



Metropolitan Council

**PROPOSED AMENDMENTS PACKET
FOR THE COUNCIL MEETING OF
TUESDAY, APRIL 16, 2024**

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RESOLUTION NO. RS2024-___

A resolution recognizing the Reverend James M. Lawson, Jr. for his leading role in the civil rights movement in Nashville and Davidson County and his decades for work promoting non-violence and equality.

WHEREAS, the Rev. James M. Lawson, Jr., has spent a lifetime teaching non-violent direct action, organizing and engaging in civil rights efforts, and advocating for equality across the country; and

WHEREAS, Rev. Lawson trained in Ghandi's use of nonviolence to achieve social and political change while living in India as a missionary in the 1950s; and

WHEREAS, Rev. Lawson moved to Nashville to enroll in Vanderbilt University's Divinity School in 1957 after the Rev. Dr. Martin Luther King, Jr. encouraged him to move to the American South to teach non-violence on a larger scale; and

WHEREAS, Rev. Lawson organized workshops and taught the methods and ideals of non-violent direct action to community members and university students in Nashville, including Diane Nash, John Lewis, Bernard Lafayette, the Rev. C.T. Vivian, and Ernest "Rip" Patton; and

WHEREAS, the Nashville Student Movement soon conducted lunch counter sit-ins at various downtown Nashville stores in 1960, which led to heated backlash, violence, and more than 150 arrests of the student demonstrators; and

WHEREAS, as the sit-ins accelerated in Nashville, Rev. Lawson's role with the Nashville Student Movement led to his expulsion from the Vanderbilt Divinity School, an action for which the university later apologized and conceded was wrong; and

WHEREAS, on April 19, 1960, after the bombing of attorney Z. Alexander Looby's home, the Nashville Student Movement and Rev. Lawson marched in protest to the Nashville Courthouse and confronted Nashville Mayor Ben West, who conceded that segregation was wrong and that lunch counters in the city should be desegregated; and

WHEREAS, thanks to Rev. Lawson's work, Nashville became the first major Southern city to begin desegregating its public facilities; and

WHEREAS, Rev. Lawson's efforts continued well after Nashville lunch counters were desegregated, including continued desegregation protests in Nashville and across the country, early involvement with the Students Nonviolent Coordinating Committee, organizing and participating in the Freedom Rides in 1961, and decades of ministry at Methodist churches in Tennessee and California; and

WHEREAS, the Metropolitan Board of Education recognized Rev. Lawson by naming a new Bellevue high school in his honor, and James Lawson High School opened in the fall of 2023; and

WHEREAS, it is fitting and proper that the Metropolitan Council recognize Rev. Lawson for his life's work promoting civil rights and non-violence.

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

Section 1. The Metropolitan Council hereby goes on record as recognizing the Reverend James M. Lawson, Jr. for his role in the Nashville sit-in movement and his decades of work promoting civil rights and non-violence.

Section 2. 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:

Zulfat Suara
Member of Council

AMENDMENT NO. ____
TO
ORDINANCE NO. BL2024-179

Madam President –

I hereby move to amend Ordinance No. BL2024-179 by amending Section 2 as follows:

Section 2. That Section 2.44.115 of the Metropolitan Code of Laws is hereby amended by adding a new subsection D as follows:

D. Quarterly use of force report. The police department shall submit a quarterly use of force report to the metropolitan council within thirty days of the end of the months of March, June, September, and December.

1. Such quarterly report shall include, but is not limited to, the following information:

- a. Demographic information for the individual subject to the use of force, including the individual's age (which may be provided by age range), gender, and ethnicity;
- b. The specific age of an minor individual subject to use of force;
- ~~c. The de-escalation tactics used prior to the use of force;~~
- ~~dc.~~ The number of instances a firearm was displayed or discharged by a police officer in addition to another use of force;
- ~~ed.~~ A summary The number of incidents where an individual subject to use of force suffered an injury directly related to the use of force, including the number of incidents that were in compliance with police policy and out of compliance with police policy; and,
- ~~fe.~~ For the use of a conducted energy weapon (“taser”):
 - a. The total number of taser ~~deployments~~ discharges; and
 - b. The average number of taser cartridges used per incident.

2. As used in this subsection, “use of force” means the types of force described in Title 11 of the police departmental manual, as may be amended, beginning with hand-held chemical spray/conducted energy weapon and increasing stages of intensity under the definition of Force-Continuum.

INTRODUCED BY:

Delishia Porterfield
Emily Benedict
Members of Council

SUBSTITUTE ORDINANCE NO. BL2024-182

An ordinance to amend Title 16 of the Metropolitan Code of Laws to clarify who may update the official website regarding issuance of permits and notices, ~~remove~~ amend requirements for washer and dryer hookups in ~~certain homes~~ single and two family dwellings, and ~~remove and the requirement for separate sex~~ bathroom facilities at gas stations.

WHEREAS, the Metropolitan Code of Laws (the "Code") has numerous instances of outdated, confusing, duplicative, and conflicting provisions; and

WHEREAS, the outdated, confusing, duplicative, and conflicting provisions provide no benefit to the public; and

WHEREAS, correcting these outdated, confusing, duplicative, and conflicting provisions will be to the benefit of the residents of Nashville and Davidson County.

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

Section 1. That Section 16.04.070 of the Metropolitan Code of Laws is hereby amended by deleting Subsection B and replacing it as follows:

- B. The director of codes administration, or the director's designee, shall cause to be maintained and published online, on the official website for the Metropolitan Government of Nashville and Davidson County, an on-going compilation from which can be identified: (i) the number and type of demolition permits that were issued for residential property during the preceding calendar quarter ("housing"); and (ii) the number and type of residential building permits that were issued for residential property during the preceding calendar quarter ("housing units"); and, (iii) the number and type of residential occupancy permits (Certificates of Occupancy) that were issued for residential property during the preceding calendar quarter ("housing units") by the Metropolitan Government of Nashville and Davidson County. For multi-family zoning districts, this data shall include the number of units demolished or constructed. Data shall be entered not later than forty-five days after the issuance of each permit.

Section 2. That Section 16.08.012 of the Metropolitan Code of Laws is hereby amended by deleting subsection K in its entirety.

Section 3. That Section 16.08.014, subsection G, is amended by ~~deleting subsection G in its entirety.~~ as follows:

G. Section R306 of the 2018 Edition of the International Residential Code for One- and Two-Family Dwellings is hereby amended by adding Section R306.5:

R306.5 Clothes Washing facilities. Every dwelling unit shall be provided with a washing machine connection and a dryer connection.

Section 4. 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
Jennifer Gamble
Members of Council

SUBSTITUTE ORDINANCE NO. BL2024-182

An ordinance to amend Title 16 of the Metropolitan Code of Laws to clarify who may update the official website regarding issuance of permits and notices, ~~remove requirements for washer and dryer hookups in certain homes, and remove and separate bathroom facilities at gas stations.~~

WHEREAS, the Metropolitan Code of Laws (the "Code") has numerous instances of outdated, confusing, duplicative, and conflicting provisions; and

WHEREAS, the outdated, confusing, duplicative, and conflicting provisions provide no benefit to the public; and

WHEREAS, correcting these outdated, confusing, duplicative, and conflicting provisions will be to the benefit of the residents of Nashville and Davidson County.

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~~Section 3. That Section 16.08.014 is amended by deleting subsection G in its entirety.~~

~~Section 4. 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:

Courtney Johnston
Sheri Weiner
Tasha Ellis
Members of Council

SUBSTITUTE ORDINANCE NO. BL2024-182

An ordinance to amend Title 16 of the Metropolitan Code of Laws to clarify who may update the official website regarding issuance of permits and notices, ~~remove~~ amend requirements for washer and dryer hookups in certain homes, and remove ~~and~~ separate bathroom facilities at gas stations.

WHEREAS, the Metropolitan Code of Laws (the "Code") has numerous instances of outdated, confusing, duplicative, and conflicting provisions; and

WHEREAS, the outdated, confusing, duplicative, and conflicting provisions provide no benefit to the public; and

WHEREAS, correcting these outdated, confusing, duplicative, and conflicting provisions will be to the benefit of the residents of Nashville and Davidson County.

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

Section 1. That Section 16.04.070 of the Metropolitan Code of Laws is hereby amended by deleting Subsection B and replacing it as follows:

- B. The director of codes administration, or the director's designee, shall cause to be maintained and published online, on the official website for the Metropolitan Government of Nashville and Davidson County, an on-going compilation from which can be identified: (i) the number and type of demolition permits that were issued for residential property during the preceding calendar quarter ("housing"); and (ii) the number and type of residential building permits that were issued for residential property during the preceding calendar quarter ("housing units"); and, (iii) the number and type of residential occupancy permits (Certificates of Occupancy) that were issued for residential property during the preceding calendar quarter ("housing units") by the Metropolitan Government of Nashville and Davidson County. For multi-family zoning districts, this data shall include the number of units demolished or constructed. Data shall be entered not later than forty-five days after the issuance of each permit.

Section 2. That Section 16.08.012 of the Metropolitan Code of Laws is hereby amended by deleting subsection K in its entirety.

Section 3. That Section 16.08.014 is amended by deleting subsection G in its entirety and replace it with the following:

Section R306 of the 2018 Edition of the International Residential Code for One- and Two-Family Dwellings is hereby amended by adding Section R306.5:

R306.5 Clothes Washing facilities. Every dwelling unit shall be provided with a washing machine connection, a dryer connection, and a vent for the dryer.

Section 4. 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:

Jeff Preptit
Member of Council

SUBSTITUTE ORDINANCE NO. BL2024-254

An ordinance to amend Title 15 of the Metropolitan Code of Laws relative to infrastructure investment for offsite construction.

WHEREAS, the increasing cost of housing construction is not slowing; and

WHEREAS, Section 2.01 of the Charter of The Metropolitan Government of Nashville and Davidson County grants to such government the power to provide for the creation, maintenance, building, purchase and operation of a public water system, and Chapter 5 of Article 8 of the Charter of the Metropolitan Government designates the Department of Water and Sewerage Services as the department responsible for the construction, operation, and maintenance of all water and sanitary sewer facilities; and

WHEREAS, infrastructure repair, replacement, and improvement are needed throughout Nashville and Davidson County; and

WHEREAS, the Metropolitan Government of Nashville & Davidson County lacks a clear, reasonable, and objective policy relative to infrastructure investment agreements between developers and the Metropolitan Government of Nashville & Davidson County for offsite construction; and

WHEREAS, in *Knight v. Metropolitan Government of Nashville and Davidson County*, the Sixth Circuit Court of Appeals held that there must be a nexus and a rough proportionality of the conditions imposed for the issuance of permits; and

WHEREAS, it is beneficial for developers to contribute to the infrastructure installation of the community sewer and water system in Metro Nashville and Davidson County to improve quality of life for residents; and

WHEREAS, it is necessary for offsite construction to be subject to clear, reasonable, and objective policies for infrastructure investment agreements and for ratepayers to share in the burden the cost of infrastructure installation, improvements, and maintenance as reflected in Chapter 5, Article 8 of the Charter of the Metropolitan Government of Nashville and Davidson County.

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

Section 1. That Section 15.52.010.A of the Metropolitan Code of Laws, ~~Subsection A.5,~~ is deleted in its entirety and replaced with the following:

~~That the entire cost of the construction and inspection of a water main extension and a sewer extension shall be borne by the developer. To the extent the department requires improvements or extensions to the system, for the benefit of future users of the improvements or extensions, an infrastructure investment agreement between the department and the developer may be negotiated.~~

Applications for water main extensions or improvements or sewer extensions or improvements to the water and sewerage system of the metropolitan government shall be made on a standard form of application prescribed by the director. The director of the

department of water and sewerage services shall be empowered to authorize extensions to the water and sewerage system, provided the following conditions are met:

1. That said extension or improvement is in conformance with state law and with the master plan for the respective system as promulgated by the director and approved by the council;

2. That the plans and specifications for any such extension or improvements shall be in full conformance with the current standards of the metropolitan department of water and sewerage services as determined by the director, and shall bear the approval of all required local, state, and federal reviewing agencies;

3. That if the director determines that any offsite utility improvements are necessary to provide the requested extension or improvement and maintain the current level of service and capacity to serve existing customers, the property owner shall construct or pay for the construction of the extension or improvement, but in no event shall offsite utility improvements or access to service be a condition of permit issuance;

4. That the department shall enter a cost-sharing arrangement with the property owner for any offsite improvements that are required by the director to increase the system's capacity to serve current or future customers;

5. That the director shall determine whether offsite utility improvements are required within 60 days from the date a building permit application is filed with the metropolitan government; and

6. That all construction work shall be subject to the inspection of the department of water and sewerage services or his authorized agent, and that the facility will not be accepted for operation and maintenance until it is fully complete and in full conformance with the department's standards.

For purposes of this section, "offsite utility improvement" means any water main or sewer main improvement or extension beyond the boundary of the real property being developed by the owner.

~~Section 2. That a new subsection B of 15.52.010 is hereby created and the existing subsections shall be renumbered accordingly:~~

~~B. Infrastructure investment agreements.~~

- ~~1. The department may negotiate an infrastructure investment agreement between the metropolitan government and the developer or responsible party for connecting a development to the water main or extensions when it is determined that the extension will benefit future users unrelated to the development and the system as a whole. An infrastructure investment agreement is not authorized for a project or development that requires only connection to the existing main, and notwithstanding any provision in this Chapter to the contrary, no metropolitan government funds will be utilized for the construction of the connection to the existing main.~~

- ~~2. Upon acceptance of an application for a water main or sewer extension, the department may negotiate the terms of an infrastructure investment agreement to include but not be limited to the following:~~
- ~~a. The developer or responsible party shall be responsible for all construction costs related to the water main extension or sewer extension.~~
 - ~~b. If the project or development is isolated or remotely located from the nearest accessible water main or sewer main and the extension is to be constructed in such a way as to benefit future users unrelated to the development and the system as a whole, the developer shall be able, over time but in no event over term of 15 years, to recover the costs of construction of the portion that will benefit future users and the system.~~
 - ~~c. Any reimbursement from the department to the developer or responsible party of surcharges imposed by the department for new customers unrelated to the development tapping into and served by the extension of the system. Such reimbursement shall be made in accordance with Section 15.20.100.~~
 - ~~d. The acquisition and cost thereof of any necessary easement or right-of-way will be the responsibility of the developer or responsible party. In no event will the metropolitan government be responsible for acquiring rights-of-way or easements for water main extensions or sewer extensions to service the developer's or responsible party's project.~~

~~Section 3. This Ordinance shall take effect from and after its final passage, the welfare of the Metropolitan Government of Nashville and Davidson County requiring it.~~

INTRODUCED BY:

Tonya Hancock
Member of Council

AMENDMENT NO. ____
TO
ORDINANCE NO. BL2024-290

Madam President –

I hereby move to amend Ordinance No. BL2024-290 as follows:

I. By amending Section 2 as follows:

Section 2. That Section 2.196.050 of the Metropolitan Code of Laws is amended by amending Subsection B as follows:

B. Every person registered under this chapter shall file a written notice of withdrawal with the metropolitan clerk within five business days following the termination of a lobbying employment agreement between the lobbyist and a client. Such notice of withdrawal shall be retained by the metropolitan clerk for a period of five years, and the date of withdrawal shall be noted on the Registered Lobbyist Index posted on the metropolitan clerk's website. Lobbyists must update their registration statement within five business days of any event or circumstance that renders the registration statement inaccurate or incomplete. If a lobbyist fails to register for a subsequent year, it shall be treated as a withdrawal for each client for which the lobbyist was registered unless a new registration is submitted pursuant to Section 2.196.040.

II. By amending Section 4 as follows:

Section 4. That Section 2.196.060 of the Metropolitan Code of Laws is amended by adding the following as subsections B.3 and B.4:

3. An itemized list, by date, beneficiary, and amount of each political contribution of more than one hundred dollars made by the lobbyist or anyone acting at the specific direction of the lobbyist to benefit an official in the executive branch, a member of the official's staff or immediate family, a candidate for public office, or a campaign committee or testimonial committee established for the benefit of such official. This shall not require reporting of political contributions made for candidates for state and federal office, unless such candidate at the time of the contribution was serving as an official in the legislative or executive branch.

4. Such report shall include a sworn statement from the lobbyist attesting to the accuracy.

III. By amending Section 5 as follows:

Section 5. That Section 2.196.060 of the Metropolitan Code of Laws is amended by adding the following as a new Subsection G, as follows:

G. If a lobbyist fails to file all required annual lobbying and expense reports for the previous year by March 1st or has failed to include the filing fee for a late report, the lobbyist shall be ineligible for registration as a lobbyist for that the current year. On March 1st, the clerk shall revoke the registration of any lobbyist who has failed to file all required

annual lobbyist and expense reports for the previous year and refund any fees paid. The lobbyist shall be able to register for the current year if the board of ethical conduct has permitted the lobbyist's registration pursuant to Section 2.196.110.B and the lobbyist pays the filing fee for a late report pursuant to Section 2.196.060.F. A lobbyist who fails to file all required reports shall be subject to the complaint procedures in 2.196.110.B.

IV. By deleting Section 9 in its entirety and renumbering the subsequent Section accordingly, as follows:

~~Section 9. That Section 2.196.100 of the Metropolitan Code of Laws is amended as follows:~~

~~2.196.100—Cooling off period.~~

~~A. A department head, employee of the mayor's office, or employee of the council office shall not be registered as a lobbyist within twelve months of voluntary cessation of their official responsibilities in matters which were directly within their former official responsibilities or employment with metro government. For this section, "official responsibility" means direct administrative or operating authority, whether intermediate or final, either exercisable alone or with other, either personally or through subordinates, to approve, disapprove or otherwise direct metropolitan government action.~~

~~B. An elected official shall not be registered as a lobbyist within twelve months following the voluntary termination of office or leaving elected office.~~

~~Section 40-9. This ordinance shall take effect from and after its final passage, the welfare of the Metropolitan Government requiring it.~~

SPONSORED BY:

Erin Evans
Member of Council

SUBSTITUTE ORDINANCE NO. BL2024-303

An ordinance amending Section 2.222.030 of the Metropolitan Code to add members of Metropolitan Government boards and commissions to the list of persons required to submit annual disclosures.

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

Section 1. That Section 2.222.030 A of the Metropolitan Code of Laws is amended by ~~deleting the section in its entirety and replacing it with the following~~ adding the following as a new subsection D:

~~In an effort to advance the favorable opinion of the public in the integrity of government, the disclosure requirements contained in this section shall apply to the following employees: (1) the mayor; (2) all employees in the mayor's office, including the members of the mayor's cabinet; (3) the metropolitan council office; (4) the holders of all elected offices authorized or created by the Metropolitan Charter; (5) all members, directors, executive directors, assistant directors, and associate directors of metropolitan government agencies, boards, and commissions, but not including Nashville Electric Service, the Metropolitan Nashville Airport Authority, the Metropolitan Development and Housing Agency and the Metropolitan Transit Authority.~~

D. Annual Conflicts of Interest Disclosure:

1. On or before January 31 of each year, each member of a metropolitan government board or commission shall file with the metropolitan clerk an annual conflicts of interest disclosure statement setting forth all potential direct and indirect conflicts of interest, as defined by state law existing or which may be adopted, they have related to their service on the particular board or commission on which they serve as of and for the year ended December 31 of the preceding year.

- a. Said disclosure may be filed either electronically or in written paper form.
- b. For disclosure statements filed in paper form, the statement must be personally signed by the member and attested under penalty of perjury as being true to the best of that member's information and belief.
- c. For disclosure statements filed electronically, the disclosure statement must include the printed first and last name of the member who shall indicate on the form under penalty of perjury that the information contained therein is true to the best of that member's information and belief.
- d. In completing the disclosure form, the member should recognize that the purpose of the disclosure is to alleviate reasonable concerns, justified or not, of the public concerning possible conflicts and influences upon the member's exercise of his or her official discretion. In situations involving ambiguity as to the application of the requested information to the facts of a member's situation, the disclosure statement should be completed in all material respects, reasonably consistent with this intent.

2. The annual conflicts of interest disclosure statement shall require the information set forth in the following form:

ANNUAL CONFLICTS OF INTEREST DISCLOSURE STATEMENT

List all direct or indirect conflicts of interest or potential direct or indirect conflicts of interest that your service may present related to the board or commission on which you serve:

Under penalty of perjury, the information contained herein is true to the best of my information and belief.

Signature of Member

Date

Section 23. This Ordinance shall take effect upon final passage, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

Zulfat Suara
Member of Council

AMENDMENT NO. ____
TO
ORDINANCE NO. BL2024-281, AS AMENDED

Madam President –

I hereby move to amend Ordinance No. BL2024-281 as follows:

I. By amending Section 4 by adding the following condition:

16. Open Space Areas 1, 2, and 3 as shown on sheet L.2 of the Preliminary SP Plan shall be publicly accessible.

INTRODUCED BY:

Brenda Gadd
Member of Council