

AMENDMENT NO. 4

Chapter 4 of Article 8 of the Charter of the Metropolitan Government of Nashville and Davidson County is amended by deleting it in its entirety and replacing it with the following:

CHAPTER 4. - DEPARTMENT OF TRANSPORTATION AND MULTIMODAL INFRASTRUCTURE

Sec. 8.401. - Created.

There shall be a department of transportation and multimodal infrastructure, which shall consist of the director of transportation and multimodal infrastructure and such other officers and employees organized into such divisions and other units as may be provided by ordinance or by the orders of the director consistent therewith and approved by the mayor.

Sec. 8.402. - Functions.

The department of transportation and multimodal infrastructure shall be responsible for:

(a) The design, construction, maintenance, repair, management and cleaning of roads, highways, streets, alleys, other public places, bridges, viaducts, and other related structures.

(b) Control of the servicing, maintenance and repair of automotive equipment, except as the same by ordinance may be assigned in whole or in part to another department or agency of the metropolitan government.

(c) Construction of transportation capital improvement projects by its own employees, whenever so authorized or directed by ordinance or by the mayor.

(d) Making and preparing such plans, specifications, estimates, surveys, maps, designs, drawings and reports as may be requested from time to time by the council, by the mayor or by the head of any department or any board, commission or agency of the metropolitan government acting with the approval of the mayor, and supervision of the execution and performance of all contracts for capital improvement projects, the plans and specifications, for which were prepared by the department of transportation and multimodal infrastructure.

(e) The administration and enforcement of all laws, ordinances and regulations relating to permits and licenses, for, building and construction within the public rights of way, taxicabs and other passenger vehicles for hire, parking, and public gatherings within the public rights of way; provided, that all licenses and permits issued shall be approved or regulated by such other offices, agencies or boards of the metropolitan government as may be provided from time to time by ordinance; and provided further, that the council may by ordinance transfer and assign this function to a newly created department of licenses and permits.

(f) The design, deployment, operations, and maintenance of traffic control devices on local roads and conventional state routes in Davidson County, except for certain devices within the incorporated cities that are owned by those cities. This includes the maintenance of all regulatory and warning signs on conventional state routes, to the extent not handled by the Tennessee Department of Transportation.

(g) Such other powers and duties as are assigned to the department by this Charter or may be assigned thereto by ordinance or by action of the mayor.

Sec. 8.403. - Supervision, certification, and approval of payment for certain capital improvement projects.

Unless otherwise specifically provided for in this Charter, no payment upon any contract for transportation capital improvement projects or any capital improvement projects within the public rights of way shall be made by the metropolitan government without the written certification of the director of transportation and multimodal infrastructure that the work or the portion thereof for which such payment is to be made has been satisfactorily performed in accordance with the terms of such contract. Unless otherwise specifically provided in this Charter, when the plans and specifications for any transportation capital improvement project or any capital improvement project in the public rights of way have been prepared by some person or agency other than the department of transportation and multimodal infrastructure, the performance of the contract may be supervised and certification required by the department of transportation and multimodal infrastructure before payment shall be made in accordance with the terms and provisions of the contract.

Sec. 8.404. - Director of transportation and multimodal infrastructure—Qualifications and compensation.

The head of the department of transportation and multimodal infrastructure shall be the director. A permanent vacancy in the office of director shall be filled by appointment made by the mayor, subject to the civil service provisions of this Charter. He or she shall have had at least five (5) years' experience in industry or in municipal or metropolitan departments of transportation. In the event of temporary vacancy in the office of director due to sickness, absence or other disability, a temporary appointment may be made by the mayor, subject to the civil service provisions of this Charter.

Sec. 8.405. - Same—Powers and duties.

The director of transportation and multimodal infrastructure shall have general management and control of the several divisions and units of the department. He or she shall appoint and remove, subject to the civil service provisions of article 12 of this Charter, all officers and employees of the department and shall have power to make rules and regulations for the conduct of the business of the department consistent with this Charter and the ordinances of the metropolitan government.

Sec. 8.406. - Custody of maps and plans.

The department of transportation and multimodal infrastructure shall have custody of all maps or plans or any part thereof which were on file immediately prior to the effective date of this Charter in the offices of the director of public works of the City of Nashville or the County Highway Engineer of the County of Davidson and all such maps and plans hereafter made and not expressly required by law or ordinance to be filed in some other place; provided, that all plans, records, etc., pertaining to the sanitary sewerage system which are in the custody of the department of transportation and multimodal infrastructure on the effective date of this Charter shall be turned over to the department of water and sewerage services.

FOR THE BALLOT

Amendment No. _____

This amendment would create the Department of Transportation and Multimodal Infrastructure and define its functions by focusing on transportation and other activities occurring within the public rights of way. The Department of Transportation and Multimodal Infrastructure will replace the Department of Public Works. The Metropolitan Government will continue to provide all the services of the former Department of Public Works.

INTRODUCED BY:

Angie Henderson
Member of Council

Zach Young
Member of Council

Courtney Johnston
Member of Council