

ORDINANCE 2019-33

AN ORDINANCE TO AMEND TITLE 16, CHAPTER 2 OF THE FRANKLIN MUNICIPAL CODE TO IMPOSE RESTRICTIONS ON PERMITS ISSUED RELATIVE TO OCCUPANCY AND PERFORMANCE OF CONSTRUCTION WORK DURING CERTAIN TIMES OF THE YEAR IN RIGHTS-OF-WAY IN THE COOL SPRINGS CORRIDOR

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 for the location, design, construction, and maintenance of buildings and structures within the City; and

WHEREAS, the Board of Mayor and Aldermen found that ordinances that regulate land use, development, and building construction must be dynamic and modified from time to time to reflect changes in best practices, model codes, building materials, land labor costs, and safety standards necessary to preserve and promote the private and public interest; and

WHEREAS, the Board of Mayor and Aldermen found that in order to effectively promote the public health, safety, comfort, convenience, and general welfare of the people of Franklin, Tennessee, guidelines should be established to regulate the use, temporary obstruction, and/or construction within the public right-of-way.

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

SECTION I. That Title 16, Chapter 2 of the Franklin Municipal Code is hereby amended to add paragraphs (2) and (3), and is approved to read as follows:

TITLE 16, CHAPTER 2. – STREET OCCUPANCY, OBSTRUCTION, EXCAVATIONS, AND CUTS

Sec. 16-202. - Applications.

- (1) Applications for such permits shall be made to the City and shall state thereon the location of the intended occupation, obstruction, excavation, or tunnel, the person, firm, corporation, association, or others doing the actual construction, activity, excavating, or tunneling, the name of the person, firm, corporation, association, or others for whom the work is being done, plans showing the exact location, type and scope of all work to be performed, and shall contain an agreement that the applicant will comply with all ordinances and laws relating to the work to be done. Such application shall be rejected or approved within five (5) working days of its filing.
- (2) No application shall be granted nor permit issued for any intended occupation of or to perform construction activities, road closures, lane closures, signalization work, or tunneling, nor shall any such intended occupation occur or work be performed, Thanksgiving Day through New Year's Day, those days inclusive, within the rights-of-way in the Cool Springs corridor. The Cool Springs corridor is defined as the following: the Northern corridor shall be bounded by the City Limits from Franklin Road to Carothers Parkway, Franklin Road shall bound the corridor to the West from Moores Lane to Mack Hatcher Parkway, Mack Hatcher Parkway shall bound the corridor to the Southwest from Franklin Road to Liberty Pike, Liberty Pike shall bound the corridor to the South

from Mack Hatcher Parkway to Carothers Parkway, and Carothers Parkway shall bound the corridor to the East from Liberty Pike to the Northern City limit. Applicants shall be notified of these restrictions at the time of making application for a permit.

- (3) The City Administrator or designee reserves the right to authorize intended occupation of or performance of work inside the rights-of-way in the Cool Springs corridor when it is in the best interest of the City or in the event of an emergency.

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 requiring it.

ATTEST:

CITY OF FRANKLIN, TENNESSEE:

By: _____
ERIC S. STUCKEY
City Administrator/ Recorder

By: _____
DR. KEN MOORE
Mayor

Approved as to form by:

William E. Squires
Assistant City Attorney

PASSED FIRST READING: _____

PASSED SECOND READING: _____