



Metropolitan Council

**PROPOSED AMENDMENTS PACKET
FOR THE COUNCIL MEETING OF
TUESDAY, MARCH 2, 2021**

SUBSTITUTE ORDINANCE NO. BL2020-535

An ordinance amending Titles 16 and 17 of the Metropolitan Code of Laws regarding the design and operation of outdoor electrical lighting to achieve light pollution reduction consistent with International Dark Skies–Sky Association guidelines (Proposal No. 2020Z-014TX-001).

WHEREAS, although artificial lighting has enabled people to be productive around the clock and has provided many benefits to civilization, an unfortunate side effect of artificial lighting is light pollution, which can have multiple negative consequences if not minimized; and

WHEREAS, light pollution of adjacent properties or of the night sky results from using too much light, directing it where it is not needed, or using it when it is not needed; and

WHEREAS, light pollution in the U.S. is estimated to waste up to 35% of the energy used for outdoor lighting, enough to power two cities the size of New York, resulting in five million tons of greenhouse gas being emitted into the air unnecessarily, costing three billion dollars in wasted energy, and squandering limited energy resources; and

WHEREAS, light pollution has significant environmental effects, including the alteration of the circadian rhythms of many animals and insects who depend on the natural light / dark cycle of day and night and the disruption of seasonal cycles used by migrating birds, sea turtles, and many other animals; and

WHEREAS, research suggests that artificial light at night can negatively affect human health, increasing risks for obesity, depression, sleep disorders, diabetes, breast cancer and more; and

WHEREAS, light pollution reduces the ability to see the constellations of the night sky, an invaluable source of wonder and curiosity, diminishing the opportunity to draw our children into fascination with Science Technology, Engineering, and Math (STEM) education; and

WHEREAS, the Livable Nashville Committee was convened in 2016 to develop a vision for protecting and enhancing Nashville’s livability and environmental quality, and one of the committee’s general recommendations was to structure the Metro Code and its enforcing Department around achieving sustainability goals; and

WHEREAS, among the specific recommendations of the Livable Nashville Committee was (1) the conversion of all street lights within the Urban Services District to LED to meet the International Dark-Sky Association’s guidelines; and (2) the conversion of all traffic lights to LED by 2020; and

WHEREAS, the Mayor’s Sustainability Advisory Committee has been convened to advise and support the City’s commitment to develop a Climate Action and to provide advice on a range of sustainability issues with a goal of tackling climate change and driving urban action that reduces greenhouse gas emissions; and the energy savings from Dark Skies lighting design are consistent with these goals.

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

Section 1. That Section 16.20.150 of the Metropolitan Code of Laws is hereby amended by adding subsections 16.20.150(T) and 16.20.150(U) as follows:

(T) Article 410.10 (OR 300.21) of the 2017 Edition of the National Electrical Code is amended by adding the following:

Parking Lots - Open parking lots shall use luminaires with a "U" BUG rating (Backlight Uplighting Glare) of 0 without external shields. Luminaires shall have a Correlated Color Temperature (CCT) of 2,700 Kelvin or below. Principal walkways and parking shall have a maintained minimum illuminance of 0.2 foot-candles at grade and with a 12:1 maximum to minimum. The average light level is not to exceed 1.0 foot-candles. Spill light at the property line shall not exceed 0.1 foot-candles measured at 3' above grade. Exception may be given for calculation points on the drive between the parking lot and roadway only. Luminaires shall be controlled by occupancy sensor after business hours or between the hours of 11 p.m. to 4 a.m., at a minimum. Occupancy sensor may turn lights off or dim to 20% during periods of no occupancy. Prior to installation, a photometric plan shall be reviewed by a certifying engineer with calculation points on a 10' X 10' grid.

(U) Exterior lighting design for buildings shall be consistent with the requirements of Section 17.28.100.

Section 2. That Section 17.28.100 shall be deleted in its entirety and replaced as follows:

17.28.100 - Lighting.

A. Definitions Specific to this Section.

When used in this chapter, the following words and terms shall have the meanings ascribed to them in this section. In the event of a conflict between a definition in this section and section 17.04.060, the definition in this section will control.

"Ambient lighting" means the general overall level of lighting in an area.

"Architectural lighting means outdoor lighting directed at buildings, facades, structures, monuments, and other architectural features.

"Canopy" means a roofed structure with at least one side open for pedestrian and/or vehicle access that typically provides protection from the sun or weather and is associated with providing goods or services.

"Commercial" means any lot, however zoned, in any zoning district that does not have as its primary use a single-family residential dwelling; a or two, three, or four -family residential dwelling; or land used for agricultural purposes.

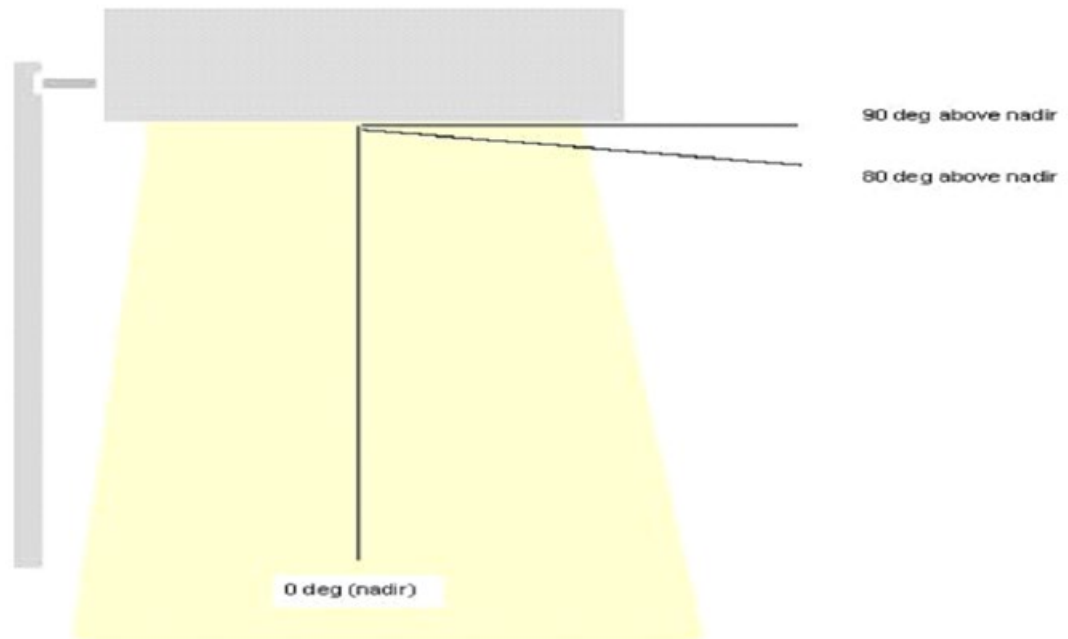
"Correlated color temperature (CCT)" means measured in degrees Kelvin (K), the absolute temperature of a blackbody whose chromaticity most nearly resembles that of the light source. For the purpose of this section, "CCT" is used as a simplified way to characterize the spectral properties of a light source and estimate the overall appearance of the light to the human eye.

“Floodlight” means a light designed for lighting a scene or object to a luminance greater than its surroundings.

“Foot-candle” means a unit of measure of illuminance equal to one lumen of light spread over an area of one square foot.

“Full cutoff luminaire” means a luminaire having zero intensity at or above horizontal (90°) and limited to a value not exceeding ten percent (10%) of lamp lumens at or above eighty degrees (80°). Such luminaire is determined by a photometric test and certified by the manufacturer. See diagram below:

CUTOFF ANGLES



“Glare” means lighting entering the eye directly from luminaires or indirectly from reflective surfaces that causes visual discomfort or reduced visibility.

“IES” means Illuminating Engineering Society Of North America.

“Illuminance” means the total luminous flux incident on a surface, per unit area.

“Illuminance grid plot” means a photometric report indicating the average horizontal illumination delivered to each of the squares of a gridded area illuminated by one or more luminaires.

“Initial lumen” means the measurement of a lamp's lumen output at the time the lamp is burned for the first time. As a light ages, the amount of light produced is reduced.

“Installed height” means the height above grade of the lowest light emitting point of an installed luminaire.

“ISO foot-candle plots” means a plot that graphically represents a particular luminaire's lighting pattern, in illuminance, as the light strikes a horizontal surface. It includes foot-candle calculations shown with the luminaire at various mounting heights. Contour lines are drawn through illuminance values.

“Kelvin” means a unit increment of temperature used as a color temperature scale of a light bulb (see definition of "correlated color temperature (CCT)" in this section).

“LED (light emitting diode)” means an electronic semiconductor device that emits light when an electrical current is passed through it.

“Lamp” means the source of light being emitted from a luminaire, such as a bulb, LED, and/or a refractive pane.

“Light” means electromagnetic radiation within a range of wavelengths sufficient for visual perception by the normal unaided human eye.

“Light level” has the same meaning as Illuminance.

“Light output” means luminous flux (see definition of "luminous flux" in this section). The amount of light which is emitted by a lamp or luminaire.

“Light pole” means a pole on which a luminaire is mounted.

“Light spill” means unwanted transmission of light onto adjacent areas that may affect sensitive receptors such as residential properties or ecological sites.

“Light trespass” means light that falls on property other than that of the owner of the light source.

“Lighting installation” means an arrangement of one or more luminaires including any mounting hardware, brackets, and supporting structures.

“Lighting plan” means an overall plan that describes the outdoor lighting.

“Lumen” means a unit of measure of luminous flux.

“Luminaire, Light luminaire” means the complete lighting assembly (including the lamp(s), housing, ballasts, photocells, globes, reflectors or refractors, lenses, sensors and shield(s) and excluding the support assembly or pole, mounting bracket and base) consisting of one or more lamps, together with the attachment parts designed to distribute light, position and connect the lamp to the power supply.

“Luminous flux” means the power emitted from a source of electromagnetic radiation, such as a light bulb, in the form of visible light. Luminous flux is measured in lumens and is typically specified by the manufacturer for a given lamp or luminaire.

~~“Nadir” means the~~ “Nadir” means the direction pointing directly downward from the light source of the luminaire that originates from a horizontal plane at the lowest point on the luminaire. See diagram above.

“Neon light” means colored fluorescent or gas discharge tubular which can be bent into various forms for use decoratively or as signs.

“New construction,” subject to the exemption described in subsection B4 of this definition, means:

1. Site preparation for, and construction of, entirely new structures (including new poles) and subsequent replacement of such new structures or any part thereof.
2. Enlargement of any existing structure by the more restrictive of fifty percent (50%) of the area of the footprint of the building or fifty percent (50%) of the gross square footage of such existing structure (regardless of the number of other structures on the same site).
3. Adding new exterior lighting fixture(s), pole(s) or other amenity(ies) to existing structure(s) or pole(s) to which such fixture(s) were or are to be attached.

B.4. New construction does not mean the replacement of lamps in lighting fixtures, poles, or other amenities that existed prior to the passage of this ordinance.

“Open space and open space lot” means a parcel of land in a predominately undeveloped condition that is protected from development.

“Organized sporting event” means a prearranged sports or recreational event involving at least one group or team with a roster and schedule.

“Outdoor lighting” means light generated from an indoor or outdoor source that provides illumination to any exterior surface, building, sign, structure, device, or other outdoor feature (including land) which is visible to an observer located outdoors. For the purposes of this section, the light source inside an internally illuminated sign is not considered outdoor lighting.

“Photometric plan” means a technical plan that will indicate light distribution and the performance of lighting fixtures. It will explain the distribution of the proposed lighting and its effects on the area surrounding the site.

“Playing field” means an open outdoor field or court used for, but not limited to, playing sports such as baseball, soccer, football, tennis, volleyball, and basketball.

“Residential” means any zoning lot in a residential or agricultural zoning district that has as its primary use a ~~residential dwelling~~ single-family home or duplex.

“Street lighting” means one or more luminaires or light installations designed to illuminate a ~~public~~ private roadway or intersection.

“Sidewalk lighting” means free-standing lighting for the illumination of sidewalks and walkways.

“Uplighting” means lighting applications which direct light above a horizontal plane.

B. Application of Provisions

This section shall be applicable to the following lighting applications ~~for new construction only and the subsequent maintenance of all new construction~~:

1. Residential: ~~Street, pedestrian, sign, flood, sidewalk, and parking lot luminaires are subject to all provisions of this chapter.~~
2. ~~Residential and Agricultural~~: All ~~other~~ exterior lighting is subject to subSection D5-E4 only
3. Commercial: For new construction only and the subsequent maintenance of all new construction: Any outdoor lighting luminaire.

C. Exempt Outdoor Lighting

The following lighting is exempt from the provisions of these outdoor lighting regulations for new construction in any zoning district as of the effective date hereof, provided such activities are permitted by this Title:

1. Temporary lighting for theatrical, television, performance areas and construction sites, specifically excluding upward-facing searchlights used to advertise the location of an event.
2. Lighting that is otherwise required for a life-safety purpose within the Metropolitan Code.
3. Lighting that is only erected or used under emergency conditions.
4. Lighting located within the Second Avenue Historic Preservation Zoning Overlay or Broadway Historic Preservation Zoning Overlay.

D. Prohibited Lighting for New Construction Outdoor Lighting

The following lighting shall not be permitted for new construction in any zoning district as of the effective date hereof:

1. Strobe lights and laser lights, including laser light shows and aerial laser lights.
2. Neon style colored light tubes.

3. Flashing lights unless temporarily triggered by a security system and extinguished within thirty (30) minutes or at a time of security response.
4. Lighting which is used to outline a building, including neon, fiber optic, light emitting diode (LED), or fluorescent tube lighting which is used for this purpose (unless considered temporary holiday lighting).
5. Any lighting luminaire that is construed as or confused with a traffic signal or traffic control device.
6. Lighting that contributes to or causes disabling or distracting glare onto a public roadway.
7. The use of uplighting, except when lighting a flag or other government endorsed symbol.

DE. Illumination standards.

1. Light Intensity and Uniformity:

a. The maximum illuminated surface light level for at any point outdoor parking lots, automobile convenience stations and drive-in/drive-through canopies is ten (10) foot-candles, measured horizontally at ground level.

b. The total installed initial luminaire lumens of all exterior lighting systems on the site shall not exceed the allowed total initial site lumens. The allowed total initial site lumens shall be the sum of 7,000 base lumens for all entrances and facades plus 2.5 lumens per square foot of hardscape.

c. As an alternative to compliance with the foregoing provisions of this section, an applicant may choose to comply with The International Dark Sky Association (IDA) model legislation of June 2011 (located at https://www.darksky.org/wp-content/uploads/bsk-pdf-manager/16_MLO_FINAL_JUNE2011.PDF). Lighting Zones in the model legislation shall correlate to the Transect Category for the site as designated in the Community Plans of NashvilleNext as follows:

<u>T1 Natural</u>	<u>LZ-0</u>
<u>T2 Rural</u>	<u>LZ-1</u>
<u>T3 Suburban</u>	<u>LZ-2</u>
<u>T4 Urban</u>	<u>LZ-2</u>
<u>T5 Center</u>	<u>LZ-2</u>
<u>T6 Downtown</u>	<u>LZ-3</u>
<u>D District</u>	<u>LZ-4</u>

2-d. Light Direction and Control: Lighting applications shall meet the following requirements:

Lighting Application	Maximum Inclination Above Nadir	Maximum Light Output
Architectural lighting	90 degrees	1,100 initial lumens
Floodlighting	90 degrees	2,200 initial lumens
Sidewalk lighting	<u>90</u> 45 degrees	800 initial lumens

23. Correlated Color Temperature (CCT): All lighting sources, except for public playing fields, must have a correlated color temperature (CCT) at or below ~~two~~three thousand ~~seven hundred~~-degrees Kelvin (~~2700~~3000°K).

34. Permitted Hours of Outdoor Lighting:

a)2. Commercial: No more than fifty percent (50%) of exterior lighting shall be permitted to be illuminated, or lighting shall be dimmed to 50% illuminance except for one hour before start of business, during regular business hours as determined by said business, and one hour following close of business unless exempt for safety or security concerns. Motion detectors may be used to restore lighting to 100% for safety. All outdoor lighting shall be turned off during daylight hours.

b)2. Property Used for Governmental and Public Purposes: Any zoning lot in any zoning district used for governmental or public purposes, except for street lighting, shall comply with the permitted hours and security lighting limitations for commercial lighting zones. Outdoor lighting of the playing field of an organized sporting event on public property may remain illuminated until thirty (30) minutes after the conclusion of an event.

45. Light Trespass:

a)2. All site lighting shall be shielded so that substantially all directly emitted light falls within the property line. No illumination in excess of one-half foot-candle shall be permitted across the boundary of any adjacent residential property or a public street.

b)2. No illumination shall produce direct, incident or reflected light that interferes with the safe movement of motor vehicles on public streets. Lighting prohibited by this provision shall include, but not be limited to any light that may be confused with or construed as a traffic-control device.

c)2. Rope lighting shall not be used on a building, sign, or any property with non-residential zoning located adjacent to an arterial or collector street as identified on the Major and Collector Street Plan. This provision shall not apply to properties zoned as DTC.

4.E.F. Luminaire standards

1. Full Cutoff Requirement: All lighting regulated by this chapter shall be full cutoff.
2. Photocell/Timer Requirement for Parking Lot Lights: Parking lot lighting shall include photocells or timers as needed to regulate the hours of operation as required by this chapter and to prevent operation during daylight hours.
3. Canopy Requirement: All canopies must be skirted with a skirt depth of eight inches (8") or greater or use other means to limit light spill to within ten feet of the area covered by the canopy.

F.G. Procedural requirements

1. Plan Submission: For land development, redevelopment and new zoning applications where outdoor lighting is proposed, prior to final approval by Metro Plans Inspection a letter from an engineer licensed with the state of Tennessee shall be submitted to the Department of Codes Administration confirming that the plan complies with the requirements of this section. Engineer review shall be based on the following information:
 - a. A site plan complete with all structures, parking spaces, building entrances, traffic areas (both vehicular and pedestrian), vegetation that might interfere with lighting, and all adjacent uses. The site plan shall show and identify the location of each existing and proposed luminaire and shall specify its installed height, pole foundations, and method of mounting.
 - b. Iso-foot-candle plots for individual lighting installations, or ten feet by ten feet (10' x 10') illuminance grid plots for multi-luminaire lighting installations which shall demonstrate compliance with all applicable requirements set forth in this chapter. The plots shall indicate the location of each existing and proposed luminaire, the installed height of said luminaires, and the overall light levels in foot-candles and initial lumens on the entire zoning lot and at the property lines.
 - c. A summary table identifying the maximum and minimum light levels in foot-candles and initial lumens for all, but not limited to, parking areas, street or building entryways, signs, street lighting, canopies, architectural lighting and walkways.
 - d. A description of each luminaire identified in the site plan including, but not limited to:
 - i. Manufacturer with website.
 - ii. Lamp type.
 - iii. Bulb type including CCT (Kelvin).

- iv. Model number.
- v. Photograph or catalog cut.
- vi. Photometric plan.
- vii. Light output in initial lumens.
- viii. Shielding or glare reduction devices.
- ix. Energy reduction and on/off control devices.

2. Post approval Alterations: Post approval alterations to lighting plans or intended substitutions for approved lighting equipment shall be submitted to the zoning inspector ~~for~~after review by a ~~Metro-appointed~~qualified engineer at the expense of the applicant and approval prior to ~~final plat~~issuance of an Use and Occupancy permit, with all plan submission requirements set forth in this chapter, prior to installation.

3. Inspections: The Department of Codes Administration shall have the right to conduct a post installation inspection to verify compliance with the requirements of this chapter and, if appropriate, to require remedial action within 30 days at the expense of the applicant.

4. Violations of this chapter shall be punishable as provided by ~~section 17.28.100~~Chapter 17.40, Article XIII of ~~this code~~the Metropolitan Code.

5. Variances: Variances to the requirements of this chapter may be granted by the Board of Zoning Appeals as provided in ~~Section~~Chapter 17.40-330, Article VIII of the Metropolitan Code.

Section 3. Be it further enacted, that this ordinance take effect 60 days after its passage 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:

Burkley Allen
Member of Council

AMENDMENT NO. ____
TO
SUBSTITUTE ORDINANCE NO. BL2020-535

Mr. President –

I hereby move to amend Substitute Ordinance No. BL2020-535 as follows:

I. By amending Section 1 by amending proposed Metropolitan Code of Laws Section 16.20.150(T) as follows:

(T) Article 410.10 (~~OR 300.21~~) of the 2017 Edition of the National Electrical Code is amended by adding the following Section G:

Parking Lots - Open parking lots shall use luminaires with a “U” BUG rating (Backlight Uplighting Glare) of 0 without external shields. Luminaires shall have a Correlated Color Temperature (CCT) of ~~2,700~~ 3000 Kelvin or below. Principal walkways and parking shall have a maintained minimum illuminance of 0.2 foot-candles at grade ~~and with a 12:1 maximum to minimum~~. The average light level is not to exceed ~~4.0~~ 1.25 foot-candles. Spill light at the property line shall not exceed ~~0.4~~ 0.5 foot-candles measured at 3’ above grade. Exception may be given for calculation points on the drive between the parking lot and roadway only. Luminaires shall be controlled by occupancy sensor or timers after business hours or between the hours of 11 p.m. to 4 a.m., at a minimum. Occupancy sensors or timers may turn lights off or dim ~~to 20%~~ by at least 30% during periods of no occupancy. Prior to installation, a photometric plan shall be reviewed by a certifying engineer with calculation points on a 10’ X 10’ grid.

SPONSORED BY:

Burkley Allen
Member of Council

AMENDMENT NO. ____
TO
ORDINANCE NO. BL2020-578

Mr. President –

I hereby move to amend Ordinance No. BL2020-578 by amending Section 4 by adding the following conditions at the end thereof:

5. The existing roads and sidewalks shown on the plat of record as Instrument No. 20151210-0124463 (the “Plat”) will not be modified in a manner that adversely affects surrounding properties within the specific plan. Any change in the size or location of the private drive shown as “City Place” on the Plat and the private drive shown as “Road B - City Place” on Sheet 3 of this Amended Preliminary SP shall require Council approval as an amendment to the SP.
6. The developer and contractors shall use best efforts to minimize traffic and parking impacts due to the construction of the additional residential entitlements in this approval. These best efforts shall include an off-site parking area with a shuttle service for construction workers during the construction process.

INTRODUCED BY:

Brandon Taylor
Member of Council

AMENDMENT NO. _____

TO

ORDINANCE NO. BL2021-619

Mr. President –

I move to amend Ordinance No. BL2021-619 as follows:

- I. By amending Section 1 to add the following sentence immediately following the section title and preceding the numbered standards:

Upon creation of a plan for street trees and streetscape for a specific geographic area within Davidson County, the Metropolitan Planning Commission shall adopt the plan.

- II. By further amending Section 1 by deleting Section 17.24.075.A in its entirety and renumbering the subsequent sections.

SPONSORED BY:

Mary Carolyn Roberts
Member of Council

AMENDMENT NO. ____
TO
ORDINANCE NO. BL2021-620

Mr. President –

I hereby move to amend Ordinance No. BL2021-620 as follows:

I. By amending Section 1, proposed Metropolitan Code Section 17.36.710, as follows:

17.36.710 Permitted land uses.

The range of land uses permitted within a DADU overlay district shall be those permitted by the underlying zoning district(s) as established by the zoning district land use table of Section 17.08.030 and accessory dwelling, detached. On any lot where a new accessory dwelling, detached is built, or on any lot where a new accessory dwelling unit, detached is established via conversion of an existing accessory structure, short term rental property – owner occupied, is not a permitted use in the accessory dwelling unit.

II. By amending Section 1, proposed Metropolitan Code Section 17.36.730, subsection A, as follows:

A. Application of a DADU overlay.

1. A DADU overlay shall only be applied to properties zoned RS/RS-A or properties where a DADU is a legally permitted use prior to the establishment of the overlay.
42. A DADU overlay shall consist of a minimum of 30 contiguous lots. For the purposes of this overlay, lots on opposing block faces and opposite sides of alleys shall be considered contiguous.
23. ~~A DADU overlay shall be bounded on all sides by streets, alleys, railroads, rivers, or other separations so that no lot lines are shared~~ Properties within a DADU overlay shall not share lot lines with single-family residential zoned properties that are not in the overlay district.

SPONSORED BY:

Burkley Allen
Member of Council

RESOLUTION NO. RS2021-____

A resolution amending Resolution No. RS2020-656, by replacing the exhibit thereto, the Transportation Plan, with a revised version thereof.

WHEREAS, upon further review of the Transportation Plan, endorsed by the Metropolitan Council in Resolution No. RS2020-656, some minor revisions to that document were determined to be needed; and,

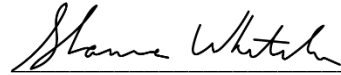
WHEREAS, the necessary revisions have been made in the document attached hereto as Exhibit 1, and it is in the best interests of the Metropolitan Government to replace the previously endorsed version of the Transportation Plan with the revised version attached hereto as Exhibit 1.

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

Section 1. That Resolution No. RS2020-656 is hereby amended by deleting Exhibit A thereto, the Transportation Plan, in its entirety, and replacing it with the revised Transportation Plan attached as Exhibit 1, hereto.

Section 2. That this resolution shall take effect from and after its adoption, the welfare of the Metropolitan Government of Nashville and Davidson County requiring it.

RECOMMENDED BY:


Shanna Whitelaw, Interim Director
Department of Public Works

INTRODUCED BY:

APPROVED AS TO THE AVAILABILITY OF FUNDS:



Kevin Crumbo, Director
Department of Finance

Council Member(s)

APPROVED AS TO FORM AND LEGALITY:


Assistant Metropolitan Attorney

Metro Nashville Transportation Plan

February 16, 2021

Housekeeping Amendment – Documentation of Proposed Edit

Part	Page	Location on page	Change to	Requested by:
Part 1	9	MNTP Project Highlights table: Note #1	Total annual operating \$32M <u>34.71M</u>	Bland (email 12/8)
Part 1	33	Sentence for editing begins on p. 32	...this plan proposes to engage in a collaborative planning process with the neighborhoods adjacent to Davidson County Star Stations (Donelson, Hermitage Station, and a potential Central Pike infill station) <u>with efforts, similar to those that led to the Downtown Donelson Urban Design Overlay adjacent to the Donelson Station,</u> to examine the types of development that could be attractive, and increase the return on investment that Nashville receives from the Star.	Syracuse (email 12/21)
Part 1	34	Insert after 1 st paragraph under "\$200M State of Good Repair" subheading	<u>The "Metro Public Works Paving Needs" lists, identified for each council district in Appendix 1, display projects that were not complete at the time this document was prepared for consideration. MPW has since completed many of the paving projects that were listed. Going forward, MPW will continue to use its Priority Paving List to determine paving priorities.</u>	Whitelaw (by phone 2/3/21)
Part 5	76	Paragraph below subheading "Quality of Life opportunities" (4 th sentence of paragraph)	New investment can be leveraged to address sidewalk connectivity off the corridor, address flooding issues associated with Mill Creek, make use of the proposed Browns Creek <u>Greenway</u> segment of the Central City <u>Central</u> Greenway, provide park...	Crownover (G4N email 12/14)
Part 6	82	2 nd paragraph under "Supporting Superior Management..." subhead, 2 nd sentence	At this time, Parks would retain the greenways and trails component due to their maintenance obligations but with <u>necessary coordination and additional</u> support from the newly formed DOT in the development and delivery of these assets.	Crownover (G4N email 12/14)
Part 6	91	2 nd column with sentence starting on line 2	Projects such as the Central City <u>Central Greenway, which includes the 400, Browns Creek, Cumberland River, and Gulch</u> greenways and 440 Greenways will be key components of building a transportation system that works for all.	Crownover (G4N email 12/14)
Appendix 1	P2 of A1	CD 2 project list, Priority Sidewalk Network	Add below Rosa L. Parks Blvd: <u>Dickerson Pike from Old Trinity Ln to Hillhurst Dr.</u>	Toombs (email 12/14)

Part	Page	Location on page	Change to	Requested by:
Appendix 1	P16 of A1	CD 11 project list, between Better Bus and Priority Sidewalk Network	Add project to list between Better Bus and Priority Sidewalk Network: <u>Add bus service to Old Hickory</u>	Hagar (email 12/15)
Appendix 1	P34 of A1	CD 24 project list (1 st item)	Metro Public Works Paving Needs: 1 project. 42nd Ave N	Murphy (email 1/5)
Appendix 6		Improve Act Projects in Davidson County	<u>Add to list:</u> <ul style="list-style-type: none"> <u>US 70 widening (from White Bridge Road to Old Hickory Boulevard)</u> <u>I-40 West widening (from mile marker 196 to 192)</u> 	Rosenberg

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY



**JOHN COOPER
MAYOR**

**DEPARTMENT OF PUBLIC WORKS
750 S. 5TH STREET
NASHVILLE, TENNESSEE 37206**

February 25, 2021

Mr. Jim Shulman
Vice Mayor of the Metropolitan Government of Nashville and Davidson County and President of the Metropolitan Council
Via email to: jim.shulman@nashville.gov

Councilmember Courtney Johnston
Chair, Rules, Confirmations and Public Elections Committee of the Metropolitan Council
Via email to: courtney.johnston@nashville.gov

Dear Mr. President and Madam Chair:

I am writing to respectfully request the attached legislation, a resolution amending previously adopted Resolution No. RS2020-656 regarding the Metro Nashville Transportation Plan, be submitted for the Council's consideration at the March 2, 2021 council meeting as a late-filed resolution.

I am requesting that it be considered by the Rules, Confirmations and Public Elections Committee and by the Metropolitan Council on an emergency basis, pursuant to Council Rule of Procedure 54, and that the rules be suspended to allow it to be considered at the March 2 meeting.

The reason it is urgent and necessary that it be considered on March 2, as opposed to at a later meeting date, is that it needs to track with the Capital Spending Plan (CSP). Many items contained in the CSP relate to items in the Transportation Plan. Since the attached legislation amends that Plan, it is necessary that those changes be adopted as soon as possible, for consistency.

Staff of multiple metropolitan departments, including myself, working together, made every effort to file this resolution on time, but we had unforeseen technological problems with sending the very large exhibit, which were compounded by office absences due to the adverse weather. Due to those issues, it was not possible for us to meet the required filing deadline prescribed in the Council Rules of Procedure.

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY



**JOHN COOPER
MAYOR**

**DEPARTMENT OF PUBLIC WORKS
750 S. 5TH STREET
NASHVILLE, TENNESSEE 37206**

I hope and request that the Metropolitan Council will overlook this omission and suspend the rules to allow this resolution to be considered on March 2, 2021, as it is in the best interests of the Metropolitan Government to do so.

Sincerely,

A handwritten signature in blue ink that reads "Shanna Whitelaw".

Shanna Whitelaw
Department of the Public Works – Interim Director

Enclosure

Ec: Mr. Jon Cooper, Director
Metropolitan Council Office

Ms. Kyonzté Toombs
Chair Budget and Finance Committee

Mr. Robert Nash
Chair Public Works Committee

RESOLUTION NO. RS2021-___

A resolution requesting the Office of the Trustee to allow property tax payments received during the first five days of March to not be considered delinquent as a result of the February 2021 winter weather event.

WHEREAS, an ice and snowstorm during the week of February 15, 2021, caused many roadways to remain impassable through February 19, and resulted in most Metropolitan Government offices remaining closed for the week; and

WHEREAS, T.C.A. § 67-5-2010(a) mandates that interest of one and one half percent (1.5% interest) be added to property taxes that are not paid before March 1 of the year following the tax due date (first Monday in October of the previous year); and

WHEREAS, as a result of hazardous driving conditions, some taxpayers were unable to physically come to the Trustee's Office to pay their taxes, and the U.S. Postal Service experienced significant delays, which may cause some tax payments to arrive late; and

WHEREAS, the Metropolitan Council desires for the Office of the Trustee to make every effort possible to allow tax payments received during the first five days of March 2021 to not be delinquent and to not charge the statutory 1.5% interest.

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

Section 1. That the Metropolitan Council hereby goes on record as requesting the Office of the Trustee to allow property tax payments received during the first five days of March to not be considered delinquent as a result of the February 2021 winter weather event.

Section 2. The Metropolitan Clerk is directed to send a copy of this Resolution to Trustee Erica Gilmore.

Section 3. 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:

Sharon Hurt

Kyonzte Toombs

Russ Bradford

Dave Rosenberg

Jonathan Hall

Mary Carolyn Roberts

Emily Benedict

Tonya Hancock

Jennifer Gamble

Tanaka Vercher

Delishia Porterfield

Courtney Johnston

Bob Nash

Ginny Welsch

Gloria Hausser

Joy Styles

Jeff Syracuse

Zulfat Suara
Members of Council

SUBSTITUTE RESOLUTION NO. RS2021-757

Initial resolution determining to issue general obligation bonds of The Metropolitan Government of Nashville and Davidson County in an aggregate principal amount of not to exceed \$474481,610,000.

WHEREAS, it is necessary and in the public interest of The Metropolitan Government of Nashville and Davidson County (the "Metropolitan Government") to issue general obligation bonds in an aggregate principal amount of not to exceed \$474481,610,000 (the "Bonds") for the purposes hereinafter provided; and,

WHEREAS, pursuant to Section 9-21-205, Tennessee Code Annotated, prior to the issuance of any general obligation bonds, the governing body of the local government proposing to issue said bonds shall adopt a resolution determining to issue the same; and,

WHEREAS, for the purpose of complying with the requirements of said statute, the Metropolitan County Council of the Metropolitan Government adopts this Resolution.

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

Section 1. Purpose. For the purposes of financing (a) all or a portion of the costs of the acquisition of land for and the planning, design, development, construction, renovation, modification, improvement, upgrade, expansion, repair, maintenance, rehabilitation, equipping and/or acquisition of the following public works projects (as defined in Section 9-21-105, Tennessee Code Annotated): (1) school buildings and facilities; (2) parks, parks facilities, and greenways; (3) public safety buildings and facilities, including, buildings and facilities for the police and fire departments, and technology improvements related to the foregoing; (4) facilities related to traffic control center; (5) bridges including lighting and related technology improvements; (6) bikeways, sidewalks, roads, streets and rights-of-way, including streetscape improvements, drainage improvements, lighting, signage and signalization, roadway improvements related to traffic management and traffic calming, and related information technology improvements; (7) facilities related to transit centers and shelter improvements; (8) Metropolitan Government buildings and facilities; (9) information technology improvements related to public works projects of the Metropolitan Government; (10) drainage systems including stormwater sewers and drains; (11) solid waste system improvements; (12) public transportation (including monies for grant matches), (13) Fair Park at Fairgrounds Nashville improvements and; (134) vehicles for the Metropolitan Government and (collectively, the "Projects"), as all such Projects are more specifically set forth on Exhibit A attached hereto; provided, however, that the specific portion of total funding allocated to each Project as set forth on Exhibit A may hereafter be amended by legislation of the Metropolitan Council; and further provided that such Projects with an estimated value in excess of \$5,000,000 are more specifically set forth on collective Exhibit B attached hereto; (b) acquisition of all property, real and personal, appurtenant to the foregoing and acquisition or construction of certain public art as required by Ordinance No. BL2000-250; (c) legal, fiscal, administrative, architectural and engineering costs incident to all the foregoing; (d) all other costs authorized to be financed pursuant to Section 9-21-109, Tennessee Code Annotated, including without limitation, costs of issuance of the Bonds and (e) the payment or reimbursement of the payment of principal of and interest on any bonds, notes or other debt obligations issued in anticipation of the Bonds, the Metropolitan County Council hereby

determines to issue the Bonds in an aggregate principal amount of not to exceed \$474481,610,000.

Section 2. Authorization. The Bonds described herein shall be issued pursuant to the Charter of the Metropolitan Government and/or the Local Government Public Obligations Act of 1986, as amended, codified as Title 9, Chapter 21, Tennessee Code Annotated, and no referendum or election shall be required for the issuance of the Bonds unless a petition for an election relating to their issuance is filed within the time and in the manner provided for in said statute.


Section 3. Interest. The maximum rate of interest of the Bonds shall not exceed seven and one-quarter percent (7.25%) or the maximum rate permitted by applicable law.

Section 4. Source of Payment. Debt service on the Bonds shall be payable from and secured by ad valorem taxes on all taxable property in the General Services District and Urban Services District, fully sufficient to pay all such debt service falling due prior to the time of collection of the next succeeding tax levy; provided, however, taxes so levied in the General Services District shall be levied in an amount sufficient to pay that portion of such debt service attributable to school projects and projects in the General Services District financed by the Bonds; and the taxes so levied in the Urban Services District shall be levied in an amount sufficient to pay that portion of such debt service attributable to projects in the Urban Services District financed by the Bonds; provided, further, however, that the Metropolitan Government shall be unconditionally and irrevocably obligated to levy and collect ad valorem taxes without limit as to rate or amount on all taxable property within the Metropolitan Government to the full extent necessary to pay all debt service on the Bonds, and the full faith and credit of Metropolitan Government shall be irrevocably pledged to the payment thereof.

Section 5. Publication of Resolution. The Metropolitan Clerk is hereby directed to cause this Resolution, upon its adoption, together with the statutory notice required by Section 9-21-206, Tennessee Code Annotated, to be published in full once in a newspaper published and having general circulation in the Metropolitan Government.

Section 6. Effective Date. This Resolution shall take effect from and after its adoption, the welfare of the Metropolitan Government requiring it.

APPROVED AS TO AVAILABILITY OF FUNDS:

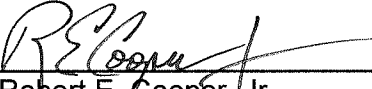


Kevin Crumbo
Director of Finance

INTRODUCED BY:

Colby Sledge

APPROVED AS TO FORM AND LEGALITY:



Robert E. Cooper, Jr.
Director of Legal Department

Member(s) of Council

EXHIBIT A

FY 2020-21 CAPITAL SPENDING PLAN

Total - \$474,481,610,000

GENERAL GOVERNMENT - \$2707.64 MILLION /

MNPS - \$190.97 MILLION / CONTINGENCY - \$13.0 MILLION

<u>Agency / Department</u>	<u>CIB Project ID</u>	<u>Allocation</u>	<u>Not to Exceed</u> (Plus Contingency)
PARKS			<u>\$23,390,000</u>
Buildings: Repair/Replace Mechanical Systems	19PR0001	\$ 2,000,000	<u>\$30,390,000</u>
Shelby Park Bridge Repair Lake Sevier Dam	19PR0041	350,000	
Ascend Amphitheater - Electrical Work	19PR0001	1,200,000	
Park Lighting	19PR0001	1,000,000	
Playgrounds Systemwide	19PR0013	1,000,000	
HVAC: Cleveland Comnty Ctr	19PR0015	50,000	
HVAC: Shelby Comnty Ctr	19PR0015	50,000	
HVAC: Sportsplex Indoor Tennis	19PR0015	50,000	
Warner Fence Replacement	19PR0020	85,000	
Greenway Bridge Repairs	19PR0023	100,000	
Antioch Greenway	19PR0023	85,000	
Fort Negley Repairs	19PR0034	1,000,000	
Greenway: Charlotte Corridor Rail w/ Trail - S2 & S4	20PR0001	9,520,000	
EAB Park Tree Inventory	19PR0025	750,000	
Bells Bend Property	19PR0005	2,000,000	
Clinton Fisk Park Improvements	19PR0004	750,000	
Old Hickory Comnty Ctr - Playground, Other	19PR0001	3,400,000	
<u>Phase II of Fair Park</u>	<u>20DS0001</u>	<u>7,000,000</u>	
FINANCE			4,000,000
Hyperion Upgrade: Budget Mgmt System EoL	20FI0001	2,000,000	
Participatory Budgeting Pilot for North Nashville Infrastructure	12FI0002	2,000,000	
FIRE			29,000,000
Fire Station 2	18FD0005	14,000,000	
Replacement of Heavy Apparatus	20GS0001	15,000,000	
GENERAL SERVICES			22,500,000
OFM fleet replacement funding (w/o Fire)	20GS0001	10,000,000	
Building Operations Major Maintenance	20GS0002	8,000,000	
Sustainability: Revolving and Innovation Fund	20GS0004	2,000,000	
New Facility Planning, Site Evaluation, and Unexpected Relocation Projects.	21GS0001	2,500,000	
ITS			9,200,000
Radio System Upgrade and Maintenance Contract	18IT0001	6,500,000	
Expertise & Resources for Tech & Construction Projs	15IT0006	2,700,000	
LIBRARY			1,700,000
Maintenance General	18PL0003	1,700,000	
JUVENILE COURT			1,200,000
Juv Justice Ctr: New JCC Process (Program Mgr)	19GS0005	450,000	
Juv Justice Ctr: Portable Trailer for Addnl Court Area	19GS0005	750,000	
MUNICIPAL AUDITORIUM			2,500,000
Plumbing & HVAC Repairs / Renovations	09MA0001	\$ 2,500,000	

EXHIBIT A

FY 2020-21 CAPITAL SPENDING PLAN

Total - \$474,481,610,000

GENERAL GOVERNMENT - \$2707.64 MILLION /

MNPS - \$190.97 MILLION / CONTINGENCY - \$13.0 MILLION

<u>Agency / Department</u>	<u>CIB Project ID</u>	<u>Allocation</u>	<u>Not to Exceed</u> (Plus Contingency)
METRO ACTION COMMISSION			1,050,000
Sprinkler System Installations - HeadStart Facilities	07AC0001	500,000	
Replace Damaged Walls & Flooring in North Ctr	20AC0002	150,000	
Replace Damaged CVT Tile Throughout Douglass Ctr	20AC0004	150,000	
Reconstruct Side of Richland Ctr & Parking lot.	20AC0005	250,000	
POLICE			\$22,500,000
Southeast Police Precinct (Murfreesboro Rd)	19GS0006	12,000,000	
Emergency Communications Center / OEM Campus	19GS0004	3,000,000	
Automated Fingerprint Identification System Upgrade	20PD0001	4,000,000	
Crime Lab Instrumentation Upgrades	17PD0003	3,500,000	
PUBLIC WORKS			8,450,000
Madison Station Blvd - Phase 2	20PW020	5,000,000	
Solid Waste	16PW0003	2,150,000	
Satellite City Payment for Road Infrastructure	06PW0011	1,300,000	
WATER / STORMWATER			19,830,000
State of Good Repair; Stormwater Projects	09WS0025	19,830,000	
	09WS0027		
	21WS0023		
MDHA			2,000,000
Infrastructure Participation Agreements for Affordable Housing (MDHA)	20HA0004	2,000,000	
METRO SCHOOLS			123,120,000
<u>Design / Construction Projects</u>			
Hillwood High in Bellevue - New	16BE0014	100,000,000	
Cane Ridge High School - Addition	18BE0017	18,840,000	
Cane Ridge Middle - New (Design Phase)	19BE0003	4,280,000	
<u>Misc. Deferred Maintnc District-Wide Projs</u>			67,850,000
Environmental Remediation / Testing	14BE0037	250,000	
ADA Compliance	13BE0041	1,000,000	
HVAC Upgrades (Boilers, Chillers, Cooling Towers, etc.)	14BE0045	61,600,000	
Emergency Construction and Contingency	14BE0042	5,000,000	
PLANNING DEPT			1,438,000
Neighborhood Planning & Infrastructure Studies for North Nashville, Edgehill and Southeast	20PC0002	900,000	
East Bank Planning, Open Space and Infra Study	20PC0003	538,000	

EXHIBIT A

FY 2020-21 CAPITAL SPENDING PLAN

Total - ~~\$474~~481,610,000

GENERAL GOVERNMENT - \$2707.64 MILLION /

MNPS - \$190.97 MILLION / CONTINGENCY - \$13.0 MILLION

<u>Agency / Department</u>	<u>CIB Project ID</u>	<u>Allocation</u>	<u>Not to Exceed</u> (Plus Contingency)
TRANSPORTATION PLAN			
MTA Grant Match - MTA	15MT0001	\$ 4,000,000	
MTA Grant Match - RTA	15MT0006	660,000	
06PW0011 Paving (\$30,000,000)	06PW0011	30,000,000	
06PW0019 Sidewalks (\$10,000,000)	06PW0019	10,000,000	
02PW011 Bridge Program (\$7,750,000)	02PW011	7,750,000	
19PW0002 Countywide Bridge Lighting (\$2,250,000)	19PW0002	2,250,000	
06PW0019 Sidewalks	06PW0019	11,000,000	
02PW020 - Roadways, ROW	02PW020	5,800,000	
02PW020 Roadways, ROW	02PW020	15,000,000	
02TP002 Traffic Management Program	02TP002	15,000,000	
11PW0006 Bikeways	11PW0006	4,500,000	
02PW020 Roadways, ROW	02PW020	2,500,000	
21PW0001 Traffic Control Center	21PW0001	500,000	
02TP002 Traffic Management Prgm (\$5,300,000)	02TP002	5,300,000	
02PW020 Roadways, ROW	02PW020	1,700,000	
02PW0020 Roadways	02PW020	1,000,000	
18PW0002 IT Upgrades	18PW0002	1,922,000	
MTA: Shelter Improvements & Neighborhood and Regional Transit Centers	20MT0002	1,250,000	
	18MT0002	750,000	
02PW020 - Roadways	20PW020	1,000,000	
	Sub-Total	\$ 461,610,000	\$ 461,610,000
		\$ 468,610,000	\$ 468,610,000
CONTINGENCY / 1% FOR THE ARTS			
- GSD Contingency		7,000,000	
- MNPS Contingency		6,000,000	
	TOTAL	474,610,000	
		481,610,000	

CAPITAL PROJECT COST ITEMIZATION FORM

<Dept>

FY21 CIB #
Date

CAPITAL PROJECT NAME:	Phase II of Fair Park
PROJECT DESCRIPTION:	Continues Browns Creek Greenway, remediation of Browns Creek, and extension of green space at Fairgrounds Nashville.

PROJECT FUNDING HISTORY	Resolution #	Fund #	Account String	Total Allocated *
	RS2017-713	40018		3,000,000

* less any Contingency

*Will this allocation complete the funding for this project?
If Yes, what is the anticipated date to close-out the project?
If No, when is additional funding anticipated? (Phased project)*

YES
May-22

PROJECT COST ITEMIZATION:

BL2019-77: 5.04.150 Cost Itemization for capital projects. A. The Department of Finance shall develop a Capital Project Cost Itemization Form to be completed for all proposed capital projects with an estimated total value greater than \$5,000,000.00. Such form shall itemize the present value full projected costs, allowing for local market cost escalation, including, but not limited to, the following costs, as applicable:

Land Acquisition	0.00
Environmental Compliance	0.00
Temporary Relocation	0.00
Architectural & Engineering Design	0.00
Construction	7,000,000.00
Furniture, Fixtures & Equipment	0.00
Infrastructure Improvement	0.00
New and Supporting Technology	0.00
Utility-Relocation, Misc. Costs, etc.	0.00
Other Anticipated Project Costs *	0.00
Total Funding Request	7,000,000.00

* Details of Other Anticipated Project Costs:

N/A

ESTIMATED OPERATING BUDGET IMPACT:

Amount?	0.00
What Fiscal Year will this Impact Operating Budget?	N/A

Details - On Impact to Operating Budget

N/A

CAPITAL PROJECT COST ITEMIZATION FORM

<Dept>

FY21 CIB #

Date

Instructions: **Project Funding History** - List any prior allocations related to the project. (Ex. Prior year capital funding, Phase 1 - Land, etc.) If no prior funding has been allocated for this project, just enter N/A.

Project Cost Itemization - List the full projected costs for each category, as applicable. If there are no costs associated with a particular category - list as \$0.00. If there are anticipated project costs beyond the listed categories, add the amount to the "Other Anticipated Project Costs" and provide details for those costs in the box provided.

Details of Other Anticipated Project Costs - Use this space to add details, if needed, for costs listed in "Other Anticipated Project Costs" category. If no additional costs anticipated, just enter N/A.

Estimated Operating Budget Impact - If the project will have an impact to your operational budget, list the estimated amount and the Fiscal Year of the impact and a detailed description of the type of impact it will have to your operating budget. Examples are additional staff (salary & fringe), annual maintenance agreement, warranty costs, internal service fees, etc.

AMENDMENT NO. ____
TO
RESOLUTION NO. RS2021-757

Mr. President –

I hereby move to amend Resolution No. RS2021-757 as follows:

- I. By deleting Section 1 in its entirety and substituting with the following new Section 1:

Section 1. Purpose. For the purposes of financing (a) all or a portion of the costs of the acquisition of land for and the planning, design, development, construction, renovation, modification, improvement, upgrade, expansion, repair, maintenance, rehabilitation, equipping and/or acquisition of the following public works projects (as defined in Section 9-21-105, Tennessee Code Annotated): (1) school buildings and facilities; (2) parks, parks facilities, and greenways; (3) public safety buildings and facilities, including, buildings and facilities for the police and fire departments, and technology improvements related to the foregoing; (4) facilities related to traffic control center; (5) bridges including lighting and related technology improvements; (6) bikeways, sidewalks, roads, streets and rights-of-way, including streetscape improvements, drainage improvements, lighting, signage and signalization, roadway improvements related to traffic management and traffic calming, and related information technology improvements; (7) facilities related to transit centers and shelter improvements; (8) Metropolitan Government buildings and facilities; (9) information technology improvements related to public works projects of the Metropolitan Government; (10) drainage systems including stormwater sewers and drains; (11) solid waste system improvements; (12) public transportation (including monies for grant matches), (13) Fair Park at Fairgrounds Nashville improvements and; ~~(134)~~ vehicles for the Metropolitan Government and (collectively, the “Projects”), as all such Projects are more specifically set forth on Exhibit A attached hereto; provided, however, that the specific portion of total funding allocated to each Project as set forth on Exhibit A may hereafter be amended by legislation of the Metropolitan Council; and further provided that such Projects with an estimated value in excess of \$5,000,000 are more specifically set forth on collective Exhibit B attached hereto; (b) acquisition of all property, real and personal, appurtenant to the foregoing and acquisition or construction of certain public art as required by Ordinance No. BL2000-250; (c) legal, fiscal, administrative, architectural and engineering costs incident to all the foregoing; (d) all other costs authorized to be financed pursuant to Section 9-21-109, Tennessee Code Annotated, including without limitation, costs of issuance of the Bonds and (e) the payment or reimbursement of the payment of principal of and interest on any bonds, notes or other debt obligations issued in anticipation of the Bonds, the Metropolitan County Council hereby determines to issue the Bonds in an aggregate principal amount of not to exceed \$474,610,000.

- II. By amending the project list incorporated as Exhibit A in Section 1 as follows:
 - A. By reducing Project No. 14BE0045 – HVAC Upgrades (Boilers, Chillers, Cooling Towers, etc.) by the amount of \$7,000,000 for a new total amount of \$54,600,000.
 - B. By adding Project No. 20DS0001 - Phase II of Fair Park in the amount of \$7,000,000.

SPONSORED BY:

Colby Sledge
Member of Council

AMENDMENT NO. 1
TO
ORDINANCE NO. BL2020-387

Mr. President –

I hereby move to amend Ordinance No. BL2020-387, Section 1, by amending proposed Metro Code Section 3.24.010, Subsection C.4, as follows:

4. Those members of council serving at least eight (8) years who are not covered by subsection 3 above shall be eligible to continue participation in the comprehensive health care plan ~~under the same terms and conditions as retired Metropolitan Government employees, and at the contribution rates based upon years of service~~ as follows:

a. The Metropolitan Government shall contribute ~~twenty-five~~ seventy-five percent of the contribution rate established for medical care benefits for a former member of council for the first two (2) years of continued participation in the comprehensive health care plan after the member leaves office and fifty percent of the contribution rate for the next two (2) years of continued participation in the comprehensive health care plan after the member leaves office ~~that served at least eight (8) but less than fifteen (15) years;~~

b. ~~The contribution rate for members of council serving fifteen (15) or more years shall be based upon years of service as provided in Section 3.16.020c.3. of this chapter applicable to retired employees hired after January 1, 2013. After four (4) years of continued participation after the member leaves office, the Metropolitan Government shall contribute twenty-five percent of the contribution rate established for medical care benefits for continued participation of the former member of council in the comprehensive health care plan.~~

SPONSORED BY:

Tonya Hancock
Member of Council

AMENDMENT NO. 2
TO
ORDINANCE NO. BL2020-387

Mr. President –

I hereby move to amend Ordinance No. BL2020-387, Section 1, by amending proposed Metro Code Section 3.24.010, Subsection C.4, as follows:

4. Those members of council serving at least eight (8) years who are not covered by subsection 3 above shall be eligible to continue participation in the comprehensive health care plan ~~under the same terms and conditions as retired Metropolitan Government employees, and at the contribution rates based upon years of service~~ as follows:

a. The Metropolitan Government shall contribute twenty-five percent of the contribution rate established for medical care benefits for a former member of council for two (2) years of continued participation in the comprehensive health care plan after the member leaves office ~~that served at least eight (8) but less than fifteen (15) years;~~

b. ~~The contribution rate for members of council serving fifteen (15) or more years shall be based upon years of service as provided in Section 3.16.020c.3. of this chapter applicable to retired employees hired after January 1, 2013. After two (2) years of continued participation in the comprehensive health care plan after leaving office, the Metropolitan Government shall no longer provide medical care benefits to the member of council.~~

SPONSORED BY:

Tonya Hancock
Member of Council

AMENDMENT NO. 3
TO
ORDINANCE NO. BL2020-387

Mr. President –

I hereby move to amend Ordinance No. BL2020-387, Section 1, by amending proposed Metro Code Section 3.24.010, Subsection C.4, as follows:

4. Those members of council serving at least eight (8) years who are not covered by subsection 3 above shall be eligible to continue participation in the comprehensive health care plan ~~under the same terms and conditions as retired Metropolitan Government employees, and at the contribution rates based upon years of service~~ as follows:

a. The Metropolitan Government shall contribute ~~twenty five~~ fifty percent of the contribution rate established for medical care benefits for a former member of council for one (1) year of continued participation in the comprehensive health care plan after the member leaves office ~~that served at least eight (8) but less than fifteen (15) years;~~

b. ~~The contribution rate for members of council serving fifteen (15) or more years shall be based upon years of service as provided in Section 3.16.020c.3. of this chapter applicable to retired employees hired after January 1, 2013.~~ After one (1) year of continued participation in the comprehensive health care plan after leaving office the Metropolitan Government shall no longer provide medical care benefits to the member of council.

SPONSORED BY:

Tonya Hancock
Member of Council

AMENDMENT NO. 4
TO
ORDINANCE NO. BL2020-387

Mr. President –

I hereby move to amend Ordinance No. BL2020-387, Section 1, by amending proposed Metro Code Section 3.24.010, Subsection C.4 as follows:

4. Those members of council serving at least eight (8) years who are not covered by subsection 3 above shall be eligible to continue participation in the comprehensive health care plan ~~under the same terms and conditions as retired Metropolitan Government employees, and at the contribution rates based upon years of service~~ as follows:

a. The Metropolitan Government shall contribute ~~twenty-five~~ fifty percent of the contribution rate established for medical care benefits for a former member of council for the first eight (8) years of continued participation in the comprehensive health care plan after the member leaves office that served at least eight (8) but less than fifteen (15) years;

b. ~~The contribution rate for members of council serving fifteen (15) or more years shall be based upon years of service as provided in Section 3.16.020c.3. of this chapter applicable to retired employees hired after January 1, 2013. After eight (8) years of continued participation in the comprehensive health care plan after leaving office, the Metropolitan Government shall contribute twenty-five percent of the contribution rate established for medical care benefits for continued participation by the former member of council.~~

SPONSORED BY:

Freddie O'Connell
Member of Council

AMENDMENT NO. 5
TO
ORDINANCE NO. BL2020-387

Mr. President –

I hereby move to amend Ordinance No. BL2020-387 by amending Section 1, proposed Metropolitan Code of Laws Section 3.24.010, subsection C.4, as follows:

4. Those members of council serving at least eight (8) years who are not covered by subsection 3 above shall be eligible to continue participation in the comprehensive health care plan ~~under the same terms and conditions as retired Metropolitan Government employees, and at the contribution rates based upon years of service~~ as follows:

a. The Metropolitan Government shall contribute ~~twenty-five~~ fifty percent of the contribution rate established for medical care benefits for a former member of council ~~that served at least eight (8) but less than fifteen (15) years;~~

b. ~~The contribution rate for members of council serving fifteen (15) or more years shall be based upon years of service as provided in Section 3.16.020c.3. of this chapter applicable to retired employees hired after January 1, 2013. Any medical care benefits for a former member of council continued after the member leaves office shall terminate when the former member of council reaches the age of 65, or when the former member of council obtains other health care insurance, whichever occurs first. During the annual benefits enrollment period, the former member of council shall provide a sworn statement under penalty of perjury that they do not have medical care benefits through a source other than the Metropolitan Government.~~

SPONSORED BY:

Kyonzte Toombs

Joy Styles
Members of Council

AMENDMENT NO. ____
TO
ORDINANCE NO. BL2021-618

Mr. President –

I hereby move to amend Ordinance No. BL2021-618 by amending
Section 2 as follows:

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 ~~17.20.020~~
17.20.120 of the Metropolitan Code is exempt from those requirements.

INTRODUCED BY:

Freddie O'Connell
Member of Council

Substitute Ordinance No. BL2021-646

An ordinance making amendments to various provisions of Titles 2, ~~and 12~~ and 13 of the Metropolitan Code to facilitate the implementation and operation of a Smart Parking program.

WHEREAS, Section 11.907 of the Charter provides the following as to the Traffic and Parking Commission (the "Commission"):

Sec. 11.907. - Management and control of parking meters, garages and other traffic facilities.

The commission shall have power to control and manage parking facilities in any metropolitan street or road, including the installation of parking meters or other necessary equipment in connection therewith. The commission shall prescribe and may revise a schedule of service charges in connection with the use of parking meters, a copy of which schedule shall be kept on file and subject to public inspection at the office of the commission and at the office of the metropolitan clerk.

The commission shall also have control and management of any public parking garage or other traffic facilities, and with the acquisition, construction and establishment of the same. The commission may enter into lease agreements with private operators to operate the parking facilities owned by the metropolitan government. The commission is authorized to collect rents, fees or other charges for such parking garage and other traffic facilities as it may operate and manage.

All moneys collected by the commission from parking meters, or any other service charges, shall be remitted by it to the metropolitan treasurer, who shall keep such moneys in a separate account earmarked for traffic and parking improvements; and,

WHEREAS, the Metropolitan Government ("Metro") has determined that its on-street metered parking program (the "Metered Parking System") is in need of modernization, is not as efficient and convenient as it could be, and does not maximize the value of the program for funding traffic and parking improvements, as described in Section 11.907 of the Charter; and,

WHEREAS, the authority provided in Section 11.907 of the Charter, which authorizes Metro to enter into lease agreements with private operators to operate parking facilities, such as on-street metered parking within the rights of way of Metro, effectively authorizes Metro to utilize a competitive procurement process to contract for the operation of the on-street metered parking within the Metro rights-of-way; and,

WHEREAS, Metro plans to publish a Smart Parking RFP (the "RFP") with the objective to enter into a parking services agreement with an outside parking management partner to upgrade and manage the operations of Metro's parking system by integrating state-of-the-art hardware, software, and operating solutions to maximize convenience and payment options, streamline and optimize enforcement activities, and increase parking compliance and,

WHEREAS, it is in the best interests of potential offerors and ultimately Metro, that various related changes be made to the Metropolitan Code.

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

Section 1. Section 2.44.070 of the Metropolitan Code shall be deleted in its entirety, and shall be replaced with the following:

2.44.070 - Parking enforcement patrol.

- A. There is created a parking enforcement patrol, for service in connection with the traffic law enforcement functions of the department of metropolitan police and Department of Public Works, which shall, with the assistance of the Traffic and Parking Commission and staff thereof, including any contractors and subcontractors thereof, police and control parking meter areas located on public thoroughfares, alleys and streets, such patrolling and supervision being necessary for the proper enforcement of parking violations. The parking enforcement patrol officers shall be instructed and trained by the Department of Public Works, and at the request of the Director of Public Works, the chief of police shall appoint a designee who shall be responsible for any additional training of parking enforcement patrol officers that the Director of Public Works and the Chief of Police deem necessary. The parking enforcement patrol officers shall be hired by the Department of Public Works in accordance with that department's usual civil service procedures, but may also be appointed as special police with authority to enforce parking ordinances, and police powers to enforce meter and other parking violations are hereby extended to such parking enforcement patrol officers within the area of the metropolitan government.
- B. The primary duty of the parking enforcement patrol officers shall be to patrol the streets of the metropolitan government area that have parking meters and to issue parking violation tickets for meter and parking violations. Their primary areas of patrol will be the parking meter areas, but they may be assigned to assist the police to enforce parking laws and regulations in other areas.
- C. All expenses of training, uniforms, equipment and salaries, and all other incidental expenses of the parking enforcement patrol program shall be borne by the metropolitan traffic and parking commission, Public Works, or its contractors.
- D. To the extent permitted by state law and the Metropolitan Charter, the parking enforcement patrol may utilize one or more contractors to perform the responsibilities assigned in this section, including assistance in the investigation of potential parking violations such as the collection and transmission of images recorded on any medium by a traffic control photographic system, license plate recognition technology, or other devices. Parking enforcement patrol officers may conduct investigations by reviewing evidence presented to them by contractors and may issue or cause the issuance of citations based on such evidence where warranted. Parking patrol officers may utilize contractors to deliver notices of citation to the owners of vehicles in violation, but any such citation shall be based on a parking enforcement patrol officer's determination that there is probable cause to believe that a violation of the parking provisions of the Metropolitan Code has been committed.

Section 2. Section 2.56.210 of the Metropolitan Code is amended as follows:

By adding the following text at the end of subsection F.:

Alternatively, the traffic violations bureau, police department, parking enforcement patrol and its contractors may utilize electronic forms for notifying traffic violators to appear in answer to charges of violating traffic ordinances or traffic regulations of the city, so long as there are

equivalent ways to ensure that such forms are retained in duplicate copy (which may also be in electronic form) as reliably as the method specified above.

Section 3. Section 12.04.230 of the Metropolitan Code is amended by deleting the period at the end of this section and adding the following at the end of the sentence:

“; a parking meter may include a parking pay station, including one that services multiple parking spaces.”

Section 4. Section 12.04.235 of the Metropolitan Code is amended by deleting the existing language in its entirety and replacing it with the following:

“Parking meter space” means any space adjacent to a parking meter, or on the same block as a parking meter that services multiple spaces, and which is duly designated for the parking of a single vehicle.

Section 5. Section 12.08.150 of the Metropolitan Code is hereby amended as follows:

By deleting the definition contained in subsection A.1. thereof in its entirety and replacing it with the following:

A.1. “Immobilization” or “Immobilize” means the attachment of any device to a vehicle that prevents the vehicle from being legally driven.

By deleting the first sentence of subsection B. thereof and replacing it with the following:

B. Members of the metropolitan police department or the parking enforcement patrol or its contractor shall have authority to impound or immobilize any vehicle under the circumstances hereinafter enumerated:

By deleting subsections D., E. and F. thereof in their entirety, and replacing them with the following:

D. Whenever an officer of the metropolitan police department or the parking enforcement patrol or its contractor (with authorization from the parking enforcement patrol) removes a vehicle from any alley, street, highway or thoroughfare, as authorized in this section, the officer or contractor shall obtain from the wrecker or tow-in service employee a receipt in triplicate, one copy of which shall be retained by the wrecker or tow-in service employee, describing the vehicle, the reasons for its removal, the place where the vehicle is to be stored, and all items of a personal nature found in the vehicle and not attached to or a part of the vehicle. Such officer or contractor shall give or cause to be given to the owner of such vehicle the duplicate copy of such receipt described in the preceding sentences as notice to such owner of the fact of removal. The original of such receipt described above shall be retained by the police department, or parking enforcement patrol, (as applicable) as a permanent record. If the parking enforcement patrol's contractor arranges for the removal of the vehicle, the contractor shall turn over the duplicate copy of this receipt to the parking enforcement patrol staff at the Department of Public Works for retention.

E. The owner or authorized driver or operator of the impounded vehicle may submit an application to the police department, parking enforcement patrol or its contractor (as applicable) to take possession of the same and remove such vehicle from the place to which it has been removed or stored by paying the costs of removing the vehicle from such street or alley and all charges which may have accrued for the storage of the vehicle. The contents and format of such form application shall be approved metropolitan chief of police and the department of law.

Notwithstanding the foregoing, if the metropolitan general sessions court or other court of competent jurisdiction, after hearing the facts and circumstances, determines that the impoundment was not lawfully authorized, the towing and storage fees shall be refunded to the person paying such fees.

F. The owner or authorized driver or operator of any immobilized vehicle under the provisions of this section may take possession of the vehicle upon paying a twenty-five dollar immobilization removal fee to the metropolitan traffic violations bureau or its contractor; provided, that if the metropolitan general sessions court or other court of competent jurisdiction, after hearing the facts and circumstances, determines that the placement of the immobilization device was not lawfully authorized, the immobilization removal fee shall be refunded to the person paying such fee.

Section 6. The definition of "Department" in Section 12.41.010 of the Metropolitan Code is amended by deleting the period following "public works" and adding the following at the end of the sentence:

" , or its designee. The designee of the department of public works may be its contractor."

Section 7. Subsection B. of Section 12.41.040 of the Metropolitan Code is amended by replacing the third use of the word "shall" in that Subsection with the word "may."

Section 8. Section 12.42.010 of the Metropolitan Code is amended by adding the following new definition to it, which shall be placed in alphabetical order with regard to the other definitions contained therein:

"Chief Traffic Engineer" means the Chief Traffic Engineer or his/her designee. The designee of the Chief Traffic Engineer may be a contractor."

Section 9. Section 12.44.010.A. of the Metropolitan Code is amended by inserting a period following the words: "Schedule VIII" and deleting all the text of that subsection following thereafter.

Section 10. Section 12.44.020 of the Metropolitan Code is amended by deleting the existing language in its entirety and replacing it with the following:

12.44.020 - Meter design and installation specifications

A.

1. The department of public works, or its contractor, shall cause parking meters to be installed in the parking meter zones established as provided in this chapter upon the curb adjacent to, or located on the same block with, the designated parking space(s). Each meter shall be capable of being operated upon the receipt of payment for the full period of time for which parking is lawfully permitted in any such parking meter zone.

2. Alternatively, where so authorized by the Traffic and Parking Commission, the department of public works or its contractor may charge for parking in an on-street parking space within the parking meter zone without a parking meter being installed and without using a parking meter, but by setting up a system where payments for parking in such spaces may be made by customers via a web-based application. Signs or paint markings shall be used to identify a particular space consistent with the information provided via the web-based application, and a receipt for payment for the parking shall be conveyed to the customer, electronically or by other means, so as to enable the customer to prove that he or she paid to park in that particular space.

B. Upon the expiration of the time period for which the customer paid to park, the customer shall be given adequate notice of the expiration of that period, by one or more of the following methods.

1. If there is a parking meter installed adjacent to the designated parking space, that parking meter shall be so designed, constructed, installed and set that, upon the expiration of the time period for which the customer had paid to park, it will indicate by an appropriate signal that the lawful parking meter period has expired, and during such period of time and prior to the expiration thereof, will indicate the interval of time remaining. If a parking meter on a block services multiple parking spaces, that parking meter shall be capable of displaying the status of each parking space serviced (i.e., whether it is expired, or if not, how much time remains of the period for which payment was made).

2. Spaces that are part of the parking meter zone but which do not have parking meters installed, and where payment for parking in those spaces is instead made via a web-based application described in subsection A.2. of this section, the customer shall be given adequate notice of the expiration of the period for which he or she has paid to park, by text message or by another means of communication to which the customer has consented.

Section 11. Section 12.44.040 of the Metropolitan Code is hereby deleted in its entirety and replaced with the following:

12.44.040 – Payment for parking—Time limits for use.

A. If any one of the following applies, no person shall park a vehicle in any parking space upon a street within a parking meter zone during the restricted and regulated time applicable to the parking meter zone in which such parking space is located, unless the applicable parking rate has been paid for the period of time for which said vehicle is parked in such parking space.

1. The parking space is located alongside of and next to a parking meter.

2. The parking space is located on a block where a parking meter servicing multiple parking spaces is installed and the parking space where the vehicle is parked has signs or markings indicating that payment is required to be made for parking in that space.

3. The parking space is a part of the parking meter zone whereby payment for parking in that space is made via a web-based application, such as is described in subsection A.2. of Section 12.44.020, and the parking space where the vehicle is parked has signs or markings indicating that payment is required to be made for parking in that space.

B. If any one of the following applies, no person shall permit a vehicle within his or her control to be parked in any such parking space during the restricted and regulated time applicable to the parking meter zone in which such parking space is located, unless the applicable parking rate has been paid for the period of time for which said vehicle is parked in such parking space.

1. The parking space is located alongside of and next to a parking meter.

2. The parking space is located on a block where a parking meter servicing multiple parking spaces is installed and the parking space where the vehicle is parked has signs or markings indicating that payment is required to be made for parking in that space.

3. The parking space is a part of the parking meter zone whereby payment for parking in that space is instead made via a web-based application described in subsection A.2. of Section

12.44.020, and the parking space where the vehicle is parked has signs or markings indicating that payment is required to be made for parking in that space.

C. No person shall park a vehicle in any such parking space for a consecutive period of time longer than that limited period of time for which parking is lawfully permitted in the parking meter zone in which such parking space is located, regardless of the amount of the payment made. If any vehicle shall remain parked in any such parking space beyond the parking time limit fixed for such parking space the customer shall be given adequate notice of the expiration of that period by one or more of the methods indicated in subsections C.1-C.2., below. The fact that notice has been given through one of the methods indicated below, shall be prima facie evidence that such vehicle has been parked overtime and beyond the period of legal parking time in any such part of a street where any such parking space is located, and shall be a violation of this section. Each period of overtime parking beyond the duration of that limited period of time, for which parking is lawfully permitted in the parking meter zone, in which such parking space is located, shall be considered a separate offense.

1. If there is a parking meter installed adjacent to the designated parking space, that parking meter shall be so designed, constructed, installed and set that, upon the expiration of the limited period of time for which parking is lawfully permitted in the parking meter zone in which such meter is located, it will display a sign or signal showing illegal parking. If a parking meter on a block services multiple parking spaces, that parking meter shall be capable of displaying the status of each parking space serviced (i.e., whether it constitutes illegal parking beyond the time limit fixed for such parking space).

2. In the case of spaces that are part of part of the parking meter zone but which do not have parking meters installed, and where payment for parking in those spaces is instead made via a web-based application described in subsection A.2. of Section 12.44.020, the customer shall be given adequate notice by text message, or by another means of communication, to which the customer has consented, that the limited period of time for which parking is lawfully permitted in the parking meter zone, in which such meter is located, has expired, and that continued parking in that space beyond that period constitutes illegal parking.

3. The provisions of this section shall not relieve any person from the duty to observe other and more restrictive provisions of this title and the State Vehicular Code prohibiting or limiting the stopping, standing or parking of vehicles in specified places or at specified times.

Section 12. Section 12.44.060 of the Metropolitan Code shall be amended by adding the phrase “or other related equipment” to the end of this section.

Section 13. Section 12.44.070 of the Metropolitan Code shall be amended by deleting the existing language in its entirety and replacing it with the following:

Section 12.44.070 – Disabled driver parking in parking meter zones—Notice.

The department of public works shall either post appropriate signage within parking meter zones or include a statement on each parking meter informing drivers that, pursuant to T.C.A. 55-21-105, no parking meter fee is required for vehicles with a valid disabled driver license plate or placard. The foregoing does not entitle a vehicle with a valid disabled driver license plate or placard to park for a consecutive period of time exceeding any parking time limit applicable to the parking meter zone in question, without that violation being subject to penalty, in the form of the application of the fine for parking for a consecutive period of time, longer than that limited period of time, for which parking is lawfully permitted in the parking meter zone, in which such parking space is located.

Section 14. Section 12.44.080 of the Metropolitan Code shall be deleted in its entirety.

Section 15. Pursuant to Tenn. Code Ann. Section 9-1-108(c)(3), the Metropolitan Government hereby waives the collection of the processing fees for payments made for on-street parking by customers of Metro's parking system in an amount that is equal to the amount paid by the third party processor for processing the payment.

Section 16. Subsection H. of Section 13.08.080 of the Metropolitan Code is amended by adding the following to the end of the section:

Notwithstanding the foregoing, the provisions of this section shall also not apply to the operation of a license plate scanner installed onto or within the public right-of-way that meets each of the following conditions:

- a. The license plate scanner is used solely and exclusively for determining whether a vehicle is violating parking restrictions; and
- b. A specific vehicle's license plate number shall be deleted within thirty minutes of its exit from a monitored parking space, unless that vehicle is suspected of violating parking restrictions for which enforcement action would be appropriate.

Section 17. This ordinance shall take effect from and after its final passage, the welfare of the Metropolitan Government requiring it.

RECOMMENDED BY:



Director, Department of Public Works

SPONSORED BY:

APPROVED AS TO AVAILABILITY OF FUNDS:



Director, Department of Finance

APPROVED AS TO FORM AND LEGALITY:



Assistant Metropolitan Attorney

Member(s) of Council

AMENDMENT NO. ____
TO
ORDINANCE NO. BL2020-529

Mr. President –

I hereby move to amend Ordinance No. BL2020-529 as follows:

I. By adding the following condition to Section 4:

5. The following construction standards shall be required to mitigate sound and smell detected on adjacent properties if the tenant occupying this space is operating an animal boarding facility, kennel, or any other business dealing with the sale, boarding, or care of animals:

a. Interior walls for areas where dogs will be present, including playrooms, utility rooms, evaluation rooms, grooming rooms, suites, and kennels, shall be 6" thick, fully insulated, full-height, metal stud walls with type X-5/8" gypsum board on each side. The wall shall be full-height in that it spans from the floor to the roof deck (not just above the ceiling) and must be filled with acoustical insulation. These walls shall be continuous and prevent any substantial amount of sound or smell from escaping such areas. Any windows in such walls shall be frameless and prevent the transfer of sound. Walls fully contained within areas where dogs may be present shall be subject to the requirements of section b of this condition.

b. Interior walls for areas where dogs will never be present, or only briefly for transport, including reception, restrooms, hallways, office areas, laundry rooms, storage areas, and the staff breakroom shall be standard 3 5/8" metal stud wall that spans from the floor to 6" above the suspended ceiling, with type X-5/8" gypsum board on each side.

c. Exterior walls shall be a two-walled system with an airgap. An insulated demising wall of 3 5/8" or wider that spans from the floor to roof deck between the daycare and neighboring tenant shall be applied. An additional wall on the daycare side shall be constructed one inch from the demising wall and be a 6", fully insulated, full-height metal stud wall with two sheets of type X-5/8" gypsum board on the daycare side. Acoustical sealant shall be applied at the perimeter of the wall and any penetrations.

d. Ceilings shall be a suspended ceiling system fitted with lay in acoustical tiles used to absorb and prevent sound from escaping rooms. Acoustical tiles shall have a minimum noise reduction coefficient of .70 and a ceiling attenuation class of up to 40. R-30 insulation shall be applied between the suspended ceiling system and the roofing structure of the building.

INTRODUCED BY:

Russ Pulley
Member of Council