



Metropolitan Nashville and Davidson County, TN

Legislation Text

File #: BL2019-8, **Version:** 1

An ordinance amending Section 17.20.120 of Title 17 of the Metropolitan Code pertaining to the provision of sidewalks (Proposal No. 2019Z-015TX-001).

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

Section 1. That Subsection D of Section 17.20.120 of the Metropolitan Code of Laws is hereby amended by deleting it in its entirety and substituting in lieu thereof the following:

D. Contribution to the sidewalk fund for the council district as an alternative to sidewalk installation.

1. When a public sidewalk is required by subsection A, but installation is not required by subsection C of this section, the building permit applicant may make a financial contribution to the sidewalk fund for the council district in lieu of construction. The value of the contribution shall be the average linear foot sidewalk project cost, including new and repair projects, determined by July 1 of each year by the Department of Public Works' review of sidewalk projects contracted for or constructed by the Metropolitan Government. The contribution in-lieu of construction shall be no more than two percent of the total construction value of the permit.

2. Any such contributions received by the Metropolitan Government shall be assigned and designated for implementation of the strategic plan for sidewalks and bikeways, as approved by the Planning Commission. The applicant's payment shall be allocated within ten years of receipt of the payment within the same council district as the property to be developed; otherwise, the payment shall be refunded to the building permit applicant.

3. Contribution to the pedestrian network as an alternative to sidewalk installation required under this section shall be received by the Department of Public Works, and written confirmation of the contribution shall be sent to the Department of Codes Administration prior to the issuance of a building permit.

Section 2. This Ordinance shall take effect from and after its final passage, and such change shall be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

Analysis

This ordinance amends Section 17.20.120 of the Metropolitan Code regarding the sidewalk fund.

Currently, money collected from the payment in lieu of sidewalks is collected into a pedestrian benefit fund. The funds are required to stay in the pedestrian benefit zone from where the payment was made. This ordinance would remove the pedestrian benefit zones and instead require funds to stay within the Council district of the new development.

A housekeeping amendment would fix a drafting error which unintentionally reduced the cap on contributions in-lieu of construction. The amendment restores the cap to the current amount in the Metro Code.

This bill has been disapproved by the planning commission.