

ORDINANCE NUMBER 2010-82

TO BE ENTITLED: “AN ORDINANCE AMENDING THE CITY OF FRANKLIN MUNICIPAL CODE, AMENDING TITLE 22 - COMPREHENSIVE FEES AND PENALTIES FOR THE PURPOSE OF CODIFYING THE FEES AND PENALTIES FOUND IN TITLE 23 – STORMWATER MANAGEMENT ORDINANCE.”

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 its legislative judgment, the Board of Mayor and Aldermen has found that ordinances and policies that regulate land use, guide the maintenance of the city’s infrastructure, and delivery of 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 Alderman 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 Comprehensive Fees and Penalties.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN 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 23 – Stormwater Management Ordinance of the Franklin Municipal Code be created and approved to read as follows:

CHAPTER 23
Stormwater Management Ordinance

Civil Penalties	
Development without permit	\$10,000
Development inconsistent with permit	\$5,000
Illicit Discharge	\$5,000
Improper disposal of household products	\$500
Violation by act or omission	\$5,000
Repeat & Subsequent Offenses	an increase of 25% over previous penalty amount
Grading Permit	\$100
Stormwater Management Permit	\$100

Stormwater Appeals Board Cost Bond	\$750
Appeal of stormwater user fee calculation or exception to the City Engineer	\$100
Equivalent Residential Unit (ERU) Rate - Nonresidential	\$3.65 per month
ERU Rate for Smaller Residential Units (less than or equal to 3,350 sq. ft.)	75% of ERU per month
ERU Rate for Larger Residential Units (greater than 3,350 sq. ft.)	120% of ERU per month
ERU Rate for Non-Residential Properties	ERU Rate x actual sq. ft. of impervious surface ÷ ERU Rate

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 _____

PASSED SECOND READING _____