# Metropolitan Nashville and Davidson County, TN

## Legislation Details (With Text)

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| **File #:** | BL2021-739 | | |
| **Type:** | Bill | **Status:** | Passed |
| **File created:** | 5/6/2021 | **In control:** | Metropolitan Council |
| **On agenda:** | 6/15/2021 | **Final action:** | 6/15/2021 |
| **Title:** | An ordinance to provide for the designation of public property within specified areas of downtown Nashville as a temporary “Special Event Zone” during the time period beginning at nine o’clock (9:00) p.m. on July 2, 2021, and ending at eleven fifty-nine (11:59) p.m. on July 5, 2021, relative to the use of these areas in conjunction with the 2021 July 4th Celebration and related activities and events. | | |
| **Sponsors:** | Freddie O'Connell | | |
| **Indexes:** | | | |
| **Code sections:** | | | |
| **Attachments:** | 1. BL2021-739 Exhibit | | |

| Date | Ver. | Action By | Action | Result |
|---|---|---|---|---|
| 6/17/2021 | 1 | Mayor | approved | |
| 6/15/2021 | 1 | Metropolitan Council | passed on third reading | |
| 6/1/2021 | 1 | Metropolitan Council | passed on second reading | |
| 6/1/2021 | 1 | Public Safety, Beer, and Regulated Beverages Committee | approved | |
| 6/1/2021 | 1 | Convention, Tourism, and Public Entertainment Facilities Committee | approved | |
| 5/18/2021 | 1 | Metropolitan Council | passed on first reading | |
| 5/11/2021 | 1 | Metropolitan Council | filed | |

An ordinance to provide for the designation of public property within specified areas of downtown Nashville as a temporary “Special Event Zone” during the time period beginning at nine o’clock (9:00) p.m. on July 2, 2021, and ending at eleven fifty-nine (11:59) p.m. on July 5, 2021, relative to the use of these areas in conjunction with the 2021 July 4th Celebration and related activities and events.

WHEREAS, Nashville is proudly hosting the 2021 July 4th Celebration; and

WHEREAS, hospitality is the second largest industry in Nashville and in Tennessee, which, pre-COVID, accounted for more than 70,000 jobs in Davidson County; and

WHEREAS, visitor-generating events such as the July 4th Celebration will have a tremendous positive impact on Nashville’s local economy, bringing in significant tax revenue and helping to bring hospitality employees back to work; and

WHEREAS, the July 4th Celebration is a free, outdoor, live event for the Nashville community and its visitors; and

WHEREAS, given the large footprint of the event and anticipated attendance, it is necessary that certain areas in and around events related to the 2021 July 4th Celebration be regulated and controlled to provide for the public health, safety, and welfare of the above-mentioned participants; and

WHEREAS, to that end, it is necessary to establish a Special Event Zone area for the temporary time periods

and within the specified boundaries designated in this ordinance.

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

Section 1. There is hereby established a “Special Event Zone” within the area designated on the map attached hereto and incorporated herein, and whose boundaries are described as follows:

Area 1: 8th Avenue South/Rosa L. Parks Boulevard northward from Korean Veterans Boulevard to Commerce Street; Commerce Street from Rosa L. Parks Boulevard eastward to 2nd Avenue North; 2nd Avenue North from Commerce Street northward to Church Street; Church Street from 2nd Avenue North to 1st Avenue North; 1st Avenue North from Church Street northword to Union Street; 1st Avenue North from Church Street southward to Broadway; 1st Avenue South from Broadway to Korean Veterans Boulevard; Korean Veterans Boulevard from 1st Avenue South westward to 8th Avenue South/Rosa Parks Boulevard.

Area 2: Woodland Street from the East side of the Woodland Street Bridge eastward to South 1st Street; South 1st Street from Woodland Street southward to Russell Street; Russell Street from South 1st Street eastward to Interstate Drive; Interstate Drive southward from Russell Street to Shelby Avenue; Shelby Avenue from Interstate Drive westward to Korean Veterans Bridge.

Area 3: John Seigenthaler Pedestrian Bridge commencing at 3rd Avenue South northward to South Second Street.

Area 4: Woodland Street Bridge commencing at the intersection of 1st Avenue North eastward to South 1st Street.

Area 5: Gay Street Connector from 1st Avenue north at Church Street northward to Gay Street at 1 st Avenue north; Gay Street from 1st Avenue North to James Robertson Parkway; James Robertson Parkway from 3rd Avenue north to the Cumberland River; 3rd Avenue north from James Robertson Parkway to Union Street; Union Street from 3rd Avenue north east to 1st Avenue north; 1 st Avenue north southward to Church Street; 2nd Avenue north southward from Union Street to Church Street; Bank Street from 1st Avenue north west to 2nd Avenue north.

Area 6: Woodland Street east from Cumberland River to Interstate Drive; Interstate Drive from Woodland Street south to Shelby Street; Shelby Street west to South 2nd Street; South 2nd Street south to Sylvan Street; Sylvan Street north to Korean Veterans Blvd; South 1st Street north from Korean Veterans Bridge; Cumberland Park on the east side of the Cumberland River north along One Titans Way to Woodland Street.

Area 7: Korean Veterans Blvd. Bridge.

Section 2. The Special Event Zone defined in Section 1 hereof shall have a duration beginning at 9:00 p.m. on Friday, July 2, 2021, and ending at 11:59 p.m. on Monday, July 5, 2021.

Section 3. Notwithstanding any other provision of the Metropolitan Code to the contrary, the activities described below on public property or in the public right-of-way within the Special Event Zone conducted by any person or entity, except those approved by both the Metropolitan Government of Nashville and Davidson County and the Nashville Convention and Visitors Corporation, shall be regulated as follows:

1. Street vendors with a general vending license issued pursuant to Section 13.08.040 of the Metropolitan Code or other persons with a valid license for such purpose issued by the Metropolitan Government, the sale of any food, beverages, goods, or merchandise shall be prohibited on the public streets, sidewalks, alleys, and rights-of-way. Street vendors shall obtain a “Special Event Zone” permit from the Nashville Convention and Visitors Corporation in order to sell within the geographic area listed above. The Metropolitan Departments of Public Works, the Metropolitan Department of Parks and

Recreation, and the Davidson County Clerk shall consult with Nashville Convention and Visitors Corporation prior to granting a temporary vending permit to be effective within the Special Event Zone during the 2021 July 4th Celebration.

2. No alcoholic beverages shall be provided, served, or sold from any temporary outdoor use except as authorized by the Nashville Convention and Visitors Corporation and permitted by the Metropolitan Government of Nashville and Davidson County.

3. The sale or distribution of merchandise pertaining to the July 4th Celebration where it is apparent on its face that the merchandise is not licensed by the Nashville Convention and Visitors Corporation, regardless of whether the person selling or distributing is operating pursuant to a valid permit, exception, or exemption provided for in this Ordinance or elsewhere in the Metropolitan Code, shall be prohibited.

4. No tents or membrane structures of any kind shall be erected except for those tents and membrane structures sanctioned and authorized by the Nashville Convention and Visitors Corporation or erected by the Metropolitan Government for public safety purposes.

5. The construction, placement, occupation, or use of any temporary structure is prohibited except those sanctioned and authorized by the Nashville Convention and Visitors Corporation.

6. The distribution, promotional give-away activity, or provision of free products, services, or coupons (otherwise referred to as “sampling”) by persons or entities that are not event sponsors officially sanctioned and authorized by Nashville Convention and Visitors Corporation is strictly prohibited, provided this shall not apply to written material given away within any Public Participation Area established pursuant to this Ordinance.

7. Vehicles shall be allowed only as directed by Metropolitan Nashville Police which will include trucks, automobiles, golf carts, motorcycles, bicycles, scooters, and motorized scooters and skateboards.

8. No shared urban mobility devices, as defined by Metropolitan Code of Laws Section 12.62.010, shall be permitted within the Special Event Zone during the designated Special Event Zone Ordinance time period.

9. No handguns, rifles, or firearms shall be permitted within the Special Event Zone during the designated Special Event Zone Ordinance time period (Tennessee Code Annotated § 39-17- 1359).

10. No knives, swords or other fighting devices shall be permitted within the Special Event Zone during the designated Special Events Zone Ordinance time period.

11. No fireworks, firecrackers, or explosive devices of any type shall be permitted within the Special Event Zone during the designated Special Event Zone Ordinance time period except Event-related exhibitions permitted by the Nashville Convention and Visitors Corporation.

12. The Special Event Zone shall be a “no fly zone” during the designated Special Event Zone Ordinance time period and include take off, flying and landing of craft, including without limitation, unmanned aerial vehicles (so-called “drone” aircraft).

Section 4. Nothing in this Ordinance shall be construed as a repeal or suspension of any existing laws prohibiting or governing the issuance of permits outside of the “Special Event Zone” geographical boundaries. Further, nothing in this Ordinance shall be construed as granting a waiver to Nashville Convention and Visitors Corporation from all licensing and permitting requirements of the Metropolitan Code necessary for the public health, safety, and welfare.

Section 5. One or more Public Participation Areas shall be established by the Metropolitan Government within the Special Event Zone while the Special Event Zone Ordinance is in effect. Each Public Participation Area

shall allow for the reasonable expression by the public in a manner that shall not be disruptive to the 2021 July 4th Celebration, activities, and events. Public Participation Areas shall be provided for during such reasonable times, and in such reasonable locations within the Special Event Zone as to allow for meaningful and effective expression by the public.

Section 6. If any of the provisions of this Ordinance are for any reason held to be unconstitutional or invalid by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions, and those remaining portions shall be and remain in full force and effect.

Section 7. It is the intention of the Metropolitan Council that the Metropolitan Nashville Police Department focus its enforcement efforts upon preserving the peace and securing the safety of the July 4th Celebration participants while the Special Event Zone is in effect.

Section 8. This Ordinance shall take effect immediately after its passage, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

Analysis

This ordinance approves a temporary “Special Event Zone” for the downtown area, in conjunction with the 2021 July 4th Celebration scheduled July 2 to 5, 2021. A map of the Special Event Zone areas established under this ordinance is attached to this analysis. Activity restrictions within the Special Event Zone would begin at 9:00 p.m. on Friday, July 2, 2021, and end at 11:59 p.m. on Monday, July 5, 2021. Activities on public property or in the public right-of-way within the Special Event Zone are regulated as follows:

- The sale of any food, beverages, goods, or merchandise would be prohibited, unless street vendors obtain a “Special Event Zone” permit from the Nashville Convention and Visitors Corporation (CVC) in order to sell within the geographic area listed above.
- Alcoholic beverages provided, served, or sold from any temporary outdoor would be prohibited, except as authorized.
- The sale or distribution of merchandise pertaining to the July 4th Celebration, where it is apparent on its face that the merchandise is not licensed by CVC, would be prohibited.
- No tents or membrane structures of any kind would be permitted, except as authorized by CVC or Metro for public safety purposes.
- The construction, placement, occupation, or use of any temporary structure would be prohibited except those sanctioned and authorized by the CVC.
- The distribution, promotional give-away activity, or provision of free products, services, or coupons by persons or entities that are not event sponsors officially sanctioned and authorized by CVC would be prohibited, except within any Public Participation Area.
- Vehicles would be allowed only as directed by Metropolitan Nashville Police.
- No shared urban mobility devices, as defined by Metropolitan Code of Laws Section 12.62.010, would be permitted within the Special Event Zone.
- No handguns, rifles, or firearms would be permitted. (Tennessee Code Annotated § 39- 17-1359)
- No knives, swords, or other fighting devices would be permitted.
- No fireworks, firecrackers, or explosive devices of any type would be permitted, except exhibitions permitted by CVC.
- The Special Event Zone would be a “no fly zone.”

This ordinance requires at least one Public Participation Area within the Special Event Zone while the zone is in effect. This Area would allow for the reasonable expression by the public in a manner that is not disruptive to the July 4th Celebration, activities, and events.

*Fiscal Note: This ordinance places restrictions on the activities that would be allowed to take place within the special event zone during the July 4th Celebration. However, no additional Metro personnel or overtime would be required just for the enforcement of these restrictions.*