to permit entry therein...”

This the _____ day of _____, 200__.

Time: AM/PM

Title: _____
(Signature of Judge or Magistrate)

Court. _____

**IN THE CHANCERY COURT OF WILLIAMSON COUNTY
STATE OF TENNESSEE**

IN RE:

***PERSON TO BE SEARCHED
LOCATION TO BE SEARCHED,***

OFFICER'S RETURN

The _____ within warrant came to hand; I executed it on this ____ day of _____,
200____, by inspection the premises herein described, herein and (if applicable) bringing before
the Franklin Municipal Court the following personal property:

I witnessed the following code violations:

(Detail violations or refer to attached Notice of Violation.)

Signed:_____

Codes Official
Williamson County, Tennessee