



Metropolitan Nashville and Davidson County, TN

Legislation Text

File #: BL2021-720, **Version:** 2

An ordinance to amend Section 16.24.330 of the Metropolitan Code to require homeowners association signs.

WHEREAS, many subdivisions in Nashville are governed by a homeowners association that enforces restrictive covenants pertaining to properties within the subdivision; and

WHEREAS, prospective homebuyers and renters looking at homes in the subdivision may not know at the time that the property is governed by a homeowners association; and

WHEREAS, it is in the best interest of prospective and existing residents that signs be erected at the entrances of the subdivision informing the public that the property is governed by a homeowners association.

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

Section 1. That Section 16.24.330 of the Metropolitan Code is hereby amended by adding the following new subsection S.:

S. Homeowners association signs.

1. Informational signs shall be erected at the primary vehicular entrance to a subdivision governed by a homeowners association. Such signs measuring not less than eighteen inches in height and twelve inches in width shall be permanently placed in the ground at all points of vehicular ingress to the subdivision, provided that such signs shall be installed on homeowners association common area or other private property, and not within the public right-of-way. Such signs shall be constructed of wood or metal.

2. Each sign shall clearly state that the subdivision is under the control of a homeowners association and whether the properties are bound by restrictive covenants.

3. For subdivisions that are fully constructed at the time this subsection is approved, it shall be the responsibility of the homeowners association to furnish and install such signs. For subdivisions currently under construction, and for subdivisions constructed after the effective date of this subsection, it shall be the responsibility of the subdivision developer to furnish and install such signs.

4. Violations of this subsection shall be punishable by a fifty dollar fine.

5. The provisions and requirements of this subsection shall not apply to horizontal property regimes established under Tennessee Code Annotated Sections 66-27-101, *et seq.*

Section 2. The provisions of this ordinance shall become enforceable 90 days after the enactment of the ordinance. The failure of a homeowners association to install the sign required by this ordinance shall be punishable by a fifty dollar fine after the 90 day delayed enforceability period.

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, amends Section 16.24.330 of the Metro Code to require homeowners associations (HOAs) to install signs at the primary vehicular entrance of the subdivision notifying the public that the property is under the control of an HOA and whether the property is bound by restrictive covenants. The signs must measure at least 18 inches in height and 12 inches in width, and are to be installed outside of the public right-of-way. For existing subdivisions, the HOAs would be responsible for furnishing and installing the signs. New subdivision developers would be required to furnish and install the signs at the time the subdivision is built. This signage requirement would not apply to horizontal property regimes established under state law.