

**CITY OF FAIRVIEW  
BOARD OF COMMISSIONERS**

**SEPTEMBER 5, 2019**

**6:30 P.M.**

**AGENDA**

- 1. Roll Call**
- 2. Call to Order**
- 3. Beer Violations**
  - A. Flash Market, 1425 Highway 96
  - B. Flying J, 1420 Highway 96
  - C. Dollar General, 2391 Fairview Boulevard
  - D. Fred's, 2415 Fairview Boulevard
- 4. Prayer and Pledge**
- 5. Approval of Agenda and Executive Session Announcements**
- 6. Public Hearing(s)**
- 7. Citizen Comments** (Limited to the first 5 citizens to sign in and a limit of 3 minutes each)
- 8. Public Announcements, Awards and Recognitions**
- 9. Staff Comments and Monthly Reports**
  - A. **Police Report**
  - B. **Fire Report**
  - C. **Public Works Report**
- 10. Consent Agenda** (Any Item May be Removed for Individual Consideration)
  - A. Minutes from the August 15, 2019, Board of Commissioners Meeting
  - B. Minutes from the August 15, 2019, Board of Commissioners Work Session
  - C. Second and Final Reading of Ordinance 2019-17, An Ordinance to Amend Title 12 of the City of Fairview Municipal Code, Specifically Sections Related to the City's Fee Structure for Permits and Fees Related to Construction, Remodeling, Building Permits; and Industrial, Commercial and Residential Development
- 10. Old Business**
- 11. New Business**
  - A. Appointment to Open Seat on Parks and Landscaping Board
    1. Daniel Derwelis
    2. Megan Grimaldi
  - B. Beer Permit Application for Flash Market, 1425 Highway 96, owner: Ralph Samuel Bell
  - C. Resolution 27-19, A Resolution Calling for a Public Hearing on the Proposed Annexation of Territory into the City of Fairview by Owner Consent and Approving a Plan of Services (7109 County Line Road, owner: Civil Engineering Service, PC, agent: Ray Flake)
  - D. Parks and Landscape Board Presentation on Proposed Playground Organization Structure
  - E. Ordinance 2019-20, An Ordinance for an Amendment to the City of Fairview, Tennessee, Budget for Fiscal Year 2018-2019 Budget (Proceeds for Debt and Capital Outlay for Fire Truck and Motorola Public Safety Communication Equipment)
  - F. Resolution 28-19, A Resolution of the City of Fairview, Tennessee, Designating a Vehicle or Vehicles, and/or Equipment as Surplus, Authorizing the Disposal of Said Vehicle(s) and Equipment, and Designating the Auction or Sale Proceeds from Surplus Items

- G. Ordinance 2019-21, An Ordinance to Amend Title 7, Chapter 2 of the City of Fairview's Municipal Code. By Repealing Section 1 of Ordinance 949, Adopted January 5, 2017 and Replacing it in its Entirety by the Above Styled Ordinance
- H. Resolution 29-19, A Resolution of the City of Fairview Board of Commissioners to Establish the "Keep Fairview Beautiful" Initiative for the Purpose of Making Resources and Materials Available to Community Groups, Neighborhood Associations and Other Volunteers who Desire to Assist in Maintaining the Landscaping and Appearance of Certain City Owned Properties and Rights of Way
- I. Ordinance 2019-22, An Ordinance to Amend Title 17, Chapter 1, Section 108, of the City of Fairview Municipal Code Regarding the Issuance of Burn Permits Within the City of Fairview

**12. Communications from the Mayor and Commissioners**

- A. Commissioner
- B. Commissioner
- C. Commissioner
- D. Vice Mayor
- E. Mayor

**13. Adjourn to Executive Session**

**14. Adjournment**

10C

**AN ORDINANCE TO AMEND TITLE 12 OF THE CITY OF FAIRVIEW MUNICIPAL CODE, SPECIFICALLY, SECTIONS RELATED TO THE FEE STRUCTURE FOR PERMITS AND FEES RELATED TO CONSTRUCTION, REMODELING, BUILDING PERMITS; AND INDUSTRIAL, COMMERCIAL AND RESIDENTIAL DEVELOPMENT.**

**WHEREAS**, the City of Fairview, Tennessee, desires to revise its current ordinances regarding building permits and related fees, and

**WHEREAS**, in order to effectively incorporate a revised building permits and related fees structure Title 12 of the city's municipal code must be amended, and

**NOW THEREFORE BE IT ORDAINED BY THE CITY OF FAIRVIEW, TENNESSEE AS FOLLOWS:**

**BE IT ORDAINED**, that Title 12, Chapter 1, Section 12-103, is hereby amended to read as follows: "12-103. Builder and Contractor License. Any licensed contractor applying for a building permit is required to pay a license tax annually in the amount of fifty (50) dollars. Builder and contractor licenses are valid only during calendar year in which the license is obtained and no contractor or builder shall be licensed by the city of Fairview without first having complied with Tennessee Code Annotated Title 62, Chapter 6.", And

**BE IT FURTHER ORDAINED**, that Title 12, Chapter 1, Section 12-104, is hereby amended to read as follows: "Reserved", and

**BE IT FURTHER ORDAINED**, that Title 12, Chapter 1, Section 12.105, is hereby created and shall read as follows:

12.105. Applications and Permits Fee Structure.

(1) Single family residential and duplex residential new construction building permits.

\$1.50 per square foot of heated, cooled and interior storage space (revenue to be allocated 50% to general fund and 50% to facilities fund)

(2) Single family residential and duplex residential renovation building permits.

Fifty (50) cents per square foot

(3) Commercial, industrial and multi-family new construction building permits.

\$500 to be allocated to the facilities fund, plus:

\$3.00 per square foot up to 1,000 square feet under roof

\$2.00 per square foot from 1,001 square feet up to 5,000 square feet under roof

\$1.50 per square foot for everything over 5,000 square feet under roof

(4) Commercial, industrial and multi-family renovation and build-out building permits.

Seventy-five (75) cents per square foot

(5) Mechanical permits not included in a building permit.

\$25 per each H.V.A.C. (heating, ventilation and air conditioning) unit installed

\$25 per each natural gas line installed

(6) Accessory structures and decks not included with a building permit.

25 cents per square foot, \$25 minimum

(7) Plans, plats, annexation and rezoning submission and application fees

Concept Plan: \$50

Annexation Application: \$100

Rezoning Application: \$200

Residential Preliminary Plat: \$250 + \$20 per acre + \$5 per lot

Residential Final Plat: \$100 + \$10 per lot

Residential P.U.D. Preliminary Plat: \$400 + \$25 per acre

Residential P.U.D. Final Plat: \$200 + \$10 per dwelling unit

Commercial Site Plan: \$200 + 25 cents per square foot

Commercial P.U.D. Preliminary Plat: \$500 + \$100 per acre

Commercial P.U.D. Final Plat: \$50 + 5 cents per square foot

(8) Miscellaneous fees

Property Line Adjustment: \$100

Lot Split or Redivision: \$100

Minor/Major Modifications: \$100

Mobile Food Pantry or Food Truck Permit: \$50 per year

Residential Rental/Lease Property Permit: \$25 per unit (house, apartment, etc.)  
year

(9) Engineering fees for initial submissions.

Annexation: Eleven (11) to fifty (50) acres - \$250

Annexation: Fifty-one (51) acres and over - \$500

Rezoning: \$500

Site Plan Review: \$500 + 2 cents per square foot of commercial space and/or  
\$10 per dwelling unit

Revision to Site Plan: \$500 + 2 cents per square foot of commercial space  
and/or \$10 per dwelling unit

P.U.D. Development Plan: \$1,000 + 2 cents per square foot of commercial  
space and/or \$10 per dwelling unit

Revised P.U.D. Dev Plan: \$1,000 + 2 cents per square foot of commercial space  
and/or \$10 per dwelling unit

Subdivision Preliminary Plat: \$500 + \$25 per lot

Subdivision Final Plat: \$500 + \$25 per lot

(10) Resubmissions and subsequent review engineering fees.

Beginning with the third submission for review, and applying to each subsequent review, an amount equal to one half of the original submission fee and one half of the original engineering review fee shall be assessed and must be remitted to the city with the third and each subsequent submission for review.

And,

**BE IT FURTHER ORDAINED**, that Title 12, Chapter 1, Section 12.106, is hereby created and shall read is follows: "Reserved", and

**BE IT FURTHER ORDAINED**, that Title 12, Chapter 1, Section 12.106, is hereby created and shall read as follows: "12-106. Violations and penalty. It shall be unlawful for any person to violate or fail to comply with any provision of this Chapter as herein adopted by reference and modified. The violation of any section of the Chapter shall be punishable by a penalty of up to fifty (\$50) for each offense. Each day a violation continues or is committed shall constitute a separate offense."

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY RECORDER

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY

Passed First Reading

August 15, 2019

Passed Second Reading

\_\_\_\_\_





**RESOLUTION 27-19**

**A RESOLUTION CALLING FOR A PUBLIC HEARING ON THE PROPOSED ANNEXATION OF TERRITORY INTO THE CITY OF FAIRVIEW BY OWNER CONSENT AND APPROVING A PLAN OF SERVICES**

**Tax Map 19, Parcel 1.01  
7109 County Line Road  
5.05 Acres  
Owner: Civil Engineering Service, PC  
Agent: Ray Flake**

**WHEREAS**, the City of Fairview, having been petitioned by interested persons, proposes the extension of its corporate limits by the annexation of certain territory adjoining its existing boundaries and within its urban growth boundaries by owner consent; and

**WHEREAS**, a Plan of Services for the territory proposed for annexation by owner consent has been reviewed by the Fairview Planning Commission; and

**WHEREAS**, the governing body desires to conduct a public hearing on the proposed annexation and plan of services;

**NOW THEREFORE BE IT RESOLVED** by the City of Fairview Tennessee as follows:

- A. That a public hearing is hereby scheduled for 7:00 pm on October 3, 2019, at Fairview City Hall on the proposed annexation of territory by owner consent, and Plan of Services, to wit:

Land in the 1<sup>st</sup> (stated 15<sup>t</sup> in deed of conveyance) Civil District of Williamson County, Tennessee, described according to a survey made by Alley, Young & Bumgratner, Inc., Engineers, dated September 10, 1981, as follows:

Beginning at a concrete monument at the intersection of the Northerly Right-of-Way of State Highway #96 and the Easterly Right-of-Way of Turnbull Road, the same being on the Southwesterly corner of the Kinser property; thence leaving Highway #96 Right-Of-Way along the Turnbull Road Right-of-Way North 02 degrees 57' 10" East 212.78 and then North 04 degrees 50'59" east, 152.00' to the beginning point; thence North 04 degrees 50' 59" East 556.50' along said Right-of-Way to a point; thence South 85 degrees 09' 01" East, 430.96' to a point in the Easterly Right-of-Way to the Kinser Property; thence along said Easterly Right-of-Way South 12 degrees 24' 27" West, 471.45' to an iron pin; thence continuing along said property line South 02 degrees 25' 32" East, 89.20' to a point; thence leaving said property line North 85 degrees 09' 01" West 380.32' to the beginning, and containing 5.056 acres, more or less.

Being the same property conveyed to Andrew Sudbrock, by Quitclaim Deed, from Barbara L. Greene, dated May 1, 2019, recorded May 1, 2019, of record in Book 7614, page 31, Register's Office for Williamson County.

Previously being the same property conveyed to Andrew Sudbrock, by Final Decree, confirming Clerk and Master's Report of Sale and Vesting Property in Purchaser, from James G. martin, III, Cacellor, dated November 30, 2010, recorded December 2, 2011, of record in Book 5455, page 426, Register's Office for Williamson County.

Further previously being the same property conveyed to Barbara L. Greene, by Executrix's Deed, from Jo Ann Somers, Executrix of the Estate of George Richard Miller, dated July 30, 2004, recorded August 11, 2004, of record in Book 3321, page 824, Register's Office for Williamson County, Tennessee.

B. That a copy of this Resolution, describing the territory proposed for annexation by owner consent, along with the Plan of Services, shall be promptly sent to the last known address listed in the office of the Williamson County property assessor for each property owner of record within the territory proposed for annexation, with such being sent by first class mail and mailed no later than fourteen (14) calendar days prior to the scheduled date of the hearing on the proposed annexation.

C. That a copy of this Resolution shall also be published by posting copies of it in at least three (3) public places in the territory proposed for annexation and in a like number of public places in the City of Fairview, and by publishing notice of the Resolution at or about the same time in the Observer, a newspaper of general circulation in such territory and the City of Fairview.

D. That notice of the time, place and purpose of a public hearing on the proposed annexation by owner consent and the Plan of Services shall be published in a newspaper of general circulation in the City of Fairview not less than fifteen (15) days before the hearing, which notice included the locations of a minimum of three (3) copies of the Plan of Services for public inspection during all business hours from the date of notice until the public hearing.

E. That written notice of the proposed annexation shall be sent to the affected school system as soon as possible, but in no event less than thirty (30) days before the public hearing.

**WHEREUPON**, the Mayor declared the Resolution adopted, affixed a signature and the date thereto, and directed that the same be recorded.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date:

\_\_\_\_\_  
ATTEST: City Recorder

Approved as to Form and Legality this \_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
City Attorney



**ORDINANCE NO. 2019-20**

**AN ORDINANCE FOR AN AMENDMENT TO THE CITY OF FAIRVIEW,  
TENNESSEE, BUDGET FOR FISCAL YEAR 2018 – 2019 BUDGET**

**Be it Ordained by the City of Fairview, Tennessee as follows:**

**WHEREAS**, the Board of Commissioners of the City of Fairview, Tennessee, have determined that the Budget for Fiscal Year 2018 - 2019 (beginning July 1, 2018 and running through June 30, 2019) should be amended to reflect the final expenditures for the Fiscal Year, and:

**WHEREAS**, the Board of Commissioners of the City of Fairview, Tennessee adopted the fiscal year 2018 – 2019 budget by passage of Ordinance Number 2018-09 on June 7, 2018, and

**WHEREAS**, pursuant to the Tennessee state Constitution, Article II, Section 24, no public money shall be expended except pursuant to appropriations made by law, and

**WHEREAS**, pursuant to Tennessee Code Annotated § 6-56-209, the Board of Commissioners has the authority to authorize the Finance Director to transfer money from one appropriation to another within the same fund, and

**NOW THEREFORE BE IT ORDAINED BY THE CITY OF FAIRVIEW, TENNESSEE THAT CHANGES BE MADE TO THE FISCAL YEAR 2018-2019 BUDGET AS FOLLOWS:**

Section 1. Ordinance 2018-09 is hereby amended to appropriate \$917,108.61 for proceeds from debt and for capital outlay involving the purchases of a fire truck and Motorola public safety communication equipment.

**General Fund**

Proceeds Account #	Current Balance	Debt Proceeds	New Balance
114-36600	\$0.00	\$427,249.59	\$427,249.59
110-36600	\$0.00	\$489,859.02	\$489,859.02

Capital Outlay Account #	Current Budget	Outlay	New Budget
114-42200-900	\$0.00	\$427,249.59	\$427,249.59
110-41114-900	\$0.00	\$489,859.02	\$489,859.02



Section 2. The Financial Officer is hereby authorized to make said changes in the accounting system.

**BE IT FURTHER ORDAINED**, If any sentence, clause, phrase or paragraph of this Ordinance is declared to be unconstitutional by any Court of competent jurisdiction; such holding will not affect any other portion of this Ordinance.

**BE IT FINALLY ORDAINED**, that this Ordinance shall take effect fifteen days (15) days after its first passage or upon second reading, whichever is later, the public welfare requiring it.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY RECORDER

**APPROVED AS TO FORM:**

\_\_\_\_\_  
CITY ATTORNEY

**Passed First Reading** \_\_\_\_\_

**Passed Second Reading** \_\_\_\_\_

CITY OF FAIRVIEW, TENNESSEE

RESOLUTION NO. 28-19



A RESOLUTION OF THE CITY OF FAIRVIEW, TENNESSEE, DESIGNATING A VEHICLE, OR VEHICLES, AND/OR EQUIPMENT AS SURPLUS, AUTHORIZING THE DISPOSAL OF SAID VEHICLE(S) AND EQUIPMENT, AND DESIGNATING THE AUCTION OR SALE PROCEEDS FROM SURPLUS ITEMS.

**WHEREAS**, the Board of Commissioners desires to continue to maintain the city's vehicle and equipment fleet in the most efficient and cost effective manner, and

**WHEREAS**, these vehicles and/or equipment have exhausted their useful service life and should be designated as surplus to be removed from the fleet or inventory, and

**WHEREAS**, the proceeds from the auction, sale or disposal of these items shall be remitted to a specific account, and

**WHEREAS**, the vehicle(s) and/or equipment to be designated as surplus and auctioned or sold, and the subsequent proceeds designation(s), are as follows:

- 20' Shipping Container, Item M0020 (General Fund Capital Account)
- 2002 Ford F350, VIN 1FTSWF12ED65242, Mileage 65,688, Item M0025 (General Fund Capital Account)
- Trailer Semi Electronics, Camouflage, Item M0012 (General Fund Capital Account)
- 2010 Ford Escape, VIN 1FMCU9DG6AKD27999 (General Fund Operating Account)

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF FAIRVIEW, TENNESSEE, AS FOLLOWS:**

The City of Fairview Board of Commissioners hereby resolves to and does declare the vehicle(s) described herein as surplus, authorizes their disposal, and designates the remittance of auction or sale proceeds.

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Recorder

Approved As To Form:

\_\_\_\_\_  
City Attorney

Adopted \_\_\_\_\_

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ORDINANCE NO. 2019-21

AN ORDINANCE TO AMEND TITLE 7, CHAPTER 2 OF THE CITY OF FAIRVIEW'S MUNICIPAL CODE. BY REPEALING SECTION 1 OF ORDINANCE 949, ADOPTED JANUARY 5, 2017 AND REPLACING IT IN ITS ENTIRETY BY THE ABOVE STYLED ORDINANCE.

WHEREAS, the Board of Commissioners of the City of Fairview deems it necessary to amend Title 7, Chapter 2 of the municipal code by repealing Section 1 of Ordinance 949, adopted January 5, 2017, and replacing it in its entirety by the following:

NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF FAIRVIEW, TENNESSEE, THAT:

SECTION 1. We hereby repeal title 7, chapter 2 of the municipal code in its entirety and any ordinances amending title 7, chapter 2, and replace it with the following:

CHAPTER 2

FIRE CODE<sup>1</sup>

SECTION

- 7-201. Fire code adopted.
- 7-202. Enforcement.
- 7-203. Modifications.
- 7-204. Definition of "municipality."
- 7-205. Storage of explosives, flammable liquids, etc.
- 7-206. Gasoline trucks.
- 7-207. Variances.
- 7-208. Violations and penalty.

**7-201. Fire code adopted.** Pursuant to authority granted by Tennessee Code Annotated, § § 6-54-501 through 6-54-506, and for the purpose of regulating exits, egress capacity, stairways, fire escapes, travel distance to egress, special locking arrangements in place of assembly occupancies, in any building or

<sup>1</sup>Municipal code reference  
Building, utility and residential codes: title 12.

structure. The International Fire Code,<sup>1</sup> 2018 edition, along with appendices B, C, D, F, H, I and all subsequent amendments or additions to said code as prepared and adopted by the International Code Council is hereby adopted and incorporated by reference as fully as if copied herein verbatim as a part of this code.

One (1) copy of the fire code shall be kept on file in the office of the city recorder for the use and inspection of the public.

**7-202. Enforcement.** The fire code herein adopted by reference shall be enforced by the chief of the fire department. He shall have the same powers as the state fire marshal.

**7-203. Modifications.** (1) Within the fire code when reference is made to the duties of certain officials named therein, that designated official of City of Fairview, Tennessee who has duties corresponding to those of the chief of the fire department or designated fire marshal shall be deemed to be the responsible official insofar as enforcing the provisions of the code are concerned.

(2) Section 903, "Automatic Sprinkler Systems," of the International Fire Code, 2018 edition, is adopted in its entirety with the following modifications to the following sections:

(a) Section 903.2.1.1 Group A-1 (1) The fire area exceeds 5,000 square feet.

(b) Section 903.2.1.3 Group A-3 (1) The fire area exceeds 5,000 square feet.

(c) Section 903.2.1.4 Group A-4 (1) The fire area exceeds 5,000 square feet.

(d) Section 903.2.3 Group E (1) Throughout all Group E fire areas greater than 5,000 square feet.

(e) Section 903.2.4 Group F (1) A Group F-1 fire area exceeds 5,000 square feet.

(f) Section 903.2.7 Group M (1) A Group M fire area exceeds 5,000 square feet.

(g) Section 903.2.8 Group R A Group R an automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area except for one-and two-family dwellings.

(h) Section 903.2.9 Group S-1 (1) A group S-1 fire area exceeds 5,000 square feet.

(i) Section 903.2.9.1 Repair Garages.

(i) Buildings having two or more stories above grade plane, including basements, with a fire area containing a repair garage exceeding 5,000 square feet.

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<sup>1</sup>Copies of this code (and any amendments) may be purchased from the International Code Council, 500 New Jersey Avenue NW, 6th Floor, Washington, DC 20001



- (ii) Buildings no more than one story above grade plane, with a fire area containing a repair garage exceeding 5,000 square feet.
- (j) Section 903.2.10 Group S-2 enclosed parking garages.
  - (i) Where the fire area of the enclosed parking garage exceeds 5,000 square feet.

**7-204. Definition of "municipality."** Whenever the word "municipality" is used in the fire code herein adopted, it shall be held to mean the City of Fairview, Tennessee.

**7-205. Storage of explosives, flammable liquids, etc.** (1) The limits referred to in the fire code, in which storage of explosive materials is prohibited, are hereby declared to be the fire district as set out in § 7-101 of this code.

(2) The limits referred to in the fire code, in which storage of flammable or combustible liquids in outside above ground tanks is prohibited, are hereby declared to be the fire district as set out in § 7-101 of this code.

(3) The limits referred to in the fire code, in which new bulk plants for flammable or combustible liquids are prohibited, are hereby declared to be the fire district as set out in § 7-101 of this code.

(4) The limits referred to in the fire code, in which hulk storage of liquefied petroleum gas is restricted, are hereby declared to be the fire district as set out in § 7-101 of this code.

**7-206. Gasoline trucks.** No person shall operate or park any gasoline tank truck within the central business district or within any residential area at any time except for the purpose of and while actually engaged in the expeditious delivery of gasoline.

**7-207. Variances.** The chief of the fire department may recommend to the board of commissioners variances from the provisions of the fire prevention code upon application in writing by any property owner or lessee, or the duly authorized agent of either, when there are practical difficulties in the way of carrying out the strict letter of the code, provided that the spirit of the code shall be observed, public safety secured, and substantial justice done. The particulars of such variances when granted or allowed shall be contained in a resolution of the board of commissioners.

**7-208. Violations and penalties.** It shall be unlawful for any person to violate or fail to comply with any provision of the fire code, along with Appendices B, C, D, F, H, and I as herein adopted. The violation of any section of this chapter shall be punishable by a penalty of up to fifty dollars (\$50.00) for each offense. Each day a violation is allowed to continue shall constitute a separate offense.

**THEREFORE BE IT ORDAINED**, by the Fairview Board of Commissioners that the Fairview Municipal Code, be amended to include this Ordinance as amended.

**BE IT FURTHER ORDAINED**, If any sentence, clause, phrase or paragraph of this Ordinance is declared to be unconstitutional by any Court of competent jurisdiction, such holding will not affect any other portion of this Ordinance.

**BE IT FINALLY ORDAINED**, that this Ordinance shall take effect fifteen days (15) days after its first passage or upon second reading, whichever is later, the public welfare requiring it.

\_\_\_\_\_  
**MAYOR**

\_\_\_\_\_  
**CITY RECORDER**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**CITY ATTORNEY**

**Passed First Reading** \_\_\_\_\_

**Passed Second Reading** \_\_\_\_\_



**A RESOLUTION OF THE CITY OF FAIRVIEW BOARD OF COMMISSIONERS TO ESTABLISH THE "KEEP FAIRVIEW BEAUTIFUL" INITIATIVE FOR THE PURPOSE OF MAKING RESOURCES AND MATERIALS AVAILABLE TO COMMUNITY GROUPS, NEIGHBORHOOD ASSOCIATIONS AND OTHER VOLUNTEERS WHO DESIRE TO ASSIST IN MAINTAINING THE LANDSCAPING AND APPEARANCE OF CERTAIN CITY OWNED PROPERTIES AND RIGHTS OF WAY.**

**WHEREAS,** The City of Fairview owns various properties and rights of way within the city limits, and

**WHEREAS,** some of these properties and rights of way are adjacent to or within the interior of residential subdivisions within the city limits, and

**WHEREAS,** the maintenance and appearance upkeep of these areas is beneficial to all residents of the City of Fairview, and

**WHEREAS,** the City of Fairview desires to partner with community groups, neighborhood associations and other volunteers who wish to maintain these properties and rights of way, and

**WHEREAS,** the City of Fairview desires to assist these community groups, neighborhood associations and other volunteers by providing resources and materials necessary for the maintenance and upkeep of these areas, and

**NOW THEREFORE BE IT RESOLVED BY THE CITY OF FAIRVIEW, TENNESSEE, BOARD OF COMMISSIONERS AS FOLLOWS:**

**BE IT RESOLVED,** that the City of Fairview is hereby resolves to establish the "Keep Fairview Beautiful" initiative, and

**BE IT FURTHER RESOLVED,** that the city will provide make available up to \$500 worth of materials annually to community groups, neighborhood associations and other volunteers for the purpose of maintaining city-owned properties and rights of way within or adjacent to residential subdivisions within the city limits of the City of Fairview and that this program will be managed by the city's public works department.

\_\_\_\_\_  
**MAYOR**

\_\_\_\_\_  
**CITY RECORDER**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**CITY ATTORNEY**

**Adopted** \_\_\_\_\_



ORDINANCE NO. 2019-22



**AN ORDINANCE TO AMEND TITLE 17, CHAPTER 1, SECTION 10  
CITY OF FAIRVIEW MUNICIPAL CODE REGARDING THE ISSUANCE  
OF BURN PERMITS WITHIN THE CITY OF FAIRVIEW.**

**WHEREAS**, the City of Fairview, Tennessee, desires to revise its current ordinance regarding burn permits issued by the fire department, and

**WHEREAS**, this action is preferred for the good and welfare of the citizens of the City of Fairview, and

**NOW THEREFORE BE IT ORDAINED BY THE CITY OF FAIRVIEW,  
TENNESSEE AS FOLLOWS:**

**BE IT ORDAINED**, that Title 17, Chapter 1, Section 108, is hereby amended to read as follows:

17-108. Burn permits required.

(1) It shall be unlawful for any person, business, firm, corporation or entity to kindle or maintain any bonfire, rubbish fire, debris fire or other fire, or to authorize any such fire to be kindled or maintained, within the city limits of the city of Fairview without having been issued a burn permit from the city of Fairview fire department.

(2) No construction, demolition or waste materials at or from any construction site may be burned without, and/or prior to, obtaining a burn permit from the city of Fairview fire department.

(3) Burn location requirements are minimally one or more of the following:

(a) Fire not contained in waste burn structure, device or facility shall be no less than fifty (50) feet from any structure and with adequate provisions to prevent the fire from spreading to within fifty (50) feet of any structure.

(b) Fire contained in a waste burn structure, device or facility shall be no less than fifteen (15) feet from any structure and with adequate provisions to prevent the fire from spreading to within fifteen (15) feet of any structure.

(c) The fire chief, or his or her designee, may use his or her discretion to require other reasonable safeguards for the issuance of a burn permit and such requirements, if applicable, must be specified in the burn permit issued.

(4) The fire department shall have the authority to extinguish any permitted burn if the permitted burn is not safely controlled by the permit applicant or becomes such a hazard that the permit applicant is not capable of controlling the burn.

(5) The fire department shall have the authority to extinguish any burn not requiring a permit if the burn is not safely controlled or becomes such a hazard that the operator of the burn is not capable of controlling the burn.



(6) The fire department may prohibit or extinguish any permitted and/or non-permitted burn when weather conditions or other factor(s) make burning exceptionally hazardous.

(7) Nothing in this Chapter shall prevent any business or resident from burning a recreational campfire, fire pit, fireplace or grill and no permit shall be required for such campfire, fire pit, fireplace or grill.

(8) Burn permit application fees shall be as follows:

(a) Residential homeowner burn permit: \$0

(b) Single family residential construction permit: \$50 per lot

(b) Commercial, industrial, and multi-family residential construction: \$50 per day, \$250 per week, \$500 per month

(9) Burn permit requirement violations: Any person who violates this Section shall be subject to a penalty of \$50 per day per occurrence.

\_\_\_\_\_  
**MAYOR**

\_\_\_\_\_  
**CITY RECORDER**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**CITY ATTORNEY**

**Passed First Reading**

\_\_\_\_\_

**Passed Second Reading**

\_\_\_\_\_