

ORDINANCE 2010-57

TO BE ENTITLED: “AN ORDINANCE AMENDING THE CITY OF FRANKLIN MUNICIPAL CODE, MODIFYING TITLE 22 - COMPREHENSIVE FEES AND PENALTIES FOR THE PURPOSE OF CODIFYING THE FEES AND PENALTIES FOUND IN TITLE 16.”

WHEREAS, for the purpose of promoting the public health, safety, comfort, convenience, and general welfare of the people of Franklin, Tennessee the Board of Mayor and Aldermen is authorized to prescribe regulations and standards that encourage and advance the quality of life within the City; and

WHEREAS, in the legislative judgment of the Board of Mayor and Aldermen, the Board has found that ordinances and policies that regulate land use, guide the maintenance of the city’s infrastructure, and deliver essential services must be dynamic and modified from time to time to reflect changes in best practices, model codes, land and labor costs, and safety standards necessary to preserve and promote the private and public interest; and

WHEREAS, the Board of Mayor and Aldermen has decided to create a separate title in the Franklin Municipal Code for the sole purpose of listing all the fees and penalties charged and assessed by the city, entitled Title 22 - Comprehensive Fees and Penalties.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMAN OF FRANKLIN, TENNESSEE AS FOLLOWS:

SECTION I: BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF FRANKLIN, Tennessee, that Title 22, Chapter 16 – Streets and Sidewalks, Etc. Ordinance of the Franklin Municipal Code be created and approved to read as follows:

CHAPTER 16
Streets and Sidewalks, Etc. Ordinance

Addressing Address change fee – parcel	\$100
Address change fee – street	\$200 plus \$20 parcel
Appeal fee	\$100
Excavation and Cuts within Public Right-of-Way Permit fee to excavate in, or across streets, roads, alleys, sidewalks, or the public right-of-way.	\$100
Certificate of Insurance	Liability Insurance: For bodily injury shall not be less than \$200,000.00 for each person and \$500,000 for each accident and \$1,000,000 aggregate; and

	For property damages not less than \$500,000 for any one accident and a \$1,000,000 aggregate.
House Moving Permit fee	\$50
Certificate of Insurance	Liability insurance for property damages not less than \$50,000

Road Impact Fees

Land Use Type	Unit	Daily VMT	Cost/ VMT	Cost/ Unit	Credit/ VMT	Credit/ Unit	Impact Fee
Single-Family Detached	Dwelling	19.54	\$360	\$7,032	\$248	\$4,841	\$2,191
Multi-Family	Dwelling	13.71	\$360	\$4,934	\$248	\$3,397	\$1,537
Mobile Home Park	Site	10.20	\$360	\$3,671	\$248	\$2,527	\$1,144
Congregate Care Facility	Dwelling	3.92	\$360	\$1,411	\$248	\$971	\$440
Hotel/Motel	Room	10.04	\$360	\$3,613	\$248	\$2,487	\$1,126
<i>Retail/Commercial</i>							
Shopping Center/ General Retail	1000 sq. ft.	23.91	\$360	\$8,605	\$248	\$5,924	\$2,681
Restaurant, Quality	1000 sq. ft.	44.27	\$360	\$15,932	\$248	\$10,968	\$4,964
Restaurant, Fast Food	1000 sq. ft.	64.00	\$360	\$23,033	\$248	\$15,856	\$7,177
<i>Office/Institutional</i>							
Office	1000 sq. ft.	16.86	\$360	\$6,068	\$248	\$4,177	\$1,891
<i>Industrial</i>							
Manufacturing	1000 sq. ft.	7.40	\$360	\$2,663	\$248	\$1,833	\$830
Industrial Park	1000 sq. ft.	13.49	\$360	\$4,855	\$248	\$3,342	\$1,513
Business Park	1000 sq. ft.	24.73	\$360	\$8,900	\$248	\$6,127	\$2,773
Warehouse	1000 sq. ft.	9.61	\$360	\$3,459	\$248	\$2,381	\$1,078
Mini-Warehouse	1000 sq. ft.	3.46	\$360	\$1,245	\$248	\$857	\$388

Special Events, Amusement Rides and Attractions	
Special Event Permit Review Fee	\$100
	For special events requiring a beer

<p>Certificate of insurance</p>	<p>permit, the total fee for both the beer and special event permits shall be as set forth in Title 8, Chapter 2 of this Code</p> <p>\$250,000 per occurrence insuring the owner or operator against liability for personal injury in addition to additional up to \$1,000,000 per person and \$3,000,000 per occurrence; and</p> <p>\$1,000,000 single limit coverage for bodily injury and property damage and basic worker's compensation insurance</p>
<p>Right-Of-Way Permit and Inspection Fees</p> <p>Grading Permit</p> <p>Road Boring Permit</p> <p>Road Cutting Permit</p> <p>Roadway Plan Review</p> <p>Grading and Drainage Plan Review</p> <p>Roadway Inspection</p> <p>Drainage Inspection - Storm Pipe</p> <p>Drainage Inspection - Detention Pond</p> <p>Drainage Inspection - Ditch work</p> <p>Reinspection Fee (tests)</p> <p>Reinspection Fee</p> <p>Violations</p>	<p>\$100</p> <p>\$100</p> <p>\$100</p> <p>\$300</p> <p>\$300</p> <p>\$2.00/LF (Min. \$1,000)</p> <p>\$1.00/LF</p> <p>\$1.00/100 CY</p> <p>\$1.00/LF (Min. \$1,000 for all drainage inspections)</p> <p>\$100 per test</p> <p>\$50</p> <p>\$50 per day per violation</p>
<p>Traffic Control Devices</p> <p>Permit application</p> <p>Reinspection fee</p> <p>Removal of device</p>	<p>\$50</p> <p>\$50</p> <p>\$50</p>
<p>Stormwater Management</p> <p>Equivalent Residential Unit (ERU) Rates</p> <p>Stormwater Permit Application</p>	<p>\$3.65 per month</p> <p>\$100</p>

Administrative Penalty for commencing development activity without first obtaining Stormwater Management Plan approval and permit.	up to \$5,000
Appeal of citation or notice of violation	\$500 cost bond sufficient to cover incurred expenses related to court reporters, transcripts, etc.
Appeal of stormwater user fee calculation or exception to the City Engineer	\$100
Appeal of stormwater user fee calculation or exception to the Stormwater Appeals Board	\$500
Civil Penalties	
Development without permit	\$10,000 maximum
Development inconsistent with permit	\$5,000 maximum
Violation by act or omission	\$5,000 maximum
Illicit discharge	\$5,000 maximum
Household products (improper disposal)	\$500 maximum

SECTION II: BE IT FINALLY ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF FRANKLIN, Tennessee, that this ordinance shall take effect from and after its passage on second and final reading the health, safety and welfare of the citizens of Franklin, Tennessee requiring it.

ATTEST:

CITY OF FRANKLIN, TENNESSEE

BY: _____
ERIC S. STUCKEY
City Administrator/ Recorder

BY: _____
JOHN C. SCHROER
Mayor

PASSED FIRST READING:

August 24, 2010

PASSED SECOND READING:
