



Metropolitan Council

REVISED

**PROPOSED AMENDMENT TO
RESOLUTION, AND
AMENDMENTS AND
SUBSTITUTES FOR
ORDINANCES TO BE FILED
WITH THE METRO CLERK
FOR THE COUNCIL MEETING OF
TUESDAY, MARCH 7, 2017**

SUBSTITUTE RESOLUTION NO. RS2017-566

A resolution expressing the Metropolitan Council's support for the Medical Cannabis Access Act legislation, SB 0803 / HB 0495 and SB 1119/HB 0830, currently pending before the Tennessee General Assembly.

"WHEREAS, Senator Steve Dickerson of Nashville has announced an intention to introduce legislation to legalize marijuana for medical purposes, and Senator Sara Kyle of Memphis and Representative Sherry Jones of Nashville have also recently introduced legislation before the Tennessee General Assembly ~~to legalize marijuana for medical purposes for this purpose;~~"

WHEREAS, Senator Sara Kyle of Memphis and Representative Sherry Jones of Nashville have recently introduced legislation before the Tennessee General Assembly to legalize marijuana for medical purposes; and

WHEREAS, at this time, twenty-eight states have legalized marijuana for medicinal uses; and

WHEREAS, this legislation will allow physicians to provide treatment for citizens of Nashville suffering from a variety of medical conditions, including cancer, Alzheimer's Disease, amyotrophic lateral sclerosis (ALS), post-traumatic stress disorder (PTSD), and seizures; and

WHEREAS, in light of the opioid epidemic currently afflicting Tennessee and the nation, it is important to look for alternative sources for pain management; and

WHEREAS, this legislation would bring much needed relief to individuals suffering from medical conditions residing in Nashville and Davidson County and across the state of Tennessee.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That the Metropolitan County Council hereby goes on record as supporting the state legislation proposed under the Medical Cannabis Act, SB 0803/ HB 0495 and the Medical Cannabis Access Act, SB 1119 / HB 0830, both pending before the Tennessee General Assembly.

Section 2. The Metropolitan County Council further requests that the Davidson County Delegation to the Tennessee General Assembly support the Medical Cannabis Act, SB 0803 / HB 0495 and the Medical Cannabis Access Act, SB 1119 / HB 0830, ~~and~~ as well as any such legislation that further ensures the health of residents of Davidson County.

Section 3. The Metropolitan Clerk is directed to send a copy of this Resolution to each member of the Davidson County Delegation to the Tennessee General Assembly.

Section 4. That this Resolution shall take effect from and after its adoption, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

Scott Davis
Member of Council

SUBSTITUTE RESOLUTION NO. RS2017-588

A resolution requesting the Metropolitan Police Department to promptly develop a policy for the use of body cameras for the officers and supervisors responding to proactive calls for service, and to take the necessary action to procure body cameras with all deliberate speed as soon as adequate funds are appropriated by the Metropolitan Council.

WHEREAS, the need for Metropolitan Nashville Police Department body cameras has been highlighted by recent events, most notably the tragic death of Mr. Jockues Clemmons on February 10, 2017;

WHEREAS, body cameras can be useful tools that provide protection for law enforcement officers as well as accurate and complete documentation of law enforcement activities;

WHEREAS, a 2016 survey of the nation's largest police departments, conducted by the Major Cities Chiefs Association and Major County Sheriffs' Association, found that ninety-five percent (95%) planned to implement a body camera program within the near future; and

WHEREAS, in Tennessee, law enforcement agencies are already using or testing body cameras, including the Knox County Sheriff's Office and the police departments in Gallatin, Millersville, Memphis, and Chattanooga. Other agencies, including the Tennessee Highway Patrol and the Franklin Police Department, have discussed or are considering body camera use; and

WHEREAS, in October 2016, Mayor Megan Barry committed to include funding for body cameras to be used by Metropolitan Nashville Police Department officers in the budget proposed for Fiscal Year 2018, and the MNPD is currently working with the Mayor's Office to determine equipment costs and staffing requirements; and

WHEREAS, in addition to proper funding, maintaining public confidence requires a timeline for deployment of body cameras as soon as possible, possibly in phases; and

WHEREAS, it is additionally vital to the successful deployment of body cameras that fair and effective policies and procedures be adopted for their implementation; and

WHEREAS, Mayor Megan Barry has appointed a Citizens Advisory Group (CAG) to formulate and recommend a policy to the Chief of Police for the implementation and use of body cameras that will address training, recording methods and procedures for the review of recordings by law enforcement officers, public access to recordings, confidentiality, accountability, and disciplinary actions; and

WHEREAS, specifically, the CAG will be reviewing a draft policy that will:

- 1) Require body camera data to be accessible to the public in accordance with the requirements of the Tennessee Public Records Act;
- 2) Establish disciplinary measures for law enforcement officers who fail to activate body cameras in violation of standard procedures, or who intentionally fail or even sabotage content of body cameras. This includes an explanation by law enforcement officers as to why an encounter was not recorded when procedures required it. Failure to record an event, store recordings, or the misuse of the system would be an actionable offense resulting in discipline up to and including termination. Intentionally turning off the system in anticipation of the use of force must be absolutely forbidden and would serve as grounds for termination or suspension;

- 3) Law enforcement officers involved in use-of-force incidents would not be permitted to view body camera footage before issuing statements about such incidents;
- 4) Address the storage and retention of body camera data and the use of cloud-based storage systems that reduce infrastructure costs and facilitate transfer of data;
- 5) Privacy interests of those inadvertently or unintentionally captured on body cameras, including minors, innocent bystanders, and those falsely implicated in criminal activity, would be protected through redaction software.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That the Metropolitan County Council hereby goes on record as requesting the Metropolitan Police Department to promptly develop a policy for the use of body cameras for the officers and supervisors responding to proactive calls for service, and to take the necessary action to procure body cameras with all deliberate speed as soon as adequate funds are appropriated by the Metropolitan Council.

Section 2. That the Metropolitan Clerk is directed to send a copy of this Resolution to Mayor Megan Barry and Metropolitan Nashville Police Department Chief Steve Anderson.

Section 3. That this Resolution shall take effect from and after its adoption, the welfare of the Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

Karen Johnson
Member of Council

AMENDMENT NO. _____

TO

RESOLUTION NO. RS2017-585

Mr. President:

I move to amend Resolution No. RS217-585 by adding the following name to the list of notaries public for Davidson County:

Jamie R. Thompson
4037 Brandywine Point Boulevard
Old Hickory, TN 37138

INTRODUCED BY:

Jim Shulman
Member of Council

CERTIFICATE OF ELECTION OF NOTARIES PUBLIC

BATCH # 54

AS A CLERK OF THE COUNTY OF DAVIDSON, TENNESSEE I HEREBY CERTIFY TO
THE SECRETARY OF STATE THAT THE FOLLOWING WERE ELECTED TO THE OFFICE OF
NOTARY PUBLIC DURING THE MARCH 07, 2017 MEETING OF THE GOVERNING BODY:

NAME	HOME ADDRESS	HOME PHONE	BUSINESS ADDRESS	BUSINESS PHONE	SURETY
1. JAMIE R. THOMPSON	4037 BRANDYWINE PT. BLVD. OLD HICKORY TN 37138	496 1215	200 JAMES ROBERTSON PKWY NASHVILLE TN 37219	862-7541	




SIGNATURE

CLERK OF THE COUNTY OF DAVIDSON, TENNESSEE

3/6/17
DATE

SECOND SUBSTITUTE ORDINANCE NO. BL2016-493

An ordinance amending Chapters 17.04, 17.20 and 17.40 of the Metropolitan Code pertaining to sidewalks (Proposal No. 2016Z-024TX-001).

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. Section 17.20.120 (Provision of sidewalks) is hereby amended by deleting the section in its entirety and replacing with the following:

Sidewalks are required to facilitate safe and convenient pedestrian movements for the residents, employees and/or patrons, and to reduce dependency on the automobile, thus reducing traffic congestion on the community's streets and protecting air quality. This article shall not decrease the allowable floor area ratio for development.

A. Applicability.

1. Multi-family or nonresidential development. The provisions of this section shall apply to the redevelopment of multi-family or nonresidential property when the property is located within the Urban Services District, ~~is on a street in the Major and Collector Street plan, and/or any of the property frontage is within a quarter mile of the boundary of a center designated in the general plan, or the property is on a street in the Major and Collector Street plan.~~ Properties on the opposite side of navigable waterways or controlled access highways from a center designated in the general plan are not subject to this provision. Redevelopment of multi-family or nonresidential property shall include one or more of the following:
 - a. Construction of a new structure on a vacant lot, including lots on which all structures have been or are planned to be demolished; or
 - b. The value of any one renovation equal to or greater than fifty percent of the assessed value of all structures on the lot, or the value of multiple renovations during any five-year period equal to or greater than seventy five percent of the assessed value of all structures on the lot; or
 - c. The value of any one expansion equal to or greater than twenty-five percent of the assessed value of all structures on the lot, or the value of multiple expansions during any five-year period equal to or greater than fifty percent of the assessed value of all structures on the lot; or
 - d. The total building square footage of any one expansion is equal to or greater than twenty-five percent of the total square footage of all structures on the lot, or the total building square footage of multiple expansions during any five-year period is equal to or greater than fifty percent of the total square footage of all structures on the lot.

B.

2. Single-family or two-family construction. Single-family or two-family construction when the property is within the Urban Zoning Overlay, any of the property frontage is within a quarter mile the boundary of a center designated in the general plan or the property is on a street in the Major and Collector Street plan in the Urban Services District. Properties on the opposite side of navigable waterways or controlled access highways from a center designated in the general plan are not subject to this provision.

- ~~a.~~ All provisions of this sSection 17.20.120 shall apply to the construction of a new ~~one single-family or attached or detached~~ two-family structure(s) when the property is within the Urban Zoning Overlay, is on a street in the Major and Collector Street plan in the Urban Services District and/or is within a quarter mile of a center designated in the general plan.
- b. Dedication of Right-of-Way and Easements required by subsection E of this section shall apply to all single-family and two-family permits for an addition or any renovation equal to or greater than twenty-five percent of the assessed value of all structures on the lot.

~~C.B~~ On-Site Sidewalk Installation For Multi-Family and Nonresidential Development. A continuous, all-weather internal sidewalk network, constructed to a minimum width of five feet shall connect all pedestrian building entryways to parking areas and all public rights of way. Sidewalks shall be designed and constructed to be distinguishable from driving surfaces.

~~C.D~~ Public Sidewalk Installation. The provisions of this subsection apply to all property frontage, regardless of whether sidewalks are provided in public right-of-way or pedestrian easements. are applicable only to the property frontage, with street right-of-way abutting the property for which a building permit is applied.

1. Construction of new sidewalks is required along the entire property frontage under any one or more of the following conditions, unless the property abuts a sidewalk segment that the Department of Public Works has funded and scheduled for construction:
 - a. Existing sidewalk repair or replacement.
 - b. To extend the existing sidewalk or sidewalk proposed by an adjacent development.
 - c. Existing sidewalk present on the same block face.
 - ~~d. W~~Multi-family or nonresidential properties within the Urban Zoning Overlay.
 - e. Multi-family or nonresidential properties aAlong a street in the Major and Collector Street Plan.
2. Sidewalk Design Standards.
 - a. Sidewalks dimensions and required elements shall comply with the Major and Collector Street Plan or, for a street not in the Major and Collector Street Plan, the adopted standards of the Metropolitan Government. Design of sidewalks shall comply with approved Public Works' standards.
 - ~~b. However, upon recommendation from the Planning Commission, the director of the Public Works Department may approve an alternative material, design, or method of construction from that required by this section if the director of the Public Works Department determines that the alternative is safe, durable, and equivalent to the requirements set out in this section. Materials, designs, or methods of construction approved under this subsection must be used and installed in accordance with the terms of approval.~~
 - b.e. Obstructions are prohibited within the required pedestrian travelway, but may be located within a grass strip/green zone or frontage zone. Prior to the issuance of use and occupancy permits, existing obstructions shall be relocated outside of the required pedestrian travelway.

DE. Contribution to the ~~pedestrian network~~ fund for the pedestrian benefit zone as an alternative to sidewalk installation.

1. When a public sidewalk is required by subsection A ~~or B~~, but ~~construction installation~~ is not required by subsection CD of this section, the building permit applicant may make a financial contribution to the ~~Metropolitan Government~~ fund for the pedestrian benefit zone in lieu of construction.
 - a. Multi-family or nonresidential development. The value of the contribution shall be the average linear foot sidewalk project cost, excluding repair projects, determined ~~on an annual basis~~ by July 1 of each year by the Department of Public Works' review of sidewalk projects contracted for or constructed by the Metropolitan Government, ~~or the average of three bids for the construction of the sidewalk completed by licensed contractors, whichever is less.~~
 - b. Single-family or two-family construction. The value of the contribution shall be the average linear foot sidewalk project cost, including repair projects, determined by July 1 of each year by the Department of Public Works' review of sidewalk projects contracted for or constructed by the Metropolitan Government.
2. Any such contributions received by the Metropolitan Government shall be assigned and designated for implementation of the Strategic Plan for Sidewalks and Bikeways, as approved by the Planning Commission. The applicant's payment shall be allocated within ~~twenty-four months~~ ten years of receipt of the payment within the same pedestrian benefit zone as the property to be developed; otherwise, the payment shall be refunded to the building permit applicant.
3. Contribution to the pedestrian network as an alternative to sidewalk installation required under this section shall be received by the Department of Public Works and written confirmation of the contribution sent to the Department of Codes Administration prior to the issuance of a building permit.

EF. Dedication of Right-of-Way and Easements Required. Dedication of right-of-way and/or public pedestrian easement is required ~~under the following conditions:~~

- ~~1. When construction of a public sidewalk is required by this section, right-of-way or public pedestrian easements needed to build the sidewalk to the current standards of the Metropolitan Government shall be dedicated.~~
- ~~2. When a building permit applicant makes a financial contribution to the Metropolitan Government in lieu of sidewalk construction, right-of-way or public pedestrian easements needed to permit present or future installation of a public sidewalk built to the current standards of the Metropolitan Government shall be dedicated. Properties abutting an existing or planned sidewalk identified in the Strategic Plan for Sidewalks and Bikeways, all driveways, walkways and other improvements within public right-of-way or pedestrian easement shall be designed and graded in accordance with Public Works' design standards necessary to accommodate future sidewalk construction.~~

FG. Improvements required or elected on public rights-of-way and/or public pedestrian easements under subsection CD of this section shall be reviewed for compliance by the Department of Public Works. No building permit shall be issued by the Department of Codes Administration until the Department of Public Works has released the building permit. Prior to the Department of Codes Administration authorizing final use and occupancy, the Department of Public Works shall inspect

and approve the sidewalk improvements in the public rights-of-way and/or public pedestrian easements.

Section 2. Section 17.20.125 (Right to appeal and seek variances) is hereby amended by deleting the section in its entirety and replacing with the following:

The provisions of Section 17.20.120 may be varied or interpretations appealed in conformance with Chapter 17.40, Administration and Procedures. The Board of Zoning Appeals may require a contribution to the pedestrian network, consistent with subsection E of this section, an alternative sidewalk design or other mitigation for the loss of the public improvement as a condition to a variance.

Section 3. Section 17.40.340 (Limits to jurisdiction) is hereby amended by deleting subsection B in its entirety and replacing with the following subsection B:

B. The board shall not grant variances within the following sections, tables, zoning districts, or overlay districts without first considering a recommendation from the Planning Commission.

Sections/Tables

Section 17.20.120 (Provision of sidewalks)
Section 17.28.103 (Underground utilities)

Zoning Districts

SP District

Overlay Districts

PUD
UDO
Institutional

Section 4. Section 17.04.060 (Definitions of General Terms) is hereby amended by adding the following definition:

“Pedestrian benefit zones” means the ~~eleven~~ sixteen zones in which fees in lieu of sidewalk construction may be collected, and where such fees shall be spent for the safety and convenience of pedestrians. Pedestrian benefit zones are as follows:

Zone 1: Bounded by I-40 on the south; I-65 on the southeast; Cumberland River on the north; State Route 155 on the west. (North Nashville, Metro Center, Nations areas)

Zone 2: Bounded by Cumberland River and I-65 on the south; I-24 on the east; State Route 155 on the north and west. (Bordeaux area)

Zone 3: Bounded by Cumberland River on the south and east; State Route 155 on the north; I-24 on the east. (East Nashville, Parkwood areas)

Zone 4: Bounded by I-40 on the south; Stones River on the east; the Cumberland River on the north; I-24 on the west. (Spence Lane, Donelson areas)

Zone 5: Bounded by I-440, I-24, and State Route 155 on the south and east; I-40 on the north; I-65 on the west. (South Nashville, North Mill Creek areas)

Zone 6: Bounded by I-440 on the west and south; I-65 on the east; I-40 on the north. (Midtown area)

Zone 7: Bounded by the downtown interstate loop. (Downtown area)

Zone 8: Bounded by the county line on the south; I-65 on the east; I-440 and I-40 on the north; State Route 251, State Route 100, and Harpeth River on the west. (West Nashville, Green Hills areas)

Zone 9: Bounded by the county line on the west and south; Harpeth River, State Route 100, and State Route 251 on the east; I-40 on the north. (Bellevue, Pasquo, Harpeth River areas)

Zone 10: Bounded by I-40 on the south; State Route 155 on the east; Cumberland River on the north; county line on the west. (Newsom Station, Whites Bend, Cockrill Bend areas)

Zone 11: Bounded by Cumberland River and State Route 155 on the south; I-24 on the east and north; county line on the west. (Joelton, Beaman Park, Bells Bend areas)

Zone 12: Bounded by State Route 155 on the south; I-65 on the east; county line on the north; and I-24 on the west. (Paradise Ridge, Union Hill, Goodlettsville areas)

Zone 13: Bounded by State Route 155 and Cumberland River on the south and east; county line on the north; I-65 on the west. (Madison, Neelys Bend, Rivergate areas)

Zone 14: Bounded by I-40 on the south; county line on the east; Old Hickory Lake and Cumberland River on the north and west; Stones River on the southwest. (Old Hickory, Lakewood, Hermitage areas)

Zone 15: Bounded by I-24 on the southwest; county line on the south and east; I-40 on the north; State Route 155 on the northwest. (Antioch, Priest Lake areas)

Zone 16: Bounded by county line on the south; I-24 on the east; I-440 on the north; I-65 on the west. (Grassmere, Southeast Nashville, Cane Ridge areas)

~~Zone 1-A: Bounded by I-40 and I-65 on the southeast; Cumberland River on north/northwest; county line on west. (West, edge)~~

~~Zone 1-B: Bounded by Cumberland River and I-65 on the south; I-24 on the east and north; county line on the west. (Northwest, edge)~~

~~Zone 1-C: Bounded by I-24 on the west; I-65 on the southeast and east; county line on the north. (North, edge)~~

~~Zone 2-A: Bounded by I-65 on the northwest; I-24 on the west; Cumberland River on the south and east; county line on the northeast. (Northeast, edge)~~

~~Zone 2-B: Bounded by Cumberland River on the north/northwest; I-40 on the south/southwest; county line on the east. (East, edge)~~

~~Zone 3: Bounded by the downtown loop. (Downtown)~~

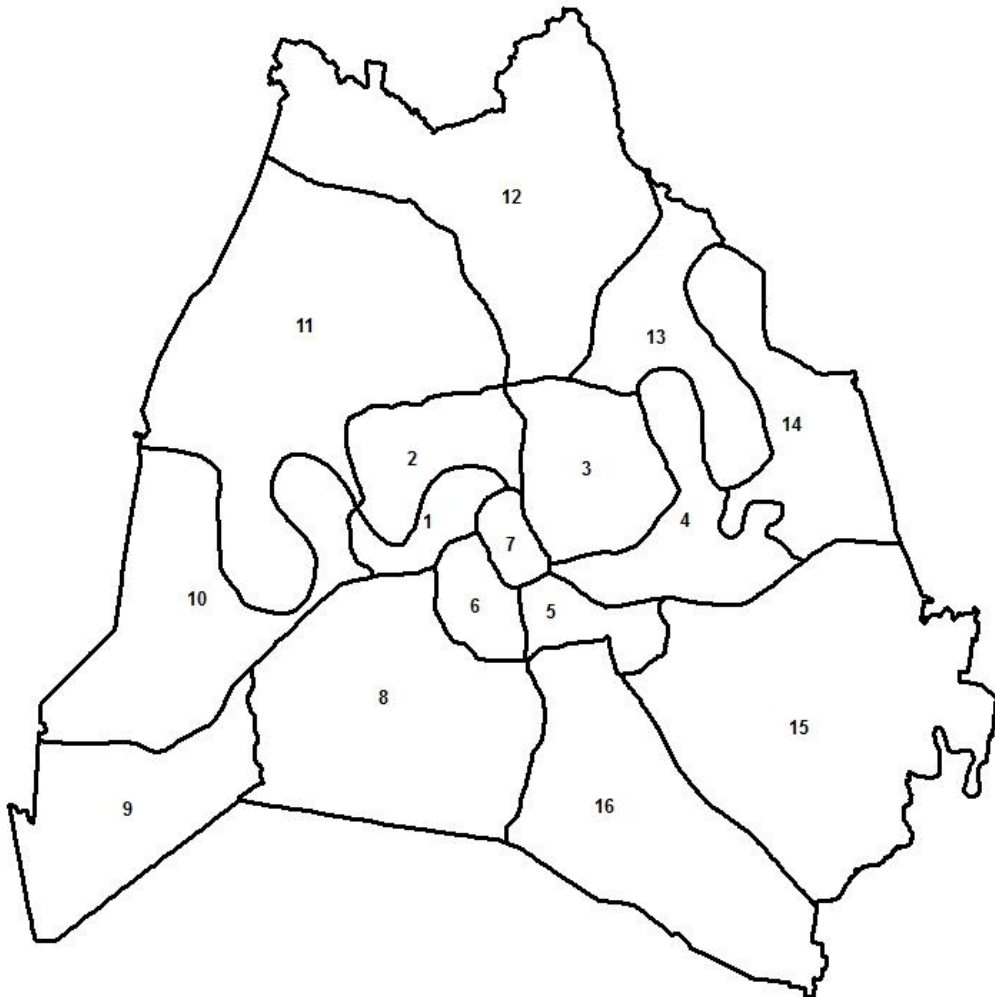
~~Zone 4 A: Bounded by I 65 on the east/northeast; I 440 on the south and southwest; I 40 on the north and northeast. (Southwest, inner)~~

~~Zone 4 B: Bounded by I 65 on the east; I 440 on the north/northeast; I 40 on the northwest; county line on the south. (Southwest, edge)~~

~~Zone 5 A: Bounded by I 440 on the south; I 24 on the northeast and east; I 40 on the north/northwest; and I 65 on the west. (South, inner)~~

~~Zone 5 B: Bounded by I 24 on the east/northeast; I 65 on the west; I 440 on the north; and county line on the south. (South, edge)~~

~~Zone 5 C: Bounded by I 40 on the north; I 24 on the west and southwest; county line on the east. (Southeast, edge)~~



Section 5. Section 17.20.060 (Parking area design standards) is hereby amended by deleting subsection H in its entirety and replacing with the following:

H. Curbs. Curbs or other equivalent means shall be provided to prevent any vehicle using a parking area from encroaching on any public right-of-way, on-site sidewalk, required landscaping area or adjacent property.

Section ~~6~~5. Be it further enacted, that this ordinance take effect ~~immediately after its passage~~July 1, 2017, and such change be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

Sponsored by:

Angie Henderson
Member of Council

SUBSTITUTE ORDINANCE NO. BL2017-588

An ordinance amending Section 15.64.032 of the Metropolitan Code by amending the graduated storm water user fee schedule and amending Section 15.64.034 of the Metropolitan Code to require individual storm water project reports.

WHEREAS, section 15.64.032 of the Metropolitan Code of Laws establishes a storm water utility and a system of user fees for parcels of property in Davidson County; and

WHEREAS, fairness to all storm water utility users and the generation of adequate funding to perform storm water management and flood control projects necessary for the safety and welfare of the citizens of Davidson County require that changes be made to the current system of storm water user fees; and

WHEREAS, fairness to all storm water utility users further requires an equitable distribution of stormwater resources, projects and investments across Nashville and Davidson County.

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. Table 15.64.032 of the Metropolitan Code of Laws, entitled "Graduated Storm Water User Fee Schedule," is hereby replaced in its entirety with the following:

**Table 15.64.032
Graduated Storm Water
User Fee Schedule**

All with less than 400 square feet of Impervious Area \$0.00 Monthly Fee		
Residential Properties	Impervious Surface Area (Square Feet)	Monthly Fee
Tier 1	400 - 2000	\$1.50
Tier 2	2001 - 6000	\$6.00
Tier 3	more than 6000	\$11.00
Condominium (per unit)		\$3.00
Non-Residential Properties	Impervious Surface Area (Square Feet)	Monthly Fee
Tier 1	400 - 6,000	\$10.00
Tier 2	6001 - 12,800	\$30.00
Tier 3	12,801 - 25,600	\$70.00
Tier 4	25,601 - 51,200	\$150.00
Tier 5	51,201 - 300,000	\$300.00
Tier 6	300,001 - 1,000,000	\$650.00
Tier 7	more than 1,000,000	\$1,300.00
Condominium (per unit)		\$10.00

Section 2. Section 15.64.034 of the Metropolitan Code of Laws, entitled "Reports of Stormwater division", is hereby amended by designating the current language as Subsection A and adding the following provision as Subsection B:

B. In addition to the annual reports required in subsection A, the director of MWS shall submit to metro council a report for each proposed stormwater project prior to its implementation. This report shall include the plans and expected expenditures for the project. Metro council shall thereafter, by resolution, approve or deny any project proposed under this subsection.

Section 3. This Ordinance shall take effect from and after its passage, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

Jacobia Dowell
Member of Council

SUBSTITUTE ORDINANCE NO. BL2017-616

An ordinance to amend the Geographic Information Systems Street and Alley Centerline Layer for The Metropolitan Government of Nashville and Davidson County, by changing the name of a portion of 16th Avenue North to "Bar-B-Que Alley" (Proposal Number 2017M-005SR-001).

WHEREAS, the request for the name change has been submitted at the request of the 21st District Council Member, Ed Kindall, applicant; and,

WHEREAS, there are no 16th Ave North addresses being used along this portion of right-of-way; and,

WHEREAS, this right-of-way is only 20' wide and was formerly designated as Alley #375; and,

WHEREAS, the proposed request to change the name of this right-of-way has been submitted to and approved by the Metropolitan Planning Commission, and other relevant agencies of the Metropolitan Government of Nashville and Davidson County, in accordance with Metropolitan Code § 13.08.015; and,

WHEREAS, the community deems it appropriate that said name be changed.

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

SECTION 1. That the Geographic Information Systems Street and Alley Centerline Layer for the Metropolitan Government of Nashville and Davidson County, as enacted by Ordinance No. 2015-69, be and is hereby amended, as follows:

Renaming 16th Avenue North right-of-way to "Bar-B-Que Alley" extending southeastward from Charlotte Avenue to Church Street Alley, all of which is more particularly described by lines, words and figures on the sketch, which is attached hereto and made a part of this ordinance as though copied herein.

SECTION 2. The Director of the Department of Public Works is hereby authorized and directed, upon the enactment and approval of this ordinance, to cause said change to be made on said Map as set out in Section 1 of this ordinance, and to make notation thereon of reference to the date of passage and approval of this amendatory ordinance.

SECTION 3. This ordinance shall take effect immediately after its passage, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

Edward Kindall
Member of Council

Jeremy Elrod
Member of Council

Burkley Allen
Member of Council

[View Exhibit](#)



16th AVE N AMENDED NAME
TO BE "BAR-B-QUE ALLEY"

P/O MAP 92-8492-12

ADMENDMENT NO. ___

TO

ORDINANCE NO. BL2017-581

Mr. President –

I move to amend Ordiance No. BL2017-581 as follows:

- I. By amending Section 1 by deleting referenced Section H it in its entirety and substituting in lieu thereof the following new subsections H. through L. to the end of Section 2.24.300 as follows:

~~H. The metropolitan auditor, in conducting any reviews or audits, shall have full authority to conduct an independent investigation of any and all departments, boards and commissions of the Metropolitan Government, as well the performance of contracts by entities that contract with the Metropolitan Government. Such authority shall include, but is not limited to, the ability to review, research, and conduct interviews, along with the ability to have access to any and all necessary documentation. All metropolitan departments, boards and commissions, along with all entities contracting with the metropolitan government, shall cooperate fully with the metropolitan auditor during such review or audit. Should the metropolitan auditor not be able to conduct such an independent audit due to an unwillingness to cooperate by departments, boards, commission or entities, the metropolitan auditor shall report such findings to the metropolitan audit committee and to the Budget and Finance Committee of the Metropolitan Council for further action. The metropolitan auditor shall have the authority to establish guidelines for conducting such audits and reviews.~~

H. Access to Records and Personnel. To the extent permitted by the Metropolitan Charter the Division of Metropolitan Audit, with strict accountability for confidential and safeguarding records and information, shall have full, free, and unrestricted access to all Metropolitan Government of Nashville and Davidson County's records, contracts, agreements, information systems, physical properties, and personnel that have any bearing on or pertain to any matters, rights, duties or obligations under or covered by any delivery of services on behalf of the Metropolitan Government of Nashville and Davidson County. Such authority shall include but is not limited to, the ability to review, research, and conduct interviews, along with the ability to have access to any and all necessary documentation. To the extent permitted by the Metropolitan Charter, all Metropolitan Government departments, boards, and commissions, along with all entities contracting with the Metropolitan Government shall co-operate fully with the Metropolitan Auditor during such any review or request to the fullest extent of applicable law. The Metropolitan Auditor shall have the authority to establish guidelines for conducting such audits and reviews. Any failure to cooperate with the Metropolitan Auditor shall be reported to the Audit Committee, Finance Director, Director of Law, and the Metropolitan Council.

I. Other Audit Services.

1. In addition to financial or performance services, the Division of Metropolitan Audit shall establish a process by which suspected illegal,

improper, wasteful, or fraudulent activity could be reported. The Metropolitan Auditor shall investigate, or cause to be investigated, all activity reported by this process. The disposition of all reports shall be communicated to the Metropolitan Nashville Audit Committee, Metropolitan Mayor, and Department of Law.

2. No employees of the Metropolitan Government or its agencies shall suffer any retaliatory action for reporting to or cooperating with the Division of Metropolitan Audit or the Audit Committee as contemplated in TCA 9-3-406 and TCA 50-1-304.

3. It shall be the duty of employees of the Metropolitan Government or its agencies to report any known act of intentional illegal, fraudulent, or improper use of government funds.

J. Notice of Instance of Fraud, Waste, and Abuse. All reports of unlawful conduct completed in accordance with the State of Tennessee Local Government Instances of Fraud Reporting Act involving Metropolitan Government departments, boards, commissions, officers, or agencies shall be communicated in a timely manner to the Metropolitan Auditor. Such reports shall also be communicated to the office of the Comptroller of the Treasury if so required by state law.

K. Notice of Audit Activities. The engagement plans and final reports for all financial, performance, and other audit activities conducted on behalf of Metropolitan Government departments, boards, commissions, officers, agencies, or offices shall be communicated in a timely manner to the Metropolitan Auditor.

L. Scope of Services. To the extent permitted by the Metropolitan Charter the Division of Metropolitan Audit is authorized to conduct financial audits, performance audits, contract performance or other audit services, including investigation and disposition of reported incidents of fraud as contemplated above in subsection I of this section, concerning any department, board, commission, officer, agency, or office of the Metropolitan Government. Departments, boards, commissions, officers, agencies, and offices of the Metropolitan Government means those entities which encompass all of the governmental and corporate functions previously performed by Davidson County and the City of Nashville existing at the formation of the Metropolitan Government, and any public entity whose existence is created or authorized by the Metropolitan Charter or the Metropolitan Council.

Section 2. This ordinance shall take effect from and after its final passage, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

Jim Shulman
Member of Council, At Large

AMENDMENT NO. ____
TO
ORDINANCE NO. BL2017-585

Mr. President –

I move to amend Ordinance No. BL2017-585 as follows:

I. By amending Section 4 by deleting the first sentence thereof in its entirety and substituting therefore the following:

Section 4. Section 8.20.040 of the Metropolitan Code of Laws is hereby amended by deleting ~~subsection B thereof~~ it in its entirety and substituting the following in lieu thereof:

8.20.040 - Care of confined animals.

Any person who shall impound or cause to be impounded, in any pound or other place, any creature, shall supply to the same during such confinement a sufficient quantity of good, wholesome food and water. Such persons ~~and~~ shall further provide protection from the elements, as defined in section 8.12.030.B of this title, to any creature that is pregnant, a nursing female, or less than six (6) months old.

INTRODUCED BY:

Sheri Weiner
Member of Council

AMENDMENT NO. ____
TO
ORDINANCE NO. BL2017-586

Mr. President –

I move to amend Ordinance No. BL2017-586 as follows:

I. By amending Section 4 by deleting it in its entirety.

~~Section 4. That Chapter 8.20 of the Metropolitan Code of Laws is hereby further amended by deleting the phrase "in the urban services district" in section 8.20.100.A thereof.~~

II. By amending Section 5 by deleting it in its entirety.

~~Section 5. That Chapter 8.20 of the Metropolitan Code of Laws is hereby further amended by deleting the phrase "within the urban services district" in section 8.20.110 thereof.~~

III. By amending Section 7 by deleting it in its entirety and renumbering the remaining sections as necessary.

~~Section 7. That Chapter 8.20 of the Metropolitan Code of Laws is hereby further amended by deleting the phrase "within the urban services district" in section 8.20.130 thereof.~~

INTRODUCED BY:

Sheri Weiner
Member of Council

AMENDMENT NO. ____
TO
ORDINANCE NO. BL2017-611

Mr. President –

I move to amend Ordinance No. BL2017-611 as follows:

I. By amending Section 1 by deleting it in its entirety.

II. By amending Section II by deleting it in its entirety and substituting the following in lieu thereof:

Section 2. That section 17.16.250 of the Metropolitan Code of Laws is hereby further amended by deleting subsection 17.16.250.E.2.v in its entirety and substituting the following in lieu thereof:

v. A statement that the applicant has (a) notified in writing any Home Owners Association, Condominium Association, or other such community association which governs the proposed STRP property as to the pending STRP permit application; (b) advised the department of codes administration of any objection or opposition to the application by any such association of which the applicant is aware; and (c) confirmed that operating the proposed STRP would not violate any Home Owners Association agreement or bylaws, Home Owners Association Agreement, Covenants, Codes and Restrictions or any other agreement governing and limiting the use of the proposed STRP property.; ~~and (b) that any Home Owners Association, Condominium Association, or other such community association which governs the proposed STRP property has consented to the STRP permit.~~

III. By amending Section 6 by deleting the numeric reference to "Section 6" and substituting "Section 3" in lieu thereof.

INTRODUCED BY:

Fabian Bedne
Member of Council