



Metropolitan Council

**PROPOSED AMENDMENTS PACKET
FOR THE COUNCIL MEETING OF
THURSDAY, MAY 7, 2026**

Table of Contents

001 Substitute Ordinance No. BL2026-1317

007 Substitute Ordinance No. BL2026-1318

011 Substitute Ordinance No. BL2026-1355

017 Amendment 1 to Ordinance No. BL2026-1359

018 Amendment 2 to Ordinance No. BL2026-1359

019 Amendment to Ordinance No. BL2026-1362

020 Amendment to Ordinance No. BL2026-1255

SUBSTITUTE ORDINANCE NO. BL2026-1317

An ordinance amending Chapters 17.04, 17.08, 17.16, and 17.20 of the Metropolitan Code of Laws to modify regulations pertaining to day care uses (Proposal No. 2026Z-006TX-001).

WHEREAS, access to affordable childcare is essential to the economic stability of families, the healthy development of children, and the overall success of Nashville and Davidson County; and

WHEREAS, the rising cost of childcare has placed significant financial strain on Nashville families; and

WHEREAS, the cost and scarcity of childcare services in Nashville creates unnecessary barriers to workforce participation, particularly for women and single-parent households; and

WHEREAS, the shortage of childcare services contributes directly to higher costs, longer waitlists, and reduces access to care in neighborhoods across Davidson County; and

WHEREAS, expanding access to childcare aligns with Nashville's goals of inclusive growth, economic resilience, and ensuring Nashville is a place for individuals of all incomes, backgrounds, and stages of life, including those ready to start and raise a family.

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

Section 1. That Subsection 17.04.060 of the Metropolitan Code is amended by deleting the definition of "Day care" in its entirety and replacing it with the following:

"Day care" means the provision of care for individuals, who are not related to the primary caregiver, for less than twenty-four hours per day. These classes are referenced:

1. Accessory to a single-family dwelling: Up to four individuals;
2. Day care home—Small: Five through seven individuals;
3. Day care home—Large: Eight through twelve individuals;
4. Day care center—Up to 50: Thirteen through fifty individuals;
5. Day care center—Over 50: More than fifty individuals;
6. Parents day out: Day care for pre-teenage children that is not open for more than twelve hours in any one week;
7. School day care: Day care centers of unlimited size for before, during and after school programs.

Section 2. That the Zoning District Land Use Table in Section 17.08.030 of the Metropolitan Code is amended as shown in Exhibit A.

Section 3. That Subsection 17.16.035 of the Metropolitan Code is amended by deleting it in its entirety and replacing it with the following:

17.16.035 - Institutional uses.
(Refer to zoning district land use table)

- A. Day care center—Up to 50.

1. Play Area. If an outdoor play area is provided, it shall be fenced and attached to the day care structure in a manner which minimizes noise impacts on neighboring residences.
 2. State Regulations. All requirements of the state that pertain to the use and operation of the facility shall be met.
 3. Multi-Family Buildings. The zoning administrator may waive the above standards for multi-family housing developments of two hundred or more units if compliance would disqualify an otherwise reasonable location.
 4. Lot Size. The lot shall conform to the minimum lot size of the zoning district.
- B. Day Care Center—Over 50.
1. Play Area. If an outdoor play area is provided, it shall be fenced and attached to the day care structure in a manner which minimizes noise impacts on neighboring residences.
 2. State Regulations. All requirements of the state that pertain to the use and operation of the facility shall be met.
 3. Multi-Family Buildings. The zoning administrator may waive the above standards for multi-family housing developments of two hundred or more units if compliance would disqualify an otherwise reasonable location.
 4. Lot Size. The lot shall conform to the minimum lot size of the zoning district.
- C. Day care home—Small.
1. Play Area. If an outdoor play area is provided, it shall be fenced and attached to the day care structure in a manner which minimizes noise impacts on neighboring residences.
 2. State Regulations. All requirements of the state that pertain to the use and operation of the facility shall be met.
 3. Multi-Family Buildings. The zoning administrator may waive the above standards for multi-family housing developments of two hundred or more units if compliance would disqualify an otherwise reasonable location.
- D. Day care home—Large
1. Play Area. If an outdoor play area is provided, it shall be fenced and attached to the day care structure in a manner which minimizes noise impacts on neighboring residences.
 2. State Regulations. All requirements of the state that pertain to the use and operation of the facility shall be met.
 3. Multi-Family Buildings. The zoning administrator may waive the above standards for multi-family housing developments of two hundred or more units if compliance would disqualify an otherwise reasonable location.

Section 4. That Subsection 17.16.170(C) of the Metropolitan Code is amended by deleting it in its entirety and replacing it with the following:

- C. Day Care Center. Day care centers shall be classified according to the ranges below. For existing facilities in residential zone districts, a special exception permit shall be required for any proposed increase which upgrades the classification.
1. Day Care Center—Up to 50.

- a. Lot Size. The minimum lot size shall be the same as the base zoning.
 - b. Street Standard. At a minimum, driveways shall meet one of the following conditions:
 - i. access on a collector street.
 - ii. access on any street, except a minor local street, where the lot is located at the intersection of a local street and an arterial or collector street.
 - c. Landscape Buffer Yard. Where the day care center abuts a residential zone district or district permitting residential use, there shall be screening in the form of landscape buffer yard Standard C along common property lines.
 - d. Spacing. No such use shall locate on the same local street within 600 feet as another day care home or day care center, measured in a direct line from property line to property line and including any public right-of-way.
 - e. Play Area. If an outdoor play area is provided, it shall be fenced and attached to the day care structure in a manner which minimizes noise impacts on neighboring residences.
 - f. States Regulation. All requirements of the state that pertain to the use and operation of the facility shall be met.
2. Day Care Center—Over 50. Such use shall be permitted only if the site satisfies the development standards of subitem 1 of this Subsection above (Day care center—Up to 50); receives a favorable recommendation from the metropolitan traffic engineer; and:
- a. The day care center will be accessory to another institutional use; or
 - b. The day care center will be the principal use serving as an adaptive reuse of a vacant institutional facility or nonresidential structure; or
 - c. The day care center lot abuts and has common street frontage with a nonresidential or multifamily zone district; or
 - d. The day care center is within a large multifamily housing development of two hundred or more dwelling units.

Section 5. That Subsection 17.16.170(D) of the Metropolitan Code is amended by deleting it in its entirety and renumbering subsequent subsections accordingly.

Section 6. That Section 17.16.260 of the Metropolitan Code is amended by adding the following:

D. Day care home—Small.

- 1. Applicability. The use shall only be permitted in an occupied residence or as an accessory to another institutional use.
- 2. Play Area. If an outdoor play area is provided, it shall be fenced and attached to the day care structure in a manner which minimizes noise impacts on neighboring residences.
- 3. State Regulations. All requirements of the state that pertain to the use and operation of the facility shall be met.
- 4. Lot Area. ~~The minimum lot area shall be the same as the principal activity. For non-conforming lots, the minimum lot area shall be at least 75 percent of the minimum lot area of the principal activity, except when in the opinion of the~~

~~zoning administrator circumstances warrant otherwise.~~ A daycare home may be an accessory use on a legally created lot that contains less than the minimum lot area required by the zoning district, provided the lot contains a minimum area of three thousand seven hundred fifty square feet.

E. Day care home—Large

1. Applicability. The use shall only be permitted in an occupied residence or as an accessory to another institutional use.
2. Play Area. If an outdoor play area is provided, it shall be fenced and attached to the day care structure in a manner which minimizes noise impacts on neighboring residences.
3. State Regulations. All requirements of the state that pertain to the use and operation of the facility shall be met.
4. Lot Area. ~~The minimum lot area shall be the same as the principal activity. For non-conforming lots, the minimum lot area shall be at least 75 percent of the minimum lot area of the principal activity, except when in the opinion of the zoning administrator circumstances warrant otherwise.~~ A daycare home may be an accessory use on a legally created lot that contains less than the minimum lot area required by the zoning district, provided the lot contains a minimum area of three thousand seven hundred fifty square feet.
5. Spacing. No day care home – large use shall locate on the same local street's block face or opposing block face within 600 feet of another day care home or day care center, measured in a direct line from property line to property line and including any public right-of-way.

Section 7. That Table 17.20.030: Parking Requirements is amended as shown in Exhibit B.

Section 8. The Metropolitan Clerk is directed to publish a notice announcing such change in a newspaper of general circulation within five days following final passage.

Section 9. That this ordinance shall take effect upon publication of above said notice announcing such change in a newspaper of general circulation, the welfare of the Metropolitan Government of Nashville and Davidson County requiring it.

SPONSORED BY:

Rollin Horton
Member of Council

Exhibit B

| Institutional Land Uses | |
|-------------------------|---|
| Day care center | 1 space for each 5 individuals accommodated, up to 50 individuals; for more than 50 individuals accommodated, 10 spaces plus 1 space per 10 individuals <u>1 space for each 6 individuals accommodated, up to 30 individuals; for more than 30 individuals accommodated, 5 spaces plus 1 space per 12 individuals</u> |
| Day care home – Large | 1 space plus requirement for principal use, plus 2 spaces for patrons <u>2 spaces; where the day care home use is an accessory use, 2 spaces plus principal use minimum</u> |
| Day care home – Small | 1 space plus requirement for principal use, plus 1 space for patrons <u>1 space; where the day care home use is an accessory use, 1 space plus principal use minimum</u> |

SUBSTITUTE ORDINANCE NO. BL2026-1318

An ordinance amending Title 17 of the Metropolitan Code of Laws to amend the regulations on home occupations (Proposal No. 2026Z-009TX-001).

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

Section 1. That Subsection 17.16.250.D of the Metropolitan Code is hereby amended by deleting it in its entirety and replacing it with the following:

- D. Home Occupation. A home occupation shall be considered an accessory use to a residence subject to the following:
1. Location
 - a. A home occupation must be conducted entirely within the dwelling unit or accessory building.
 - b. The home occupation shall be incidental and subordinate to the residential use of the property.
 2. Employees and Vehicles
 - a. No more than one part-time or full-time employee not living within the dwelling may work at the home occupation location.
 - b. No more than five employees may reside within the dwelling at a home occupation location.
 - c. Vehicles associated with the home occupation shall be limited to one passenger vehicle, such as a motorcycle, automobile, pick-up truck, sport utility vehicle, van or similar.
 - d. No truck deliveries or pick-ups, except by public or private parcel services, are permitted.
 3. Customer Appointments.
 - a. Customers may visit home occupations by scheduled appointment.
 - b. Appointments may be for single customers or for groups of customers, but shall be limited to no more than 12 total customers per day.
 4. Outward Appearance, Quiet, and Objectionable Effects
 - a. Signs shall be governed by Chapter 17.32, Sign Regulations, of the Metropolitan Code.
 - b. The residential character of the lot and dwelling must be maintained. A home occupation that requires a structural alteration of the dwelling to comply with a nonresidential construction code is prohibited. This prohibition does not apply to modifications to comply with accessibility requirements.
 - c. A home occupation may not produce noise, vibration, smoke, dust or other particulate matter, odorous matter, heat, glare, humidity, fumes, electrical interference, waste run-off, or other objectionable effects outside the dwelling unit or accessory building that are used as a home occupation.
 5. Activities
 - a. The storage of materials or goods shall be permitted in connection with a home occupation provided such storage complies with the following standards.
 - i. All materials or goods shall be stored completely within the space designated for home occupation activities.

- ii. Only those materials or goods that are utilized or produced in connection with the home occupation may be stored within the dwelling unit or accessory building.
 - iii. All materials or goods shall be stored completely within the dwelling unit or accessory building.
 - iv. All flammable or combustible compounds, products or materials shall be maintained and utilized in compliance with Fire Code NFPA-30.
 - b. The following are permitted as home occupations that are allowed customer visits under subsection D.3:
 - i. Personal instruction, defined for the purposes of this section as services for training individuals or groups in academics, arts, fitness, personal defense, crafts, or other subjects of a similar nature;
 - ii. General office, defined for the purposes of this section as provision of executive, management, administrative, or professional services, but not involving medical services;
 - iii. Personal care services, defined for the purposes of this section as spa services and beauty and barber care. Personal care services do not extend to the care of or services for animals;
 - iv. Multimedia production, defined for the purposes of this section as staging and recording of video or audio productions that occur indoors and do not require sound to leave the premises;
 - v. Artisan manufacturing, defined for the purposes of this section as the shared or individual use of hand tools, mechanical tools, and electronic tools for the manufacture of finished products or parts as well as the incidental storage, sales, and distribution of such products within the limitations of this section;
 - vi. The repair or assembly of nonpowered equipment and vehicles, including but not limited to bicycles, ~~whether indoors or outdoors~~;
 - c. The following are not permitted as home occupations:
 - i. The manufacture or repair of automobiles and vehicles. ~~other transportation equipment.~~
 - iii. The outdoor storage of construction, scrap, or salvage materials.
 - iv. Animal grooming activities.
6. Permits – When Required and Requirements
- a. Home occupations must acquire a permit for activity under this section unless they meet both of the following conditions:
 - i. The home occupation does not serve customers on the property; and
 - ii. The home occupation does not employ anyone who does not live within the dwelling.
 - b. Prior to issuance of a permit, the applicant shall provide the codes department with an affidavit verifying:
 - i. that the applicant has confirmed that operating the proposed home occupation would not violate any home owners association agreement or bylaws, condominium agreement, covenants, codes and restrictions, lease or any other agreement governing and limiting the use of the property proposed for the home occupation;
 - ii. that the property is the applicant's primary residence. Two documents indicating proof of primary residence shall be provided. Each document must be current and show the owner's name and address matching that of the property to be utilized for a home occupation. Acceptable documentation includes: (a) Tennessee Driver's license; (b) other valid State of Tennessee identification card; (c) Davidson County voter registration card; (d) current employer verification of residential address or a letter from the employer on company letterhead with

original signature. (If the employer does not have letterhead, the signature of the employer must be notarized.); (e) current automobile, life or health insurance policy. (Wallet Cards not accepted); (f) paycheck/check stub, (g) work ID or badge, (h) Internal Revenue Service tax reporting W-2 form; or (i) a bank statement; and

- iii. if the applicant is not the property owner, that the property owner is aware of the application and does not object to pursuit of the home occupation permit.

Further, the applicant shall provide proof of written notification to the owner of each adjacent property prior to filing the application. For each such adjacent property, proof of written notification shall be: (a) a signature of an owner; (b) a signed receipt of U.S. registered or certified mail addressed to an owner; or (c) notice from the U.S. Postal Service that registered or certified mail to an owner was refused or not timely accepted.

- c. In single-family and two-family zoning districts, no more than one home occupation permit may be issued per lot.
- d. The permit applicant must be the owner of the property, a relative of the owner of the property, or, if a renter, must have at least a one-year lease for the property. The applicant shall verify by affidavit that they comply with this subsection and, if a renter, must provide a letter showing that the landlord approves of the use of the property for a home occupation.
- e. Only one permit may be issued per property owner, regardless of the number of properties owned by the property owner and regardless of whether the property owner is the applicant.
- f. No person may be issued more than one permit.

7. Transferability and Enforcement

- a. Permit Transferability. A permit issued for activities under this section shall not be transferred or assigned to another person, entity, or address, nor shall the permit authorize any person, other than the person named therein, to commence or carry on the business. Upon termination of the occupant's residency, the home occupation permit shall become null and void.
- b. Revocation of Permit. If a final court order or orders find the permittee in violation of Code sections governing home occupation permits twice, and the violations took place within a twelve-month period, the zoning administrator may revoke a permit as provided in Section 17.40.590. Once a permit has been revoked pursuant to this subsection, no home occupation permit shall be issued to the applicant for a period of one year from the date of the revocation. The permit holder may appeal the zoning administrator's decision to the board of zoning appeals for a public hearing as provided in this title. Other violations of this Subsection D are punishable by a fine of fifty dollars per day, per violation.

8. Permit expiration and renewal

- a. A home occupation permit shall expire three years after it is issued unless it is renewed prior to its expiration.
- b. The codes department may promulgate additional regulations by which a renewal application may be submitted.
- c. The renewal application must include a statement verified by affidavit that the home occupation remains in compliance with Section 17.16.250.D.

Section 2. The Metropolitan Clerk is directed to publish a notice announcing such change in a newspaper of general circulation within five days following final passage.

Section 3. This Ordinance shall take effect upon publication of the above said notice, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

SPONSORED BY:

Sean Parker
Member of Council

SUBSTITUTE ORDINANCE NO. BL2026-1355

An ordinance amending Section 2.04.030 of the Metropolitan Code of Laws relative to the Metropolitan Council Office.

WHEREAS, the Metropolitan Council Office was established by Section 2.04.030 of the Metropolitan Code of Laws to support the Metropolitan Council (“the Council”) in the performance of its legislative duties; and

WHEREAS, Section 8.607 of the Metropolitan Charter states that the Council may authorize the Vice Mayor to employ legal counsel for the Council under terms and conditions as approved by resolution; and

WHEREAS, the Director of the Metropolitan Council Office serves concurrently as Special Counsel to the Metropolitan Council, has been required to be a licensed attorney, and has authority to operate the Council Office subject only to policies adopted or orders issued by the Council; and

WHEREAS, the Council finds it necessary and in the public interest to formally establish and define the role of Director ~~and Special Counsel~~ of the Metropolitan Council Office ~~as an independent officer of the legislative branch~~, to be appointed by and serve at the pleasure of the Council, ~~so as to ensure that the Council receives legal advice and legislative support independent from the executive branch of the government~~; and

WHEREAS, the Council further finds it necessary to clarify that all supervisory authority over Metropolitan Council Office personnel is vested in the Director and that no individual elected official shall exercise operational control over staff outside of policies adopted by the Council.

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

Section 1. That Chapter 2.04.30 of the Metropolitan Code of Laws is hereby amended by deleting the section entirely and replacing it as follows:

A. There is created a metropolitan council office, which shall be composed of such personnel, including clerical and administrative personnel, either part-time or full-time, as may be authorized by the metropolitan council. The office shall provide research and advisory services related to legislative matters as well as administrative assistance to the council, any committee of the council, or individual council member upon request by the president of the council, any committee of the council, or any individual council member. The office shall be responsible solely to the metropolitan council. ~~The office shall provide research and advisory services to the council or any committee of the council upon request by the president of the council or upon request of any committee of the council. The duties of the office shall be limited to researching and advising the council or committee of the council on legislative and administrative matters. The office shall be responsible solely to the metropolitan council.~~

B. The annual operating budget of the metropolitan council office shall be prepared and submitted as a part of the budget of the metropolitan council.

C. Members of the metropolitan council office shall have full access to books, records and reports of all departments, boards, commissions and agencies of the metropolitan government. Such office however, shall exercise discretion to avoid unnecessary interference with the orderly work and responsibilities of other governmental officials, agencies and departments.

D. Director of the Metropolitan Council Office.

1. There is hereby established the position of director of the metropolitan council office. Any special counsel whose contract, as specified by Metro Charter section 8.607, for employment is adopted by the metropolitan council ~~shall~~ may serve concurrently as director. The director shall act as office manager of the metropolitan council office ~~and primary legal advisor to the metropolitan council on matters consistent with their official duties.~~

~~2. The director shall at all times during employment be an attorney licensed to practice law in the State of Tennessee and in good standing with the Tennessee Bar.~~

~~2. 3.~~ The director shall serve at the pleasure of the metropolitan council. The Upon the recommendation of the executive committee, the director may ~~only~~ be removed from office, with or without cause, prior to the expiration of any term only upon adoption of a resolution by the metropolitan council. The executive committee shall mean a committee comprised of the chairs of each standing committee of the council, the president pro tem of the council, and the vice mayor. A resolution to remove the director shall require the affirmative votes of a two-thirds majority of the entire membership of the metropolitan council.

3. In the event that the position of director is vacant, the council, upon the recommendation of the executive committee, may appoint an interim director who shall have all of the authority and duties of the director.

4. The director shall have the authority and responsibility to oversee the operations of the metropolitan council office in furtherance of the work of the metropolitan council. ~~The director shall perform the following services:~~

~~a. act as director and office manager of the metropolitan council office, providing day to day management, direction, assignment, evaluation, discipline, and operational supervision of all metropolitan council office staff;~~

~~b. provide research and advisory services on legislative matters to the metropolitan council, and its members;~~

~~c. serve as parliamentary advisor and legal counsel and attend as many meetings as practicable of the metropolitan council and of its committees;~~

~~d. draft ordinances and resolutions in conformance with the Charter and state law upon request by any member of the metropolitan council for the submission to the body;~~

~~e. review for the metropolitan council all contracts, leases, and other documents which are submitted for approval;~~

~~f. prepare and submit the annual operating budget of the metropolitan council and the metropolitan council office;~~

~~g. such other duties as described in the relevant employment contract.~~

~~5. In performing the duties of special counsel and providing legal advice or legislative support to the metropolitan council, the director shall be responsible solely to the metropolitan council.~~

5. The director shall provide day-to-day management, supervision, direction, assignment, evaluation, and personnel management, including any corrective action, of the metropolitan council office staff.

6. The director, in consultation with the special counsel, shall have the authority to handle all personnel matters, including the commencement and termination of employment of staff.

7. The director shall prepare and submit the annual operating budget of the metropolitan council and the metropolitan council office

E. Special Counsel to the Metropolitan Council

1. There is hereby established the position of special counsel of the metropolitan council office. Any special counsel whose contract, as specified by section 8.607 of the Metropolitan Charter, for employment is adopted by the metropolitan council shall may serve concurrently as director.

2. The special counsel shall at all times during employment be an attorney licensed to practice law in the State of Tennessee and in good standing with the Tennessee Bar.

3. Upon the recommendation of the executive committee, the special counsel may be removed from office, with or without cause, upon adoption of a resolution by the metropolitan council. A resolution to remove the special counsel shall require the affirmative vote of a two-thirds majority of the entire membership of the metropolitan council.

3. In the event that the position of special counsel is vacant, the council, upon the recommendation of the executive committee, may appoint an interim special counsel who shall have all of the authority and duties of the special counsel.

4. In the absence of a director or interim director, the special counsel shall serve as the manager of the council office staff and shall have all of the duties of the director or interim director.

5. The special counsel shall have the authority and responsibility to oversee the legal and legislative operations of the metropolitan council office in furtherance of the work of the metropolitan council. The special counsel shall perform the following services:

a. provide research and advisory services on legislative and legal matters to the metropolitan council and its members;

b. serve as parliamentary advisor and legal counsel and attend all official meetings of the metropolitan council and ensure a legal staff member is present at all committee meetings as practical;

c. draft ordinances and resolutions in conformance with the Charter and applicable law upon request by any member of the metropolitan council for submission to the body;

d. review for the metropolitan council all contracts, leases, and other documents were are submitted for approval;

e. provide day-to-day management, supervision, direction, assignment, evaluation, and personnel management, including any corrective action, of the metropolitan council office legal staff;

f. in consultation with the director, handle all personnel matters related to legal staff, including the commencement and termination of employment of such staff; and

g. such other duties as described in the relevant employment contract

~~a. act as director and office manager of the metropolitan council office, providing day-to-day management, direction, assignment, evaluation, discipline, and operational supervision of all metropolitan council office staff;~~

~~b. provide research and advisory services on legislative matters to the metropolitan council, and its members;~~

~~c. serve as parliamentary advisor and legal counsel and attend as many meetings as practicable of the metropolitan council and of its committees;~~

~~d. draft ordinances and resolutions in conformance with the Charter and state law upon request by any member of the metropolitan council for the submission to the body;~~

~~e. review for the metropolitan council all contracts, leases, and other documents which are submitted for approval;~~

~~f. prepare and submit the annual operating budget of the metropolitan council and the metropolitan council office;~~

~~g. such other duties as described in the relevant employment contract.~~

F. Any personnel matter concerning the director, interim director, special counsel, or interim special counsel shall be reviewed by the executive committee, which may make a recommendation to the full metropolitan council.

G. E. No elected official shall exercise control over the metropolitan council office beyond their duties as described in the Charter and the metropolitan code of laws.

H. F. No metropolitan council office employee shall be subject to retaliation for reporting to the director or any other appropriate authority conduct of an elected official that the employee reasonably believes constitutes a violation of this section, or refusing to comply with a directive from any elected official that the employee reasonably believes exceeds that official's authority under the Charter or the metropolitan code of laws.

~~G. The government operations and regulations committee, or its respective successor committee, shall provide oversight of the metropolitan council office.~~

I. H. Fiscal impact statements.

1. The metropolitan council office shall prepare a fiscal impact statement for all resolutions and ordinances on second and third reading, other than non-binding memorializing resolutions or ordinances amending Title 17 of the metropolitan code (zoning), that would:

- a. Increase or decrease metropolitan government revenues;
- b. Appropriate funds;
- c. Increase or decrease existing appropriations; or
- d. Increase or decrease the fiscal liability of the metropolitan government.

2. Such fiscal statement shall be provided to the full council at least forty-eight hours prior to consideration of the legislation by the council. Within twenty-four hours following a request by the sponsor of an amendment to any pending resolution or ordinance on which a fiscal note is required by this section, the metropolitan council office shall prepare for the sponsor a fiscal note showing what effect the amendment would have on the estimates made in the fiscal note applicable to the ordinance or resolution.

3. The fiscal note shall, if possible, include an estimate in dollars of the anticipated change in revenue, expenditures, or fiscal liability under the provisions of the ordinance or resolution. It shall also include a statement as to the immediate effect and, if determinable or reasonably foreseeable, the long-range effect of the measure. If, after careful investigation, it is determined that no dollar estimate is possible, the note shall contain a statement to that effect, setting forth the reasons why no dollar estimate can be given. The fiscal note statement shall include an explanation of the basis or reasoning on which the estimate is founded, including any assumptions involved.

4. No comment or opinion shall be included in the fiscal note regarding the merits of the measure for which the note is prepared; however, technical or mechanical defects may be noted.

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

SPONSORED BY:

Kyonzte Toombs
Member of Council

AMENDMENT NO. 1
TO
ORDINANCE NO. BL2026-1359

Madam President –

I hereby move to amend Ordinance No. BL2026-1359 as follows:

I. By amending the fourth recital as follows:

WHEREAS, such temporary benches are also increasingly helpful in encouraging Nashvillians to safely walk and take transit during extreme heat episodes, during which extreme episodes access to seating is critical for health and safety; and

II. By amending Section 1, proposed Metropolitan Code of Laws section 13.32.100.D.iii, as follows:

iii. property that is ~~not~~ the subject of a lawful permit issued by the metropolitan government for placement in the right of way

II. By amending Section 1, proposed Metropolitan Code of Laws section 13.32.100.D.v, as follows:

v. temporary seating of a solid color that is located in the public right-of-way, is not obstructing the use of the right-of-way, is not otherwise deemed hazardous, and that otherwise complies with all federal, state, and local laws regarding use of the right-of-way, including, but not limited to, chapter 6.04 of the metropolitan code of laws and contains the following language clearly displayed on such temporary seating bench: "WARNING: This bench is privately installed and maintained. Use at your own risk."

IV. By inserting the following as a new Section 2:

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

SPONSORED BY:

Quin Evans Segall
Member of Council

AMENDMENT NO. 2
TO
ORDINANCE NO. BL2026-1359

Madam President –

I hereby move to amend Ordinance No. BL2026-1359 by inserting the following recitals before the last recital:

WHEREAS, benches have been removed from locations such as Church Street and Korean Veterans Boulevard; and

WHEREAS, WeGo Public Transit currently has benches at 446 stops of its 1,600 stops in service, and 253 of those stops without a bench have at least 10 passenger boardings per day; and

WHEREAS, accessible seating is crucial to a multimodal city; and

SPONSORED BY:

Jacob Kupin
Member of Council

AMENDMENT NO. _____
TO
ORDINANCE NO. BL2026-1362

Madam President,

I hereby move to amend Ordinance No. BL2026-1362 by deleting Section 1 in its entirety and replacing it with the following:

Section 1. That representatives from the following departments, boards, and commissions shall coordinate to present annually no later than February of each year to the Budget and Finance Committee of the Metropolitan Council ~~relative to~~ a summary and evaluation of tax abatement programs in Nashville and Davidson County: the Department of Finance, the Department of Law, the Metropolitan Planning Commission, the Office of the Metropolitan Trustee and each department, board, or commission administering tax abatements including: Metropolitan Development and Housing Agency (“MDHA”), Industrial Development Board (“IDB”), Health Educational Facilities Board (“HEFB”), Metropolitan Historic Zoning Commission (“Metro Historic”), Nashville Department of Transportation (“NDOT”), and such agencies who have proposed to administer tax abatements.

SPONSORED BY:

Burkley Allen
Member of Council

AMENDMENT NO. __
TO
ORDINANCE NO. BL2026-1255

Madam President –

I hereby move to amend Ordinance No. BL2026-1255 by amending Section 1 as follows:

Section 1. That Chapter 13.08 of the Metropolitan Code of Laws is amended by adding the following as a new Section 13.08.045:

13.08.045 - Sandwich Board Signs - Permit.

A. Definitions. For the purposes of this section, these terms shall be construed as follows:

1. "Public right-of-way" means all areas legally open to public use and used and/or intended for vehicular or pedestrian traffic, including public streets, alleys, sidewalks, and roadways, but excluding any other public property of the metropolitan government.
2. "Sandwich board sign" means a freestanding, "A" frame style sign with two faces or sides that advertises or attracts attention to a specific event, activity, establishment, commodity, product, service or entertainment which is conducted, sold, distributed or offered on or immediately adjacent to the same premises as the sign erected for the purpose of selling or offering for sale any goods, food, wares, merchandise, or products of any kind.

B. Permit.

1. Notwithstanding anything in this chapter to the contrary, no person shall place any sandwich board sign within the public right-of-way without first obtaining a permit from the Nashville Department of Transportation and Multimodal Infrastructure ("NDOT").
2. Sandwich board sign permits shall be valid for two years and are not transferable.
3. The applicant must sign a disclaimer indemnifying and holding harmless the metropolitan government from any and all claims arising out the placement of the sandwich board sign in the public right-of-way. Applicants must also provide, as part of the application, a copy of a certificate of liability insurance with a minimum coverage of one million dollars covering the annual permitting period. If the permittee does not maintain this insurance coverage throughout the permit period, the permit shall be automatically revoked upon the termination of such insurance policy. The policy must name the metropolitan government as additionally insured. The certificate must accompany the application.
4. NDOT is authorized to establish an annual sandwich board sign permit fee to cover the administrative costs for the sandwich board sign permit issued pursuant to this section.
5. The permit application must be approved by NDOT before the sandwich board sign may be displayed. If a sign is displayed prior to obtaining a sandwich board sign permit, the application may be denied. NDOT shall approve the permit application if it meets the

~~requirements of this section if the permit application meets the relevant rules and regulations in section 13.08.045(D) of the metropolitan code of laws.~~

6. Sandwich board signs placed in the public right-of-way without a permit in violation of this section may result in removal of the sign at the owner's expense.

7. Three violations of this section or regulations adopted pursuant to this section may result in the termination of the permit.

8. This section shall not apply to signs installed in parking lots or areas pursuant to section 6.80.195 or 6.81.180 of the Metropolitan Code of Laws.

C. Permit Renewals. Permits may be renewed, provided an application for renewal of the permit and the required fee are received by NDOT no later than the date of expiration of the existing permit and provided that the applicant has no more than three violations of this section or regulations adopted pursuant to this section within any twelve-month period. NDOT shall review each renewal application to ensure that the applicant is in full compliance with the provisions of this section. If NDOT determines that the applicant has complied with the above requirements, NDOT will renew the permit for one year.

D. Sandwich Board Sign Rules and Regulations.

1. Size. Sandwich board signs shall not exceed twelve square feet per side or twenty square feet total in area.

2. Height. Sandwich board signs shall not exceed four feet in height.

3. Number. Only two permits for a sandwich board sign are allowed per address.

4. Location. Sandwich board signs shall be located on public sidewalks or plazas on the edge of sidewalks next to the building, and shall not be placed so as to cause width of the sidewalk or the walk way to be reduced below five consecutive feet in width and in a manner that does not impede accessibility under the Americans with Disabilities Act, nor shall the sandwich board obstruct more than three feet of sidewalk or walk way. Signs shall not be placed within a vehicular travel lane, bicycle lane, or five feet of any crosswalk, intersection, or driveway entrance. No sandwich board sign shall be erected or maintained in a manner that prevents free ingress or egress from any door, window, or fire escape. No more than one sandwich board sign shall be located at a particular entrance or exit of a building.

5. Prohibited areas. No sandwich board permit may be issued for locations at Metropolitan Government-owned greenways, parks, ~~and~~or recreation areas.

6. Maintenance. Sandwich board signs shall be constructed of durable materials and maintained in good condition.

7. Hours of Display. Sandwich board signs shall be displayed only Monday through Thursday during daylight hours and shall not be displayed overnight. For purposes of this section, daylight hours means the period from sunrise to sunset.

8. Removal. NDOT shall have the authority to move or remove sandwich board signs to ensure the free flow of pedestrian and vehicular traffic and to ensure the safety of the

public, including designating appropriate clearances around other features of the public right-of-way, such as intersections, disabled parking spaces, fire hydrants, parking meters, loading zones, bus stops, building entrances and the like. Boards shall be removed from the right of way following the procedures in section 13.32.105.

9. Weighting and Stabilization. Any sandwich board sign displayed pursuant to this section shall be weighted or otherwise stabilized to reduce movement, tipping, or displacement that could create a pedestrian safety hazard. Any weights or stabilization method shall be securely attached and fully contained within the footprint of the sign and shall not create a trip hazard, sharp edge, or obstruction of the required clear pedestrian path.

10. NDOT shall have the authority to publish and enforce such other regulations related to sandwich board signs as shall be necessary to effectuate this section.

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