

**CITY OF FAIRVIEW
BOARD OF COMMISSIONERS**

NOVEMBER 19, 2020

7:00 P.M.

AGENDA

- 1. Roll Call**
- 2. Call to Order**
- 3. Prayer and Pledge**
- 4. Approval of Agenda and Executive Session Announcements**
- 5. Public Hearing(s)**
 - A. Item 9C
- 6. Citizen Comments** (Limited to the first 5 citizens to sign in and a limit of 3 minutes each)
- 7. Public Announcements, Awards and Recognitions**
- 8. Staff Comments and Monthly Reports**
 - A. City Manager Report
- 9. Consent Agenda** (Any Item May be Removed for Individual Consideration)
 - A. Minutes from the November 5, 2020, Board of Commissioners Meeting
 - B. Minutes from the November 5, 2020, Board of Commissioners Work Session
 - C. Second and Final Reading on Ordinance 2020-22, An Ordinance of the City of Fairview to Annex the Section of Taylor Road Between the Current City Limits at 7330 Taylor Road and the Northwest Boundary of the Intersection of Taylor Road at Demoss Lane
 - D. Second and Final Reading on Ordinance 2020-23, An Ordinance of the City of Fairview, Tennessee, Amending the Annual Budget for the Fiscal Year Beginning July 1, 2020, and Ending June 30, 2021
- 10. Old Business – n/a**
- 11. New Business**
 - A. Resolution 26-20, A Resolution Calling for a Public Hearing on the Proposed Annexation of Territory into the City of Fairview by Owner Consent, Approving a Plan of Services and Zoning to R-20 (Medium-Density Residential) (Northwest Highway, 5.384 Acre Parcel)
 - B. Resolution 27-20, A Resolution Calling for a Public Hearing on the Proposed Annexation of Territory into the City of Fairview by Owner Consent, Approving a Plan of Services and Zoning to R-20 (Medium-Density Residential) (7282 Northwest Highway, 9.94 Acre Parcel)
 - C. Ordinance 2020-24, An Ordinance to Amend the Zoning Ordinance of the City of Fairview, by Rezoning 1 Acre of Property, Located at 7302 Henderson Drive, Williamson County Tax Map 023, Parcel 015.00, From R-20, Single Family (Medium-Density) Residential, to CG (Commercial General)
 - D. Ordinance 2020-25, An Ordinance to Amend Title 12 of the City of Fairview's Municipal Code by Repealing Sections Pertaining to Title 12, Chapters 1-8, Excluding Section 12-103 in Ordinance 949, Adopted January 5, 2017 and Replacing it in its Entirety by the Above Styled Ordinance
- 12. Communications from the Mayor and Commissioners**
 - A. Commissioner
 - B. Commissioner
 - C. Commissioner
 - D. Vice Mayor
 - E. Mayor
- 13. Meeting Adjournment**

9C

ORDINANCE NO. 2020-22

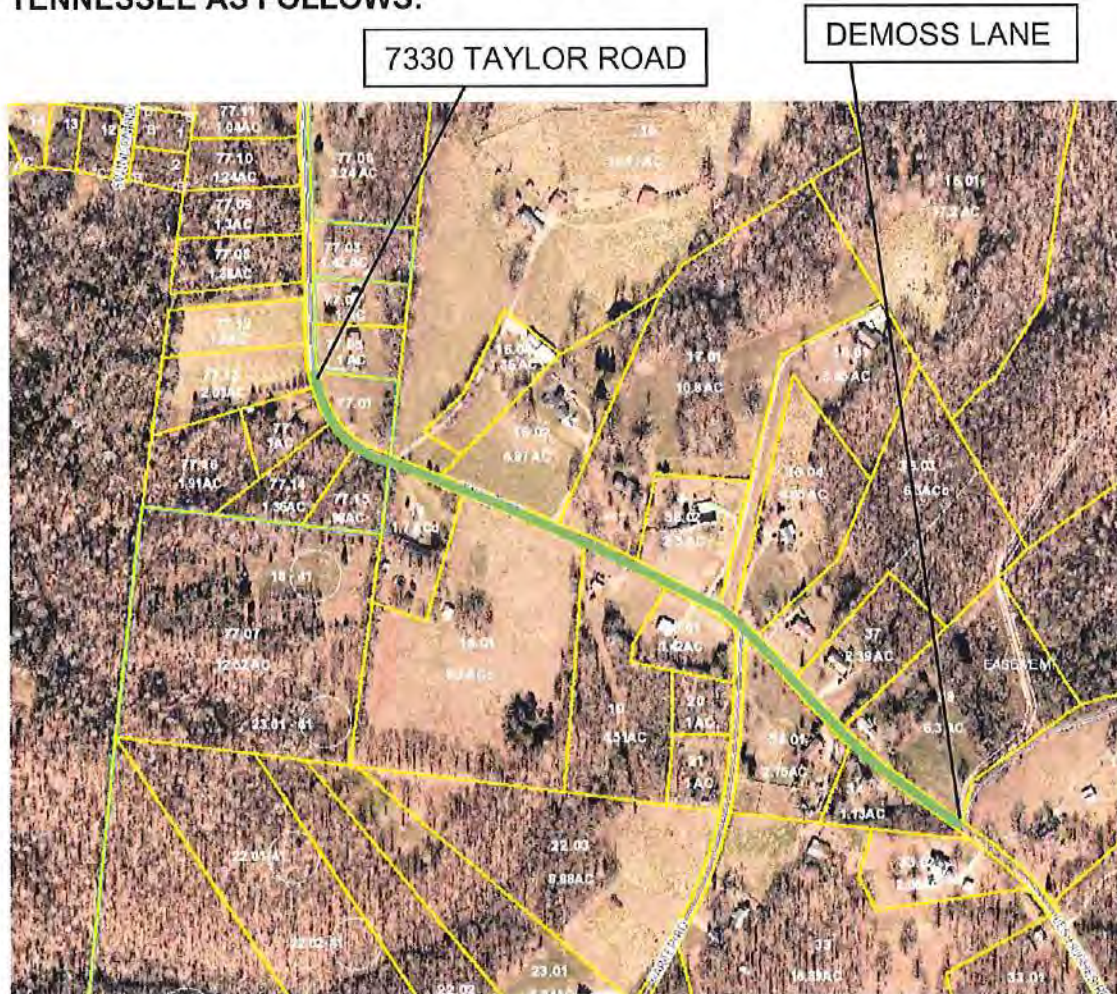
AN ORDINANCE OF THE CITY OF FAIRVIEW TO ANNEX THE SECTION OF TAYLOR ROAD BETWEEN THE CURRENT CITY LIMITS AT 7330 TAYLOR ROAD AND THE NORTHWEST BOUNDARY OF THE INTERSECTION OF TAYLOR ROAD AT DEMOSS LANE.

WHEREAS, Williamson County currently recognizes the section of Taylor Road right of way between 7330 Taylor Road and the northwest boundary of the intersection of Taylor Road at Demoss Lane to be within the corporate boundary of the City of Fairview, and

WHEREAS, Due to property annexations most of the residential properties between 7330 Taylor Road and Carter Road lie within the corporate boundaries of the City of Fairview, and

WHEREAS, Williamson County recognizes the section of Les Hughes Road east of Demoss Lane to be a county road outside of the corporate limits of the City of Fairview, and

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



BE IT ORDAINED, that the Fairview City Commission desires to and hereby does approve the annexation of the approximately 3,575 linear foot section of Taylor Road right of way between 7330 Taylor Road and the northwest boundary of the intersection of Taylor Road at Demoss Lane into the City of Fairview corporate boundary and further resolves to maintain this right of way as all other public rights of way within the City of Fairview corporate boundary.

MAYOR

CITY RECORDER

APPROVED AS TO FORM:

CITY ATTORNEY

Passed First Reading

October 1, 2020

Public Hearing Held _____

Passed Second Reading _____

90

ORDINANCE No. 2020-23

AN ORDINANCE OF THE CITY OF FAIRVIEW, TENNESSEE, AMENDING ANNUAL BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2020 AND ENDING JUNE 30, 2021.

WHEREAS, Tennessee Code Annotated § 9-1-116 requires that all funds of the State of Tennessee and all its political subdivisions shall first be appropriated before being expended and that only funds that are available shall be appropriated; and

WHEREAS, the Municipal Budget Law of 1982 requires that the governing body of each municipality adopt and operate under an annual budget ordinance presenting a financial plan with at least the information required by that state statute, that no municipality may expend any moneys regardless of the source except in accordance with a budget ordinance and that the governing body shall not make any appropriation in excess of estimated available funds; and

WHEREAS, the Board of Commissioners has published the annual operating budget and budgetary comparisons of the proposed budget with the prior year (actual) and the current year (estimated) in a newspaper of general circulation not less than ten (10) days prior to the meeting where the Board will consider final passage of the budget.

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

SECTION 1: That the governing body projects anticipated revenues from all sources and appropriates planned expenditures for each department, board, office or other agency of the municipality, herein presented together with the actual annual receipts and expenditures of the last preceding fiscal year and the estimated annual expenditures for the current fiscal year, and from those revenues and unexpended and unencumbered funds as follows for fiscal year 2021, and including the projected ending balances for the budget year, the actual ending balances for the most recent ended fiscal year and the estimated ending balances for the current fiscal years:

| General Fund | Actual FY 2019 | Estimated FY 2020 | FY 2021 Budget |
|----------------------|----------------|-------------------|------------------|
| Cash Receipts | | | |
| Taxes | 5,182,340 | 5,408,556 | 5,432,700 |
| Licenses and Permits | 275,817 | 177,750 | 385,000 |
| Fines and Fees | 257,909 | 337,150 | 208,650 |
| Intergovernmental | 287,261 | 36,550 | 994,394 |

| | | | |
|-------------------------------|--------|--------|---------|
| Other Revenue | 57,924 | 97,950 | 297,710 |
| Debt Proceeds | 0 | 0 | 0 |
| TAN and GAN Proceeds | 0 | 0 | 0 |
| Transfers In From Other Funds | 0 | 0 | 0 |

| | | | |
|----------------------------|------------------|------------------|------------------|
| Total Cash Receipts | 6,061,251 | 6,057,956 | 7,109,454 |
|----------------------------|------------------|------------------|------------------|

Appropriations

| | | | |
|--------------------------|-----------|-----------|-----------|
| State Street Aid | 44,129 | 44,129 | 44,129 |
| Police Department | 1,353,344 | 1,353,344 | 1,353,344 |
| Fire Department | 114,124 | 114,124 | 114,124 |
| Public Works Department | 311,839 | 311,839 | 311,839 |
| Public Safety Department | 181,778 | 181,778 | 181,778 |
| Public Works Department | 1,963,934 | 1,963,934 | 1,963,934 |
| Public Safety Department | 1,833,493 | 1,833,493 | 1,833,493 |
| Public Safety Department | 1,391,551 | 1,391,551 | 1,391,551 |
| Public Safety Department | 393,000 | 393,000 | 393,000 |
| | 0 | 0 | 0 |

| | | | |
|-----------------------------|------------------|------------------|------------------|
| Total Appropriations | 6,693,448 | 6,150,085 | 7,635,344 |
|-----------------------------|------------------|------------------|------------------|

| | | | |
|--------------------------|-----------|-----------|-----------|
| Public Safety Department | 1,391,551 | 1,391,551 | 1,391,551 |
| Public Safety Department | 1,833,493 | 1,833,493 | 1,833,493 |
| Public Safety Department | 1,353,344 | 1,353,344 | 1,353,344 |
| Public Safety Department | 29,700 | 29,700 | 29,700 |

State Street Aid

Actual FY 2019

Estimated FY 2020

FY 2021 Budget

Cash Receipts

| | | | |
|-------------------------------------|---------|---------|---------|
| State Gasoline and Motor Fuel Taxes | 269,729 | 300,000 | 264,000 |
| Local Gasoline and Motor Fuel Taxes | 0 | 0 | 0 |
| Other Revenue | 51 | 250 | 200 |
| Debt Proceeds | 0 | 0 | 0 |

| | | | |
|---------------------|---------|---------|---------|
| Total Cash Receipts | 269,780 | 300,250 | 264,200 |
|---------------------|---------|---------|---------|

Appropriations

| | | | |
|-------------------------|---------|---------|---------|
| Public Works Department | 392,895 | 440,500 | 228,000 |
| Debt Service | 38,806 | 40,000 | 40,000 |

| | | | |
|--|---------|---------|---------|
| | 41,711 | 44,500 | 41,711 |
| | 110,000 | 114,250 | 110,000 |
| | 15,000 | 15,000 | 15,000 |
| | 10,000 | 10,000 | 10,000 |
| | 10,000 | 10,000 | 10,000 |
| | 10,000 | 10,000 | 10,000 |

| | | | |
|-----------------------|----------------|----------------------|----------------|
| Drug Enforcement Fund | Actual FY 2019 | Estimated FY 2020 | FY 2021 Budget |
|-----------------------|----------------|----------------------|----------------|

Cash Receipts

| | | | |
|-----------------------|----------|----------|----------|
| Fines and Court Costs | 12,930.0 | 18,000.0 | 12,000.0 |
| Other Revenue | 9,314.0 | 5,050.0 | 30,050.0 |

| | | | |
|---------------------|----------|----------|----------|
| Total Cash Receipts | 22,244.0 | 23,050.0 | 42,050.0 |
|---------------------|----------|----------|----------|

Appropriations

| | | | |
|-----------------------------|----------|----------|----------|
| Police Operational Expenses | 32,528.0 | 25,453.0 | 54,500.0 |
| Police Capital Expenditures | 0.0 | 0.0 | 0.0 |
| Drug Enforcement | 0.0 | 0.0 | 0.0 |
| Other | 0.0 | 0.0 | 0.0 |

| | | | |
|----------------------|----------|----------|----------|
| Total Appropriations | 32,528.0 | 25,453.0 | 54,500.0 |
|----------------------|----------|----------|----------|

| | | | |
|---|------------|-----------|------------|
| Change in Cash (Receipts - Appropriations) | (10,284.0) | (2,403.0) | (12,450.0) |
|---|------------|-----------|------------|

| | | | |
|--------------------------------------|----------|----------|----------|
| Beginning Cash Balance on July 1 | 97,687.0 | 87,403.0 | 85,000.0 |
| Ending Cash Balance on June 30 | 87,403.0 | 85,000.0 | 72,550.0 |
| Ending Cash as a % of Appropriations | 268.70% | 333.95% | 133.12% |

SECTION 2: At the end of the fiscal year 2021, the governing body estimates fund balances or deficits as follows:

General Fund \$2,245,210

State Street Aid \$6,950

Drug Enforcement Fund \$72,550

SECTION 3: That the governing body herein certifies that the condition of its sinking funds, if applicable, are compliant pursuant to its bond covenants, and recognizes that the municipality has outstanding bonded and other indebtedness as follows:

General Fund \$2,804,000

SECTION 4: During the coming fiscal year (2021) the governing body has pending and planned capital projects with proposed funding as follows:

The Highway 100 Sidewalk Project and the Cumberland Drive Intersection Project, both funded through state and federal resources; American's with Disabilities Act (ADA) accessibility improvements funded by grant and general fund sources; Roadway improvements funded through state and general fund sources; Technology improvements funded through grant and general fund sources.

SECTION 5: No appropriation listed above may be exceeded without an amendment of the budget ordinance as required by the Municipal Budget Law of 1982 (TCA § 6-56-208). In addition, no appropriation may be made in excess of available funds except to provide for an actual emergency threatening the health, property or lives of the inhabitants of the municipality and declared by a two-thirds (2/3) vote of at least a quorum of the governing body in accord with Tennessee Code Annotated § 6-56-205.

SECTION 6: Money may be transferred from one appropriation to another in the same fund in an amount of up to \$10,000 by the City Manager, subject to such limitations and procedures as set by the Board of Commissioners pursuant to Tennessee Code Annotated § 6-56-209. Any resulting transfers shall be reported to the governing body at its next regular meeting and entered into the minutes.

SECTION 7: A detailed financial plan will be attached to this budget and become part of this budget ordinance. In addition, the published operating budget and budgetary comparisons shown by fund with beginning and ending fund balances and the

number of full time equivalent employees required by Tennessee Code Annotated § 6-56-206 will be attached.

SECTION 8: There is hereby levied a property tax of \$0.08765 per \$100 of assessed value on all real and personal property.

SECTION 9: This amended annual operating and capital budget ordinance and supporting documents may be submitted to the Comptroller of the Treasury or Comptroller's Designee. If the Comptroller of the Treasury or Comptroller's Designee determines that the budget does not comply with the Statutes, the Governing Body shall adjust its estimates or make additional tax levies sufficient to comply with the Statutes or as directed by the Comptroller of the Treasury or Comptroller's Designee.

SECTION 10: All unencumbered balances of appropriations remaining at the end of the fiscal year shall lapse and revert to the respective fund balances.

SECTION 11: All ordinances or parts of ordinances in conflict with any provision of this ordinance are hereby repealed.

SECTION 12: This ordinance shall take effect November 19, 2020, the public welfare requiring it.

Passed 1st Reading: November 5, 2020

Passed 2nd Reading: _____

Mayor

ATTESTED:

City Clerk

APPROVED AS TO FORM:

City Attorney

11A

RESOLUTION 26-20

A RESOLUTION CALLING FOR A PUBLIC HEARING ON THE PROPOSED ANNEXATION OF TERRITORY INTO THE CITY OF FAIRVIEW BY OWNER CONSENT, APPROVING A PLAN OF SERVICES AND ZONING TO R-20 (MEDIUM-DENSITY RESIDENTIAL) (NORTHWEST HIGHWAY, 5.384 ACRE PARCEL)

Tax Map 021 Parcel P/O 056.00 (Lot 2)

Northwest Highway

Owner: Jingo Building Group, LLC

5.384 Acres

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, a request for R-20 (Medium-Density Residential) zoning on the parcel for proposed annexation has been submitted; and

WHEREAS, the governing body desires to conduct a public hearing on the proposed annexation, zoning 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 November 19, 2020, at Fairview City Hall on the proposed annexation of territory by owner consent, and Plan of Services, to wit:

Lying and being in the First Civil District of Williamson County, State of Tennessee, and being more particularly described as follows:

BEGINNING at a capped "Sharondale Nashville" iron pin set in the east margin of Northwest Highway located at Tennessee State Plane (NAO 83) Grid Coordinate North 609,360.84, East 1,627,726.95; Thence, with the east margin of Northwest Highway, North 6 degrees 52 minutes 20 seconds East, 133.57 feet to a capped "Sharondale Nashville" iron pin set; Thence, along a curve to the right with a central angle of 29 degrees 53 minutes 06 seconds, a radius of 177.56 feet, and a chord bearing of North 21 degrees 48 minutes 53 seconds East, 91.57 feet, a total distance of 92.61 feet to a capped "Sharondale Nashville" iron pin set; Thence, North 36 degrees 45 minutes 26 seconds East, 9.86 feet to a capped "Sharondale Nashville" iron pin set; Thence, leaving the east margin of Northwest Highway, South 83 degrees 37 minutes 15 seconds East, 1,003.81 feet to a capped "Sharondale Nashville" iron pin set; Thence, South 11 degrees 56 minutes 37 seconds West, 231.42 feet to a capped "Sharondale Nashville" iron pin set; Thence, North 83 degrees 37 minutes 15 seconds West, 1,011.88 feet to the point of beginning, containing 234,526 square feet, (5.384 acres).

Being part of the same property conveyed to Cheryl Pittard, Trustee under the Miriam Ruth Kelley Special Needs Trust, under the Will of James W. Kelley by Quitclaim Deed from Cheryl Pittard, Executrix for the Estate of James W. Kelley, acknowledged June 13, 2018 and of record in Book 7546, Page 574, in the

Register's Office of Williamson County, Tennessee.

This conveyance is subject to the right-of-way of Northwest Highway.

This conveyance is subject to a Right of Way Easement in favor of Middle Tennessee Electric Membership Corporation of record in Book 684, Page 44, in the Register's Office of Williamson County, Tennessee.

This conveyance is subject to all matters as shown on new survey, Proposed Division Survey Plan of Tax Map 021, Parcel 056.00, by Sharondale Surveying, Inc., dated July 17, 2020.

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.

SECTION 1: PLAN OF SERVICES

WHEREAS, TCA 6-51-102, as amended requires that a Plan of Services be adopted by the governing body of a City prior to the passage of an annexation resolution of any territory or territories.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF FAIRVIEW, TENNESSEE.

Section 1. Pursuant to the provisions of **TCA 6-5-102**, there is hereby adopted, for the area bounded as described above, the following plan of Services:

Police

Patrolling, radio response to calls, and other routine police services, using present personnel and equipment, will be provided on the effective date of annexation.

Fire

Fire protection by the present personnel and equipment of the City of Fairview Fire Department, within the limitations of available water and distances from fire stations, will be provided on the effective date of annexation.

Water

1. Water for domestic, commercial, and industrial use is provided by the Water Authority of Dickson County, Tennessee, in accordance with their established policy and procedures. The City of

Fairview, Tennessee, does not provide this service.

2. Water for fire protection is provided and water lines and fire hydrants will be installed by the Water Authority of Dickson County, Tennessee, in accordance with their established policy and procedures. The City of Fairview, Tennessee, does not provide this service.

3. Any private domestic, commercial, and industrial water sources shall be maintained by the land-owner and shall be constructed to meet the terms and standards for the Williamson County and the State of Tennessee.

Sanitary Sewers

Sanitary Sewer Service may be serviced by the Water Authority of Dickson County, Tennessee, in accordance with their established policy and procedures. Sanitary Sewer Service is not currently available on this parcel improvement plans include obtaining Sanitary Sewer Service to the project upon the approval of WADC. The City of Fairview, Tennessee does not provide this service.

In the event connection to the Sanitary Sewer Service is not allowed by WADC, an individual sewage disposal system shall be required for residential and non-residential occupied structures. If public sewer facilities are not available and individual disposal systems are proposed, the individual disposal system, including the size of the septic tank and size of the tile fields or other secondary treatment device shall be approved by the County Health Department.

Refuse Collection

Private haulers or the county convenience center will handle refuse collection in the annexed area.

Streets

1. The State Highway Commission under the standards currently prevailing by the State of Tennessee will serve the State Controlled Streets in the annexed area. The City of Fairview, Tennessee under the standards currently prevailing in the City will serve the City Controlled Streets in the annexed area.

2. Traffic signals, traffic signs, street markings, and other traffic control devices will be installed as the need is established by appropriate study and traffic standards.

Schools

The annexed area will be served by the Williamson County School system that serves the entire City of Fairview, Tennessee.

Inspection Services

Any inspection services now provided by the City will begin in the annexed area on the effective date of annexation.

Planning and Zoning

The planning and zoning jurisdiction of the City will extend to the annexed area on the effective date of annexation. City Planning will thereafter encompass the annexed area.

Public Works

Services provided by the Public Works department will be extended to the annexed area on the effective date of annexation to include seasonal chipper and leaf pick up. Reference the city's website for pickup times and specific information regarding what qualifies for this service.

Street Lighting

Existing street lighting will continue to be maintained by the utility provider in the annexed area.

Recreation

Residents of the annexed area may use all City parks on and after the effective date of annexation.

Miscellaneous

Any other service(s) not classified under the foregoing headings will be in accordance with the standards prevailing in the City of Fairview, Tennessee.

The Fairview, Tennessee Municipal Planning Commission voted upon the plan of services in this Resolution as Follows:

Aye 8, Nay 0, Not voting 1

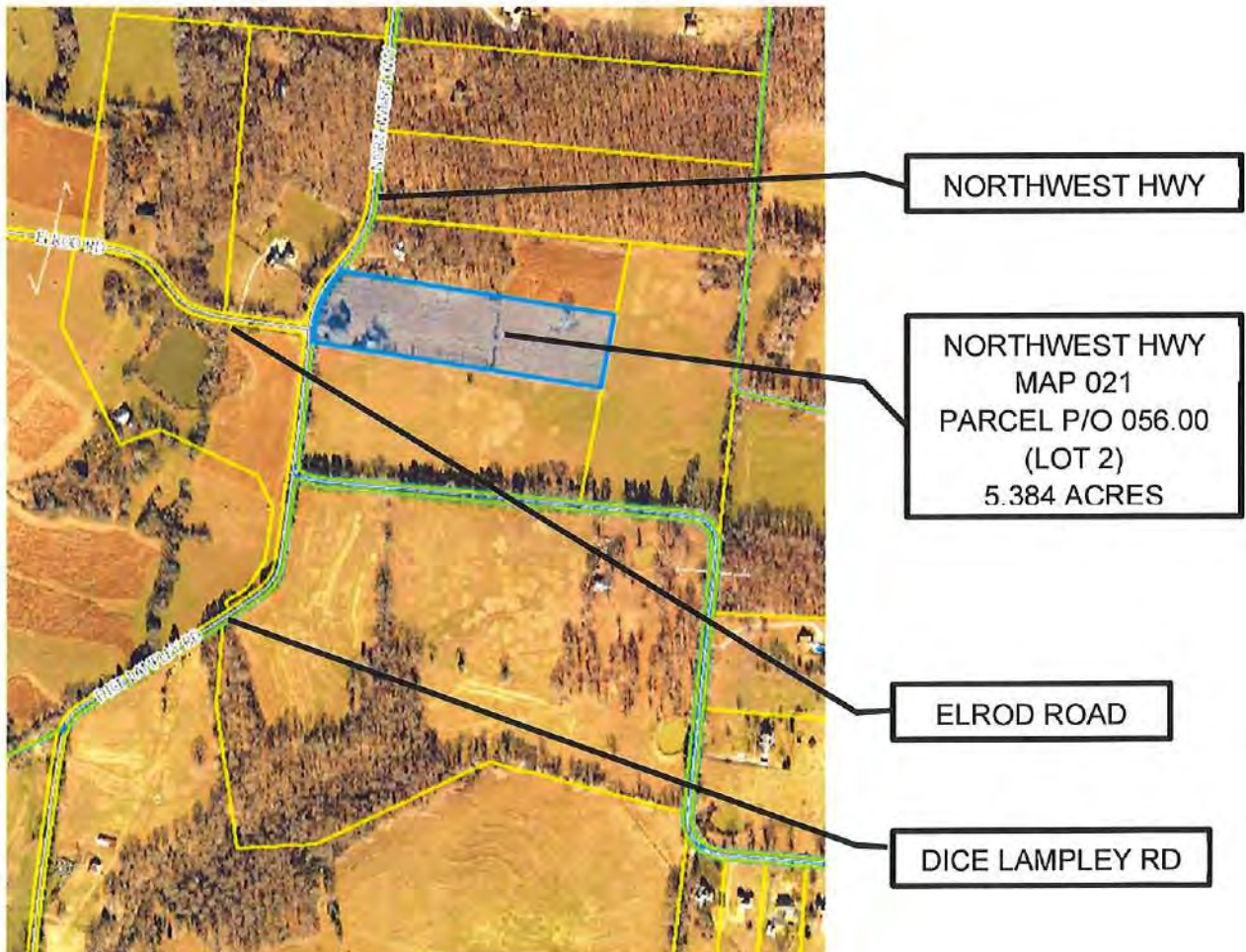
This Resolution was returned to the City of Fairview, Tennessee Board of Commissioners with a Recommendation from the City of Fairview, Tennessee Municipal Planning Commission for Approval ✓, Disapproval _____, No Recommendation _____ for annexation and zoning.

City of Fairview, Tennessee, Municipal Planning Commission this the 10th day of November, 2020.

Bb

Planning Commission Chairman

SECTION 2: LOCATION MAP



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

Approved this _____ day of _____, 2020.

Mayor

ATTEST: City Recorder

APPROVED AS TO FORM:

City Attorney

11B

RESOLUTION 27-20

A RESOLUTION CALLING FOR A PUBLIC HEARING ON THE PROPOSED ANNEXATION OF TERRITORY INTO THE CITY OF FAIRVIEW BY OWNER CONSENT, APPROVING A PLAN OF SERVICES AND ZONING TO R-20 (MEDIUM-DENSITY RESIDENTIAL) (7282 NORTHWEST HIGHWAY, 9.94 ACRE PARCEL)

**Tax Map 21, Parcel 56.02
7282 Northwest Highway
Owners: Tony & Melissa Cavender
9.94 Acres**

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, a request for R-20 (Medium-Density Residential) zoning on the parcel for proposed annexation has been submitted; and

WHEREAS, the governing body desires to conduct a public hearing on the proposed annexation, zoning 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 December 17, 2020, at Fairview City Hall on the proposed annexation of territory by owner consent, and Plan of Services, to wit:

A tract of land in the first civil district of Williamson County, Tennessee and being bounded generally on the north by Tract Six, on the east by John A. Lampley and Curness M. Lampley, on the south by Northwest Highway and on the west by Tract Eight and Tract Seven and being described according to a survey dated May 29, 1998 and prepared by Kevin L. Birdwell, R.L.S. No. 1797, 4060 Carters Creek Pike, Franklin, Tn 37064 and being more particularly described as follows:

Beginning at a point in the centerline of Northwest Highway, said point being the southwest corner of the herein described tract of land and being the southeast corner of Tract Eight, said point also being situated South 83 degrees 37 minutes 11 seconds East, a distance of 1000.13 feet from a point formed by a Tee intersection of Northwest Highway and Dice Lampley Road, where Northwest Highway runs north and east and Dice Lampley Road runs south from said intersection point and proceeding as follows: leaving the centerline of said road and with the east line of Tract Eight and Seven, North 12 degrees 53 minutes 08 seconds East, passing an iron pin set at a distance of 25.00 feet and a total distance of 930.59 feet to an iron pin set in the south of line of Tract Six and also being the northeast corner of Tract Seven; thence with the south line of Tract Six, South 86 degrees 42 minutes 49 seconds East, a distance of 415.80 feet to an iron pin set in the west line of the John A. Lampley et al property as recorded in Deed Book 638, Page 942, R.O.W.C., Tennessee; thence with the west line of John A. Lampley, South 6 degrees 49 minutes 59 seconds West, a distance of 321.44 feet to an iron pin set; thence with the west line of John A. Lampley and

the Curness M. Lampley property by Deed of record in Book 746, Page 624, R.O.W.C., Tennessee, South 7 degrees 07 minutes 14 seconds West, a distance of 625.66 feet to an iron pin set; thence leaving the west line of the John A. Lampley property and with the centerline of Northwest Highway in part, North 83 degrees 37 minutes 11 seconds West, a distance of 510.00 feet to the point of beginning; said described tract containing 9.94 acres, more or less.

Being the same property conveyed to Bobby Galbraith and wife, Eleanor L. Galbraith by deed from Eleanor L. Galbraith, dated February 13, 2001, and of record in Book 2116, Page 672, in the Register's Office of Williamson County, Tennessee. Also being the same property title which vested in Eleanor L. Galbraith upon the death of her husband, Bobby Galbraith, by reason of their tenancy the entirety.

This conveyance in trust subject to the right-of-way of Northwest Highway.

Right-of-Way easement in favor of Middle Tennessee Electric Membership Corp. of record in Book 684, Page 44, in the Register's Office of 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.

SECTION 1: PLAN OF SERVICES

WHEREAS, TCA 6-51-102, as amended requires that a Plan of Services be adopted by the governing body of a City prior to the passage of an annexation resolution of any territory or territories.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF FAIRVIEW, TENNESSEE.

Section 1. Pursuant to the provisions of **TCA 6-5-102**, there is hereby adopted, for the area bounded as described above, the following plan of Services:

Police

Patrolling, radio response to calls, and other routine police services, using present personnel and

equipment, will be provided on the effective date of annexation.

Fire

Fire protection by the present personnel and equipment of the City of Fairview Fire Department, within the limitations of available water and distances from fire stations, will be provided on the effective date of annexation.

Water

1. Water for domestic, commercial, and industrial use is provided by the Water Authority of Dickson County, Tennessee, in accordance with their established policy and procedures. The City of Fairview, Tennessee, does not provide this service.
2. Water for fire protection is provided and water lines and fire hydrants will be installed by the Water Authority of Dickson County, Tennessee, in accordance with their established policy and procedures. The City of Fairview, Tennessee, does not provide this service.
3. Any private domestic, commercial, and industrial water sources shall be maintained by the land-owner and shall be constructed to meet the terms and standards for the Williamson County and the State of Tennessee.

Sanitary Sewers

Sanitary Sewer Service may be serviced by the Water Authority of Dickson County, Tennessee, in accordance with their established policy and procedures. Sanitary Sewer Service is not currently available on this parcel but is located approximately 6/10 (0.6) of a mile South of the subject parcel via Stable Acres. The developer, at his expense, can provide plans and run Sanitary Sewer Service to the project upon the approval of WADC. The City of Fairview, Tennessee does not provide this service.

In the event connection to the Sanitary Sewer Service is not allowed by WADC, an individual sewage disposal system shall be required for residential and non-residential occupied structures. If public sewer facilities are not available and individual disposal systems are proposed, the individual disposal system, including the size of the septic tank and size of the tile fields or other secondary treatment device shall be approved by the County Health Department.

Refuse Collection

Private haulers or the county convenience center will handle refuse collection in the annexed area.

Streets

1. The State Highway Commission under the standards currently prevailing by the State of Tennessee will serve the State Controlled Streets in the annexed area. The City of Fairview, Tennessee under the standards currently prevailing in the City will serve the City Controlled Streets in the annexed area.
2. Traffic signals, traffic signs, street markings, and other traffic control devices will be installed as the need is established by appropriate study and traffic standards.

Schools

The annexed area will be served by the Williamson County School system that serves the entire City of Fairview, Tennessee.

Inspection Services

Any inspection services now provided by the City will begin in the annexed area on the effective date of annexation.

Planning and Zoning

The planning and zoning jurisdiction of the City will extend to the annexed area on the effective date of annexation. City Planning will thereafter encompass the annexed area.

Public Works

Services provided by the Public Works department will be extended to the annexed area on the effective date of annexation to include seasonal chipper and leaf pick up. Reference the city's website for pickup times and specific information regarding what qualifies for this service.

Street Lighting

Existing street lighting will continue to be maintained by the utility provider in the annexed area.

Recreation

Residents of the annexed area may use all City parks on and after the effective date of annexation.

Miscellaneous

Any other service(s) not classified under the foregoing headings will be in accordance with the standards prevailing in the City of Fairview, Tennessee.

The Fairview, Tennessee Municipal Planning Commission voted upon the plan of services in this Resolution as Follows:

Aye 8, Nay 0, Not voting 1

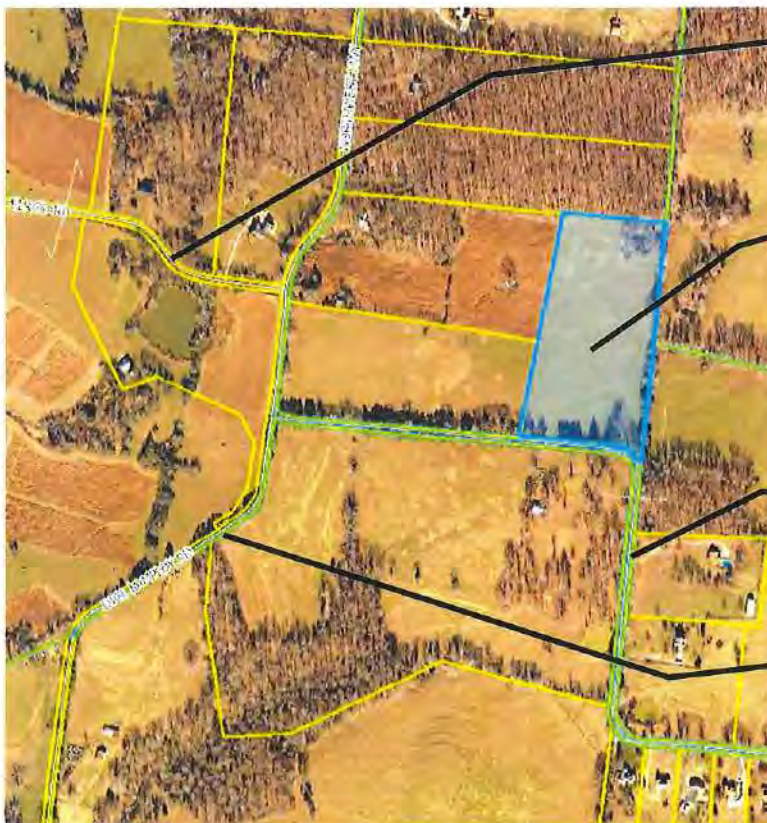
This Resolution was returned to the City of Fairview, Tennessee Board of Commissioners with a Recommendation from the City of Fairview, Tennessee Municipal Planning Commission for Approval ✓, Disapproval _____, No Recommendation _____ for annexation and zoning.

City of Fairview, Tennessee, Municipal Planning Commission this the 10th day of November, 2020.

BB

Planning Commission Chairman

SECTION 2: LOCATION MAP



ELROD ROAD

7282 NORTHWEST HWY
9.94 ACRES
MAP 021
PARCEL 056.02

NORTHWEST HWY

DICE LAMPLEY RD

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

Approved this _____ day of _____, 2020.

Mayor

ATTEST: City Recorder

APPROVED AS TO FORM:

City Attorney

11C

ORDINANCE #2020-24

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF FAIRVIEW, BY REZONING 1 ACRE OF PROPERTY, LOCATED AT 7302 HENDERSON DRIVE, WILLIAMSON COUNTY TAX MAP 023, PARCEL 015.00, FROM R-20, SINGLE FAMILY (MEDIUM-DENSITY) RESIDENTIAL, TO CG, COMMERCIAL GENERAL

WHEREAS, the city of Fairview Zoning Ordinance, and the zoning maps therein adopted be, and the same are hereby amended by rezoning the property herein described as 1.0 acre of property located at 7302 Henderson Drive, Williamson County Tax Map 021, Parcel 023.04, from R-20, Single Family (Medium-Density) Residential, to CG, Commercial General District, as requested by owner Josh White; and

WHEREAS, said portion of property to be rezoned from RS-20 to CG is located within the corporate limits of the City of Fairview; and

WHEREAS, the City of Fairview Municipal Planning Commission forwarded the request to the Board of Commissioners on November 10, 2020, with a recommendation for approval without conditions; and

WHEREAS, that all Ordinances or parts of Ordinances in conflict with are hereby repealed.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF FAIRVIEW, TENNESSEE, BOARD OF COMMISSIONERS, to amend the zoning ordinance of the city of Fairview, by rezoning 1 acre of property, located at 7302 Henderson Drive, Williamson County Tax Map 023, Parcel 015.00, from R-20, Single Family (Medium-Density) Residential, to CG, Commercial General District, the public welfare requiring it. The rezoning of this site shall be subject to all City ordinances and regulations.



HIGHWAY 100

7302 HENDERSON DRIVE
MAP 023 PARCEL 015.00
1 ACRE
CURRENT ZONING: R-20
REQUESTED ZONING: CG
OWNER: JOSH WHITE

HENDERSON DR

Approved by the Board of Commissioners:

Debby Rainey, Mayor

ATTEST:

Brandy Johnson, City Recorder

LEGAL FORM APPROVED:

City Attorney

First Reading: _____

Public Hearing Held: _____

Second Reading: _____

Published in the Fairview Observer on



ORDINANCE NO. 2020-25

AN ORDINANCE TO AMEND TITLE 12 OF THE CITY OF MUNICIPAL CODE BY REPEALING SECTIONS PERTAINING TO TITLE 12, CHAPTERS 1-8, EXCLUDING SECTION 12-103 IN 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 clarify title 12, chapter 1-8, excluding section 12-103, of the municipal code by repealing sections 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:

We hereby repeal title 12, chapter 1-8, excluding section 12-103, of the municipal code in their entirety and any ordinances amending title 12 and replace it with the following chapters:

CHAPTER 12

BUILDING CODE¹

SECTION

- 12-101. Building code adopted.
- 12-102. Modifications.
- 12-103. License, tax and permit fees.
- 12-104. Violations and penalty.

12-101. Building code adopted. Pursuant to authority granted by Tennessee Code Annotated, §§ 6-54-501 through 6-54-506, and for the purpose of regulating the construction, alteration, repair, use, occupancy, location, maintenance, removal, and demolition of every building or structure or any appurtenance connected or attached to any building or structure, the

¹Municipal code references

- Fire protection, fireworks, and explosives: title 7.
- Planning and zoning: title 14.
- Streets and other public ways and places: title 16.
- Utilities and services: titles 18 and 19.

International Building Code, 2018 edition¹, is adopted by reference as fully as if a copied herein in its entirety and all subsequent amendments or additions to the said code, as prepared and adopted by the International Code Council, is hereby adopted and incorporated by reference as a part of this code, and are hereinafter referred to as the building code.

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

12-102. Modifications. (1) Definitions. Whenever the building code refers to the "Chief Appointing Authority," it shall be deemed to be a reference to the mayor. When the "Building Official" is named it shall, for the purposes of the building code, mean such person as the mayor shall have appointed or designated to administer and enforce the provisions of the building code.

(2) Section 903, "Automatic Sprinkler Systems," of the International Building Code, 2012 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.

¹Copies 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.

12-104. Violations and penalty. It shall be unlawful for any person to violate or fail to comply with any provision of the building code as herein adopted by reference and modified. 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.

CHAPTER 2

PLUMBING CODE¹

SECTION

- 12-201. Plumbing code adopted.
- 12-202. Modifications.
- 12-203. Violations and penalty.

12-201. Plumbing code adopted. Pursuant to authority granted by Tennessee Code Annotated, §§ 6-54-501 through 6-54-506, and for the purpose of regulating plumbing installations, including alterations, repairs, equipment, appliances, fixtures, fittings, and the appurtenances thereto, within or without the city, when such plumbing is or is to be connected with the city water or sewerage system, the International Plumbing Code,² 2012 edition, and all subsequent amendments or additions to the said code, as prepared and adopted by the International Code Council are hereby adopted and incorporated by reference as a part of this code as fully as if copied herein verbatim, and is hereinafter referred to as the plumbing code.

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

12-202. Modifications. Definitions. Wherever the plumbing code refers to the "Chief Appointing Authority," it shall be deemed to be a reference to the board of commissioners.

Wherever "Code Official," is named or referred to, it shall mean the person appointed or designated by the city manager to administer and enforce the provisions of the plumbing code. Section 107 of the plumbing code is hereby deleted.

Within the plumbing 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 named official shall be deemed to be the responsible official insofar as enforcing the provisions of the code are concerned

¹Municipal code references

Cross connections: title 18.

Street excavations: title 16.

Wastewater treatment: title 18.

Water and sewer system administration: title 18.

²Copies of this code (and any amendments) may be purchased from the International Code Council, 500 New Jersey Avenue NW, 6th Floor, Washington, DC 20001.

12-203. Violations and penalty. It shall be unlawful for any person to violate or fail to comply with any provision of the plumbing code as herein adopted by reference and modified. 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.

CHAPTER 3

GAS CODE¹

SECTION

- 12-301. Title and definitions.
- 12-302. Purpose and scope.
- 12-303. Use of existing piping and appliances.
- 12-304. Bond and license.
- 12-305. Gas inspector and assistants.
- 12-306. Powers and duties of inspector.
- 12-307. Permits.
- 12-308. Inspections.
- 12-309. Certificates.
- 12-310. Fees.
- 12-311. Nonliability.
- 12-312. Violations and penalty.

12-301. Title and definitions. This chapter and the code herein adopted by reference shall be known as the gas code of the city. The following definitions are provided for the purpose of interpretation and administration of the gas code.

(1) "Certain appliances" means conversion burners, floor furnaces, central heating plants, vented wall furnaces, water heaters, and boilers.

(2) "Certificate of approval" means a document or tag issued and/or attached by the inspector to the inspected material, piping, or appliance installation, filled out, together with date, address of the premises, and signed by the inspector.

(3) "Gas company" means any person distributing gas within the corporate limits or authorized and proposing to so engage.

(4) "Inspector" means the person appointed as inspector, and shall include each assistant inspector, if any, from time to time acting as such under this chapter by appointment of the city manager.

(5) "Person" means any individual, partnership, firm, corporation, or any other organized group of individuals.

12-302. Purpose and scope. The purpose of the gas code is to provide minimum standards, provisions, and requirements for safe installation of consumer's gas piping and gas appliances. All gas piping and gas appliances installed, replaced, maintained, or repaired within the corporate limits shall conform to the requirements of this chapter and to the

¹Municipal code reference

Gas system administration: title 19, chapter 2.

International Fuel and Gas Code,¹ 2018 edition, and all subsequent amendments and additions to said code, which are hereby adopted by and incorporated by reference and made a part of this chapter as if fully set forth herein. One (1) copy of the gas code shall be kept on file in the office of the city recorder for the use and inspection of the public.

12-303. Modifications. Within the gas 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 named official shall be deemed to be the responsible official insofar as enforcing the provisions of the code are concerned. (Ord. #366, Nov. 1994)

12-304. Use of existing piping and appliances. Notwithstanding any provision in the gas code to the contrary, consumer's piping installed prior to the adoption of the gas code or piping installed to supply other than natural gas may be converted to natural gas if the inspector finds, upon inspection and proper tests, that such piping will render reasonably satisfactory gas service to the consumer and will not in any way endanger life or property; otherwise, such piping shall be altered or replaced, in whole or in part, to conform with the requirements of the gas code.

12-305. Bond and license. (1) No person shall engage in or work at the installation, extension, or alteration of consumer's gas piping or certain gas appliances, until such person shall have secured a license as hereinafter provided, and shall have executed and delivered to the city manager a good and sufficient bond in the penal sum of \$10,000, with corporate surety, conditioned for the faithful performance of all such work, entered upon or contracted for, in strict accordance and compliance with the provisions of the gas code. The bond herein required shall expire on the first day of January next following its approval by the city recorder, and thereafter on the first day of January of each year a new bond, in form and substance as herein required, shall be given by such person to cover all such work as shall be done during such year.

(2) Upon approval of said bond, the person desiring to do such work shall secure from the city recorder a nontransferable license which shall run until the first day of January next succeeding its issuance, unless sooner revoked. The person obtaining a license shall pay any applicable license fees to the city recorder.

(3) Nothing herein contained shall be construed as prohibiting an individual from installing or repairing his own appliances or installing, extending, replacing, altering, or repairing consumer's piping on his own premises, or as requiring a license or a bond from an individual doing such

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

work on his own premises; provided, however, all such work must be done in conformity with all other provisions of the gas code, including those relating to permits, inspections, and fees.

12-306. Gas inspector and assistants. To provide for the administration and enforcement of the gas code, the office of gas inspector is hereby created. The inspector, and such assistants as may be necessary in the proper performance of the duties of the office, shall be appointed or designated by the board of commissioners.

12-307. Powers and duties of inspector. (1) The inspector is authorized and directed to enforce all of the provisions of the gas code. Upon presentation of proper credentials, he may enter any building or premises at reasonable times for the purpose of making inspections or preventing violations of the gas code.

(2) The inspector is authorized to disconnect any gas piping or fixture or appliance for which a certificate of approval is required but has not been issued with respect to same, or which, upon inspection, shall be found defective or in such condition as to endanger life or property. In all cases where such a disconnection is made, a notice shall be attached to the piping, fixture, or appliance disconnected by the inspector, which notice shall state that the same has been disconnected by the inspector, together with the reason or reasons therefor, and it shall be unlawful for any person to remove said notice or reconnect said gas piping or fixture or appliance without authorization by the inspector and such gas piping or fixture or appliance shall not be put in service or used until the inspector has attached his certificate of approval in lieu of his prior disconnection notice.

(3) It shall be the duty of the inspector to confer from time to time with representatives of the local health department, the local fire department, and the gas company, and otherwise obtain from proper sources all helpful information and advice, presenting same to the appropriate officials from time to time for their consideration.

12-308. Permits. (1) No person shall install a gas conversion burner, floor furnace, central heating plant, vented wall furnace, water heater, boiler, consumer's gas piping, or convert existing piping to utilize natural gas without first obtaining a permit to do such work from the city manager; however, permits will not be required for setting or connecting other gas appliances, or for the repair of leaks in house piping.

(2) When only temporary use of gas is desired, the recorder may issue a permit for such use, for a period of not to exceed sixty (60) days, provided the consumer's gas piping to be used is given a test equal to that required for a final piping inspection.

(3) Except when work in a public street or other public way is involved the gas company shall not be required to obtain permits to set

meters, or to extend, relocate, remove, or repair its service lines, mains, or other facilities, or for work having to do with its own gas system.

12-309. Inspections. (1) A rough piping inspection shall be made after all new piping authorized by the permit has been installed, and before any such piping has been covered or concealed or any fixtures or gas appliances have been attached thereto.

(2) A final piping inspection shall be made after all piping authorized by the permit has been installed and after all portions thereof which are to be concealed by plastering or otherwise have been so concealed, and before any fixtures or gas appliances have been attached thereto. This inspection shall include a pressure test, at which time the piping shall stand an air pressure equal to not less than the pressure of a column of mercury six (6) inches in height, and the piping shall hold this air pressure for a period of at least ten (10) minutes without any perceptible drop. A mercury column gauge shall be used for the test. All tools, apparatus, labor, and assistance necessary for the test shall be furnished by the installer of such piping.

12-310. Certificates. The inspector shall issue a certificate of approval at the completion of the work for which a permit for consumer piping has been issued if after inspection it is found that such work complies with the provisions of the gas code. A duplicate of each certificate issued covering consumer's gas piping shall be delivered to the gas company and used as its authority to render gas service.

12-312. Nonliability. This chapter shall not be construed as imposing upon the municipality any liability or responsibility for damages to any person injured by any defect in any gas piping or appliance mentioned herein, or by installation thereof, nor shall the municipality, or any official or employee thereof, be held as assuming any such liability or responsibility by reason of the inspection authorized hereunder or the certificate of approval issued by the inspector.

12-311. Violations and penalty. It shall be unlawful for any person to violate or fail to comply with any provision of the gas code as herein adopted by reference and modified. The violation of any section of this chapter shall be punishable by a penalty of up to fifty dollars (\$50.00) for each offense, or the license of such person may be revoked, or both fine and revocation of license may be imposed. Each day a violation is allowed to continue shall constitute a separate offense.

CHAPTER 4

RESIDENTIAL CODE

SECTION

12-401. Residential code adopted.

12-402. Modifications.

12-403. Violations and penalty.

12-401. Residential code adopted. Pursuant to authority granted by Tennessee Code Annotated §§ 6-54-501 through 6-54-506, and for the purpose of providing building, plumbing, mechanical and electrical provisions, the International Residential Code,¹ 2018 edition, with appendices F, G, and M, exclusive of section R313.2 and with modifications listed below (12-402), is adopted by reference as fully as if a copied herein in its entirety and all subsequent amendments or additions to the said code, as prepared and adopted by the International Code Council, is hereby adopted and incorporated by reference as a part of this code, and are hereinafter referred to as the residential code.

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

12-402. Modifications. Wherever the residential code refers to the "Building Official," it shall mean the person appointed or designated by the mayor to administer and enforce the provisions of the residential code. Wherever the "Chief Appointing Authority" is referred to it shall mean the mayor.

The following modifications shall be made:

Section R403.2- All wood foundations shall only be permitted with a signed design and approval letter from a structural engineer, licensed to practice in the State of Tennessee

Section R404.1.5.3- All pier and curtain wall foundations shall only be permitted with a signed design and approval letter from a structural engineer, licensed to practice in the State of Tennessee

Section R405.2- All wood foundations shall only be permitted with a signed design and approval letter from a structural engineer, licensed to practice in the State of Tennessee

Section R502.3 and R802.5- All joist and rafter spans shall be calculated on the most current American Wood Counsel span chart

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

Chapter 11- Dwellings inspected by the IRC shall use the 2009 IRC Energy Code (2009 IRC, Chapter 11)

12-403. Violations and penalty. It shall be unlawful for any person to violate or fail to comply with any provision of the residential code as herein adopted by reference and modified. 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.

CHAPTER 5

ENERGY CONSERVATION CODE¹

SECTION

12-501. Energy conservation code adopted.

12-502. Modifications.

12-503. Violations and penalty.

12-501. Energy conservation code adopted. Pursuant to authority granted by Tennessee Code Annotated, §§ 6-54-501 through 6-54-506, and for the purpose of regulating the design of buildings for adequate thermal resistance and low air leakage and the design and selection of mechanical, electrical, water-heating and illumination systems and equipment which will enable the effective use of energy in new building construction, the International Energy Conservation Code,² 2018 edition, and all subsequent amendments or additions to said code as prepared and adopted by International Code Council, are hereby adopted and incorporated by reference as a part of this code as fully as if herein copied verbatim hereinafter referred to as the energy code.

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

12-502. Modifications. When the "Code Official" is named it shall, for the purposes of the energy code, mean such person as the city manager shall have appointed or designated to administer and enforce the provisions of the energy code.

Within the model energy 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 named official shall be deemed to be the responsible official insofar as enforcing the provisions of the code are concerned.

¹Municipal code references

Fire protection, fireworks, and explosives: title 7.

Planning and zoning: title 14.

Streets and other public ways and places: title 16.

Utilities and services: titles 18 and 19.

²Copies of this code (and any amendments) may be purchased from the International Code Council, 500 New Jersey Avenue NW, 6th Floor, Washington, DC 20001

12-503. Violations and penalty It shall be unlawful for any person to violate or fail to comply with any provision of the energy code as herein adopted by reference and modified. 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.

CHAPTER 6

PROPERTY MAINTENANCE CODE

SECTION

12-601. Property maintenance code adopted.

12-602. Modifications.

12-603. Violations and penalty.

12-601. Property maintenance code adopted. Pursuant to authority granted by Tennessee Code Annotated, § § 6-54-501 through 6-54-506, and for the purpose of securing the public safety, health, and general welfare through structural strength, stability, sanitation, adequate light, and ventilation in dwellings, apartment houses, rooming houses, and buildings, structures, or premises used as such, the International Property Maintenance Code,¹ 2018 edition, and all subsequent amendments or additions to said code as prepared and adopted by the International Code Council, are hereby adopted and incorporated by reference as fully as if copied herein verbatim as a part of this code and is hereinafter referred to as the property maintenance code.

One (1) copy of the property maintenance code has been placed on file in the recorder's office and shall be kept there for the use and inspection of the public.

12-602. Modifications (1) Definitions. Wherever the property maintenance code refers to the "Codes Official" it shall mean the person appointed or designated by the city manager to administer and enforce the provisions of the property maintenance code. Wherever the "Department of Law" is referred to it shall mean the city attorney. Wherever the "Chief Appointing Authority" is referred to it shall mean the board of commissioners.

Within the housing 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 named official shall be deemed to be the responsible official insofar as enforcing the provisions of the code are concerned.

12-603. Violations and penalty. It shall be unlawful for any person to violate or fail to comply with any provision of the property maintenance code as herein adopted by reference and modified. The violation of any

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

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.

CHAPTER 7

MECHANICAL CODE¹

SECTION

12-701. Mechanical code adopted.

12-702. Modifications.

12-703. Violations and penalty.

12-701. Mechanical code adopted. Pursuant to authority granted by Tennessee Code Annotated, §§ 6-54-501 through 6-54-506, and for the purpose of regulating the installation of mechanical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and/or appurtenances thereto, including ventilating, heating, cooling, air conditioning, and refrigeration systems, incinerators, and other energy-related systems, the International Mechanical Code,² 2018 edition, and all subsequent amendments or additions to said code as prepared and adopted by the International Code Council are hereby adopted and incorporated by reference as fully as if copied herein verbatim as a part of this code.

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

12-702. Modifications. Wherever the mechanical code refers to the "Code Official," it shall mean the person appointed or designated by the mayor to administer and enforce the provisions of the mechanical code.

12-703. Violations and penalty. It shall be unlawful for any person to violate or fail to comply with any provision of the mechanical code 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.

¹Municipal code references

Street excavations: title 16.

Wastewater treatment: title 18.

Water and sewer system administration: title 18.

²Copies of this code (and any amendments) may be purchased from the International Code Council, 500 New Jersey Avenue NW, 6th Floor, Washington, DC 20001.

CHAPTER 8

ACCESSIBILITY CODE¹

SECTION

12-801. Adoption.

12-802. Violation.

12-801. Adoption. Pursuant to authority granted by Tennessee Code Annotated, § 68-120-201, and for the purpose of requiring that any public building which is constructed, enlarged, or substantially altered or repaired shall be designed and constructed to make such building accessible to and useable by physically handicapped persons. The North Carolina Accessibility Code, Volume 1-C, 1996 edition with the 2002 and 2004 revisions, is hereby adopted and incorporated by reference as fully as if copied herein verbatim as a part of this Fairview Municipal Code, and is hereinafter referred to as the accessibility code.

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

12-802. Violation. Any person who shall be adjudged to have violated any section of the accessibility code shall be guilty of a misdemeanor and shall upon conviction be liable to a fine, not to exceed fifty (\$50.00) dollars. Each day that a violation continues shall constitute a separate offense.

¹Municipal code references

Fire protection, fireworks, and explosives: title 7.

Planning and zoning: title 14.

Streets and other public ways and places: title 16.

Utilities and services: titles 18 and 19.

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

ATTEST:

CITY RECORDER

APPROVED AS TO FORM:

CITY ATTORNEY

Passed First Reading _____

Passed Second Reading _____