



# Metropolitan Nashville and Davidson County, TN

## Legislation Details (With Text)

**File #:** BL2023-70

**Type:** Bill (Ordinance) **Status:** Passed

**File created:** 10/10/2023 **In control:** Transportation and Infrastructure Committee

**On agenda:** 12/19/2023 **Final action:** 12/19/2023

**Title:** An ordinance to amend Section 13.08.040 of the Metropolitan Code of Laws related to the offering of merchandise for sale on or near public property.

**Sponsors:** Jacob Kupin, Erin Evans, Jordan Huffman

**Indexes:**

**Code sections:**

**Attachments:** 1. Amendment No. 1 to BL2023-70

Date	Ver.	Action By	Action	Result
12/21/2023	1	Mayor	approved	
12/19/2023	1	Metropolitan Council	passed on third reading	
12/5/2023	1	Metropolitan Council	passed on second reading as amended	
12/5/2023	1	Metropolitan Council	amended	
12/5/2023	1	Public Health and Safety Committee	approved with an amendment	
12/4/2023	1	Transportation and Infrastructure Committee	approved with an amendment	
11/21/2023	1	Metropolitan Council	deferred	
11/7/2023	1	Metropolitan Council	deferred	
10/17/2023	1	Metropolitan Council	passed on first reading	
10/10/2023	1	Metropolitan Council	filed	

An ordinance to amend Section 13.08.040 of the Metropolitan Code of Laws related to the offering of merchandise for sale on or near public property.

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

Section 1. That Section 13.08.040 of the Metropolitan Code of Laws is amended by deleting Subsection A and replacing it with the following:

A. No person shall stop, stand or park any wagon, pushcart, platform, table, automobile, truck or other vehicle, or erect any temporary stands, signs or otherwise, upon or within any public property of the metropolitan government for the purpose of selling or offering for sale any goods, food, wares, merchandise, services, or products of any kind, nor shall any person sell or offer for sale, upon or within any public property of the metropolitan government, any goods, food, wares, merchandise, services, or products of any kind, including the display or exhibition of animals for payment or gratuity. The prohibitions contained in this subsection shall not affect or apply to any agreement with, or the written approval of, the respective department, board, agency, officer, or other person having control or custody of that particular property.

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

### Analysis

This ordinance amends Section 13.08.040, subsection A, of the Metropolitan Code of Laws related to the offering of merchandise for sale on public property.

Currently, this section prohibits a person from stopping, standing, or parking any wagon, pushcart, platform, table, automobile, truck, or other vehicle, or erecting any temporary stands, signs, or otherwise, upon any Metro property for the purpose of selling good, food, wares, merchandise, or products. The section further prohibits persons from selling or offering for sale any goods, food, wares, merchandise, or projects of any kind on Metro property. These restrictions do not apply to persons who have an agreement with or written permission of the department, board, agency, officer or other persons having control of custody of the property.

The ordinance under consideration provides that the display or exhibition of animals for payment or gratuity constitutes a prohibited action under this section. As amended, the ordinance also prohibits the above actions from occurring on a public right-of-way in addition to public property. A prohibition of the sale of “services” on public property and right-of-ways was removed in the amended bill.