

SUBSTITUTE ORDINANCE NO. BL2025-689

An ordinance approving a memorandum of understanding between the Metropolitan Beer Permit Board and the Metropolitan Department of Codes Administration to facilitate cooperation for the enforcement of Title 7, ~~and Chapter 9.20,~~ and Chapter 16.24 of the Metropolitan Code of Laws.

WHEREAS, pursuant to the Metropolitan Code of Laws ("M.C.L.") Section 9.20.060, the Metropolitan Department of Codes Administration is responsible for enforcement of violations of M.C.L. Chapter 9.20 on Excessive Noise; and,

WHEREAS, pursuant to M.C.L. 7.04.060, the Metropolitan Beer Permit Board is empowered to employ suitable persons as metropolitan beer permit inspectors to enforce the applicable provisions of Title 7 of the Metro Code; and,

WHEREAS, the Metropolitan Department of Codes Administration and the Metropolitan Beer Permit Board desire to cooperate to protect the health and safety of the citizens of the Metropolitan Government through the allocation of staff and responsibilities; and,

WHEREAS, it is to the benefit of the citizens of The Metropolitan Government of Nashville and Davidson County that this memorandum of understanding be approved.

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

Section 1. That the memorandum of understanding between the Metropolitan Beer Permit Board and the Metropolitan Department of Codes Administration, to facilitate cooperation for the enforcement of Title 7, ~~and Chapter 9.20,~~ and Chapter 16.24 of the Metropolitan Code of Laws, attached here as Exhibit A and incorporated by reference, is approved.

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

SPONSORED BY:

Joy Styles
Member of Council

**MEMORANDUM OF UNDERSTANDING BETWEEN THE METROPOLITAN
GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY
ACTING BY AND THROUGH
THE METROPOLITAN BEER PERMIT BOARD AND THE METROPOLITAN
DEPARTMENT OF CODES ADMINISTRATION**

This Memorandum of Understanding (“MOU”) is between the Metropolitan Beer Permit Board (“Beer Board”), and the Metropolitan Department of Codes Administration (“Codes”), (collectively “the Parties”), both of which are departments of the Metropolitan Government of Nashville and Davidson County (“Metropolitan Government”), a governmental, municipal, and public corporation created and existing under and by virtue of the Constitution and Laws of the State of Tennessee. The purpose of this Memorandum is to facilitate cooperation between the Beer Board and Codes for the enforcement of Title 7 and Chapter 9.20 of the Metropolitan Code of Laws.

WHEREAS, pursuant to the Metropolitan Code of Laws (“M.C.L.”) Section 9.20.060, Codes is responsible for enforcement of violations of M.C.L. Chapter 9.20 on Excessive Noise and Chapter 16.24 on Property Standards.

WHEREAS, pursuant to M.C.L. 7.04.060, the Beer Board is empowered to employ suitable persons as metropolitan beer permit inspectors to enforce the applicable provisions of Title 7 of the Metro Code.

WHEREAS, Codes and the Beer Board desire to cooperate to protect the health and safety of the citizens of the Metropolitan Government through the allocation of staff and responsibilities.

NOW, THEREFORE, the Parties hereby agree as follows:

1. **Beer Board Duties and Responsibilities.**

That in exchange for a \$171,100 allocation of funds from Codes to the Beer Board for two full time employee (“FTE”) salaries and benefits, the Beer Board shall employ two beer permit inspectors and prescribe to them duties and responsibilities to enforce the applicable provisions of Title 7 of the Metro Code.

2. **Codes Duties and Responsibilities.**

Pursuant to M.C.L. 9.20.060, Codes shall delegate authority to enforce M.C.L. Chapter 9.20 on Excessive Noise and Chapter 16.24 on Property Standards to the two FTE positions allocated hereunder to the Beer Board in establishments which have been permitted by the Beer Board. For the purposes of enforcement of M.C.L. Chapter 9.20, the two FTE positions shall function as compliance inspectors under the auspices of Codes.

3. **Compensation.**

Codes shall allocate two FTE salaries and benefits in the amount of \$171,100 to the Beer Board.

4. **Term.**

The MOU term will begin on the date this MOU is approved by all required parties and filed

in the Metropolitan Clerk's Office. This MOU shall remain in effect until terminated or modified pursuant to the terms of this MOU. The Parties shall review this MOU on an annual basis and verify that procedures and policies in place satisfy M.C.L., Beer Board, and Codes regulatory requirements.

5. **Termination.**

This MOU may be terminated by either party upon thirty (30) days written notice.

6. **Modification.**

This MOU may be amended in writing by mutual agreement of the Parties.

7. **Severability.**

Should any provision of this MOU be declared to be invalid by any court of competent jurisdiction, such provision shall be severed and shall not affect the validity of the remaining provisions of this MOU.

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[Signature Page to Follow]

IN WITNESS WHEREOF, the Parties have by their duly authorized representatives set their signatures.

THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

R. Benton McDonough
Benton McDonough, Executive Director
Metropolitan Beer Permit Board

02/14/2025
Date

Bill Herbert
Bill Herbert, Director
Department of Codes Administration

02/14/2025
Date

APPROVED AS TO AVAILABILITY
OF FUNDS:

Jenneen Reed/mjw
Jenneen Reed, Director
Department of Finance

02/14/2025
Date

FILED:

Metropolitan Clerk

Date