



agents), whether for residential or commercial construction, for a building, electrical, gas/mechanical, and/or plumbing permit obtained for repairing or rebuilding an owner's property.

(b) Conditions:

1. The permits are obtained to repair damage to the owner's property caused by flooding from the March 27- 28, 2021 excessive rainfall event.
2. The permits are obtained on or before June 30, 2022.
3. The permits are issued to construct, alter, repair, enlarge, move or demolish any building or structure or part thereof or any appurtenances connected or attached thereto.
4. The owner must provide evidence satisfactory to the director of codes administration or his designee that the work is being performed as a result of damage as provided in subsection (b) (1), above.
5. Property owners who paid building permit fees for flooding related damage prior to the effective date of this ordinance shall be entitled to a refund if they provide evidence satisfactory to the director of codes administration or his designee that the permit was obtained for work resulting from damage as provided in subsection (b)(1), above.

(c) In order to be eligible for the permit fee waiver, the property owner or their authorized agent must sign an affidavit on a form prescribed by the Department of Codes Administration attesting that the permit fees are not eligible for reimbursement from property insurance or other funding sources.

Section 2. Section 16.28.110 of the Metropolitan Code is hereby amended by adding the following as subsection J: Waiver. Upon resolution by the Metropolitan Council, building, electrical, gas/mechanical, and/or plumbing permit fees may be waived by the director of codes administration when a state of emergency is declared by the mayor.

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

### Analysis

This ordinance, as substituted, waives permit fees for the repair or rebuilding of property damaged as a result of the March 27-28, 2021 flooding and amends the Metro Code to allow for future permit waivers by resolution. This ordinance is similar to Ordinance No. BL2020-234, as amended, which waived building permit fees for the repair or rebuilding of property damaged as a result of the March 3, 2020 tornado and Ordinance No. BL2021-618, which waived building permit fees for the repair or rebuilding of property damaged as a result of the December 25, 2020 bombing.

Under this ordinance, building permit fees would be waived if the following conditions are satisfied:

- The permits are obtained to repair damage to the owner's property caused by flooding from the March 27-28, 2021 excessive rainfall event.
- The permits are obtained on or before June 30, 2022.
- The owner must provide evidence that the work is being performed as a result of damage from this excessive rainfall event.
- Property owners who paid building permit fees for flooding related damage prior to the effective date of this ordinance will be entitled to a refund.

Property owners or their agents must sign an affidavit that the permit fees will not be reimbursed by insurance or other funding sources in order to receive the fee waiver.

The substitute expands the waiver to include electrical, gas/mechanical, and plumbing permits. It also amends Section 16.28.110 of the Metro Code to include a provision that allows for waivers of building, electrical, gas/mechanical, and/or plumbing permit fees by a resolution of Council when a state of emergency is declared by the Mayor.

*Fiscal Note: There were 486 properties classified as having sustained major damage caused by flooding from the March 27-28, 2021 excessive rainfall event. A reliable estimate of permit fees to be waived would be difficult to determine due to the unknown cost of construction on the damaged structures. Assuming the lowest permit fee of \$75, which would allow for up to \$2,000 worth of work, and issued by the deadline on June 30, 2022, the estimated permit fees that would be waived is \$36,450 according to the Codes Department.*