



# Metropolitan Nashville and Davidson County, TN

## Legislation Details (With Text)

**File #:** BL2021-618

**Type:** Bill **Status:** Passed

**File created:** 1/22/2021 **In control:** Metropolitan Council

**On agenda:** 3/16/2021 **Final action:** 3/16/2021

**Title:** An ordinance providing for the waiver of certain building permit fees for the repair or rebuilding of property damaged as a result of the December 25, 2020, blast.

**Sponsors:** Freddie O'Connell, Ginny Welsch, Burkley Allen, Zulfat Suara, Brandon Taylor, Tom Cash, Tonya Hancock, Kyonzte Toombs

**Indexes:**

**Code sections:**

**Attachments:** 1. BL2021-618 Amendment

| Date      | Ver. | Action By                                 | Action                              | Result |
|-----------|------|---|-------------------------------------|--------|
| 3/22/2021 | 2    | Mayor                                     | approved                            |        |
| 3/16/2021 | 2    | Metropolitan Council                      | passed on third reading             |        |
| 3/2/2021  | 1    | Metropolitan Council                      | passed on second reading as amended |        |
| 3/2/2021  | 1    | Codes, Fair, and Farmers Market Committee | approved with an amendment          |        |
| 3/1/2021  | 1    | Budget and Finance Committee              | approved with an amendment          |        |
| 2/16/2021 | 1    | Metropolitan Council                      | deferred                            |        |
| 2/2/2021  | 1    | Metropolitan Council                      | passed on first reading             |        |
| 1/26/2021 | 1    | Metropolitan Council                      | filed                               |        |

An ordinance providing for the waiver of certain building permit fees for the repair or rebuilding of property damaged as a result of the December 25, 2020, blast.

WHEREAS, Davidson County experienced a blast in the early morning hours of December 25, 2020, significantly damaging multiple buildings, residences, and businesses; and,

WHEREAS, the damage from the blast resulted in the Declaration of a State of Emergency by Mayor John Cooper, Governor Bill Lee, and President Donald Trump; and,

WHEREAS, the repair and rebuilding of the damaged structures will be costly and will create an economic hardship for many property owners as they recover from this disaster; and,

WHEREAS, the Metropolitan Government of Nashville and Davidson County desires to assist its residents and businesses as they rebuild their lives by waiving all or a portion of the fees for building permits.

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

Section 1. (a) Notwithstanding the provisions of Title 16 of the Metropolitan Code, and conditioned on the provisions of subsection (b) of this section, fees shall be waived for all property owners (or their authorized agents) for a building permit obtained for demolishing, repairing, or rebuilding an owner's property and for water, sanitary, and stormwater services for in-kind replacement.

(b) Conditions:

1. The permits are obtained to repair damage to the owner's property caused by the December 25, 2020, blast.
2. The permits are obtained on or before one year from the effective date of this ordinance.
3. The permits are issued to construct, alter, repair, or demolish any building or structure or part thereof or any appurtenances connected or attached thereto.
4. The owner must provide evidence satisfactory to the director of codes administration or his designee that the work is being performed as a result of damage as provided in subsection (b)(1), above.
5. Property owners who paid building permit fees for December 25, 2020, blast-related damage prior to the effective date of this ordinance shall be entitled to a refund.
6. Permit fees for water, sanitary, and stormwater services will be waived if the permittee is replacing site improvements with in-kind service demands. If the permittee adds volume, including a change in water tap and/or meter size, fees will be assessed to equal the difference between the existing tap/meter fee and the fee for the requested larger size(s).

(c) In order to be eligible for the permit fee waiver, the property owner or their authorized agent must sign an affidavit on a form prescribed by the Department of Codes Administration attesting that the permit fees are not eligible for reimbursement from property insurance or other funding sources.

Section 2. Any renovation or rebuilding permitted as a result of the December 25, 2020, blast that requires sidewalks and street trees pursuant to Section 17.20.120 of the Metropolitan Code is exempt from those requirements.

Section 3. The period for the waivers authorized by this ordinance may be extended by the Metropolitan Council by a resolution receiving twenty-one affirmative votes.

Section 4. This ordinance shall take effect from and after its passage, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

### Analysis

This ordinance, as amended, waives permit fees for the repair or rebuilding of property damaged as a result of the December 25, 2020, bombing on Second Avenue. This ordinance is similar to Ordinance No. BL2020-234, as amended, which waived building permit fees the repair or rebuilding of property damaged as a result of the

March 3, 2020 tornado.

Under this ordinance, building permit fees, as well as water, sewer, and stormwater permit fees, would be waived if the following conditions are satisfied:

- The permits are obtained to repair damage to the owner's property caused by the December 25, 2020, blast.
- The permits are obtained within one year from the effective date of this ordinance.
- The owner must provide evidence that the work is being performed as a result of damage from the bombing.
- Property owners who paid building permit fees for December 25, 2020, blast-related damage prior to the effective date of this ordinance will be entitled to a refund.
- Permit fees for water, sanitary, and stormwater services will be waived if the permittee is replacing site improvements with in-kind service demands. If the permittee adds volume, including a change in water tap and/or meter size, fees will be assessed to equal the difference between the existing tap/meter fee and the fee for the requested larger size(s).

Property owners or their agents must sign an affidavit that the permit fees will not be reimbursed by insurance or other funding sources in order to receive the fee waiver.

The ordinance also provides for an exemption from the requirements for new sidewalks and street trees that would otherwise be required.

This ordinance will sunset after one year, but may be extended by resolution.

*Fiscal Note: The total amount of fees to be waived is estimated at \$108,533.66 according to the Department of Codes and Building Safety.*