File #: BL2024-345, **Version:** 1

An ordinance amending Title 15 of the Metropolitan Code of Laws pertaining to the approval of water and sewer system extensions, additions, improvements, or other works by the Metropolitan Council.

WHEREAS, on April 11, 2024, the Tennessee General Assembly enacted House Bill 1967/Senate Bill 2162, authorizing local governing bodies, when carrying out the duties of a board of waterworks, to approve projects and works by passage of either a resolution or an ordinance; and,

WHEREAS, previously, on February 20, 2024, the Metropolitan Council adopted Resolution no. RS2024-264, urging the Tennessee General Assembly to support House Bill 1967/Senate Bill 2162, allowing local legislative bodies to approve water and sewer infrastructure via resolution rather than by ordinance; and,

WHEREAS, currently, water and sewer extensions, additions, and improvements (or "works") are each approved via separate ordinances before the Metropolitan Council. Such ordinances are occupying larger and larger segments of Metropolitan Council agendas, constituting as much as fifty-three percent (53%) of all ordinances on the Council agenda in the past calendar year. (*See, e.g.*, February 20, 2024 Metropolitan Council Agenda; May 2, 2023 Metropolitan Council Agenda; *etc.*) Allowing for the approval of water and sewer works via resolution will expedite infrastructure approvals, and reduce the volume of items on Council and committee agendas, while preserving options for Council members and the public to review, scrutinize, and defer or withdraw infrastructure proposals if necessary; and,

WHEREAS, it is fitting and proper that the Metropolitan Council allow for approval of water and sewer works via resolution.

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

Section 1. That Title 15 of the Metropolitan Code of Laws is hereby amended by adding the following new section immediately following Section 15.52.040:

> 15.52.050 - Council approval of extensions, additions, improvements, or works
>
> Notwithstanding other provisions of this title, approvals required from the metropolitan council for water and sewer system extensions, additions, improvements, or other works may be granted by resolution, as authorized under Tennessee Code Annotated, section 7-35-406(a)(2).

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

Analysis

This ordinance would amend Title 15 of the Metropolitan Code of Laws to allow the Metropolitan Council to approve water and sewer system extensions, additions, improvements, or other works by resolution, as authorized by Tennessee Code Annotated section 7-35-406(a)(2).

The Tennessee General Assembly enacted House Bill 1967/Senate Bill 2162, which authorizes local governing bodies to approve projects as a board of waterworks by passing either a resolution or an ordinance. The

Metropolitan Council previously adopted Resolution No. RS2024-264, which urged the state legislature to approve this legislation.