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**CITY OF GALLATIN  
COUNCIL MEETING**

**June 07, 2016**

**6:00 pm**

**Dr. J. Deotha Malone  
Council Chambers**

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- Call to Order – Mayor Brown
- Invocation
- Pledge of Allegiance – Vice Mayor Hayes
- Roll Call: Alexander – Brackenbury – Camp – Vice Mayor Hayes – Kemp – Mayberry – Overton
- Approval of Minutes: May 17, 2016 Special-Called City Council Meeting
- Public Recognition on Agenda-Related Items
- Mayor’s Comments

**AGENDA**

1. **Public Hearing Ordinance No. O1605-32** An ordinance of the City of Gallatin, Sumner County, Tennessee, approving an amendment to the Foxland Crossing Preliminary Master Development Plan for Vintage at Foxland Harbor, authorizing the revision to be indicated on the Official Zoning Atlas; repealing conflicting ordinances; providing for severability, and providing for an effective date. **(Vice Mayor Hayes)**
2. **Public Hearing Ordinance No. O1605-33** An ordinance of the City of Gallatin, Sumner County, Tennessee amending the Zoning Ordinance, Article 13, Section 13.07, Sign Regulations, to allow on-premises digital signs and the conversion of a limited number of non-conforming billboards to digital billboards and providing miscellaneous clarifications and refinements to the text of the sign regulations; repealing conflicting ordinances; providing for severability, and providing for an effective date. **(Councilman Mayberry)**
3. **Public Hearing Ordinance No. O1605-34** An ordinance of the City of Gallatin, Sumner County, Tennessee, approving an amendment to the Preliminary Master Development Plan for Bakers Crossing, the Forza Group, authorizing the revision to the PMDP to be indicated on the Official Zoning Atlas; repealing conflicting ordinances; providing for severability, and providing for an effective date. **(Councilman Overton)**
4. **Public Hearing Ordinance No. O1605-35** An ordinance of the City of Gallatin, Sumner County, Tennessee, approving a Preliminary Master Development Plan for Twice Daily authorizing the zoning with PMDP to be indicated on the Official Zoning Atlas; repealing conflicting ordinances; providing for severability, and providing for an effective date. **(Councilman Overton)**
5. **Second Reading Amended Ordinance No. O1510-62** Ordinance amending the City of Gallatin, Tennessee Charter as established in Chapter 67 of the Private Acts of 1953 and as amended thereafter **(Vice Mayor Hayes)**

6. **Second Reading Ordinance No. O1605-31** Ordinance to provide revenue for the City of Gallatin Tennessee for municipal purposes for the 2016 tax year and the 2017 fiscal Year **(Councilwoman Kemp)**
7. **Second Reading No. O1605-35** An ordinance of the City of Gallatin, Sumner County, Tennessee, approving a Preliminary Master Development Plan for Twice Daily authorizing the zoning with PMDP to be indicated on the Official Zoning Atlas; repealing conflicting ordinances; providing for severability, and providing for an effective date. **(Councilman Overton)**
8. **Second Reading Ordinance No. O1605-36** Ordinance appropriating \$2,427,579.70 for 2016 year end budget adjustments **(Councilman Alexander)**
9. **First Reading Ordinance No. O1605-37** Ordinance amending the Gallatin Municipal Code, Chapter 9, Fire Protection and Prevention, by adding Article V, Blasting Regulation and Permitting **(Councilman Camp)**
10. **First Reading Ordinance No. O1605-38** Ordinance appropriating funds from The Pool in the amount of \$5,000 **(Councilwoman Brackenbury)**
11. **First Reading Ordinance No. O1606-39** Ordinance of the City of Gallatin, Tennessee adopting the annual budget for the fiscal year beginning July 1, 2016 through June 30, 2017. **(Councilman Alexander)**
12. **Resolution R1606-31** Resolution appointing Health, Vision, and Dental Agents of Record for the City of Gallatin **(Councilman Mayberry)**
13. **Resolution R1606-32** Resolution of support for Public Utilities employee, Jonathan Roberts **(Councilwoman Brackenbury)**
14. **Dangerous Building Report-118 Bales Street (Chuck Stuart, Building Official)**
15. **Dangerous Building Report-535 West Eastland (Chuck Stuart, Building Official)**

- Other Business
- Public Recognition on Non-Agenda-Related Items
- Adjourn

**Gallatin  
City Council  
Special-Called Meeting**

**May 17, 2016**

The Gallatin City Council met in a special-called session on Tuesday, May 17, 2016, in the Dr. J. Deotha Malone Council Chambers Gallatin City Hall. Mayor Paige Brown called the meeting to order at 5:00 P.M.

**PRESENT:**

Mayor Paige Brown  
Councilman John D. Alexander  
Councilwoman Julie Brackenbury  
Councilman Steve Camp  
Councilwoman Anne Kemp  
Vice Mayor Craig Hayes  
Councilman Ed Mayberry  
Councilman Jimmy Overton

**ABSENT:**

**OTHERS PRESENT:**

Connie Kittrell, City Recorder  
Rachel Nichols, Finance Director  
Debbie Johnson, Human Resource Director  
News Examiner, Reporter  
David Kellogg, Public Utilities Dept.  
Susan High-McAuley, City Attorney  
Chuck Stuart, Building Codes Director  
Zach Wilkinson, Public Works Director

Lori Smiley, IT Director  
Don Bandy, Police Chief  
Bill McCord, City Planner  
David Brown, Leisure Services  
Victor Williams, Fire Chief  
Gallatin Newspaper, Reporter  
Nick Tuttle, City Engineer

**Public Recognition**

Mayor Brown called for public recognition on the only agenda item and with no one wishing to speak Mayor closed public recognition.

**Agenda**

1. **2016-2017 Budget Discussion**

Mayor opened discussion on the budget.

Councilman Overton made motion to hire City Attorney Susan High-McAuley new employee starting date of July 1, 2016 and move items within her budget and have no new funds until January 1, 2107 upon finding the funding for the amendment; Councilwoman Brackenbury seconded.

Mayor suggested voting on amendments as they proposed and then discuss finding the funding.

There was much discussion on this amendment.

City Attorney Susan High-McAuley explained some of the line items used in her budget to fund her new position starting July 1, 2016.

Discussion continued.

Mayor called for the vote. Motion carried with 7 ayes and 0 nays.

The new positions were discussed.

Mayor worked down the list of new positions requested:

- Police Chief Bandy stated he was okay with hiring two (2) new employees and two (2) Parks Department employees moving to the Police Department. Chief Bandy also suggested getting into a routine of growing his staff to match the City growth.

Council discussed.

- Fire Chief Victor Williams said he was satisfied with his budget.
- City Engineer Storm water Coordinator was okay.
- City Planner position was okay.
- Public Works Inmate Crew Leader was okay.

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- Deputy Finance Director was okay with six (6) months beginning in January 2017.

Councilman Overton explained that there is an employee retiring at the golf course and Leisure Services Director David Brown would not rehire/fill that position. Mr. Brown would use that money to fund his new Operations Manager position at the Civic Center.

Mr. Brown said the retiring employee's salary is approximately \$58,000 and that salary would be moved to the Leisure Services budget. Mr. Brown added that he is meeting with the Mayor tomorrow to discuss cuts at the Golf Course.

Councilman Overton made motion to hire the Operations Manager at the Civic Center if funding is available; Councilman Alexander seconded. Motion carried with 6 ayes and Councilman Mayberry abstaining.

Finance Director Rachel Nichols provided a listing of suggested revisions to the 2016-2017 proposed budget. Mayor Brown explained the revisions.

Council discussed the Community Enhancements and considered new guidelines. Mayor Brown requested suggestions from council members concerning changes to community enhancement allocations and organization selections.

IT Director Lori Smiley reminded Council of a request of \$21,675 for Munis software enhancements from the planning and codes departments. Ms. Smiley stated it could be the capital side of the budget.

Councilman Mayberry requested adding that to the budget.

Mayor Brown suggested making these adjustments and providing this information to Council and Department Heads. Mayor asked Council and Department Heads review the adjustments and bring questions or suggestions to the next budget meeting.

Councilman Mayberry asked Ms. Nichols if she had discovered any new revenue. Ms. Nichols said there are two new revenue items in the works; storm water and electrical inspections.

Council discussed the new certified numbers on the census and that additional revenue.

### Adjourn

Councilman Overton made motion to adjourn; Councilwoman Brackenbury seconded. Motion carried with 7 ayes and 0 nays.

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Mayor Brown adjourned the meeting at 5:53 P.M.

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Mayor Paige Brown

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City Recorder Connie Kittrell

**ORDINANCE NO. O1605-32**

**AN ORDINANCE OF THE CITY OF GALLATIN, SUMNER COUNTY, TENNESSEE, APPROVING AN AMENDMENT TO THE FOXLAND CROSSING PRELIMINARY MASTER DEVELOPMENT PLAN FOR VINTAGE AT FOXLAND HARBOR, AUTHORIZING THE REVISION TO BE INDICATED ON THE OFFICIAL ZONING ATLAS; REPEALING CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the owner of property submitted a complete application for the Vintage at Foxland Harbor an amendment to the Foxland Crossing Preliminary Master Development Plan on a 14.19 (+/-) acre parcel, located in the City of Gallatin, Tennessee; and

**WHEREAS**, the property is located south of Nashville Pike and west of Douglas Bend Road and is zoned Mixed Use (MU); and

**WHEREAS**, the Gallatin Municipal-Regional Planning Commission reviewed and recommended approval of the Vintage at Foxland Harbor, an amendment to the Foxland Crossing Preliminary Master Development Plan, in GMRPC Resolution No. 2016-56; and

**WHEREAS**, a public hearing was held following public notice as prescribed by the Gallatin Zoning Ordinance and Tenn. Code Ann. Section 13-7-203; and

**WHEREAS**, The City Council has approved, by majority vote of the members present, the amendment to the Foxland Crossing Preliminary Master Development Plan.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF GALLATIN, TENNESSEE as follows:**

**Section 1.** The City Council of the City of Gallatin does hereby approve the Amended Preliminary Master Development Plan as described in Exhibit 'A';

**Section 2.** The City Council of the City of Gallatin does hereby approve, authorize and direct the revision of the City's Official Zoning Atlas to show the classification for the area indicating the amended Preliminary Master Development Plan.

**Section 3.** All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

**Section 4.** If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provision or applications of this ordinance which can be given without the invalid provision or application, and to this end the provisions of this ordinance are declared severable.

**Section 5.** This ordinance shall become effective immediately upon adoption, the public welfare requiring such.

PASSED FIRST READING: May 17, 2016.

PASSED SECOND READING:

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MAYOR PAIGE BROWN

ATTEST:

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CONNIE KITTRELL  
CITY RECORDER

APPROVED AS TO FORM:

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SUSAN HIGH-MCAULEY  
CITY ATTORNEY

### **EXHIBIT 'A'**

The Amended Preliminary Master Development Plan for Vintage at Foxland Harbor, consists of a seven (7) sheet plan with S.E.C. Project #16010, prepared by Site Engineering Consultants of Murfreesboro, TN, dated March 28, 2016 with a final revision date of April 14, 2016, a one (1) sheet photometric plan with Job No. 216014, prepared by ED/A of Tulsa OK, dated March 28, 2016, and an eight (8) sheet architecture plan, with Job No. 216014, prepared by Parker Associates Tulsa, of Tulsa, Oklahoma, dated March 28, 2016, with the following conditions:

1. Reconfigure the commercial outparcel access points to provide one (1) driveway per outparcel with a minimum driveway spacing of 185 feet, per the Gallatin on the Move 2020 General Development Transportation Plan.
2. Show and label the tie-in of the 20 foot wide backage road with the conceptual commercial parcels.
3. The developer shall show the approximately 250 foot extension of Foxland Boulevard between Foxland Crossing Phase 12A and the Vintage @ Foxland Harbor collector road.
4. The developer shall submit an availability request to White House Utility District.
5. Submit one (1) full-sized and two (2) half-sized, corrected folded copies of the Preliminary Master Development Plan.

**CITY OF GALLATIN  
COUNCIL COMMITTEE AGENDA**

May 10, 2016

**DEPARTMENT: PLANNING DEPARTMENT**

**AGENDA # 4**

**SUBJECT:**

Ordinance #O1605-32 of the City of Gallatin, Sumner County, Tennessee, approving an Amendment to the Foxland Crossing Preliminary Master Development Plan for the Vintage at Foxland Harbor development on a 14.19 (+/-) acre parcel.

**SUMMARY:**

The owner and applicant is requesting approval of an Ordinance to amend the Foxland Crossing Preliminary Master Development Plan, Phase 15 to construct the Vintage at Foxland Harbor, a 206 multi-family dwelling unit complex on a 14.19 (+/-) acre parcel zoned Mixed Use (MU), located south of Nashville Pike and west of Douglas Bend Road and to authorize the revision to be indicated on the official zoning atlas; repealing conflicting ordinances; providing for severability, and providing for an effective date., (S.B.E. Tax Map #136//Parcel 027.01). Dwelling, Multi-Family is a permitted uses in the Mixed Use (MU) zone district.

On April 25, 2016 the Gallatin Municipal-Regional Planning Commission recommended approval of GMRPC Resolution 2016-56. (PC File# 3-1695-16)

**RECOMMENDATION:**

**ATTACHMENT:**

Resolution  
 Ordinance

Correspondence  
 Contract

Bid Tabulation  
 Other

Approved   
Rejected   
Deferred

**Notes:**

*1st Reading - Hayes/Brackenbury -- UNANIMOUS.*

**ORDINANCE NO. 01605-33**

**AN ORDINANCE OF THE CITY OF GALLATIN, SUMNER COUNTY, TENNESSEE AMENDING THE ZONING ORDINANCE, ARTICLE 13, SECTION 13.07, SIGN REGULATIONS, TO ALLOW ON-PREMISES DIGITAL SIGNS AND THE CONVERSION OF A LIMITED NUMBER OF NON-CONFORMING BILLBOARDS TO DIGITAL BILLBOARDS AND PROVIDING MISCELLANEOUS CLARIFICATIONS AND REFINEMENTS TO THE TEXT OF THE SIGN REGULATIONS; REPEALING CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, innovations and emerging technologies have allowed for the advertising industry to more effectively display products and services for clients utilizing such technology and offer greater opportunities for local businesses to advertise their products and services, and

**WHEREAS**, more businesses desire to apply advanced technologies which permit signs to change copy electronically to better convey products and services offered by such businesses, and

**WHEREAS**, the proposed text amendment is necessary to accommodate newer technologies promulgated by the sign industry, and

**WHEREAS**, newer sign technologies may create adverse impacts to adjacent uses or area uses unless regulated in a reasonable manner, and

**WHEREAS**, the proposed text amendment will allow for businesses and individuals to more effectively advertise messages to benefit citizens and to promote economic development, and

**WHEREAS**, the proposed text amendments will provide for additional advertising opportunities without adversely affecting the aesthetics of the community, adversely affecting property values or creating significant distractions to vehicle operators or area property owners, including to minimize visual clutter, and

**WHEREAS**, the legal purposes for which zoning regulations exist are not contravened, and

**WHEREAS**, the proposed text amendment will not create adverse effects upon adjoining property owners or any such adverse effect is justified by the public good or welfare, and

**WHEREAS**, no one property owner or small group of property owners will benefit materially from the zoning code text changes to the detriment of the general public, and

**WHEREAS**, the text amendment is in agreement and consistent with the recommendations of the *Gallatin on the Move 2020* General Development and Transportation Plan, and

**WHEREAS**, Tennessee Code Annotated, Title 13, Chapter 7, Section 204 authorizes the City to amend its zoning code as necessary upon first being reviewed by the Planning Commission, and

**WHEREAS**, the Gallatin-Municipal-Regional Planning Commission, pursuant to Section 15.07.040 of the Gallatin Zoning Ordinance reviewed and recommended approval of these amendments in GMRPC Resolution 2016-44, and

**WHEREAS**, The City Council of the City of Gallatin is authorized under Tennessee Code Annotated Title 13, Chapter 7, Section 201 to adopt zoning regulations for the betterment of the city, and

**WHEREAS**, notice and public hearing before the Gallatin City Council has or will occur before final passage of these amendments pursuant to Section 15.07.060 of the Gallatin Zoning Ordinance and Tennessee Code Annotated, Section 13-7-203;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF GALLATIN, TENNESSEE**, that Article 13, Performance and Design Standards, Section 13.07, Sign Regulations of the Zoning Ordinance of Gallatin, Tennessee is hereby amended as described in Exhibit 'A':

**Section 1.** The City Council of the City of Gallatin does hereby approve the Zoning Code text amendment as described in Exhibit 'A'.

**Section 2.** The City Council of the City of Gallatin does hereby approve, authorize and direct the revision of the City's Official Zoning Ordinance to show the changes in the text as described in Exhibit 'A'.

**Section 3.** All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

**Section 4.** If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provision or applications of this ordinance which can be given without the invalid provision or application, and to this end the provisions of this ordinance are declared severable.

**Section 5.** This ordinance shall become effective immediately upon adoption, the public welfare requiring such.

PASSED FIRST READING:

PASSED SECOND READING:

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MAYOR PAIGE BROWN

ATTEST:

---

CONNIE KITTRELL  
CITY RECORDER

APPROVED AS TO FORM:

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SUSAN HIGH-MCAULEY  
CITY ATTORNEY

# EXHIBIT 'A'

## 13.07 Signs Regulations

### ADMINISTRATION

#### 13.07.005 Purpose and Intent

B. Allow for the communication of information necessary for the conduct of commerce and to inform the public of community events and activities.

\* \* \* \* \*

J. Preclude signs from creating conflicting conflicts with the ~~principal permitted use of the site~~ signs, or structures on or adjoining sites.

\* \* \* \* \*

N. Protect the future of public rights-of-way. ~~Limit~~ Regulate the location of signs so that reasonable expansion of the public right-of-way can occur in conformance with the City's General Development and Transportation Plan and without disturbance of the existing conforming ~~and legal non-conforming~~ signs.

O. Encourage the removal of non-conforming signs or the replacement of non-conforming signs with conforming signs.

#### 13.07.010 Rationale, Applicability, Effect, System for Regulation and Overall Use

A. Rationale – The word “sign” is chosen to signify all non-verbal communication in public viewed area because of its traditional use. The word “graphic” is synonymous with “sign” and the two may be used interchangeably within the context of this sign code. ~~An on-premises~~ A sign shall not be considered a principal use except where legally permitted as a non-conforming sign for outdoor advertising as defined in Tenn. Code Annotated, Title 54, Chapter 21.

\* \* \* \* \*

D. System for Regulation - Before erecting, altering, or relocating any signage, the owner or his agent shall obtain a sign permit from the ~~Codes/Planning Department~~ City pursuant to 13.07.030, except as otherwise exempted herein. If any person, company, or facility violates the provisions of this ordinance, the Zoning Administrator or designee, shall take any or all of the enforcement actions prescribed in the Zoning Ordinance to ensure compliance with, and/or to remedy a violation of this Ordinance.

E. Message Substitution Clause – Subject to the land owner's consent, a non-commercial message of any type may be substituted for any duly permitted or allowed commercial

message or any duly permitted or allowed non-commercial message; provided, that the sign structure or mounting device is legally permitted without any additional approval or permitting. This provision prevails over any more specific provision to the contrary within this chapter. The purpose of this provision is to prevent any inadvertent favoring of commercial speech over noncommercial speech, or favoring any particular non-commercial message over any other noncommercial message. This provision does not create a right to increase the total amount of signage on a parcel, nor does it affect the requirement that a sign structure or mounting device be properly permitted.

13.07.015 Code Compliance, Construction, and Maintenance

\* \* \* \* \*

B. Permanency Required – All signs, except temporary signs, shall be constructed of permanent materials and shall be permanently attached to the ground or building unless exempt herein

\* \* \* \* \*

13.07.020 Permits and Inspections

A. Permit Required - No sign or sign structure, except as provided in Subsections 13.07.055 and 13.07.060, shall be erected, displayed, altered, relocated, or replaced until a sign permit has been issued. All signs shall be located on the premises of the principal use to which they pertain except for off-premises signs as permitted herein. The following items are required when applying for a sign permit.

\* \* \* \* \*

5. All outside agency permits must be provided with any application for a City sign permit.

6. No signs shall be permitted on any property without a permit except where exempted.

B. Fees - Each application for a sign permit shall be accompanied by the applicable fees. An application and fee schedule can be obtained by contacting the City of Gallatin Codes/ Planning Department.

\* \* \* \* \*

13.07.030 Enforcement and Remedies

Any person, firm, or corporation violating any provisions of this ordinance shall upon conviction thereof, be appropriately fined as cited below. Each day that a violation continues shall be considered a separate offense and an additional violation. Upon receiving actual notice of a violation, by certified mail or by regular mail when an affidavit signed by the City representative

is provided, if within seven (7) calendar days, the owner of a sign fails to contact the Zoning Administrator or designee in order to bring said sign into compliance with this ordinance, or to obtain a permit for said sign, then the Zoning Administrator or designee is herein empowered to have the sign removed and destroyed without further notice.

Any person who violates this ordinance or fails to comply with any of its requirements shall upon conviction thereof be fined in a sum not to exceed Fifty Dollars (\$50.00) for each violation.

The Zoning Administrator or designee shall have the authority to remove or order the removal ~~of all signs, at owner's expense, and without notice to the owners thereof,~~ of any sign placed within any right-of-way, or attached to trees, rocks, fence posts, telephone poles, utility poles, or other natural features at owner's expense, and without notice to the owners thereof.

The property owner, tenant, or occupant of any building, structure, premises, or any part thereof, and any contractor, builder, architect, engineer, agent, or other person who commits, aids, or participates in, or maintains such violation may be found guilty of a separate offense and is subject to the penalties as provided herein.

## **DEFINITIONS**

### 13.07.045 Definitions

Words and phrases used in this sign ordinance shall have the meanings set forth herein. Words and phrases not defined in this sign ordinance, but defined elsewhere in the zoning ordinance of the City of Gallatin shall be given the meanings set forth therein.

A-Frame Sign – See, Sandwich Board Sign

Abandoned, Obsolete, Defaced Sign - Any sign which: (1) advertises or pertains to a business, profession, commodity, service, product or entertainment which has not been conducted, sold, or offered on the premises upon which said sign is located for a continuous period of ninety (90) days or (2) was created for an occupant, product, or business unrelated to the present occupant of the premises or (3) a site plan or final master development plan has expired or (4) the sign faces are missing.

Awning - An architectural projection or shelter projecting from and supported by the exterior wall of a building and composed of a covering of rigid or non-rigid materials and/or fabric on a supporting framework that may be either permanent or retractable.

Awning Sign - An awning sign is any lettering, numbering, other than the address, or logo that is placed on the valance/curtain area of an awning. See Subsection 13.07.105 for example of display surface area of awning.

Banner - Any sign constructed of canvas, cloth, paper, flexible plastic, fabric, or any other non-rigid material.

Beacon - Any stationary or revolving light with one or more beams that flashes or projects illumination into the atmosphere or is directed at one or more points on the same zone lot.

Billboard - An off-premises, or off-site, sign that is affixed to or erected upon a freestanding framework that directs attention to a non-commercial message, profession, business, commodity, service, product or entertainment conducted, sold, or offered at a location other than the premises on which the sign is located.

Brightness - The degree that lighting emits a luminance that complies with or exceeds the standards established by the Tennessee Department of Transportation as described in Tenn. Code Annotated, Section 54-21-122.

Building Marker - Any sign indicating the name of a building, date and/or incidental information about its construction, which is cut into a masonry surface or made of bronze or other permanent material.

Cabinet Sign - Sign panel(s) within a frame.

Canopy - A rigid or non-rigid multisided overhead structure covered with fabric, metal, or other material, but not enclosed by walls and supported by a building at one (1) or more points or extremities, and by columns or posts embedded in the ground at other points or extremities.

Canopy Signs – A canopy sign is any lettering, numbering, other than an address, or logo that is placed on a canopy and is considered wall-mounted signage.

Changeable Copy (message) Sign (Automated Changeable Copy) - A sign or portion thereof that displays letters or numbers, characters, symbols, graphics, images, non-moving animation, or illustrations, (1) which may be itself ~~are not themselves~~ an illumination device, and (2) which may be changed or rearranged by computer or microprocessor generated electronic commands, which commands may be programmed to change at pre-determined intervals or may be activated by an operator from either a proximate or a remote location. (Automated changeable copy signs such as “flip matrix,” and “segmented-,” ~~Excludes~~ includes digital signs, electronic display screen and electronic message center signs. For purposes of this code this shall be referred to simply as a “digital sign(s)”.)

Changeable Copy Sign (Manual) - A sign or portion thereof in which the message can only be changed manually.

Changeable Copy Sign (Multi-Vision) - A sign composed in whole or in part of a series of vertical or horizontal slats or cylinders that are capable of being rotated at intervals so that partial rotation of the group of slats or cylinders produces a different image and when properly functioning allows the sequential display of one of two or more images on a single sign structure. May also be known as “Tri-Vision” signs.

Channel Letters - Individual letters mounted directly to the wall.

Commemorative Sign – A sign, tablet, or plaque memorializing a person, event, structure or site.

Commercial zones – Commercial zones include the following zoning districts: CC, CG, CS, CSL, PGC, PNC, PBP and the Industrial zones of IR and IG and the A zone when a business is authorized for the property.

Community Event Sign - A temporary sign advertising or announcing a special Community-wide event such as fairs, job fairs, carnivals, circuses, sporting events, flea markets, educational, or those conducted by, or sponsored by, or on behalf of a unit of local government, a charitable organization, a not-for-profit corporation, or religious event or function.

Contractor Sign - A temporary sign placed by a contractor or other professional business such as, but not limited to, a landscaper or painter, to advertise the work currently being done on that property.

Development-In-Progress Sign - A temporary sign which, by means of symbol or name, identifies a project that requires a site plan or final master development plan such as, but not limited to, a shopping center, commercial or industrial park, or other development that may contain a mixture of residential, mixed use, commercial, or industrial uses. Information could contain architect, engineer, contractor, lending agency, and/or developer on construction sites.

Digital Sign – Also see Electronic Display Screen (Digital) Sign, Changeable Copy Sign (Automated), and Electronic Message Center Sign. For purposes of this code this shall be referred to simply as “digital sign(s)”.

Directional Sign - A sign that provides on-site directional assistance for the convenience of the public, such as, identifying entrances, exits, drive-thru windows, parking lots, or signs of a similar nature.

Directory Sign - See, Multi-Tenant Wall-Mounted Sign

Display Surface Area - The area of a sign that is used for display purposes excluding the minimum frame and supports. In relation to signs that do not have a frame or separate background, sign area shall be computed on the basis of the least rectangle, triangle or circle large enough to frame the display. See Subsections 13.07.100 and 13.07.105.

~~Educational Campus – An area of land made up of ten (10) or more contiguous acres constituting and making up the grounds of a college or university. It contains the main building or buildings and other accessory buildings or uses on the site.~~

Electronic Display Screen (Digital) Sign - A sign, or portion of a sign, that displays an electronic or digital image ~~or video~~, which may or may not include text ~~and animation~~. This definition includes signs displayed on television screens, plasma screens, digital screens, flat screens, LED screens, video boards, and holographic displays, (a.k.a. electronic reader-board signs) (Also see digital signs, changeable copy sign (automated) and electronic message center signs) For purposes of this code this shall be referred to simply as a “digital sign(s)”.

Electronic Message Center Sign - Any sign, or portion of a sign, that uses changing lights to form a sign message or messages in text form wherein the sequence of messages and the rate of change is electronically programmed and can be modified by electronic processes. Electronic message center signs may also include electronic time and temperature and variable message signs. (Also see digital signs, changeable copy sign (automated) and Electronic Display Screen (digital) Sign). For purposes of this code this shall be referred to simply as a “digital sign(s)”.

Equipment/Machinery Signage - Attached sign frame that is incorporated into/onto machinery, equipment, cart corals, gas pumps, vending machines, newspaper racks, telephone booths, fee collection boxes or any other type similar device, which identifies or advertises a product or service dispensed by the machine or equipment, or offered on the same zone lot in which it is located.

Face/Sign Face – See, Display Surface Area

Flags - Any fabric, or bunting containing distinctive colors or patterns, and used as a symbol of government, institution, business, or other entity. Neither the flag, flagpole nor other support structure may extend over an adjoining property line without approval of such owners, or a public right-of-way unless approved by City Council, ~~or an adjoining property line.~~

Flagpole, Ground - A freestanding structure on a parcel of record and used for the sole purpose of displaying flags of political entities, institutions, businesses or any other entity. For purposes of the Sign Ordinance, a flagpole is deemed to be a sign support structure and subject to all requirements applicable to sign support structures as found in the International Building Code.

Flagpole, Outrigger Wall-Mounted – An outrigger wall-mounted flagpole is one that extends outward from a wall at an inclined angle.

Flashing Sign – Shall be construed to be any sign that flashes or blinks, appears to flash or blink or gives a spectacular or twinkle illusion.

Free-standing/Ground Sign or Monument Sign– A sign supported by a sign structure that is secured in the ground and that is wholly independent of any building or object, other than the sign structure, for support.

Frontage-Business - The façade of the business that abuts the required front yard as stipulated in this zoning code shall be considered the business frontage.

Frontage-Primary Business - For individual businesses with multiple frontages, the primary business frontage shall be considered the façade of the business that abuts the required front yard as stipulated in this zoning code. The entrance door does not have to be in this façade.

Frontage-Secondary Business - An additional elevation not designated as a primary business frontage that has a public entrance to the business, faces a public right-of-way, or has a drive-thru window and/or a primary parking area.

Frontage-Street - The length of the property line(s) of any single lot or zone lot along a public way.

Grade Level – The finished average ground elevation around the perimeter of the sign.

Grand Opening – The introduction, promotion, or announcement of a new business, or the announcement, introduction or promotion of an established business changing ownership or location. “Grand Opening” does not mean an annual or occasional promotion of retail sales, or service by a business.

Height (of Sign) - The vertical distance measured from the base of the sign at grade level to the top of the sign structure.

Human Directionals Sign - Also known as sign twirlers, sign spinners, human arrows, sign holders, and mascots.

Illuminated Sign - A sign lighted by or exposed to artificial lighting either ~~by lights on the sign~~ or in the sign, but not directed toward the sign. This includes electronic display screen signs and electronic message center signs.

Illuminated Sign (Direct) - All illuminated signs not included in the definition of “Luminous Background” or “Illuminated Sign (Indirect).”

Illuminated Sign (Indirect) - Illumination of a sign that is affected by a source of light not contained within or on the sign itself.

Incidental Sign - A sign which includes information of a general directive or informational nature such as parking, no parking, handicapped parking, loading area, self-service, and rest room; which bears no advertising matter.

Inflatable and Airborne Sign - A stationary or mobile inflated device of any nature used to attract attention.

Legal Notices or Official Instruments - Any sign erected and maintained by public officials or public agencies other than incidental regulatory signs.

Luminous Background - A sign created by trans-illuminating or backlighting of a translucent plastic or glass panel, or panels of similar material, which may be integrally pigmented, painted, or made to be opaqued.

Menu Board - A permanently affixed freestanding or wall-mounted sign displaying food and beverage information sold in connection with a restaurant.

Mixed-use Zones – Mixed-use zones include the following zoning districts: GO, OR, MRO, MPO, MUG, MUL, MU and SP.

Monument Sign - see Freestanding/Ground Sign

Multi-Tenant Development - A permanent on-premises freestanding sign, in ~~nonresidential,~~ commercial, mixed use and industrial zone districts, to advertise businesses within a multi-tenant development with five (5) or more tenants; is approved under one (1) preliminary master development plan or site plan; with or without individual street frontage ~~and with a common parking lot or private drive~~. Multi-Tenant Developments that do not qualify for a Multi-Tenant Development sign shall share a single ground sign per Subsections 13.07.065 and 13.07.075.F.

Multi-Tenant Wall-Mounted Sign - An identification sign for a commercial, mixed-use or industrial site with two (2) or more tenants, displaying the names of each tenant on the site.

Neon Sign - A sign containing glass tube lighting that is bent to form letters, symbols, or other shapes. Gas and phosphors are used in combination to create a colored light.

Non-commercial message sign – Any sign expressing an opinion or belief not intended to support a commercial activity.

Nonconforming Sign - A sign lawfully existing and maintained at the time of adoption, revision, or amendment of this ordinance, which has subsequently come under the requirements of this ordinance, but no longer conforms because of said revision or amendment.

Off-Premises Sign - A permanent or temporary sign that directs attention to a profession, business, commodity, service, product, event or entertainment, including non-commercial activities and ideas, not located or sold on the premises on which the sign is located. (Also known as a Billboard.)

Off-Site Sign – (also see Billboard) Any sign that advertises or gives direction to any non-commercial message, business, product, service, attraction, or any other purpose or interest, other than on the property where the industrial, commercial, institutional or other business establishment or premises is located. (Also see Tenn. Code Annotated Section 13-7-208 (h)).

On-Premises Sign - Any sign identifying or advertising a non-commercial activities and ideas, profession, business, commodity, service, product, event or entertainment located on the premises where the sign is installed and maintained.

Out Parcel - Individual lots located within a multi-tenant development; a tract of land adjacent to a larger tract of which it was originally an integral part.

Pennant Streamer - A geometric shaped sign, with or without a logo, made of flexible materials suspended from one (1) or two (2) corners on a stringer with other such signs to create the impression of a line.

Political Sign - A temporary sign expressing support for a candidate for public office or another position regarding a public figure or a public issue, but bearing no commercial message whatsoever.

Portable Sign - Any sign, by design or construction, intended to be easily and readily relocated, and not permanently affixed to the ground, a frame, a building, or other structure. Portable signs shall include, but are not limited to, signs mounted upon a trailer, wheeled carrier, or other non-motorized mobile structure with or without wheels excluding regulatory signs.

Projecting Sign - A projecting sign is any sign that is permanently attached to a building and projects outward. A projecting sign may project outward over a sidewalk if the building is built to the right-of-way.

Public Purpose/Regulatory Signs - A temporary or permanent sign erected by a governmental or quasi-governmental entity for the sole purpose of displaying public awareness or public health, safety and welfare information. Public purpose signs may be erected on public property with permission from the appropriate governmental entity/agency.

Raceway - Individual letters mounted on a track (raceway). Track (raceway) is then mounted to the wall.

Real Estate Sign - A sign advertising property or a building for sale, lease, rent, or auction upon which the sign is located.

Real Estate/Auction Directional Sign - A temporary sign that provides off-premise directional assistance to the property for sale, auction or lease.

Residential Sign - An accessory sign which indicates the names and/or address of the occupant or a permitted home occupation.

Residential Zones – Residential zones include the following zoning districts: A (with no business associated with the property), R40, R20, R15, R8, R6 and PRD or the MRO, MU, OR, MUG, and SP district when residential uses are authorized for the property.

Right-Of-Way - A strip of land taken or dedicated for use as a public way. In addition to the roadway, it normally incorporates the curbs, lawn strips, medians, sidewalks, lighting, utility poles and drainage facilities.

Roof Line - The top edge of a peaked roof or, in the case of an extended façade or parapet, the uppermost point of said façade or parapet.

Roof Sign - A sign erected on a roof or signs that project above the highest point of the roof line.

Sandwich Board - A sandwich board sign, also known as an A-Frame sign, is a double faced temporary sign that is placed on the sidewalk in front of a business only during business hours.

Sign - Any writing (including letter, word, or numeral, other than an address number); pictorial presentation (including illustration or decoration); emblem (including device, graphic, symbol, or trademark); flag (including banner or pennant); inflatable structure; or any other figure or similar character, which:

1. is a structure or any part thereof, or is attached to, painted on, or in any other manner represented on a building or other structure, and;
2. is used to announce, direct attention, or advertise.

Suspended Sign - A sign that is suspended from the underside of a horizontal plane surface and is supported by such surface.

Temporary Sign - A sign intended to display messages of a temporary nature. Portable signs, banners, sandwich boards, or any sign not permanently embedded in the ground or permanently affixed to a building or structure embedded in the ground are considered temporary signs.

Traffic Control Sign - Temporary or permanent signs identifying traffic control measures, such as stop, yield, and similar signs, the sign face of which meet the Manual for Uniform Traffic Control Devices and which contain no logo or commercial message of any sort. (Also see Public Purpose/Regulatory signs)

Vehicle Sign - A permanent or temporary sign affixed to, painted on, or placed in or upon any parked vehicle, parked trailer, or other parked device capable of being towed, which is displayed in public view such that the primary purpose of said display is to attract the attention of the public, rather than to serve the business of the owner thereof in the manner which is customary for said vehicle.

Wall-Mounted Sign - A sign fastened parallel to or painted on a wall of a building or structure in such a manner that the wall is the supporting structure for or forms the background surface of the sign.

Warning Sign - Indicates the dangers of trespassing, swimming, animals, electrical currents, gas lines or similar hazards ~~for non-residential uses~~.

Wind Sign - Any banner, pennant, ribbon, spinner, streamer, inflatable sign, balloons, or similar device, or object or material, fastened in such a manner as to move upon being subjected to pressure by wind.

Window Sign - A sign posted, placed, painted, or affixed to the interior or exterior surface of a window or door of a building with its message intended to be visible and readable from the public way.

Zoning Administrator or Designee - Zoning Administrator or designee charged with enforcement of this ordinance.

## REGULATIONS

### 13.07.050 Prohibited Signs

- A. Animated Signs not otherwise permitted herein and including images displayed on digital signs.

\* \* \* \* \*

C. Billboards. Existing billboards may be replaced with a digital sign as identified herein.

D. ~~Electronic Display Screen~~ Digital Signs are prohibited within Historic districts, on any property designated by the City Council as an historic property, within the City of Gallatin. ~~Electronic display screen signs existing prior to February 19, 2008 shall be operated according to standards specified in the Gallatin Municipal Code and on buildings. No such signs shall be visible from the street through windows or openings in the building, including any digital signs displaying a video or continuous message and animated signs.~~

E. ~~Electronic Message Center Signs~~ are prohibited within the City of Gallatin. ~~Electronic display screen signs existing prior to February 19, 2008 shall be operated according to standards specified in the Gallatin Municipal Code.~~ Reserved.

\* \* \* \* \*

L. Nonconforming sign(s), except as permitted by Tenn. Code Annotated, Section 13-7-208 (h) as amended from time to time, or permitted upon granting an Alternative Plan Approval per subsection 13.07.095.

P. Signs erected on public or private property (such as private utility poles, trees, rocks, utility poles, guy wires, sign poles on which a sign is already permitted, or on other public regulatory or informational signs within rights-of-way) ~~located on public property,~~ other than signs erected by public authority for public purposes or as otherwise permitted by the Mayor and Alderman.

T. Exterior or interior decorative lighting including but not limited to, strings, strips or individual bulbs outlining architectural features including windows and doors, containing, LED, neon or incandescent lighting, which are displayed to attract attention of the public. This does not include traditional holiday decorations.

\* \* \* \* \*

U. The following signs are generally prohibited unless special conditions apply as specified under Subsection 13.07.060:

1. Banners
2. Inflatable and Airborne Signs
3. Off-Premise Signs, except replacement signs as described herein.
4. Temporary Signs
5. Wind Signs

V. Temporary signs with digital display.

W. Bench signs on public property.

\* \* \* \* \*

13.07.055 Exempt Signs

A. Guidance and Restriction for the Use of Sign

\* \* \* \* \*

4. Signs shall not be located in the rights-of-way, except when authorized by the governmental agency maintaining such right-of-way.

B. Permissible Exempt Signs

- 1. Building Marker
- 2. Commemorative Sign
- 3. Equipment/Machinery Signage
- 4. Flags on flagpoles for one-family and two-family dwellings in residential districts.
- 5. Holiday lights and decorations with no commercial message
- 6. Incidental Signs
- 7. Legal Notices and Official Instruments
- 8. Traffic Control Signs ~~must which~~ meet the requirements in the Manual for Uniform Traffic Control Devices.
- 9. Warning Signs

\* \* \* \* \*

13.07.060 Temporary Signs

A. Guidance and Restrictions for the Use of Signs

- 1. Temporary signs are permitted to indicate temporary special events activities or messages without regard to content. Special events include, but are not limited to, grand openings, new business locations, business closings and special promotional events such as seasonal sales, services and product promotions.
- 2. Temporary signs are also permitted to indicate the availability of goods for sale within a temporary structure, such as a tent.
- 3. A temporary sign shall not be constructed of or operated by electrical, electronic, or mechanical parts or erected so as to create a hazard of any kind through the obstruction of vision by motorists and pedestrians.
- 4. Temporary signs shall be non-illuminated and shall not harmful to minors as defined by this Subsection include profane messages.
- 5. The Zoning Administrator or designee shall determine whether a sign's placement is hazardous or vision is obstructed.
- 6. Temporary signs shall not be mounted on a street signs or public utility pole.

7. Signs shall not be located in the rights-of-way unless authorized by the agency maintaining the roadway.

8. Temporary signs shall not include a digital display.

\* \* \* \* \*

### 13.07.061 Non-Conforming Off-Premises/Off-Site (Billboard) Signs

#### A. Replacement of Non-Conforming Off-Premises (Off-Site/Billboard) Signs

A permitted non-conforming off-premises or off-site/billboard sign may be replaced as permitted by a sign complying with Tenn. Code Annotated, Title 13, Section 13-7-208 (h). However, if an off-premises sign, including an off-site/billboard, is replaced with a digital sign then no expansion of the sign shall be permitted. Any off-premises signs other than an off-site/billboard currently permitted by the Tennessee Department of Transportation and/or the City of Gallatin is an illegal non-conforming sign. Any billboard replaced under this provision shall be considered a non-conforming use and structure.

#### B. Cap and Replacement Restrictions

1. Maximum number of permitted non-conforming off-site/billboard signs. The maximum number of permitted non-conforming off-site/billboard signs shall be limited to those signs existing on May 17, 2016.
2. Off-site sign inventory. The Planning Department shall maintain an inventory of off-site/billboard signs within the city. The Planning Department shall conduct an annual audit of permits issued for off-site/billboard signs to determine the current number of such signs in the city.
3. Off-site signs within areas annexed into the City. If property is annexed into the city and contains an existing legally permitted off-site/billboard sign at the time of annexation, the sign(s) shall be, upon annexation, added to the city's inventory of off-site/billboard signs.
4. Replacement signs. A permit for the construction of a replacement off-site/billboard sign with a digital billboard may only be issued after the removal of the existing off-site sign(s) and support structures unless said pole is to be used as a replacement sign per Section 13.07.061 C.4.. Said sign permit application shall be submitted within 180 days of the removal of the billboard (off-site signs) being replaced.

#### C. Design of Replacement off-premises (off-site/billboard) signs

1. Any off-premises (off-site/billboard) sign replaced as permitted herein shall be placed in the same location as the previously permitted sign. For purposes of permitting the replacement sign the same location shall mean within five (5) feet of the location of the previous sign and the replacement sign shall comply with all required setbacks for signs and required by Section 13.07.065.
2. Any off-premises (off-site/billboard) sign replaced shall be the same height or lesser height of the sign being replaced.
3. Any off-premises (off-site/billboard) sign replaced with an digital sign shall be no less than 2000 feet from any other existing or permitted billboard signs utilizing an electronic display screen (digital) sign.
4. Any off-premises (off-site/billboard) sign replaced as permitted herein shall be erected on a single pole or ground mounted column constructed completely with, or sheathed in, decorative material including brick, stone, stucco treated frame or ornamental iron base and shall contain a border around the face of the sign matching the color of the support column.
5. No single-faced off-premise (off-site/billboard) sign shall be replaced with a double-faced or more faced billboard or digital sign.
6. Any off-premises (off-site/billboard) sign replaced shall require the installation of low-level landscaping consisting a continuous hedge row of shrubs and trees of a species on the leased or owned parcel surrounding the base of the sign extending a minimum of five (5) feet from the base of the sign. No chain link or wire fencing shall be placed around the base of the sign.
7. Any replacement off-premises (off-site/billboard) sign shall be located at least two-hundred and fifty (250) feet from any residentially zoned property measured from the closest point of any structural element of the sign to the residentially zoned property boundary.
8. No replacement sign shall be permitted to be placed on-top or under an existing billboard or beside an existing billboard. To be eligible for the replacement with a digital sign, any side-by-side or stacked billboards must be removed and replaced, within the timeframe described herein, only with a single digital billboard sign of a size no larger than the larger of the two billboards.
9. All existing billboards replaced with a digital or automatic changeable message copy may include a digital sign face for 100% of the coverage of the sign or display surface area.
10. All text size on any replacement billboard shall of such sufficient size to be clearly legible from a distance of 500 feet.
11. Any billboard replaced with a digital copy shall be limited message to remain static for a minimum of eight (8) seconds with a maximum change time of two (2) seconds.
12. The digital sign shall contain a default design that will freeze the sign face in a legible image or position if a malfunction occurs or the sign will turn off.
13. All billboard replacements as authorized herein shall, in addition to this code, comply with the requirements of Title 54, Chapter 21, Section 122, Tenn. Code Annotated.

14. Owners of digital billboards shall coordinate with the City of Gallatin to convey real time emergency information such as Amber Alerts or other emergency directives.

Any conflicts between the Code and the Statute the more restrictive standard shall apply.

### 13.07.065 General Provisions for Permanent On-Premises Signs

\* \* \* \* \*

#### A. Guidance for the Use of Signs

1. An on-premises sign is for the purpose of conveying information in clear, concise, safe, and compatible units to general motorists and pedestrians on travel ways and within each site.
2. A permanent on-premises sign may be permitted as a freestanding or wall-mounted sign subject to the restrictions imposed by this Subsection and other relevant restrictions imposed by this Article.
3. A single tenant or multi-tenant sign shall be considered an on-premises sign when located within the boundaries of the same approved site plan or final master development plan authorized by this ordinance.
4. A permit is required for all permanent signs unless otherwise exempt under Subsection 13.07.055.
5. All electrical service to freestanding signs shall be placed underground. Electrical service to all other signs shall be concealed from public view.
6. No permanent free-standing/monument sign shall be permitted on any property unless a permanent structure of at least 500 square feet exists on the property except for replacement of non-conforming billboards.
7. No on-premises freestanding/monument sign shall be permitted on a parcel or lot if a non-conforming freestanding/monument sign is located on the same parcel/lot.

#### B. Setback and Height Requirements

Refer to Subsection 13.07.100 for illustrations of proper setback and height measurements

1. The height of free-standing/ground signs shall be computed as the distance from the base of the sign at grade level to the top of the sign structure. The maximum height for all freestanding/ground signs is eight (8) feet above grade level. The maximum ground clearance between the bottom of the sign and grade level shall be three (3) feet.

2. The leading edge of free-standing/ground signs shall have a minimum setback of five (5) feet from the right-of-way, provided the placement of the sign does not interfere with the sight triangle per Subsection 13.06.050. ~~Should the City's General Development and Transportation Plan state a greater right-of-way width than currently exists, the greater right-of-way width shall apply.~~ Refer to Subsection 13.07.125 for an example on determining the sight triangle. Should the City's General Development and Transportation Plan state a greater right-of-way width than currently exists, the greater right-of-way width shall apply. Said sign setback shall be established based on the projected extent of the right-of-way as determined by the City.
  
3. ~~On-premises~~ Wall-mounted signs shall not extend above the roof line of the structure. ~~On-premises~~ Wall-mounted signs shall not extend above the top of the wall or parapet more than twenty-five percent (25%) of the height of such sign, to a maximum of eighteen (18) inches for a solid panel sign, or fifty percent (50%) of the height of the letter for individual mounted letters.

C. Calculation of Sign Area

- \* \* \* \* \*
8. Any digital signs shall be limited to no more than fifty percent (50%) of the total permitted sign area except replacement billboards with digital display as permitted in Subsection 13.07.061.

\* \* \* \* \*

13.07.070 Permitted Permanent On-Premises Signs in Residential and Mixed Use Zone Districts

Permanent on-premises freestanding signs and on-premises wall-mounted signs that serve the specific function of identifying a residential development are permitted subject to the following restrictions:

- A. Each residential development containing three (3) through fifteen (15) dwelling units and approved under one (1) plat, final master development plan or site plan shall be permitted one (1) on-premises freestanding sign per development entry from a public street, up to a maximum of two (2) from a public street, with a maximum size sign face of eighteen (18) square feet each. The following provisions shall apply:
  1. The leading edge or face of the sign or any building or other structure to which the sign is attached must be setback from the right-of-way a minimum of five (5) feet;
  2. No residential freestanding sign shall exceed eight (8) feet in height;
  3. All residential freestanding signs ~~shall~~ may be illuminated by direct and steady means only but shall not include any digital sign.

4. Each residential freestanding sign shall be maintained perpetually by the developer, sign owner, owner's association, or some other person who is legally accountable under an approved maintenance agreement. Signs that are not maintained shall be removed by the developer or owner.

B. Each residential development containing at least sixteen (16) units and approved under one (1) plat, final master development plan or site plan shall be permitted one (1) on-premises freestanding sign per development entry from a public street, up to a maximum of three (3) from a public street, with a maximum size sign face of thirty-two (32) square feet each. The following provisions shall apply:

The on-premises signage at each development entry shall be one (1) of the following:

\* \* \* \* \*

G. Non-residential uses in residential zoning districts shall be eligible to place a digital sign per the standards of Section 13.07.085.

A digital signs in a residential district shall be displayed as illuminated text against a black or non-illuminated background. Black or dark text against an illuminated or bright background is not permitted. Messages shall be text only or a non-residential use logo of only one color.

#### 13.07.075 Permitted Permanent On-Premises Signs in Non-Residential and Mixed Use Zone Districts

\* \* \* \* \*

B. ~~Changeable Copy Digital Sign (Automated)~~ – The background of each digital changeable copy portion of the sign must be of a single, constant color. The copy or other message displayed shall not be changed more than eight (8) times in a twenty-four (24)-hour period with a one (1) second change interval except for non-commercial message signs displaying only time and temperature.

Any digital signs shall be limited to no more than fifty percent (50%) of the total sign area of a sign. Digital signs shall not be permitted as a wall-mounted sign or window sign except when used as a wall-mounted or monument style (free-standing) menu sign for drive-thru services.

C. Directional Signs – permitted within non-residential and mixed use zone districts. Signs shall not exceed six square feet in sign face area, two and one-half (2.5) feet in height, and shall have a minimum setback of two (2) feet from the right-of-way. Signs shall not be located in the rights-of-way. No directional sign shall consist of a digital signs.

\* \* \* \* \*

G. Menu Boards

- 1. Free-standing – Two (2) free-standing menu board signs shall be permitted per drive-thru lane. Each free-standing drive-thru menu board shall be spaced a minimum of ten (10) feet apart, and from other free-standing signs on the property. A single free-standing menu board sign shall not exceed fifty (5) square feet in area including all attached signs. The total aggregate of all free-standing menu board signs in a single drive-thru lane shall not exceed sixty (60) square feet in area. The maximum sign height shall not exceed eight (8) feet. A Menu Board may consist of a digital sign provided that copy may only change 3 times per day.
- 2. Wall-Mounted – Two (2) wall-mounted menu board signs shall be permitted in a drive-thru lane. The total aggregate of all wall-mounted menu board signs shall not exceed twenty-four (24) square feet.

\* \* \* \* \*

13.07.080 Permanent Signs in the CC Zone District

\* \* \* \* \*

C. Permitted Signs

8. Monument Signs

\* \* \* \* \*

- d. Internally lit freestanding signs ~~are not permitted~~ and digital signs are permitted within the CC zone district provided that the changeable message area shall not exceed fifty percent (50%) of the total sign area.

D. Sign Materials

1. Permitted Materials

All signs permitted under Subsection 13.07.080 shall be constructed of wood, metal, synthetic wood materials, glass, and/or encased Styrofoam.

\* \* \* \* \*

E Performance Standards for Glare and Maximum Illumination

\* \* \* \* \*

2. In addition to the provisions of Subsection 13.07.090, illuminated signage shall not:

\* \* \* \* \*

d. Internally illuminated signs are not permitted, except as digital signs or with but backlighting is permitted.

13.07.085 Community Facility On-Premises Signs in Residential Zone Districts

Community Facilities, including those granted a Conditional Use Permit, shall be eligible for a digital sign as permitted in Subsection 13.07.070. G.

All digital signs shall be displayed as illuminated text against a black or non-illuminated background. Black or dark text against an illuminated or bright background is not permitted. Messages shall be text only on a non-residential use or logo of only one color.

A. Signs for Community Facilities:

i. Wall signs: Each service/institution/public facility shall be permitted one (1) on-premises wall sign less than or equal to one (1) square foot per one (1) linear foot of business frontage not to exceed thirty-two (32) square feet. ~~The sign shall not exceed sixty (60) square feet in area, equally divided between not more than two (2) sign faces.~~

ii. Free-standing/monument sign: Each service/institution/public facility shall be permitted one (1) on-premises free-standing/monument sign less than or equal to one (1) square foot per one (1) linear foot of street frontage not to exceed sixty (60) square feet. The maximum height of a free-standing sign shall be eight (8) feet. The minimum setback shall be fifteen (15) feet from the right-of-way. The sign shall not encroach in required side yard setbacks of the zone district and only one (1) such freestanding sign shall be permitted per street frontage except where street frontage exceeds 1000 feet where two signs shall be permitted. On property in excess of 1000 linear feet of roadway frontage, where two (2) signs are proposed, such signs shall be a minimum of three-hundred (300) feet apart.

B. Flagpoles, Ground – Maximum of three (3) per lot, a maximum of thirty five (35) feet in height and with no more than two (2) flags per pole. ; and a maximum of thirty five (35) feet in height. Combined size and weight of all flags must meet the wind load requirements per pole.

C. Educational Campus—~~A comprehensive plan for the signage of a college or university campus, as defined in Subsection 13.07.045, must be prepared by an architect or engineer~~

and submitted to the Codes /Planning Departments for review and approval before a sign permit is issued.

\* \* \* \* \*

13.07.090 Performance Standards Regulating Glare and Illuminated Sign Brightness

\* \* \* \* \*

B. Limitation of Glare

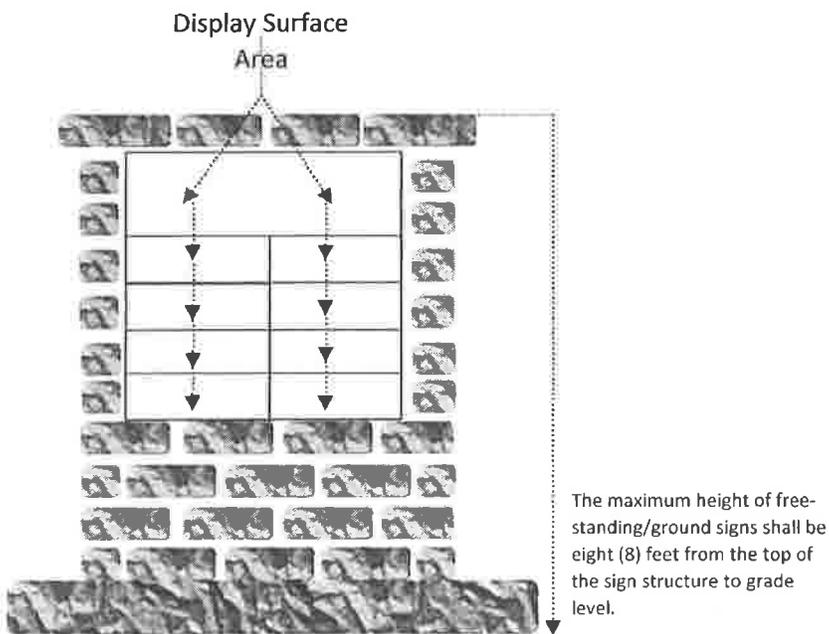
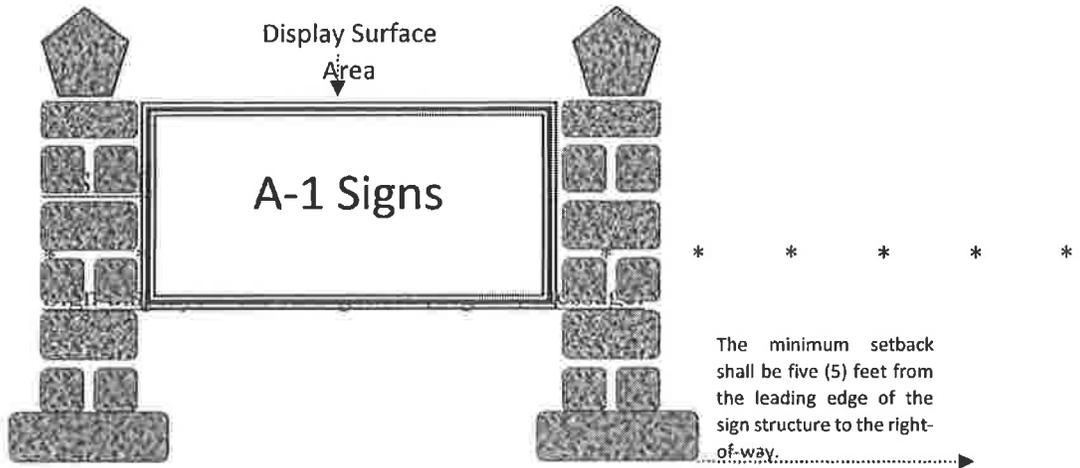
In all zone districts, any operation or activity, including signage, producing glare shall be conducted so that direct and indirect light from the source shall not cause illumination in excess of 0.5 foot candles and digital signs shall not exceed 0.3 foot candles and comply with Title 54, Section 54-21-122, Tenn. Code Annotated.

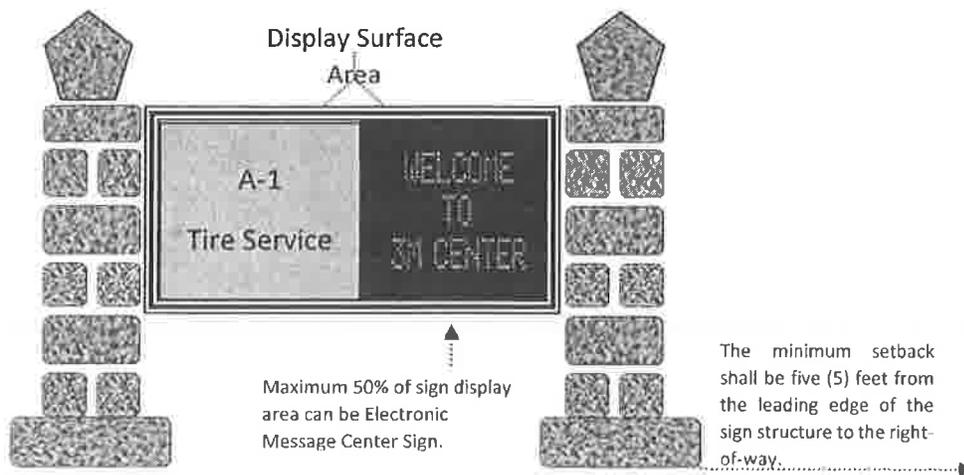
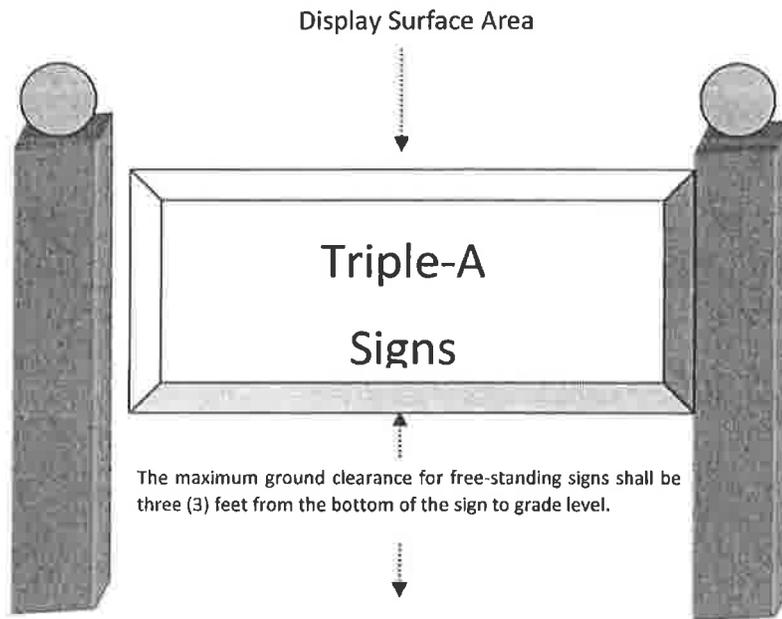
D. Illuminated Sign Brightness – The brightness and surface illumination of all illuminated signs shall not exceed the provision below in the zone district indicated.

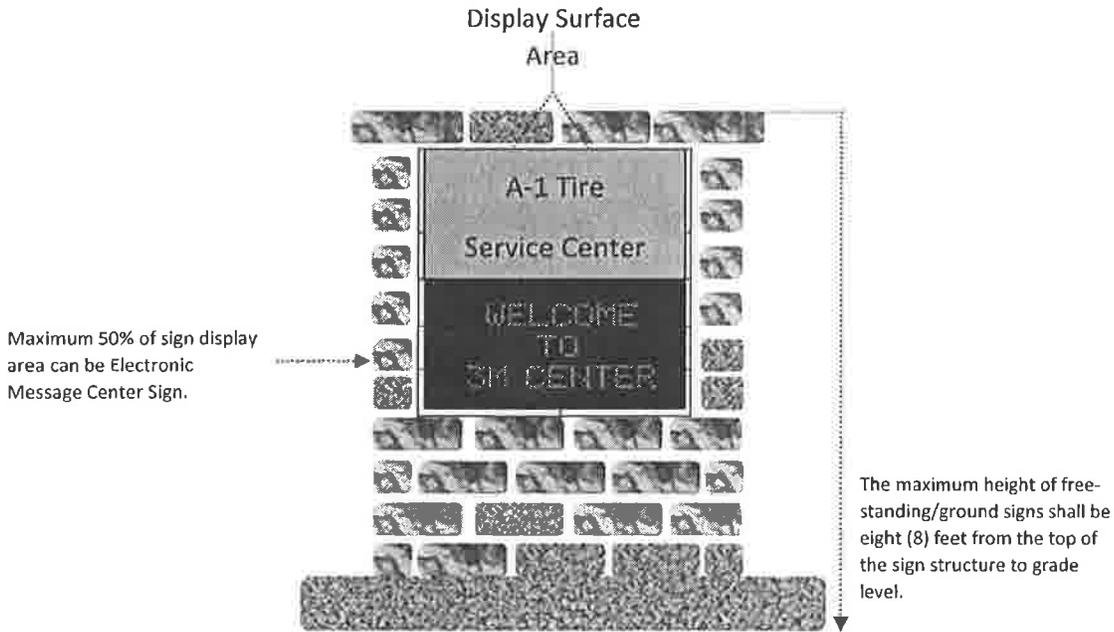
\* \* \* \* \*

Section 13.07.100 Freestanding Sign Height, Setback Requirements and Display Surface Area

Signs display without changeable (digital) message.







Any digital signs shall be limited to no more than fifty percent (50%) of the total display surface/sign area as indicated below.

\* \* \* \* \*

13.07.110 Digital or Electronic Message Sign Design Standards

\* \* \* \* \*

1. A digital or electronic message center sign may only be constructed on a parcel or lot having a minimum of 100 feet of roadway frontage.
2. Any digital sign shall be limited to no more than fifty percent (50%) of the total sign area.

3. The conversion of any existing permitted sign to a digital sign or the installation of digital sign equipment on or within an existing permitted signs shall require the approval of a new sign permit pursuant to the procedures described in Article 13, Section 13.07 herein.
4. A digital sign shall be part of a free-standing or ground mounted (monument) style sign no greater than eight (8) feet above grade. A digital sign may not be installed on an existing permitted sign which is taller than eight (8) feet above grade.
5. A digital sign shall not be installed within 250 feet of a conforming single-family residence measured along each side of the right-of-way.
6. A digital sign with a sign face on two sides with no more than 4.5 feet of separation between faces shall be considered a single sign, and the total sign area shall be the area on a single face.
7. The copy content of a digital free-standing/monument sign may change at intervals of no more than eight (8) times in a twenty-four (24) hour period with a one (1) second change interval. The content image must remain stable. Continuous scrolling or flashing of the image is prohibited.
8. The copy content of a digital sign shall not contain effects that are designed to resemble a traffic signal or emergency vehicle strobe lighting.
9. A malfunctioning digital sign shall be programmed default to a display that will freeze the sign face in a legible image position. Otherwise, digital signs must be equipped with software programming controls that automatically turn the sign off if the display is malfunctioning in any way.
10. Exposed neon or fiber-optic tubing on digital signs is prohibited.
11. Digital signs shall be equipped with a sensor or other device that automatically determines the ambient illumination and can be programmed to automatically dim according to ambient light conditions, or that can be adjusted to comply with the 0.3 foot-candle measurements.
12. The illuminance of a digital sign shall be measured with an illuminance meter set to measure foot-candles accurate to at least two decimal points. Illuminance shall be measured with the digital sign turned off, and again with the digital sign displaying a white image for full color-capable signs, or a solid message for a single color signs. All measurements shall be taken perpendicular to the face of the digital sign as

distance determined by the total square footage of the signs as set forth in the Table”  
below:

Digital /Brightness Compliance Measurement Distances

Area of Sign (Square footage)	Measurement from Sign (Distance in Feet)
10	32
15	39
20	45
25	50
30	55
35	59

**ORDINANCE NO. 01605-34**

**AN ORDINANCE OF THE CITY OF GALLATIN, SUMNER COUNTY, TENNESSEE, APPROVING AN AMENDMENT TO THE PRELIMINARY MASTER DEVELOPMENT PLAN FOR BAKERS CROSSING, THE FORZA GROUP, AUTHORIZING THE REVISION TO THE PMDP TO BE INDICATED ON THE OFFICIAL ZONING ATLAS; REPEALING CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the owner of property submitted a complete application for the Bakers Crossing, The Forza Group Amended Preliminary Master Development Plan on an 8.15 (+/-) acre parcel (Tax Map 125M, Group A, portion of Parcel 001.00) located in the City of Gallatin, Tennessee; and

**WHEREAS**, the property is located on Tulip Poplar Drive between Nashville Pike and North Belvedere Drive and is zoned Mixed Use (MU); and

**WHEREAS**, the Gallatin Municipal-Regional Planning Commission reviewed and recommended approval of the Bakers Crossing, The Forza Group Amended Preliminary Master Development Plan in GMRPC Resolution No. 2016-57; and

**WHEREAS**, a public hearing was held following public notice as prescribed by the Gallatin Zoning Ordinance and Tenn. Code Ann. Section 13-7-203; and

**WHEREAS**, The City Council has approved by majority vote of the members present the Amended PMDP request of the described property.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF GALLATIN, TENNESSEE as follows:**

**Section 1.** The City Council of the City of Gallatin does hereby approve the Amended Preliminary Master Development Plan as described in Exhibit 'A'.

**Section 2.** The City Council of the City of Gallatin does hereby approve, authorize and direct the revision of the City's Official Zoning Atlas to show the classification for the area indicating the revised Preliminary Master Development Plan.

**Section 3.** All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

**Section 4.** If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provision or applications of this ordinance which can be given without the invalid provision or application, and to this end the provisions of this ordinance are declared severable.

**Section 5.** This ordinance shall become effective immediately upon adoption, the public welfare requiring such.

PASSED FIRST READING: May 17, 2016.

PASSED SECOND READING:

---

MAYOR PAIGE BROWN

ATTEST:

---

CONNIE KITTRELL  
CITY RECORDER

APPROVED AS TO FORM:

---

SUSAN HIGH-MCAULEY  
CITY ATTORNEY

## EXHIBIT 'A'

The Amended Preliminary Master Development Plan for Bakers Crossing, The Forza Group, consists of an eight (8) sheet plan, prepared by Arnold Consulting Engineering Services, Inc. of Bowling Green, Ky., with Job No. L6156 and dated April 14, 2016 and the Architectural Elevations, consisting of a two (2) sheet plan, prepared by Integrity Design of Bridgeville, Pa., dated received April 14, 2016 with the following conditions:

1. Obtain an easement from adjacent property owners to the east to use a driveway located to the east property boundary or obtain the driveway and construct and convey the driveway as a public right-of-way or private roadway and provide an access easement over the south service drive to the property owners along the southerly property boundary.
2. Correct the conceptual sign detail to reflect the maximum height of 12'-0" and maximum sign coverage of 120 square feet for multi-tenant signs.
3. Correct the conceptual sign detail to reflect the maximum height of 8'-0" and maximum sign coverage is 30 square feet (15 square feet on each face, if double sided) for monument signs.
4. Submit five (5) corrected and folded copies, of the Preliminary Master Development Plan for Bakers Crossing, the Forza Group, including one (1) full size and four (4) half size copies to the Planning Department.

**CITY OF GALLATIN  
COUNCIL COMMITTEE AGENDA**

May 10, 2016

**DEPARTMENT: PLANNING DEPARTMENT**

**AGENDA # 6**

**SUBJECT:**

Ordinance #O1605-34 of the City of Gallatin, Sumner County, Tennessee, approving an Amended Preliminary Master Development Plan for Bakers Crossing, The Forza Group development on an 8.15 (+/-) acre parcel.

**SUMMARY:**

The owner and applicant is requesting approval of an Ordinance to Amend the Preliminary Master Development Plan for Bakers Crossing and authorizing the revision to be indicated on the official zoning atlas; repealing conflicting ordinances; providing for severability, and providing for an effective date, (S.B.E. Tax Map 125M, Group A, portion of Parcel 001.00). The Forza Group proposes to construct two (2) hotels and conference center, general retail, a restaurant and office buildings in three (3) phases on an 8.15 (+/-) acre parcel zoned Mixed Use (MU), located on Tulip Poplar Drive between Nashville Pike and North Belvedere Drive. Transient Habitation, General Retail Sales and Service, Food Service and Financial, Consulting, and Administrative are permitted uses in the MU zoned district.

On April 25, 2016 the Gallatin Municipal-Regional Planning Commission recommended approval of GMRPC Resolution 2016-57. (PC File 3-1697-16)

**RECOMMENDATION:**

**ATTACHMENT:**

Resolution  
 Ordinance

Correspondence  
 Contract

Bid Tabulation  
 Other

Approved   
Rejected   
Deferred

Notes: *1st Reading*

*UNANIMOUS*

**ORDINANCE NO. O1605-35**

**AN ORDINANCE OF THE CITY OF GALLATIN, SUMNER COUNTY, TENNESSEE, APPROVING A PRELIMINARY MASTER DEVELOPMENT PLAN FOR TWICE DAILY AUTHORIZING THE ZONING WITH PMDP TO BE INDICATED ON THE OFFICIAL ZONING ATLAS; REPEALING CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the owner of property submitted a complete application for the Twice Daily Preliminary Master Development Plan on an 18.90 (+/-) acre parcel (Tax Map 125, Parcel 016.00) located in the City of Gallatin, Tennessee; and

**WHEREAS**, the property is located south of the intersection of Long Hollow Pike (SR 174) and Vietnam Veterans Boulevard (SR 386) and zoned Planned General Commercial (PGC) on the northern portion of the parcel and zoned Planned Business Park (PBP) on the southern portion of the parcel; and

**WHEREAS**, the Gallatin Municipal-Regional Planning Commission reviewed and recommended approval of the Twice Daily Preliminary Master Development Plan in GMRPC Resolution No. 2016-21; and

**WHEREAS**, a public hearing was held following public notice as prescribed by the Gallatin Zoning Ordinance and Tenn. Code Ann. Section 13-7-203; and

**WHEREAS**, The City Council has approved by majority vote of the members present the PMDP request of the described property.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF GALLATIN, TENNESSEE as follows:**

**Section 1.** The City Council of the City of Gallatin does hereby approve the Preliminary Master Development Plan as described in Exhibit 'A'.

**Section 2.** The City Council of the City of Gallatin does hereby approve, authorize and direct the revision of the City's Official Zoning Atlas to show the classification for the area indicating the Preliminary Master Development Plan.

**Section 3.** All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

**Section 4.** If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provision or applications of this ordinance which can be given without the invalid provision or application, and to this end the provisions of this ordinance are declared severable.

**Section 5.** This ordinance shall become effective immediately upon adoption, the public welfare requiring such.

PASSED FIRST READING: May 17, 2016.

PASSED SECOND READING:

---

MAYOR PAIGE BROWN

ATTEST:

---

CONNIE KITTRELL  
CITY RECORDER

APPROVED AS TO FORM:

---

SUSAN HIGH-MCAULEY  
CITY ATTORNEY

## EXHIBIT 'A'

The Preliminary Master Development Plan for Twice Daily, consists of a two (2) sheet plan, with project no. 127-023, prepared by Perry Engineering, LLC of Goodlettsville, TN, dated April 14, 2016, and a two (2) sheet architecture plan, with project no. 0216, prepared by Cassetty Architecture of Hendersonville, TN, dated January 25, 2016, with the following conditions:

1. The recently adopted Stormwater Ordinance requires runoff reduction practices incorporated into the full design of the project at the FMDP stage.
2. Traffic Impact Study (TIS) is required at the Final Master Development Plan stage and must be approved by the City Engineer. The TIS should address traffic signal improvements, signal timing, number of lanes, and other improvements. Recommendations from the TIS might alter proposed traffic improvements.
3. Access/driveway permit on SR 174 is subject to approval from the Tennessee Department of Transportation. Construction of the right-in-right-out driveway on SR 174 shall include a concrete median on SR 174 which shall be removed at the expense of the owner of the Twice Daily site when the adjacent property develops. A driveway with a cross access easement will be provided 660 feet east from the SR174/SR 386 intersection upon development of the adjacent property to provide access to SR 174.
4. Show full buildout of adjacent roadways consistent with the SR 386/US 31E Connector Feasibility Study for reference. The buildout may require improvements to be set further back from the right-of-way.
5. The point of tangency past the second backage road to the south shall be 900' from the south boundary.
6. Driveway spacing for each access point shall meet the recommendations of the Gallatin on the Move 2020 General Development and Transportation Plan. The minimum driveway throat lengths shall be 45 feet for the minor arterial (new roadway) and a minimum of 80' for major arterial (Long Hollow Pike).
7. Provide access to the adjacent property to the west. Road extensions, driveway access points, and cross access to possible future adjacent phases as well as shared access and cross access between proposed parking lots should all meet the recommendations of the Access Management Plan of the Gallatin on the Move 2020 General Development and Transportation Plan.
8. The end of road construction shown on sheet PMDP (Sheet 2) shall be extended to the south end of the Lot 1.
9. The Right-of-Way width is insufficient at the intersection of SR 174 and SR 386. The right-of-way and roadway cross section, at a minimum, shall accommodate three (3) 12 foot wide north bound lanes, one (1) 12 foot wide south bound lane, a four (4) foot wide bike lane on each side, a 2.5 foot wide curb and gutter on each side, a five (5) foot wide grass strip on each side, a six (6) foot wide sidewalk on each side, and a one (1) foot wide setback on both sides, bringing the total minimum right-of-way cross section to 85 feet wide. There shall also be sufficient room at the intersection of SR 174 and SR 386 so that the double left movements from SR 174 and the new proposed road can occur at the same time without having to split the signal phasing.
10. Submit five (5) corrected and folded copies, of the Preliminary Master Development Plan for Twice Daily, including one (1) full size and four (4) half size copies to the Planning Department.

**CITY OF GALLATIN  
COUNCIL COMMITTEE AGENDA**

May 10, 2016

**DEPARTMENT: PLANNING DEPARTMENT**

**AGENDA # 7**

**SUBJECT:**

Ordinance #O1605-35 of the City of Gallatin, Sumner County, Tennessee, approving a Preliminary Master Development Plan for Twice Daily development on an 18.90 (+/-) acre parcel.

**SUMMARY:**

The owner and applicant is requesting approval of an Ordinance for a Preliminary Master Development Plan for Twice Daily and authorizing the revision to be indicated on the official zoning atlas; repealing conflicting ordinances; providing for severability, and providing for an effective date, (S.B.E. Tax Map 125// Parcel 016.00). The Twice Daily PMDP will create five (5) commercial lots, an open space tract and two (2) public rights-of-way on an 18.90 (+/-) acre parcel, split-zoned Planned General Commercial (PGC) and Planned Business Park (PBP), located south of the intersection of Long Hollow Pike (SR 174) and Vietnam Veterans Boulevard (SR 386). Convenience Sales and Service with Gas Pumps and Food Service is a permitted use in the PGC zoned district.

On April 25, 2016 the Gallatin Municipal-Regional Planning Commission recommended approval of GMRPC Resolution 2016-21. (PC File 3-1502-16)

**RECOMMENDATION:**

**ATTACHMENT:**

Resolution  
 Ordinance

Correspondence  
 Contract

Bid Tabulation  
 Other

Approved   
Rejected   
Deferred

**Notes:**

*1st Reading - Overton/Brockenberg - unanimous  
Overton wants Public Hearing & 2nd Reading on June agenda  
Overton/Brockenberg - UNANIMOUS*

AMENDED ORDINANCE NO. 01510-62

**ORDINANCE AMENDING THE CITY OF GALLATIN, TENNESSEE CHARTER  
AS ESTABLISHED IN CHAPTER 67 OF THE PRIVATE ACTS OF 1953 AND AS  
AMENDED THEREAFTER**

**BE IT ORDAINED BY THE CITY OF GALLATIN, TENNESSEE**, as follows:

1. Chapter 67 of the Private Acts of 1953, as subsequently amended, **Article III** is amended as follows:

By deleting **Section 2** in its entirety.

2. Chapter 67 of the Private Acts of 1953, as subsequently amended, by deleting **Article III, Section 14** and substituting instead the following:

The Mayor or any Alderman may be removed from office in accordance with the general and statutory laws of Tennessee for ouster of a public official for, among other things, misconduct in office, willful neglect to perform duties, or conviction of a crime involving moral turpitude.

3. Chapter 67 of the Private Acts of 1953, as subsequently amended, **Article V, Section 1**, is amended by deleting sentence 5 and substituting instead the following:

The Mayor shall preside at the meetings of the City Council, and he or she shall have a seat, a voice, but no vote, except for the purpose of breaking a tie, and in the election or termination of public officers and Alderpersons.

4. Chapter 67 of the Private Acts of 1953, as subsequently amended, by deleting **Article V, Section 3** and substituting instead the following:

All legal process against the City shall be served upon the Mayor or the City Attorney. If the Mayor accepts process, it shall be his or her duty forthwith to transmit the process to the City Attorney after writing thereon the time and manner of service.

5. Chapter 67 of the Private Acts of 1953, as subsequently amended, by deleting the first sentence of **Article VI, Section 1** and substituting instead the following:

The City Council shall from time to time, fix the salaries and other compensation of all public officers and employees of the City, and may define the duties of all public officers.

6. Chapter 67 of the Private Acts of 1953, as subsequently amended, **Article VI** is amended by adding **Section 2** as follows:

**SECTION 2. - Appointment of officers; salaries; duties; residency requirements; termination; oath of office.**

- a. **Officers.** The city council shall appoint the following public officers: City Attorney, City Engineer, City Planner, Director of Codes, Director of Human Resources, Director of Information Technology, Director of Leisure Services, Fire Chief, Police Chief, Superintendent of Public Utilities, and Superintendent of Public Works. All officers of the city, except the city attorney, shall devote all of their time to their respective offices. The aforementioned officers shall be appointed by a minimum of five (5) votes of the council, including the mayor, and shall serve at the will of the council. They shall receive such salaries as the council may from time to time designate. All officers of the city whose appointment is not herein provided for shall be appointed by the city council at such times and for such terms as the council may fix. All officers shall be present at all meetings of the city council when so directed by the mayor or council.
- b. **Duties of officers.** Unless otherwise prescribed in this charter, the duties of public officers shall be as set forth by ordinance in the Gallatin Municipal Code. The council may establish city departments, offices, or agencies, in addition to those created in this charter, and may prescribe

the functions of all departments, offices, and agencies not inconsistent with this charter. Departments, offices and agencies created by the council may be abolished or combined.

- c. **Residency requirements of certain officers.** The fire chief and police chief shall be required to maintain their residence either within the corporate limits or within two (2) miles of the corporate limits and within the boundaries of Sumner County, Tennessee. The superintendent of public utilities and superintendent of public works shall be required to maintain their residence within the boundaries of Sumner County, Tennessee. These residency requirements shall not apply until ninety (90) days after appointment of these officers.
- d. **Termination.** Any officer may be terminated by a minimum of five (5) votes of the council, including the mayor. Said termination may be with or without cause. Any termination without cause may include severance pay equal to three (3) months' salary. Any termination with cause may include, but is not limited to, incompetence, misrepresentation, any crime or misdemeanor in office, or grave misconduct showing unfitness for public service, misfeasance or malfeasance in office and inefficiency in performance of duty. No officer shall be terminated until all members of council have served a minimum of three (3) months.
- e. **Oath of office.** Every officer of the city shall, before entering upon the discharge of the duties of office, take the same oath required of the mayor and council.

7. Chapter 67 of the Private Acts of 1953, as subsequently amended, by deleting **Article VII, Section 1** and substituting instead the following:

**SECTION 1. Election, eligibility for office, removal.**

Be it further enacted, that the City Recorder shall be elected by the qualified voters of the City of Gallatin at the same time and in the mode and manner as the Mayor and Aldermen are elected. No person shall hold the office of Recorder who holds any other public employment or publicly elected office and unless he or she has been a bona fide citizen and resident of the city for two (2) years previous to and next before his or her election. The Recorder shall be subject to removal from office for the same offenses and in the same manner as removal of the Mayor or an Alderman, as set forth in Article III, Section. 14.

The Recorder shall fulfill the duties as required by the Charter or Municipal Code and shall work with the City Council to carry out all reasonable orders, rules, and regulations of the City Council.

8. Chapter 67 of the Private Acts of 1953, as subsequently amended, by deleting **Article VIIIA**, and substituting instead the following:

Article VIIIA (Article VIII deleted by 2016 charter amendment – The powers and duties of the Superintendent of Public Works shall be set forth in the Gallatin Municipal Code, as required by amendments to this charter set forth herein.)

9. Chapter 67 of the Private Acts of 1953, as subsequently amended, by deleting **Article VIIIB**, and substituting instead the following:

Article VIIIB (Article VIIIB deleted by 2016 charter amendment – The powers and duties of the Superintendent of Public Utilities shall be set forth in the Gallatin Municipal Code, as required by amendments to this charter set forth herein.)

10. Chapter 67 of the Private Acts of 1953, as subsequently amended, by deleting **Article VIIC**, and substituting instead the following:

Article VIIC. (Article VIIC deleted by 2016 charter amendment – The powers and duties of the Director of Leisure Services shall be set forth in the Gallatin Municipal Code, as required by amendments to this charter set forth herein.)

11. This Ordinance shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of the City of Gallatin. Its approval or nonapproval shall be proclaimed by the presiding officer of the legislative body and certified to the secretary of state.
12. For the purpose of approving or rejecting the provisions of this Ordinance, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in paragraph 11.

PASSED FIRST READING: October 20, 2015.

PASSED SECOND READING:

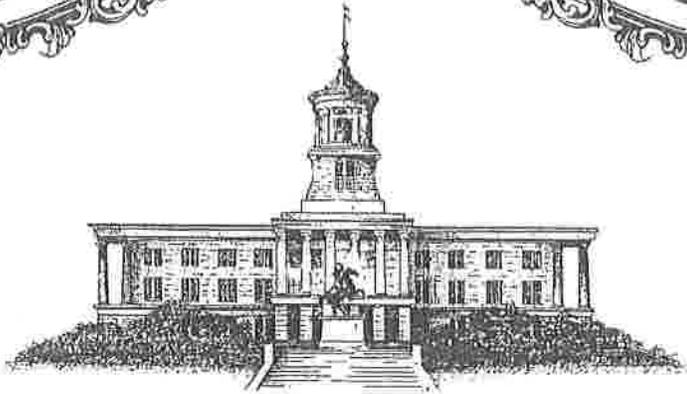
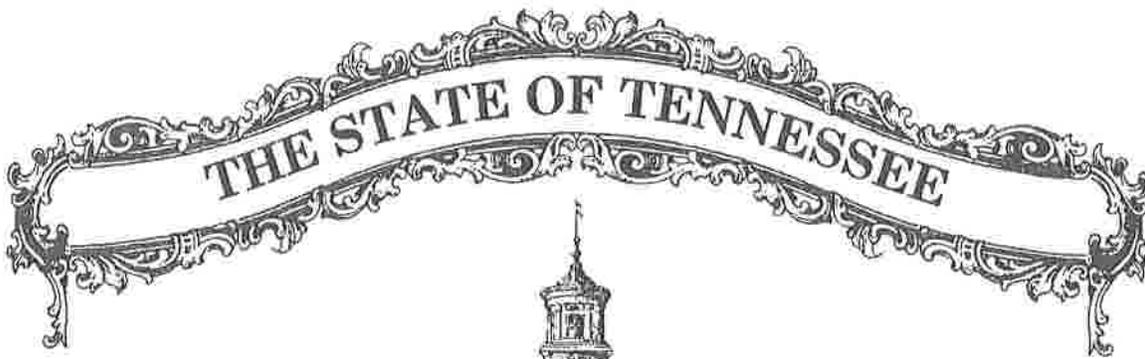
\_\_\_\_\_  
MAYOR PAIGE BROWN

ATTEST:

\_\_\_\_\_  
CONNIE KITTRELL  
CITY RECORDER

APPROVED AS TO FORM:

\_\_\_\_\_  
SUSAN HIGH-MCAULEY  
CITY ATTORNEY



*To all to whom these Presents shall come, Greeting:*

*I, Tre Hargett, Secretary of State of the State of Tennessee,  
do hereby certify that the annexed is a true copy of*

Private Chapter No. 53

House Bill No. 2653

Senate Bill No. 2679

2016



*the original of which is now on file and a matter  
of record in this office. In Testimony Whereof,  
I have hereunto subscribed my official signature  
and by order of the Governor affixed the Great  
Seal of Tennessee at the Department  
in the City of Nashville,  
this 17th day of May, A.D. 2016.*

*Tre Hargett, Secretary of State*



## State of Tennessee

### PRIVATE CHAPTER NO. 53

HOUSE BILL NO. 2653

By Representative Lamberth

Substituted for: Senate Bill No. 2679

By Senator Haile

AN ACT to amend Chapter 67 of the Private Acts of 1953; as amended by Chapter 393 of the Private Acts of 1972; Chapter 67 of the Private Acts of 1975; Chapter 97 of the Private Acts of 1981; Chapter 233 of the Private Acts of 1982; Chapter 63 of the Private Acts of 1987; Chapter 195 of the Private Acts of 1990; Chapter 109 of the Private Acts of 1995; Chapter 48 of the Private Acts of 1999; Chapter 40 of the Private Acts of 2001; Chapter 153 of the Private Acts of 2002; Chapter 4 of the Private Acts of 2009; and any other acts amendatory thereto, relative to the charter for the city of Gallatin.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Chapter 67 of the Private Acts of 1953, as amended by Chapter 393 of the Private Acts of 1972, Chapter 67 of the Private Acts of 1975, Chapter 97 of the Private Acts of 1981, Chapter 233 of the Private Acts of 1982, Chapter 63 of the Private Acts of 1987, Chapter 109 of the Private Acts of 1995, Chapter 48 of the Private Acts of 1999, Chapter 40 of the Private Acts of 2001, Chapter 153 of the Private Acts of 2002, Chapter 4 of the Private Acts of 2009, and any other acts amendatory thereto, is amended by deleting Article III, Section 2 and substituting instead the following:

Section 2. (Section 2 deleted by 2016 charter amendment)

SECTION 2. Chapter 67 of the Private Acts of 1953, as amended by Chapter 97 of the Private Acts of 1981, Chapter 63 of the Private Acts of 1987; and any other acts amendatory thereto, is amended by deleting Article III, Section 14 and substituting instead the following:

Section 14. The Mayor or any Alderman may be removed from office in accordance with the general and statutory laws of Tennessee for ouster of a public official for, among other things, misconduct in office, willful neglect to perform duties, or conviction of a crime involving moral turpitude.

SECTION 3. Chapter 67 of the Private Acts of 1953, as amended by Chapter 97 of the Private Acts of 1981, Chapter 195 of the Private Acts of 1990, Chapter 109 of the Private Acts of 1995, and any other acts amendatory thereto, is amended by deleting the fifth sentence of Article V, Section 1 and substituting instead the following:

The Mayor shall preside at the meetings of the City Council, and he or she shall have a seat, a voice, but no vote, except for the purpose of breaking a tie, and in the election or termination of public officers and Alderpersons.

SECTION 4. Chapter 67 of the Private Acts of 1953, as amended by Chapter 195 of the Private Acts of 1990, and any other acts amendatory thereto, is amended by deleting Article V, Section 3 and substituting instead the following:

Section 3. All legal process against the City shall be served upon the Mayor or the City Attorney. If the Mayor accepts process, it shall be his or her duty forthwith to transmit the process to the City Attorney after writing thereon the time and manner of service.

SECTION 5. Chapter 67 of the Private Acts of 1953, as amended by Chapter 109 of the Private Acts of 1995, and any other acts amendatory thereto, is amended by deleting the first sentence of Article VI, Section 1 and substituting instead the following:

The City Council shall from time to time, fix the salaries and other compensation of all public officers and employees of the City, and may define the duties of all public officers.

SECTION 6. Chapter 67 of the Private Acts of 1953, as amended by Chapter 109 of the Private Acts of 1995, and any other acts amendatory thereto, is further amended in Article VI by adding the following language as a new section:

SECTION 2. Appointment of officers; salaries; duties; residency requirements; termination; oath of office.

a. Officers. The city council shall appoint the following public officers: City Attorney, City Engineer, City Planner, Director of Codes, Director of Human Resources, Director of Information Technology, Director of Leisure Services, Fire Chief, Police Chief, Superintendent of Public Utilities, and Superintendent of Public Works. All officers of the city, except the city attorney, shall devote all of their time to their respective offices. The aforementioned officers shall be appointed by a minimum of five (5) votes of the council, including the mayor, and shall serve at the will of the council. They shall receive such salaries as the council may from time to time designate. All officers of the city whose appointment is not herein provided for shall be appointed by the city council at such times and for such terms as the council may fix. All officers shall be present at all meetings of the city council when so directed by the mayor or council.

b. Duties of officers. Unless otherwise prescribed in this charter, the duties of public officers shall be as set forth by ordinance in the Gallatin Municipal Code. The council may establish city departments, offices, or agencies, in addition to those created in this charter, and may prescribe the functions of all departments, offices, and agencies not inconsistent with this charter. Departments, offices, and agencies created by the council may be abolished or combined.

c. Residency requirements of certain officers. The fire chief and police chief shall be required to maintain their residence either within the corporate limits or within two (2) miles of the corporate limits and within the boundaries of Sumner County, Tennessee. The superintendent of public utilities and superintendent of public works shall be required to maintain their residence within the boundaries of Sumner County, Tennessee. These residency requirements shall not apply until ninety (90) days after appointment of these officers.

d. Termination. Any officer may be terminated by a minimum of five (5) votes of the council, including the mayor. Said termination may be with or without cause. Any termination without cause may include severance pay equal to three (3) months' salary. Any termination with cause may include, but is not limited to, incompetence, misrepresentation, any crime or misdemeanor in office, or grave misconduct showing unfitness for public service, misfeasance or malfeasance in office, and inefficiency in performance of duty. No officer shall be terminated until all members of the council have served a minimum of three (3) months.

e. Oath of office. Every officer of the city shall, before entering upon the discharge of the duties of office, take the same oath required of the mayor and council.

SECTION 7. Chapter 67 of the Private Acts of 1953, as amended by Chapter 84 of the Private Acts of 1995, and any other acts amendatory thereto, is amended by deleting Article VII, Section 1 and substituting instead the following:

SECTION 1. Election, eligibility for office, removal.

Be it further enacted, that the City Recorder shall be elected by the qualified voters of the City of Gallatin at the same time and in the mode and manner as the Mayor and Aldermen are elected. No person shall hold the office of Recorder who holds any other public employment or publicly elected office and unless he or she has been a bona

**HB 2653**

vide citizen and resident of the city for two (2) years previous to and next before his or her election. The Recorder shall be subject to removal from office for the same offenses and in the same manner as removal of the Mayor or an Alderman, as set forth in Article III, Section 14.

The Recorder shall fulfill the duties as required by the Charter or Municipal Code and shall work with City Council to carry out all reasonable orders, rules, and regulations of the City Council.

SECTION 8. Chapter 67 of the Private Acts of 1953, as amended by Chapter 393 of the Private Acts of 1972, Chapter 97 of the Private Acts of 1981, Chapter 63 of the Private Acts of 1987, Chapter 4 of the Private Acts of 2009, and any other acts amendatory thereto, is amended by deleting Article VIIIA and substituting instead the following:

Article VIIIA. (Article VIIIA deleted by 2016 charter amendment—The powers and duties of the Superintendent of Public Works shall be set forth in the Gallatin Municipal Code, as required by amendments to this charter set forth herein.)

SECTION 9. Chapter 67 of the Private Acts of 1953, as amended by Chapter 393 of the Private Acts of 1972, Chapter 97 of the Private Acts of 1981, Chapter 63 of the Private Acts of 1987, Chapter 4 of the Private Acts of 2009, and any other acts amendatory thereto, is amended by deleting Article VIIIB and substituting instead the following:

Article VIIIB. (Article VIIIB deleted by 2016 charter amendment—The powers and duties of the Superintendent of Public Utilities shall be set forth in the Gallatin Municipal Code, as required by amendments to this charter set forth herein.)

SECTION 10. Chapter 67 of the Private Acts of 1953, as amended by Chapter 393 of the Private Acts of 1972, Chapter 97 of the Private Acts of 1981, Chapter 63 of the Private Acts of 1987, Chapter 4 of the Private Acts of 2009, and any other acts amendatory thereto, is amended by deleting Article VIIC and substituting instead the following:

Article VIIC. (Article VIIC deleted by 2016 charter amendment—The powers and duties of the Director of Leisure Services shall be set forth in the Gallatin Municipal Code, as required by amendments to this charter set forth herein.)

SECTION 11. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of the city of Gallatin. Its approval or nonapproval shall be proclaimed by the presiding officer of the legislative body and certified to the secretary of state.

SECTION 12. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 11.

HOUSE BILL NO. 2653

PASSED: April 7, 2016

  
BETH HARWELL, SPEAKER  
HOUSE OF REPRESENTATIVES

  
RON RAMSEY  
SPEAKER OF THE SENATE

APPROVED this 19th day of April 2016

  
BILL HASLAM, GOVERNOR

**CITY OF GALLATIN  
COUNCIL COMMITTEE AGENDA**

October 13, 2015

**DEPARTMENT:** City Attorney

**AGENDA #**

**SUBJECT:**

Charter Amendments

**SUMMARY:**

Discuss proposed Ordinance amending the City's Charter. The proposed Ordinance reflects the amendments discussed and approved at the September 22, 2015 Council Work Session meeting.

Additionally, Council will discuss additional amendments to the Charter including:

1. adding term limits for Mayor and Aldermen;
2. removing language from Article III, Section 1 restricting the Mayor and Aldermen from holding other public offices while serving on the City Council;
3. any other amendments deemed necessary by Council

**RECOMMENDATION:**

**ATTACHMENT:**

Resolution  
 Ordinance

Correspondence  
 Contract

Bid Tabulation  
 Other

Approved   
Rejected   
Deferred

**Notes:**

**ORDINANCE TO PROVIDE REVENUE FOR THE CITY OF GALLATIN  
TENNESSEE FOR MUNICIPAL PURPOSES FOR THE 2016 TAX YEAR AND THE  
2017 FISCAL YEAR**

BE IT ORDAINED by the City of Gallatin, Tennessee, that:

SECTION I. PROPERTY TAX:

A. All property, real, personal or mixed within the corporate limits of said City shall be and is hereby assessed for taxation for municipal purposes for the tax year 2016, except as is exempt from taxation by the Constitution and the laws of the State of Tennessee.

B. The levy be and is hereby made:

(1) to contribute to the general current expenses of said municipality that are paid from the General Fund; and

(2) to provide an amount, totaling \$2,557,382 to contribute to the retiring of the current year's principal and interest obligations;

a tax of ninety-nine cents (\$0.99) per every one hundred dollars (\$100.00) of taxable property.

C. All collections of property taxes from levies of past years be collected entirely in, and become revenue of the General Fund and that any expenses incurred in collecting such delinquent taxes be entirely expenses of the General Fund.

D. The Tax Assessor for Sumner County, Tennessee, is hereby authorized to assess all the property lying within the Corporate Limits of the City of Gallatin, Tennessee, and the assessment is hereby adopted as the assessed or taxable value of said property for municipal purposes for the City of Gallatin, Tennessee, upon which shall be levied the tax rate as provided in this ordinance.

SECTION II. BUSINESS TAX: The privilege tax levied by the General Assembly of the State of Tennessee known as the "Business Tax Act" and as amended, be and the same is hereby levied for municipal purposes for the City of Gallatin, Tennessee, for the year 2016 and all arts, traces, callings, or occupations created and declared to be a privilege within the City of Gallatin, and for their exercises within the City of Gallatin, the same taxes are hereby levied and shall be collected for the municipal purposes as are now levied and collected for State purposes under and by virtue of said Act of the General Assembly of the State of Tennessee, as amended.

SECTION III. IN-LIEU TAX: Pursuant to, T.C.A. § 7-34-115, payments in lieu of *ad valorem* taxes shall be paid by municipal utility systems to the municipality in an amount not to exceed the amount of taxes payable on privately owned property of similar nature.

SECTION IV. EFFECTIVE DATE: All laws and ordinances in conflict with this ordinance, be and the same are repealed, and this ordinance shall be effective from and after its passage, the public welfare requiring it.

Passed first reading: May 17, 2016.

Passed second reading:

Passed third reading:

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MAYOR PAIGE BROWN

ATTEST:

---

CONNIE KITTRELL, CITY RECORDER

APPROVED AS TO FORM:

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SUSAN HIGH-MCAULEY, CITY ATTORNEY

**CITY OF GALLATIN  
COUNCIL COMMITTEE AGENDA**

5/10/2016

**DEPARTMENT:** Finance

**AGENDA #**

**SUBJECT:**

Ordinance setting tax rate for 2016/2017

**SUMMARY:**

Tax rate ordinance for 2016/2017 which sets the property tax rate at \$0.99 per \$100 of assessed value and authorizes the collection of other taxes for the fiscal year.

**RECOMMENDATION:**

approval

**ATTACHMENT:**

Resolution  
 Ordinance

Correspondence  
 Contract

Bid Tabulation  
 Other

Approved   
Rejected   
Deferred

**Notes:**

**ORDINANCE NO. 01605-35**

**AN ORDINANCE OF THE CITY OF GALLATIN, SUMNER COUNTY, TENNESSEE, APPROVING A PRELIMINARY MASTER DEVELOPMENT PLAN FOR TWICE DAILY AUTHORIZING THE ZONING WITH PMDP TO BE INDICATED ON THE OFFICIAL ZONING ATLAS; REPEALING CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the owner of property submitted a complete application for the Twice Daily Preliminary Master Development Plan on an 18.90 (+/-) acre parcel (Tax Map 125, Parcel 016.00) located in the City of Gallatin, Tennessee; and

**WHEREAS**, the property is located south of the intersection of Long Hollow Pike (SR 174) and Vietnam Veterans Boulevard (SR 386) and zoned Planned General Commercial (PGC) on the northern portion of the parcel and zoned Planned Business Park (PBP) on the southern portion of the parcel; and

**WHEREAS**, the Gallatin Municipal-Regional Planning Commission reviewed and recommended approval of the Twice Daily Preliminary Master Development Plan in GMRPC Resolution No. 2016-21; and

**WHEREAS**, a public hearing was held following public notice as prescribed by the Gallatin Zoning Ordinance and Tenn. Code Ann. Section 13-7-203; and

**WHEREAS**, The City Council has approved by majority vote of the members present the PMDP request of the described property.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF GALLATIN, TENNESSEE as follows:**

**Section 1.** The City Council of the City of Gallatin does hereby approve the Preliminary Master Development Plan as described in Exhibit 'A'.

**Section 2.** The City Council of the City of Gallatin does hereby approve, authorize and direct the revision of the City's Official Zoning Atlas to show the classification for the area indicating the Preliminary Master Development Plan.

**Section 3.** All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

**Section 4.** If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provision or applications of this ordinance which can be given without the invalid provision or application, and to this end the provisions of this ordinance are declared severable.

**Section 5.** This ordinance shall become effective immediately upon adoption, the public welfare requiring such.

PASSED FIRST READING: May 17, 2016.

PASSED SECOND READING:

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MAYOR PAIGE BROWN

ATTEST:

---

CONNIE KITTRELL  
CITY RECORDER

APPROVED AS TO FORM:

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SUSAN HIGH-MCAULEY  
CITY ATTORNEY

## EXHIBIT 'A'

The Preliminary Master Development Plan for Twice Daily, consists of a two (2) sheet plan, with project no. 127-023, prepared by Perry Engineering, LLC of Goodlettsville, TN, dated April 14, 2016, and a two (2) sheet architecture plan, with project no. 0216, prepared by Cassetty Architecture of Hendersonville, TN, dated January 25, 2016, with the following conditions:

1. The recently adopted Stormwater Ordinance requires runoff reduction practices incorporated into the full design of the project at the FMDP stage.
2. Traffic Impact Study (TIS) is required at the Final Master Development Plan stage and must be approved by the City Engineer. The TIS should address traffic signal improvements, signal timing, number of lanes, and other improvements. Recommendations from the TIS might alter proposed traffic improvements.
3. Access/driveway permit on SR 174 is subject to approval from the Tennessee Department of Transportation. Construction of the right-in-right-out driveway on SR 174 shall include a concrete median on SR 174 which shall be removed at the expense of the owner of the Twice Daily site when the adjacent property develops. A driveway with a cross access easement will be provided 660 feet east from the SR174/SR 386 intersection upon development of the adjacent property to provide access to SR 174.
4. Show full buildout of adjacent roadways consistent with the SR 386/US 31E Connector Feasibility Study for reference. The buildout may require improvements to be set further back from the right-of-way.
5. The point of tangency past the second backage road to the south shall be 900' from the south boundary.
6. Driveway spacing for each access point shall meet the recommendations of the Gallatin on the Move 2020 General Development and Transportation Plan. The minimum driveway throat lengths shall be 45 feet for the minor arterial (new roadway) and a minimum of 80' for major arterial (Long Hollow Pike).
7. Provide access to the adjacent property to the west. Road extensions, driveway access points, and cross access to possible future adjacent phases as well as shared access and cross access between proposed parking lots should all meet the recommendations of the Access Management Plan of the Gallatin on the Move 2020 General Development and Transportation Plan.
8. The end of road construction shown on sheet PMDP (Sheet 2) shall be extended to the south end of the Lot 1.
9. The Right-of-Way width is insufficient at the intersection of SR 174 and SR 386. The right-of-way and roadway cross section, at a minimum, shall accommodate three (3) 12 foot wide north bound lanes, one (1) 12 foot wide south bound lane, a four (4) foot wide bike lane on each side, a 2.5 foot wide curb and gutter on each side, a five (5) foot wide grass strip on each side, a six (6) foot wide sidewalk on each side, and a one (1) foot wide setback on both sides, bringing the total minimum right-of-way cross section to 85 feet wide. There shall also be sufficient room at the intersection of SR 174 and SR 386 so that the double left movements from SR 174 and the new proposed road can occur at the same time without having to split the signal phasing.
10. Submit five (5) corrected and folded copies, of the Preliminary Master Development Plan for Twice Daily, including one (1) full size and four (4) half size copies to the Planning Department.

**CITY OF GALLATIN  
COUNCIL COMMITTEE AGENDA**

May 10, 2016

**DEPARTMENT: PLANNING DEPARTMENT**

**AGENDA # 7**

**SUBJECT:**

Ordinance #O1605-35 of the City of Gallatin, Sumner County, Tennessee, approving a Preliminary Master Development Plan for Twice Daily development on an 18.90 (+/-) acre parcel.

**SUMMARY:**

The owner and applicant is requesting approval of an Ordinance for a Preliminary Master Development Plan for Twice Daily and authorizing the revision to be indicated on the official zoning atlas; repealing conflicting ordinances; providing for severability, and providing for an effective date, (S.B.E. Tax Map 125// Parcel 016.00). The Twice Daily PMDP will create five (5) commercial lots, an open space tract and two (2) public rights-of-way on an 18.90 (+/-) acre parcel, split-zoned Planned General Commercial (PGC) and Planned Business Park (PBP), located south of the intersection of Long Hollow Pike (SR 174) and Vietnam Veterans Boulevard (SR 386). Convenience Sales and Service with Gas Pumps and Food Service is a permitted use in the PGC zoned district.

On April 25, 2016 the Gallatin Municipal-Regional Planning Commission recommended approval of GMRPC Resolution 2016-21. (PC File 3-1502-16)

**RECOMMENDATION:**

**ATTACHMENT:**

Resolution  
 Ordinance

Correspondence  
 Contract

Bid Tabulation  
 Other

Approved   
Rejected   
Deferred

**Notes:**

*1st Reading - Overton/Brockenburg - unanimous  
Overton wants Public Hearing & 2nd Reading on same agenda  
Overton/Brockenburg - UNANIMOUS,*

ORDINANCE APPROPRIATING \$2,427,579.70 FOR  
2016 YEAR END BUDGET ADJUSTMENTS

BE IT ORDAINED BY THE CITY OF GALLATIN, TENNESSEE, that a sum of \$2,800 is hereby appropriated from the Shop With A Cop/Firefighter revenue account, 122-36730, to 12242150-730, SWAC Donations;

AND BE IT ORDAINED BY THE CITY OF GALLATIN, TENNESSEE, that a sum of \$16,340 is hereby appropriated from account 125-34112, Residential Collections, to 12543230-519, Billing Error Costs;

AND BE IT ORDAINED BY THE CITY OF GALLATIN, TENNESSEE, that a sum of \$60,000 is hereby appropriated from account 110-34330, Vehicle Maintenance Charges, to 11043170-261, Maintenance and Repairs Vehicles;

AND BE IT ORDAINED BY THE CITY OF GALLATIN, TENNESSEE, that a sum of \$91,151 is hereby appropriated from account 110-34800, Red Light Ticket Revenue, with \$91,000 being appropriated to 11042124-259, Professional Services, and with \$151 being appropriated to 11049000-555, Debt Paying Agent Fees;

AND BE IT ORDAINED BY THE CITY OF GALLATIN, TENNESSEE, that a sum of \$2,257,288.70 is hereby appropriated to account 31141100-809, Town Creek Greenway, with \$2,069,587.99 being appropriated from 110-33457, Greenway Grant, and with \$187,700.71 being appropriated from the general fund unassigned fund balance;  
and

BE IT FURTHER ORDAINED BY THE CITY OF GALLATIN, TENNESSEE,  
that this Ordinance shall take effect from and after its final passage, the public welfare  
requiring such.

PASSED FIRST READING: May 17, 2016.

PASSED SECOND READING:

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MAYOR PAIGE BROWN

ATTEST:

---

CONNIE KITTRELL, CITY RECORDER

APPROVED AS TO FORM:

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SUSAN HIGH-MCAULEY, CITY ATTORNEY

**CITY OF GALLATIN  
COUNCIL COMMITTEE AGENDA**

5/10/2016

**DEPARTMENT:** Finance

**AGENDA #**

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**SUBJECT:**

Ordinance appropriating funds to clear up accounts before year end

**SUMMARY:**

Ordinance appropriating funds to various accounts in the general fund, special revenue fund and environmental services fund to clear up anticipated overages

**RECOMMENDATION:**

approve

**ATTACHMENT:**

Resolution  
 Ordinance

Correspondence  
 Contract

Bid Tabulation  
 Other

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Approved   
Rejected   
Deferred

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**Notes:**

**ORDINANCE AMENDING THE GALLATIN MUNICIPAL CODE, CHAPTER 9, FIRE PROTECTION AND PREVENTION, BY ADDING ARTICLE V, BLASTING REGULATION AND PERMITTING.**

WHEREAS, it is deemed in the public interest to amend the Gallatin Municipal Code from time to time, and

WHEREAS, the preservation and promotion of public safety and the preservation of community peace and quiet requires that the City of Gallatin act to assure that blasting within the City be conducted in a safe, responsible and proper manner.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF GALLATIN, TENNESSEE, that the Gallatin, Municipal Code, Chapter 9, Fire Protection and Prevention, is hereby amended by adding a new Article V, as follows:

**ARTICLE V. - BLASTING REGULATION AND PERMITTING**

**Sec. 9-81. Permit requirements.** No blasting shall be allowed within the corporate limits or planning region of the City unless a valid permit has been obtained from the Building Department. As a condition of the granting of such a permit, applicants shall provide proof of current registration and liability insurance as required by the Tennessee State Fire Marshall's office. Each permit shall identify the permit holder and designate the date(s) and time(s) when, and location(s) where, blasting may be conducted. Each separate blasting location will require a separate permit.

**Sec 9-82. Fees.** Each blasting permit will be assessed a fee of \$50.00.

**Sec 9-83. Pre-blast inspection.** Permit holders shall schedule a pre-blast inspection by the Gallatin Fire Marshal twenty-four (24) hours prior to conducting any blasting operations.

**Sec. 9-84. Prohibitions.** Permit holders shall only conduct blasting operations on weekdays (Monday through Friday) between the hours of 9:00 AM and 3:00 PM. In exceptional circumstances, local authorities may extend this time frame. No blasting shall be conducted on weekends or on state or national holidays.

**Sec. 9-85. Blasting standards.** All blasting occurring within the corporate limits or planning region of the City shall comply with Tenn. Code Ann. § 68-105- 101 *et seq.*, Tennessee Blasting Standards Act of 1975 and the rules of the Tennessee Department of Commerce and Insurance, Division of Fire Prevention, Chapter 0780-02-15 Blasting Standards. Should any provision of this local ordinance differ from those standards, the provisions of the state code shall govern.

**BE IT FURTHER ORDAINED BY THE CITY OF GALLATIN, TENNESSEE,** that in the event that any portion of this Ordinance or Article V shall be declared by any competent court to be invalid for any reason, such decision shall not be deemed to affect the validity of any other portion of this Ordinance or Article V.

**BE IT FURTHER ORDAINED BY THE CITY OF GALLATIN, TENNESSEE,** that this Ordinance shall take effect upon passage, the public welfare requiring such.

PASSED FIRST READING:

PASSED SECOND READING:

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MAYOR PAIGE BROWN

ATTEST:

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CONNIE KITTRELL  
CITY RECORDER

APPROVED AS TO FORM:

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SUSAN HIGH-MCAULEY  
CITY ATTORNEY

**CITY OF GALLATIN  
COUNCIL COMMITTEE AGENDA**

MAY 24, 2016

**DEPARTMENT: BUILDING CODES**

**AGENDA #**

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**SUBJECT:**

Amend Gallatin Municipal Code, Chapter 9, Fire Protection and Prevention, by adding Article V, Blasting Regulations and Permitting

**SUMMARY:**

**RECOMMENDATION:**

**ATTACHMENT:**

Resolution  
 Ordinance

Correspondence  
 Contract

Bid Tabulation  
 Other

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Approved   X    
Rejected         
Deferred       

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**Notes:**

ORDINANCE NO. 01605-38

ORDINANCE APPROPRIATING FUNDS FROM  
THE POOL IN THE AMOUNT OF \$5,000

BE IT ORDAINED BY THE CITY OF GALLATIN, TENNESSEE, that the sum of \$5,000 is hereby appropriated from account 110-36710, Donations From Businesses, with \$450 going to account 11042110-922, Police Annex, and with \$4,550 going to account 31343000-847, Public Works Service Center, for the Pool property conservation grant;

BE IT FURTHER ORDAINED BY THE CITY OF GALLATIN, TENNESSEE, that this Ordinance shall take effect from and after its final passage, the public welfare requiring such.

PASSED FIRST READING:

PASSED SECOND READING:

---

MAYOR PAIGE BROWN

ATTEST:

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CONNIE KITTRELL  
CITY RECORDER

APPROVED AS TO FORM:

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SUSAN HIGH-MCAULEY  
CITY ATTORNEY

**CITY OF GALLATIN  
COUNCIL COMMITTEE AGENDA**

5/24/2016

**DEPARTMENT:**    **Finance**

**AGENDA #**

**SUBJECT:**

Appropriate reimbursement from The Pool property conservation grant

**SUMMARY:**

Appropriate funds received from The Pool back to the Public Works and Police departments for expenses related to the property conservation grant.

**RECOMMENDATION:**

approve

**ATTACHMENT:**

Resolution  
 Ordinance

Correspondence  
 Contract

Bid Tabulation  
 Other

Approved   
Rejected   
Deferred

**Notes:**

**ORDINANCE OF THE CITY OF GALLATIN, TENNESSEE,  
ADOPTING THE ANNUAL BUDGET FOR THE FISCAL YEAR BEGINNING  
JULY 1, 2016 THROUGH JUNE 30, 2017.**

Whereas, *Tennessee Code Annotated* Title 9 Chapter 1 Section 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 governing body 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 governing body will consider final passage of the budget.

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

SECTION 1: That the governing body estimates anticipated revenues of the municipality from all sources to be as follows:

<b>General Fund</b>	<b>FY 2015 Actual</b>	<b>FY 2016 Estimated</b>	<b>FY 2017 Proposed</b>
Local Taxes	\$20,523,410	\$20,810,356	\$22,269,100
Intergovernmental Revenue	6,255,249	4,803,271	5,636,999
Fines and Forfeitures	875,534	683,000	710,000
Miscellaneous Revenue	3,165,114	2,868,017	3,140,966
<b>Total Revenue</b>	<b>\$30,819,307</b>	<b>\$29,164,644</b>	<b>\$31,757,065</b>
Fund Balance	\$11,151,766	13,362,735	8,738,793
<b>Total Available Funds</b>	<b>\$41,971,073</b>	<b>\$42,527,379</b>	<b>\$40,495,858</b>

<b>Special Revenue Fund</b>	<b>FY 2015 Actual</b>	<b>FY 2016 Estimated</b>	<b>FY 2017 Proposed</b>
Total Revenue	\$ 24,256	\$ 25,000	\$ 25,000
Fund Balance	\$ 13,971	\$ 14,684	\$ 17,684
<b>Total Available Funds</b>	<b>\$ 38,227</b>	<b>\$ 39,684</b>	<b>\$ 42,684</b>

<b>Environmental Serv Fund</b>	<b>FY 2015 Actual</b>	<b>FY 2016 Estimated</b>	<b>FY 2017 Proposed</b>
Total Revenue	\$ 1,883,447	\$ 2,086,801	\$ 2,426,601
Fund Balance	\$ -	\$ 184,861	\$ 184,861
Total Available Funds	\$ 1,883,447	\$ 2,271,662	\$ 2,611,462

<b>Drug Fund</b>	<b>FY 2015 Actual</b>	<b>FY 2016 Estimated</b>	<b>FY 2017 Proposed</b>
Total Revenue	\$ 172,007	\$ 190,000	\$ 190,000
Fund Balance	\$ 190,987	\$ 112,170	\$ 112,170
Total Available Funds	\$ 362,994	\$ 302,170	\$ 302,170

<b>Water/Sewer Fund</b>	<b>FY 2015 Actual</b>	<b>FY 2016 Estimated</b>	<b>FY 2017 Proposed</b>
Total Revenue	\$ 13,828,402	\$ 14,377,542	\$ 15,064,750
Fund Balance	\$ 8,880,469	\$ 8,222,787	\$ 6,625,166
Total Available Funds	\$ 22,708,871	\$ 22,600,329	\$ 21,689,916

<b>Gas Fund</b>	<b>FY 2015 Actual</b>	<b>FY 2016 Estimated</b>	<b>FY 2017 Proposed</b>
Total Revenue	\$ 18,225,745	\$ 17,608,419	\$ 15,936,000
Fund Balance	\$ 13,486,959	\$ 14,022,596	\$ 11,467,751
Total Available Funds	\$ 31,712,704	\$ 31,631,015	\$ 27,403,751

SECTION 2: That the governing body appropriates from these anticipated revenues and unexpended and unencumbered funds as follows:

<b>General Fund</b>	<b>FY 2015 Actual</b>	<b>FY 2016 Estimated</b>	<b>FY 2017 Proposed</b>
Government Administration	\$ 8,195,636	\$ 12,455,329	\$ 8,756,486
Public Safety	\$ 12,015,592	\$ 11,670,544	\$ 13,627,390
Public Works	\$ 2,092,691	\$ 2,637,831	\$ 3,194,229
Parks and Recreation	\$ 4,375,385	\$ 4,526,870	\$ 4,609,617
Economic Development	\$ 298,660	\$ 445,205	\$ 468,043
Debt Service	\$ 1,630,373	\$ 1,777,006	\$ 2,557,382
Operating Transfers	\$ -	\$ 275,801	\$ 496,601
Total Appropriations	\$ 28,608,338	\$ 33,788,586	\$ 33,709,748

<b>Special Revenue Fund</b>	<b>FY 2015 Actual</b>	<b>FY 2016 Estimated</b>	<b>FY 2017 Proposed</b>
Public Safety	\$ 23,543	\$ 22,000	\$ 22,000
Total Appropriations	\$ 23,543	\$ 22,000	\$ 22,000

<b>Environmental Serv Fund</b>	<b>FY 2015 Actual</b>	<b>FY 2016 Estimated</b>	<b>FY 2017 Proposed</b>
Environmental Services	\$ 1,698,586	\$ 2,086,801	\$ 2,426,601
Total Appropriations	\$ 1,698,586	\$ 2,086,801	\$ 2,426,601

<b>Drug Fund</b>	<b>FY 2015 Actual</b>	<b>FY 2016 Estimated</b>	<b>FY 2017 Proposed</b>
Police	\$ 250,824	\$ 190,000	\$ 190,000
Total Appropriations	\$ 250,824	\$ 190,000	\$ 190,000

<b>Water/Sewer Fund</b>	<b>FY 2015 Actual</b>	<b>FY 2016 Estimated</b>	<b>FY 2017 Proposed</b>
Utilities	\$ 14,486,084	\$ 16,773,191	\$ 15,975,163
Total Appropriations	\$ 14,486,084	\$ 16,773,191	\$ 15,975,163

<b>Gas Fund</b>	<b>FY 2015 Actual</b>	<b>FY 2016 Estimated</b>	<b>FY 2017 Proposed</b>
Utilities	\$ 17,690,108	\$ 20,163,265	\$ 16,019,580
Total Appropriations	\$ 17,690,108	\$ 20,163,265	\$ 16,019,580

SECTION 3. At the end of the 2017 fiscal year the governing body estimates balances as follows:

General Fund	\$ 6,786,111
Special Revenue Fund	\$ 20,684
Environmental Serv Fund	\$ 184,861
Drug Fund	\$ 112,170
Water/Sewer Fund	\$ 5,714,753
Gas Fund	\$ 11,384,171

SECTION 4. That the governing body recognizes that the municipality has bonded and other indebtedness as follows:

<b>Bonded or Other Indebtedness</b>	<b>Debt Redemption</b>	<b>Interest Requirements</b>	<b>Debt Authorized and Unissued</b>	<b>Condition of Sinking Fund</b>
Bonds - General fund	\$ 1,250,000	\$ 834,076	\$ -	within
Notes - General fund	\$ 415,000	\$ 56,906	\$ -	General fund
Bonds - Water/Sewer fund	\$ 1,775,000	\$ 1,460,061	\$ -	

SECTION 5. During the coming fiscal year the governing body has planned capital projects and proposed funding as follows:

Proposed Capital Projects	Proposed Amount Financed by Appropriations	Proposed Amount Financed by Debt
Water/Sewer lines	\$ 1,000,000.00	
Gas lines	\$ 1,000,000.00	
Sidewalk grant	\$ 700,000.00	
Belvedere Dr @ Long Hollow	\$ 125,000.00	
Towncreek flooding/drainage study	\$ 120,000.00	
Regional detention projects	\$ 100,000.00	
Parks Maintenance Building	\$ 225,000.00	

SECTION 6. No appropriation listed above may be exceeded without an amendment of the budget ordinance as required by the Municipal Budget Law of 1982 Tenn. Code Ann. Sec. 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 Tenn. Code Ann. Sec. 6-56-205.

SECTION 7. Money may be transferred from one appropriation to another in the same fund only by appropriate ordinance by the governing body, subject to such limitations and procedures as it may describe as allowed by Tenn. Code Ann. Sec. 6-56-209.

SECTION 8. 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 Tenn. Code Ann. Sec. 6-56-206 will be attached.

SECTION 9. If for any reason a budget ordinance is not adopted prior to the beginning of the next fiscal year, the appropriations in this budget ordinance shall become the appropriations for the next fiscal year excluding capital until the adoption of the new budget ordinance in accordance with Tenn. Code Ann. Sec. 6-56-210, provided sufficient revenues are being collected to support the continuing appropriations. Approval of the Director of the Office of State and Local Finance in the Comptroller of the Treasury for a continuation budget will be requested if any indebtedness is outstanding.

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. This ordinance shall take effect on July 1, 2016, the public welfare requiring it.

Passed First Reading:

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Passed Second and Final Reading:

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Mayor Paige Brown

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Approved as to Form: Susan High-McAuley, City Attorney

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Attest: Connie Kittrell, City Recorder

General	
City Administration	988,569
Finance	511,979
City Recorder	490,080
Insurances	835,000
City Attorney	469,545
Information Technology	1,148,169
Human Resources	548,618
Engineering	2,371,302
Planning Commission	24,947
Planning	613,914
Government Buildings	669,111
Codes	754,363
Police Department	7,593,891
A.C.E.S. Program	125,000
Fire Department	5,908,499
Public Works Administration	510,910
Street Maintenance	1,513,086
Vehicle Maintenance	501,122
Community Enhancement	129,000
Community Services	135,000
Civic Center	1,201,708
Golf Course	867,569
Parks	2,276,340
Economic Development	393,043
Economic Development Utility	75,000
Bond Expenses	2,557,382
Operating Transfers	496,601
SOR	7,000
Police Special	15,000
Environmental Serv Admin	68,976
Waste Collections	2,357,625
Drug Fund Investigations	190,000
Water/Sewer	
Water Treatment and Pumping	1,490,437
Transmission & Distribution	2,400,914
Customer Accounting	605,347
Administration & General	1,386,484
Depreciation	3,428,184
Bond Expense	3,235,061
Paying Agent	1,050
Sewer Collection/Lines	1,126,851
Sewer System Rehabilitation	424,466
Sewer Treatment & Disposal	1,514,191
Sewer Admin & General	263,553

Sewer Pre-treatment Program	98,625
Gas	
Depreciation	800,000
Purchased Gas	11,500,000
Transmission & Distribution	2,409,411
Customer Accounting	514,813
Administration & General	795,356

Summary of the City Budget  
 For the Fiscal Year Ending June 30, 2017

	Actual 2014-15	Estimated 2015-16	Estimated 2016-17
<b>GENERAL FUND</b>			
<b>REVENUES</b>			
Local Taxes	20,523,410	20,810,356	22,191,600
State of Tennessee	6,151,145	4,797,899	5,636,999
Federal Government	104,104	5,372	-
Other Sources	4,040,648	3,549,200	3,783,966
Total Revenues	30,819,307	29,162,827	31,612,565
<b>EXPENDITURES</b>			
Salaries	18,333,135	19,941,415	21,782,635
Other Costs	10,757,381	14,004,171	11,894,086
Total Expenditures	29,090,516	33,945,586	33,676,721
Beginning Balances - July 1	10,610,534	12,339,325	7,556,566
Ending Balances - June 30	12,339,325	7,556,566	5,492,410
Employment	284	291	308
<b>DEBT SERVICE FUND</b>	within General Fund		
<b>STREET FUND</b>	within General Fund		

**CITY OF GALLATIN  
COUNCIL COMMITTEE AGENDA**

May 24, 2016

**DEPARTMENT:** Mayor Paige Brown

**AGENDA # 10**

---

**SUBJECT:**

Continued Discussion of 2016/2017 Budget

**SUMMARY:**

**RECOMMENDATION:**

**ATTACHMENT:**

Resolution  
 Ordinance

Correspondence  
 Contract

Bid Tabulation  
 Other

---

Approved   
Rejected   
Deferred

---

**Notes:**

**RESOLUTION NO. R1606-31**

**RESOLUTION APPOINTING HEALTH, VISION AND DENTAL AGENTS OF  
RECORD FOR THE CITY OF GALLATIN**

**BE IT RESOLVED BY THE CITY OF GALLATIN, TENNESSEE**, that Kelly Coley of Coley Insurance and Michael Wertenberger of Premier Benefits Group are hereby appointed Agents of Record for health, vision and dental insurance benefits for the October 1, 2016, renewal date.

**BE IT FURTHER RESOLVED BY THE CITY OF GALLATIN, TENNESSEE**, that this resolution shall take effect from and after its final passage, the public welfare requiring such.

IT IS SO ORDERED.

PRESENT AND VOTING

AYE:

NAY:

DATED:

---

MAYOR PAIGE BROWN

ATTEST:

---

CONNIE KITTRELL  
CITY RECORDER

APPROVED AS TO FORM:

---

SUSAN HIGH-MCAULEY  
CITY ATTORNEY

**RESOLUTION NO. R1606-32**

**RESOLUTION OF SUPPORT FOR PUBLIC UTILITIES EMPLOYEE,  
JONATHAN ROBERTS**

**WHEREAS**, the City of Gallatin is appreciative of the role Public Utilities employee, Jonathan Roberts, is performing, having been called to active military duty on May 29, 2016; and,

**WHEREAS**, Jonathan Roberts should not suffer an added financial hardship during his term of military service;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF GALLATIN, TENNESSEE**, that the following shall apply:

1. Mr. Roberts shall be paid the difference between his base military pay and the base compensation he would have otherwise been entitled to as an active City employee, including Holiday Pay, General Pay Increases, and Step Increases;
2. He shall continue to accrue sick leave and vacation leave as an active employee with comparable length of service; and,
3. He shall be entitled to any and all such benefits, seniority, and reemployment rights as provided for by law.

**BE IT FURTHER RESOLVED** that this special compensation and benefits entitlement shall remain in effect until the date of the employee's release from temporary active duty, or until the date otherwise revoked or amended by the City Council, whichever date occurs first. This Resolution shall be effective retroactive to May 29, 2016.

IT IS SO ORDERED.

PRESENT AND VOTING

AYE:

NAY:

DATED:

\_\_\_\_\_  
MAYOR PAIGE BROWN

ATTEST:

---

CONNIE KITTRELL  
CITY RECORDER

APPROVED AS TO FORM:

---

SUSAN HIGH-MCAULEY  
CITY ATTORNEY



City of Gallatin, Tennessee

Building Codes Department

### Dangerous Building Inspection Form

Address: 118 Boles St.

- |  |   |  |
|--|---|--|
| <input checked="" type="checkbox"/> Unsafe                         | <input checked="" type="checkbox"/> Wall Framing          | <input type="checkbox"/> Doors & Frames                    |
| <input type="checkbox"/> Unsecured                                 | <input checked="" type="checkbox"/> Broken/Missing/Burned | <input type="checkbox"/> Broken/Missing/Burned             |
| <input type="checkbox"/> Unsanitary                                | <input checked="" type="checkbox"/> Water Damaged         | <input type="checkbox"/> Water Damaged                     |
| <input type="checkbox"/> Graffiti                                  | <input checked="" type="checkbox"/> Roof Rafters          | <input type="checkbox"/> Stairs & Landings                 |
| <input type="checkbox"/> Cracked/Peeling Paint                     | <input checked="" type="checkbox"/> Broken/Missing/Burned | <input type="checkbox"/> Broken/Missing/Burned             |
| <input type="checkbox"/> Cracked/Peeling Plaster                   | <input checked="" type="checkbox"/> Water Damaged         | <input type="checkbox"/> Water Damaged                     |
| <input type="checkbox"/> Insufficient Grading                      | <input checked="" type="checkbox"/> Roof Decking          | <input type="checkbox"/> Decks & Porches                   |
| <input type="checkbox"/> Insufficient Egress                       | <input checked="" type="checkbox"/> Broken/Missing/Burned | <input type="checkbox"/> Broken/Missing/Burned             |
| <input type="checkbox"/> Insufficient Storm-water Drainage         | <input checked="" type="checkbox"/> Water Damaged         | <input type="checkbox"/> Water Damaged                     |
| <input type="checkbox"/> Deteriorating Accessory Structures        | <input checked="" type="checkbox"/> Roof Shingles         | <input type="checkbox"/> Handrails & Guardrails            |
| <input type="checkbox"/> Stagnant Swimming Pool/Hot-Tub            | <input checked="" type="checkbox"/> Broken/Missing/Burned | <input type="checkbox"/> Broken/Missing/Burned             |
| <input type="checkbox"/> No Address                                | <input checked="" type="checkbox"/> Water Damaged         | <input type="checkbox"/> Water Damaged                     |
| <input type="checkbox"/> Garbage Accumulation                      | <input type="checkbox"/> Foundation Walls                 | <input type="checkbox"/> Insulation & Sheetrock            |
| <input type="checkbox"/> Rubbish Accumulation                      | <input type="checkbox"/> Broken/Missing/Burned            | <input checked="" type="checkbox"/> Broken/Missing/Burned  |
| <input checked="" type="checkbox"/> Rodent Harborage/Infestation   | <input type="checkbox"/> Holes/Chips/Cracks               | <input checked="" type="checkbox"/> Water Damaged          |
| <input checked="" type="checkbox"/> Mosquito Harborage/Infestation | <input type="checkbox"/> Slab                             | <input type="checkbox"/> Eyes & Overhangs                  |
| <input type="checkbox"/> Floor Joist                               | <input type="checkbox"/> Broken/Missing/Burned            | <input checked="" type="checkbox"/> Broken/ Missing/Burned |
| <input type="checkbox"/> Broken/Missing/Burned                     | <input type="checkbox"/> Holes/Chips/Cracks               | <input checked="" type="checkbox"/> Water Damaged          |
| <input type="checkbox"/> Water Damaged                             | <input type="checkbox"/> Brick                            | <input type="checkbox"/> Soffits                           |
| <input type="checkbox"/> Ceiling Joist                             | <input type="checkbox"/> Broken/Missing/Burned            | <input checked="" type="checkbox"/> Broken/Missing/Burned  |
| <input checked="" type="checkbox"/> Broken/Missing/Burned          | <input type="checkbox"/> Holes/Chips/Cracks               | <input checked="" type="checkbox"/> Water Damaged          |
| <input checked="" type="checkbox"/> Water Damaged                  | <input type="checkbox"/> Siding                           | <input type="checkbox"/> Appliances                        |
| <input type="checkbox"/> Broken/Missing/Burned                     | <input checked="" type="checkbox"/> Broken/Missing/Burned | <input type="checkbox"/> Broken/Missing/Burned             |
| <input type="checkbox"/> Water Damaged                             | <input type="checkbox"/> Holes/Chips/Cracks               | <input type="checkbox"/> Water Damaged                     |
| <input type="checkbox"/> Window, Sill & Screens                    | <input type="checkbox"/> Broken/Missing/Burned            | <input type="checkbox"/> Chimney & Flue                    |
| <input checked="" type="checkbox"/> Broken/Missing/Burned          | <input checked="" type="checkbox"/> Broken/Missing/Burned | <input type="checkbox"/> Broken/Missing/Burned             |
| <input checked="" type="checkbox"/> Water Damaged                  | <input checked="" type="checkbox"/> Water Damaged         | <input type="checkbox"/> Water Damaged                     |

Recommendation:  Repair    Vacate & Repair    Vacate & Demolish    Demolish

Official: [Signature]

Date: 4-13-16

- Mechanical
- Broken/Missing/Burned
  - Water Damaged/Holes/Cracks
  - Ductwork
  - Furnaces
  - Vents
  - Exhaust Fans
  - Condensing Units
  - Thermostats
  - Insulation
  - Flashing

- Plumbing
- Broken/Missing/Burned
  - Water damaged/Holes/Cracks
  - Showers
  - Tubs
  - Sinks
  - Toilets
  - Water-lines
  - Sewer-lines
  - Valves
  - Meters
  - Vents
  - Flashing

- Gas
- Broken/Missing/Burned
  - Water Damaged/Holes/Cracks
  - Gas-lines
  - Joints
  - Unions
  - Valves
  - Shutoffs
  - Meters
  - Regulators
  - Supports
  - Strapping

- Electrical
- Broken/Missing/Burned
  - Water Damaged/Holes/Cracks
  - Meter Base
  - Panels
  - Breakers
  - Wires
  - Switches
  - Outlets
  - Weather Head
  - Lights
  - Meter

Comments

Tree fell on corner of house  
about 4 years ago. Never been repaired.  
House needs to be fixed or demolished.

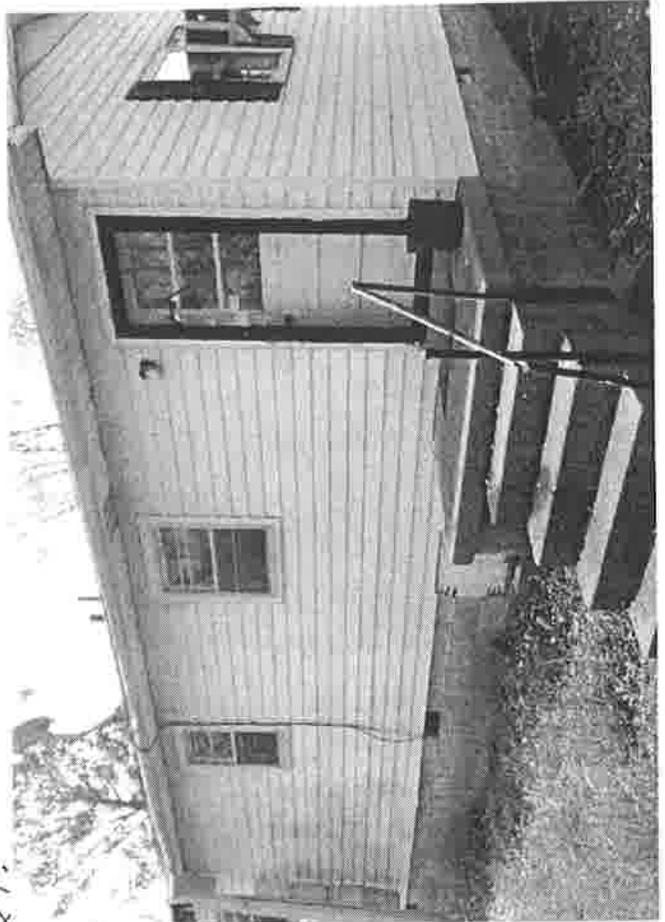
Spoke with Sumner County Register of Deeds office  
and they did not show a mortgage company  
on this property at this time.

Unable to locate any other address for the owner.



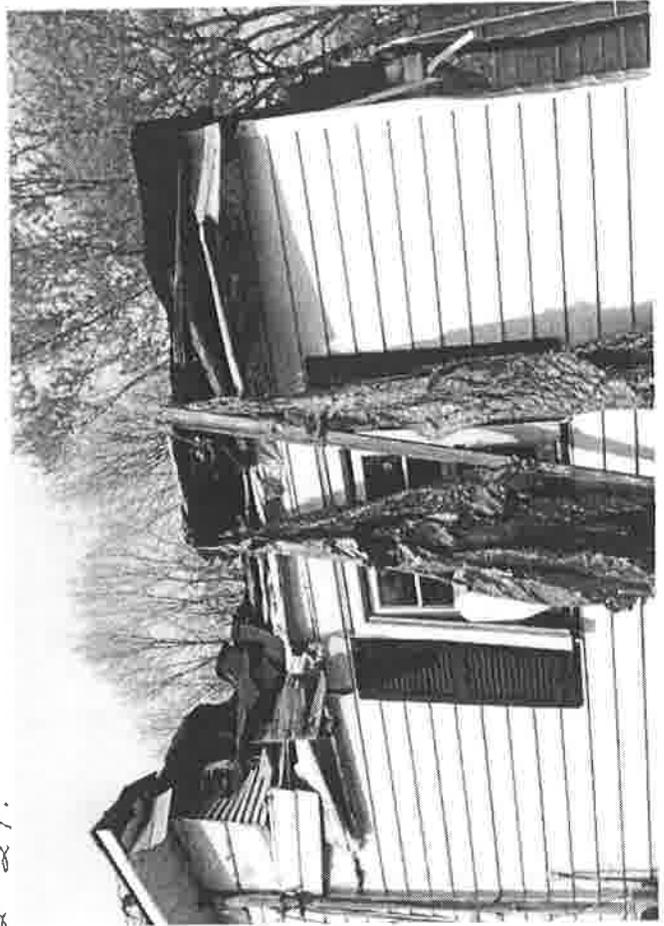
St.

118 Bales



4-13-16

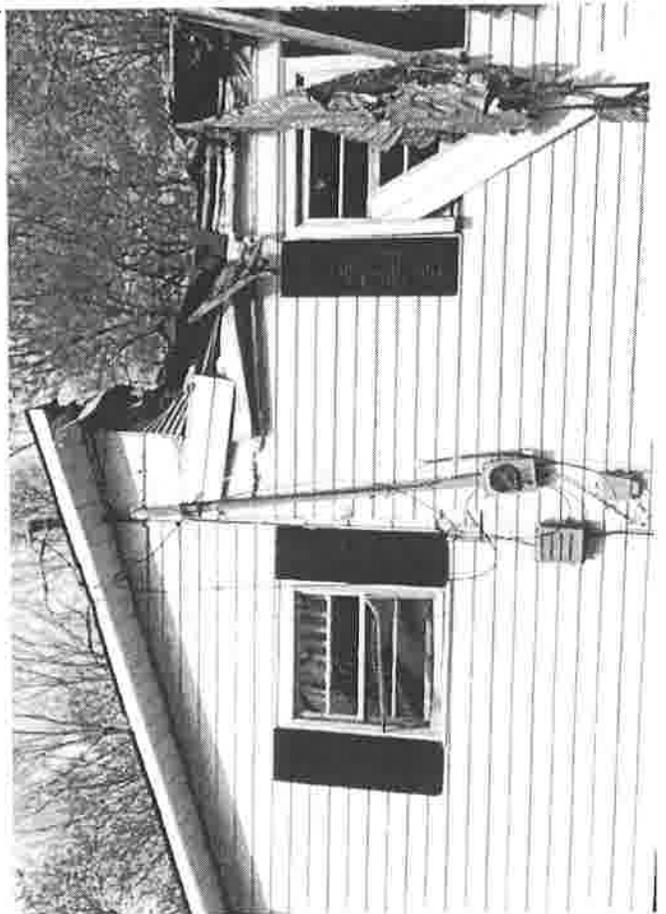




4-13-16



118 Bales Lt.



# City of Gallatin



## Real Estate Tax Statement

Parcel: 135D-1A-014.00/000/135/D

Location: 118 BALES STREET

Current Owner:  
HENON SANDRA  
118 BALES STREET  
GALLATIN TN 37066

Current Status:  
Sq Ft: 0  
Land Valuation: 28,500  
Building Valuation: 0  
Exemptions: 0  
Taxable Valuation: 28,500

Legal Description:  
118 BALES STREET  
Plat: Page: Block: Lot: LIST Subd: P

Deed Date: Book/Page: / Interest Date: 05/16/2016

Year	Type	Bill				
2015	RE-R	5891				
Inst	Charge	Billed	Principal Due	Interest Due	Total Due	
1	ANNUAL BIL	71.00	71.00	3.20	74.20	
	SPRE	213.47	213.47	9.61	223.08	
	ADMINFEES	200.00	200.00	9.00	209.00	
		484.47	484.47	21.81	506.28	
<b>Year Totals</b>		<b>484.47</b>	<b>484.47</b>	<b>21.81</b>	<b>506.28</b>	

Year	Type	Bill				
2014	RE-R	5754				
Inst	Charge	Billed	Principal Due	Interest Due	Total Due	
1	ANNUAL BIL	71.00	71.00	15.98	86.98	
	SPRE	393.07	393.07	88.44	481.51	
	ADMINFEES	400.00	400.00	90.00	490.00	
		864.07	864.07	194.42	1,058.49	
<b>Year Totals</b>		<b>864.07</b>	<b>864.07</b>	<b>194.42</b>	<b>1,058.49</b>	

Year	Type	Bill				
2013	RE-R	5638				
Inst	Charge	Billed	Principal Due	Interest Due	Total Due	
1	ANNUAL BIL	61.63	61.63	24.96	86.59	
	SPRE	510.59	510.59	206.79	717.38	
	ADMINFEES	200.00	200.00	0.00	200.00	
		772.22	772.22	231.75	1,003.97	
<b>Year Totals</b>		<b>772.22</b>	<b>772.22</b>	<b>231.75</b>	<b>1,003.97</b>	

Year	Type	Bill				
2012	RE-R	10165				
Inst	Charge	Billed	Principal Due	Interest Due	Total Due	
1	ANNUAL BIL	139.84	139.84	81.81	221.65	
		139.84	139.84	81.81	221.65	
<b>Year Totals</b>		<b>139.84</b>	<b>139.84</b>	<b>81.81</b>	<b>221.65</b>	

# City of Gallatin



## Real Estate Tax Statement

Parcel: 135D-A-/014.00/000/135/D

Location: 118 BALES STREET

Current Owner:  
HENON SANDRA  
118 BALES STREET  
GALLATIN TN 37066

Current Status:  
Sq Ft: 0  
Land Valuation: 28,500  
Building Valuation: 0  
Exemptions: 0  
Taxable Valuation: 28,500

Legal Description:  
118 BALES STREET  
Plat: Page: Block: Lot: LIST Subd: P

Deed Date: Book/Page: / Interest Date: 05/16/2016

<b>Grand Totals</b>	<b>2,260.60</b>	<b>2,260.60</b>	<b>529.79</b>	<b>2,790.39</b>
---------------------	-----------------	-----------------	---------------	-----------------

\*\* End of Report - Generated by Marcella Weese \*\*

04/11/2016 11:07 | City of Gallatin  
sharon.fields | Parcel Find

PARCEL: 135D-A-014.00/000/135/D  
LOCATION: 118 BALES STREET  
NAME: \*\* VARIOUS \*\*  
EFF DATE: 04/13/2016

YEAR	CAT	BILL	NSC	REFERENCE	BILLED/ADJ	UNPAID BAL	DUE NOW
1995	RE-R	2311	N	118 BALES STREET	124.75	0.00	0.00
1996	RE-R	2333	N	118 BALES STREET	124.75	0.00	0.00
1997	RE-R	2400	N	118 BALES STREET	124.75	0.00	0.00
1998	RE-R	2447	N	118 BALES STREET	120.12	0.00	0.00
1999	RE-R	2538	N	118 BALES STREET	120.12	0.00	0.00
2000	RE-R	1527	N	118 BALES STREET	120.12	0.00	0.00
2001	RE-R	1590	N	118 BALES STREET	120.12	0.00	0.00
2002	RE-R	1676	N	118 BALES STREET	120.12	0.00	0.00
2003	RE-R	1757	N	118 BALES STREET	116.20	0.00	0.00
2004	RE-R	1699	N	118 BALES STREET	116.20	0.00	0.00
2005	RE-R	2875	N	118 BALES STREET	116.20	0.00	0.00
2006	RE-R	2997	N	118 BALES STREET	133.56	0.00	0.00
2007	RE-R	3022	N	118 BALES STREET	133.56	0.00	0.00
2008	RE-R	5935	N	118 BALES STREET	213.16	0.00	0.00
2009	RE-R	6012	N	118 BALES STREET	216.64	0.00	0.00
2010	RE-R	10177	N	118 BALES STREET	211.61	0.00	0.00
2011	RE-R	10188	N	118 BALES STREET	139.84	0.00	0.00
2012	RE-R	10165	N	118 BALES STREET	139.84	139.84	219.55
2013	RE-R	5638	N	118 BALES STREET	772.22	772.22	995.39
2014	RE-R	5754	N	118 BALES STREET	864.07	864.07	1043.52
2015	RE-R	5891	N	118 BALES STREET	484.47	484.47	499.00

TOTAL DUE NOW 2759.46  
TOTAL UNPAID 2260.60

\*\* END OF REPORT - Generated by Sharon Fields \*\*



WebPro

Printable Record Card | Previous Assessment | Condo Info | Sales | Zoning | Comments |

Card 1 of 1

Location: 118 BALES STREET      Property Account Number: POPLAR GROVE ADD. SEC. A      Parcel ID: 135D A 014.00 000  
 LIST

Old Parcel ID: --

Current Property Mailing Address

Owner: HENON SANDRA  
 Address: 118 BALES STREET

City: GALLATIN  
 State: TN  
 Zip: 37066  
 Zoning:

Current Property Sales Information

Sale Date: 11/19/2007      Legal Reference: 2881-797  
 Sale Price: 0      Grantor(Seller):

Current Property Assessment

Year: 2016      Card I Value

Land Area: 0.000 acres      Building Value: 0  
 Xtra Features Value: 0  
 Land Value: 28,500  
 Total Value: 28,500

Narrative Description

This property contains 0.000 acres of land mainly classified as N/A with a(n) N/A style building, built about , having N/A exterior and N/A roof cover, with 0 unit(s), 0 total room(s), 0 total bedroom(s), 0 total bath(s), 0 total half bath(s), 0 total 3/4 bath(s).

Legal Description

Plat: Page: Block: Lot: LIST Subd: POPLAR GROVE ADD. SEC. A

Property Images

Click To Enlarge

No Sketch Available		No Picture Available
------------------------	--	-------------------------

118 Bales St.



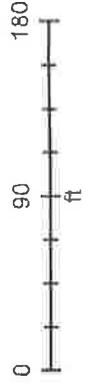
Sources: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNR/SAMTAC, USDA, USGS, AeroVIG, GeoEye, IGN, TerraSwiss, Swisstopo, and the GIS User Community



**SUMNER COUNTY, TENNESSEE**

DISCLAIMER: THIS MAP IS FOR PROPERTY TAX ASSESSMENT PURPOSES ONLY. IT WAS CONSTRUCTED FROM PROPERTY INFORMATION RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS AND IS NOT CONCLUSIVE AS TO LOCATION OF PROPERTY OR LEGAL OWNERSHIP.

MAP DATE: April 13, 2016





City of Gallatin  
 Building Department  
 132 West Main Street  
 Gallatin, TN 37066  
 (615) 451-5968

January 7, 2016

Sandra Henon  
 118 Bales Street  
 Gallatin, TN 37066

RE: 118 Bales Street

Dear Ms. Henon,

I would like to thank you for choosing to own property in the City of Gallatin. We are continually vigilant in ensuring that property is maintained in a safe and healthy manner for all citizens.

This structure has been deemed dangerous for human occupancy, based on the standards set forth in the Gallatin Municipal Code, Section 5-241. The owner/occupant must vacate the building immediately. The structure must remain vacant until the necessary repairs have been made. If repairs cannot be made, demolition is required.

Please contact our office to help us make determinations and to notify us of your intentions regarding your property.

Date by which repairs/demolition must be made: 3/7/2016

Respectfully,

Chuck Stuart  
 Certified Building Official

7007 1490 0002 9001 4839

U.S. Postal Service		CERTIFIED MAIL <sup>®</sup> RECEIPT	
(Domestic Mail Only; No Insurance Coverage Provided)			
For delivery information visit our website at <a href="http://www.usps.com">www.usps.com</a>			
GALLATIN TN 37066		OFFICIAL USE	
Postage	\$	\$3.45	
Origin Fee		\$2.80	
Return Receipt Fee (Endorsement Required)		\$0.00	
Restricted Delivery Fee (Endorsement Required)		N/A	
Total Postage & Fees		\$6.75	
Sent To	Sandra Henon		
Street, Apt. No., or PO Box No.	118 Bales St		
City, State, ZIP+4	Gallatin, TN 37066		

PS Form 3800, August 2006 See Reverse for Instructions



City of Gallatin  
 Codes Administration  
 132 West Main Street  
 Gallatin, Tennessee 37066-3244

**CERTIFIED MAIL™**



7007 1490 0002 9001 4839



*Sandra Henon  
 118 Beales Street*

*Gall* NIXIE 372 SE 1 0001/16/16

RETURN TO SENDER  
 ATTEMPTED - NOT KNOWN  
 UNABLE TO FORWARD

BC: 37066323232  
 3706603232

**CITY OF GALLATIN  
COUNCIL COMMITTEE AGENDA**

MAY 24, 2016

**DEPARTMENT: BUILDING CODES**

**AGENDA #**

---

**SUBJECT:**

Dangerous Building - 118 Bales Street - 135D-A-014.00 - Sandra Henon, owner

**SUMMARY:**

An attempt to contact the owner by certified mail was unsuccessful. This property has been identified as a dangerous building. A tree fell on the house several years ago severely damaging the roof. No repairs have been made.

**RECOMMENDATION:**

Demolish the structure

**ATTACHMENT:**

Resolution  
 Ordinance

Correspondence  
 Contract

Bid Tabulation  
 Other

---

Approved   X    
Rejected         
Deferred       

---

**Notes:**



Dangerous Building Inspection Form

Address: 535 W. East Road

- Unsafe
Unsecured
Unsanitary

- Wall Framing
Broken/Missing/Burned
Water Damaged

- Doors & Frames
Broken/Missing/Burned
Water Damaged

- Graffiti
Cracked/Peeling Paint
Cracked/Peeling Plaster

- Roof Rafters
Broken/Missing/Burned
Water Damaged

- Stairs & Landings
Broken/Missing/Burned
Water Damaged

- Insufficient Grading
Insufficient Egress
Insufficient Storm-water Drainage

- Roof Decking
Broken/Missing/Burned
Water Damaged

- Decks & Porches
Broken/Missing/Burned
Water Damaged

- Deteriorating Accessory Structures
Stagnant Swimming Pool/Hot-Tub

- Roof Shingles
Broken/Missing/Burned
Water Damaged

- Handrails & Guardrails
Broken/Missing/Burned
Water Damaged

- No Address
Garbage Accumulation
Rubbish Accumulation

- Foundation Walls
Broken/Missing/Burned
Holes/Chips/Cracks

- Insulation & Sheetrock
Broken/Missing/Burned
Water Damaged

- Rodent Harborage/ Infestation
Mosquito Harborage/ Infestation

- Slab
Broken/Missing/Burned
Holes/Chips/Cracks

- Eaves & Overhangs
Broken/Missing/Burned
Water Damaged

- Floor Joist
Broken/Missing/Burned
Water Damaged

- Brick
Broken/Missing/Burned
Holes/Chips/Cracks

- Soffits
Broken/Missing/Burned
Water Damaged

- Ceiling Joist
Broken/Missing/Burned
Water Damaged

- Siding
Broken/Missing/Burned
Holes/Chips/Cracks

- Appliances
Broken/Missing/Burned
Water Damaged

- Window, Sill & Screens
Broken/Missing/Burned
Water Damaged

- Chimney & Flue
Broken/Missing/Burned
Water Damaged

Recommendation: Repair Vacate & Repair Vacate & Demolish Demolish

Official: [Signature]

Date: 5-13-16

- Mechanical
- Broken/Missing/Burned
  - Water Damaged/Holes/Cracks
  - Ductwork
  - Furnaces
  - Vents
  - Exhaust Fans
  - Condensing Units
  - Thermostats
  - Insulation
  - Flashing

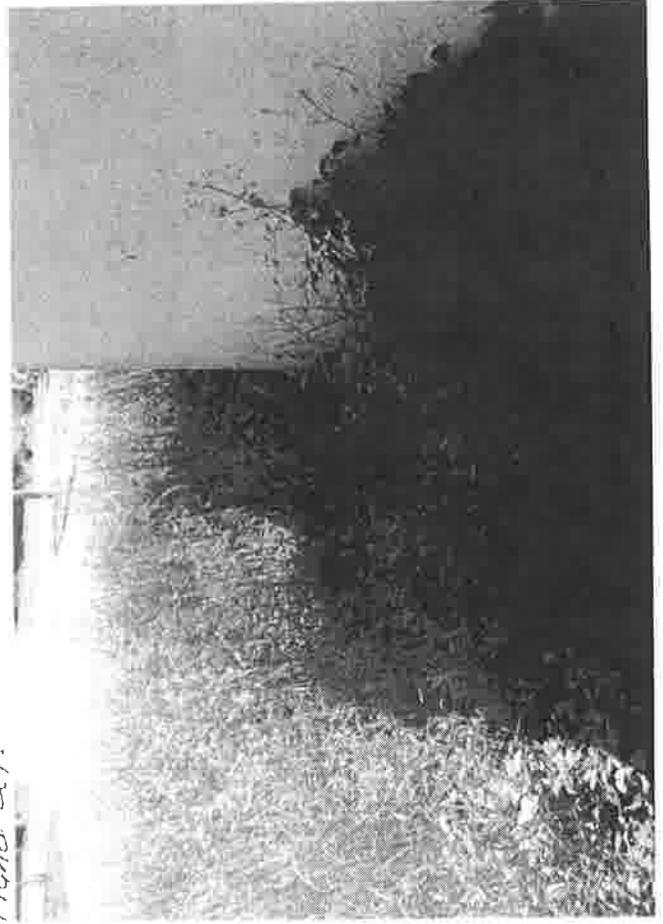
- Plumbing
- Broken/Missing/Burned
  - Water damaged/Holes/Cracks
  - Showers
  - Tubs
  - Sinks
  - Toilets
  - Water-lines
  - Sewer-lines
  - Valves
  - Meters
  - Vents
  - Flashing

- Gas
- Broken/Missing/Burned
  - Water Damaged/Holes/Cracks
  - Gas-lines
  - Joints
  - Unions
  - Valves
  - Shutoffs
  - Meters
  - Regulators
  - Supports
  - Strapping

- Electrical
- Broken/Missing/Burned
  - Water Damaged/Holes/Cracks
  - Meter Base
  - Panels
  - Breakers
  - Wires
  - Switches
  - Outlets
  - Weather Head
  - Lights
  - Meter

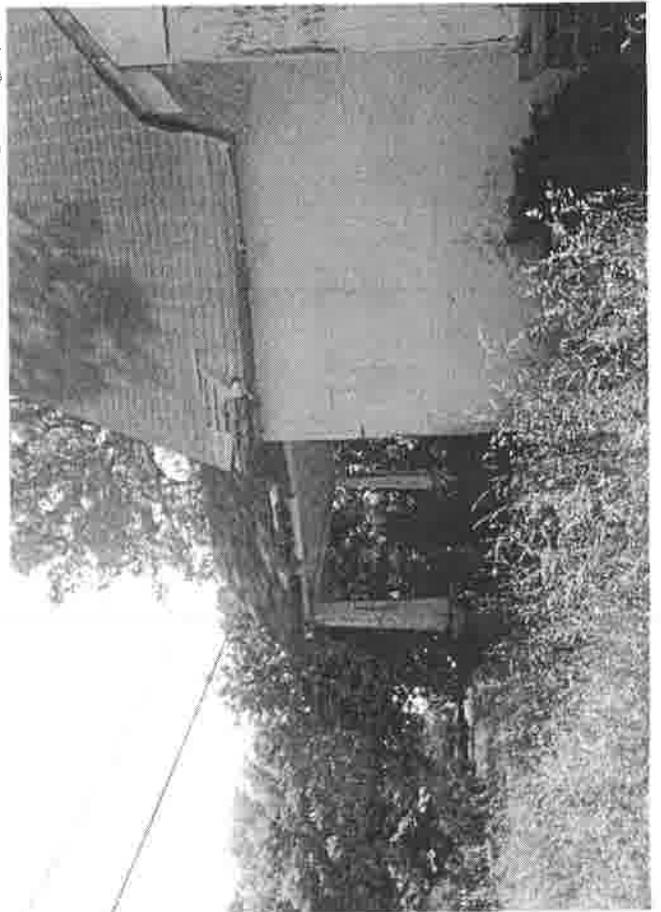
Comments

*House is abandoned, unsecured and unsafe. After research it appears that this building has been vacant since at least 2009.*



5-13-16

535 W. Eastland St.





5-13-16



535 W. East 10th St.





5-20-16

535 W. Eastland St.





5-13-16

535 W. East Road 3A





WebPro

- HOME
- SEARCH
- SUMMARY
- INTERIOR
- EXTERIOR
- SALES
- MAPS
- ABOUT

Printable Record Card | Previous Assessment | Condo Info | Sales | Zoning | Comments |

Card 1 of 1

Location 535 EASTLAND STREET WEST      Property Account Number FORD ADD #1 04-7      Parcel ID 1130 M 003.00 000  
 Old Parcel ID --

Current Property Mailing Address

Owner SULLGER MELISSA  
 JOHN SENTER  
 Address P O BOX 62

City BETHPAGE  
 State TN  
 Zip 37022  
 Zoning

Current Property Sales Information

Legal Reference  
 Grantor(Seller)

Sale Date  
 Sale Price 0

Current Property Assessment

Year 2016

Land Area 0.000 acres

Card 1 Value  
 Building Value 12,100  
 Xtra Features Value 0  
 Land Value 18,800  
 Total Value 30,900

Narrative Description

This property contains 0.000 acres of land mainly classified as Residential with a(n) SINGLE FAMIL style building, built about 1948 , having CONCRETE BLO exterior and COMPOSITION roof cover, with 1 unit(s), 0 total room(s), 0 total bath(s), 0 total half bath(s), 0 total 3/4 bath(s).

Legal Description

Plat: 0001 Page: 0022 Block: B Lot: 04-7 Subd: FORD ADD #1

Property Images

Click To Enlarge

No Picture Available

535 W. Eastland St.



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, SIA, Swisstopo, and the GIS User Community

**SUMNER COUNTY, TENNESSEE**



DISCLAIMER: THIS MAP IS FOR PROPERTY TAX ASSESSMENT PURPOSES ONLY. IT WAS CONSTRUCTED FROM PROPERTY INFORMATION RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS AND IS NOT CONCLUSIVE AS TO LOCATION OF PROPERTY OR LEGAL OWNERSHIP.

MAP DATE: May 16, 2016



City of Gallatin  
 Building Department  
 132 West Main Street  
 Gallatin, TN 37066  
 (615) 451-5968

January 5, 2016

Melissa Sulcer  
 PO Box 62  
 Bethpage, TN 37022

RE: 535 West Eastland

Dear Ms. Sulcer,

I would like to thank you for choosing to own property in the City of Gallatin. We are continually vigilant in ensuring that property is maintained in a safe and healthy manner for all citizens.

This structure has been deemed dangerous for human occupancy, based on the standards set forth in the Gallatin Municipal Code, Section 5-241. The owner/occupant must vacate the building immediately. The structure must remain vacant until the necessary repairs have been made. If repairs cannot be made, demolition is required.

Please contact our office to help us make determinations and to notify us of your intentions regarding your property.

Date by which repairs/demolition must be made: 3/6/2016

Respectfully,

Chuck Stuart  
 Certified Building Official

U.S. Postal Service<sup>TM</sup>  
**CERTIFIED MAIL<sup>®</sup> RECEIPT**  
 (Domestic Mail Only; No Insurance Coverage Provided)  
 For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Postage	\$ .49	Postmark Here
Certified Fee	3.45	
Return Receipt Fee (Endorsement Required)	2.80	
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$ 6.74	

7007 2680 0000 0976 1298

Best fit  
 Recipient Name: Melissa Sulcer  
 Street, Apt. No. of PO Box No. PO Box 62  
 City, State, ZIP+4 Bethpage TN 37022

PS Form 3800, August 2006 See Reverse for Instructions



City of Gallatin  
 Codes Administration  
 132 West Main Street  
 Gallatin, Tennessee 37066-3244

**CERTIFIED MAIL™**



7007 2680 0000 0976 1298



02 1P  
 0003190284  
 JAN 07 2016  
 \$006.74<sup>0</sup>  
 MAILED FROM ZIP CODE 37066

#1-11

Melissa Sulcer  
 PO Box 602  
 Bethy TX / 37000

NIXIE 872 DC 1 8691/24/16

RETURN TO SENDER  
 NOT DELIVERABLE AS ADDRESSED  
 UNABLE TO FORWARD

BC: 37066@3232 \*9859 02259 14 34

37066@3232

**CITY OF GALLATIN  
COUNCIL COMMITTEE AGENDA**

MAY 24, 2016

**DEPARTMENT: BUILDING CODES**

**AGENDA #**

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**SUBJECT:**

Dangerous Building - 535 West Eastland Street (113O-M-003.00 - Melissa Sulcer, owner)

**SUMMARY:**

An attempt to contact the owner by certified mail was unsuccessful. This property has been identified as a dangerous building and has been posted as such since 2008.

**RECOMMENDATION:**

Demolish the structure

**ATTACHMENT:**

Resolution  
 Ordinance

Correspondence  
 Contract

Bid Tabulation  
 Other

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Approved   X    
Rejected         
Deferred       

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**Notes:**