



HISTORIC  
FRANKLIN  
TENNESSEE

ITEM #20  
WRKS 12/14/2010

## MEMORANDUM

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December 5, 2010

TO: Board of Mayor and Aldermen

FROM: Eric Stuckey, City Administrator *ES*  
Vernon Gerth, ACA - Community and Economic Development

SUBJECT: Updating and Codifying Fees to Title 22:

- Title 16 – Streets and Sidewalks (Ordinance 2010-81)
- Title 18 – Water and Sewers (Ordinance 2010-84)
- Title 23 – Stormwater Management Ordinance (Ordinance 2010-82)

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### **Purpose**

The purpose of these three (3) ordinance amendments is to codify fees associated with the recently approved Stormwater Management Ordinance and updating of the City's water and sanitary sewer rates.

### **Background**

Staff recently compiled all of the City's fees and penalties into a single, stand-alone Title of our Municipal Code. The three ordinance amendments under consideration pertain to the recently approved Stormwater Management Ordinance and updating the City's water and sanitary sewer rates. Going forward, only a single ordinance will be needed to revise changes to fees and rates. Equally important, codifying the various fees and penalties to a single location should reduce errors when staff is calculating and collecting fees. Hopefully, these changes will improve our customer service by making a single fee schedule readily available to anyone doing business with the City.

### **Financial Impact**

The codifying effort has increased clarity and accuracy in applying the various fees and penalties.

### **Recommendation**

A motion to approve is recommended.

### **Attachments**

- Ordinance 2010-81
- Ordinance 2010-82
- Ordinance 2010-84

**ORDINANCE NUMBER 2010-81**

**TO BE ENTITLED: “AN ORDINANCE AMENDING THE CITY OF FRANKLIN MUNICIPAL CODE, AMENDING TITLE 22 - COMPREHENSIVE FEES AND PENALTIES FOR THE PURPOSE OF DELETING CERTAIN FEES IN CHAPTER 16 – STREETS AND SIDEWALKS, ETC. 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 16 – Stormwater Management Ordinance of the Franklin Municipal Code be amended by deleteing the following fees:

**CHAPTER 16**  
**Streets and Sidewalks, Etc. Ordinance**

<del>Stormwater Management Equivalent Residential Unit (ERU) Rates</del>	<del>\$3.65 per month</del>
<del>Stormwater Permit Application</del>	<del>\$100</del>
<del>Administrative Penalty for commencing development activity without first obtaining Stormwater Management Plan approval and permit.</del>	<del>up to \$5,000</del>
<del>Appeal of citation or notice of violation</del>	<del>\$500 cost bond sufficient to cover incurred expenses related to court reporters, transcripts, etc.</del>
<del>Appeal of stormwater user fee calculation or exception to the City Engineer</del>	<del>\$100</del>
<del>Appeal of stormwater user fee calculation or exception to the Stormwater Appeals Board</del>	<del>\$500</del>

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** \_\_\_\_\_

**PASSED SECOND READING** \_\_\_\_\_