TOWN OF THOMPSON'S STATION, TENNESSEE

MAYOR
Corey Napier

ALDERMEN
Ron Barrett
Sarah Benson
Nina Cooper
Brinton Davis

RECORDER
Leah Rainey
PREFACE

The Thompson's Station Municipal Code contains the codification and revision of the ordinances of the Town of Thompson's Station, Tennessee. By referring to the historical citation appearing at the end of each section, the user can determine the origin of each particular section. The absence of a historical citation means that the section was added by the codifier. The word "modified" in the historical citation indicates significant modification of the original ordinance.

The code is arranged into titles, chapters, and sections. Related matter is kept together, so far as possible, within the same title. Each section number is complete within itself, containing the title number, the chapter number, and the section of the chapter of which it is a part. Specifically, the first digit, followed by a hyphen, identifies the title number. The second digit identifies the chapter number, and the last two digits identify the section number. For example, title 2, chapter 1, section 6, is designated as section 2-106.

By utilizing the table of contents, code index and the analysis preceding each title and chapter of the code, together with the cross references and explanations included as footnotes, the user should locate all the provisions in the code relating to any question that might arise. However, the user should note that most of the administrative ordinances (e.g. Annual Budget, Zoning Map Amendments, Tax Assessments, etc...) do not appear in the code. Likewise, ordinances that have been passed since the last update of the code do not appear here. Therefore, the user should refer to the city's ordinance book or the city recorder for a comprehensive and up to date review of the city's ordinances.

Following this preface is an outline of the ordinance adoption procedures, if any, prescribed by the city's charter.

The code has been arranged and prepared in loose-leaf form to facilitate keeping it up to date. MTAS will provide updating service under the following conditions:

1. That all ordinances relating to subjects treated in the code or which should be added to the code are adopted as amending, adding, or deleting specific chapters or sections of the code (see section 7 of the adopting ordinance).
2. That one copy of every ordinance adopted by the city is kept in a separate ordinance book and forwarded to MTAS annually.
3. That the city agrees to pay the annual update fee as provided in the MTAS codification service charges policy in effect at the time of the update.
Change 1, March 11, 2014

When the foregoing conditions are met MTAS will reproduce replacement pages for the code to reflect the amendments and additions made by such ordinances. This service will be performed at least annually and more often if justified by the volume of amendments. Replacement pages will be supplied with detailed instructions for utilizing them so as again to make the code complete and up to date.

The able assistance of the codes team: Emily Keyser, Program Resource Specialist; and Linda Winstead, Nancy Gibson, and Doug Brown, Administrative Specialists, is gratefully acknowledged.

Melissa Ashburn
Codification Consultant
ORDINANCE ADOPTION PROCEDURES PRESCRIBED BY THE TOWN CHARTER

1. An ordinance shall be considered and adopted on two (2) separate days; any other form of board action shall be considered and adopted on one (1) day. Any form of board action shall be passed by a majority of the members present, if there is a quorum. A quorum is a majority of the members to which the board is entitled. All ayes and nays on all votes on all forms of board action shall be recorded. (6-2-102)

2. Each ordinance, or the caption of each ordinance, shall be published after its final passage in a newspaper of general circulation in the municipality. No ordinance shall take effect until the ordinance or its caption is published. (6-2-101)
ORDINANCE NO. 29-01/4

AN ORDINANCE ADOPTING AND ENACTING A CODIFICATION AND REVISION OF THE ORDINANCES OF THE TOWN OF THOMPSON'S STATION, TENNESSEE.

WHEREAS some of the ordinances of the Town of Thompson's Station are obsolete, and

WHEREAS some of the other ordinances of the town are inconsistent with each other or are otherwise inadequate, and

WHEREAS the Board of Mayor and Aldermen of the Town of Thompson's Station, Tennessee, has caused its ordinances of a general, continuing, and permanent application or of a penal nature to be codified and revised and the same are embodied in a code of ordinances known as the "Town of Thompson's Station Municipal Code," now, therefore:

BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF THOMPSON'S STATION, TENNESSEE, THAT:

Section 1. Ordinances codified. The ordinances of the town of a general, continuing, and permanent application or of a penal nature, as codified and revised in the following "titles," namely "titles" 1 to 20, both inclusive, are ordained and adopted as the "Town of Thompson's Station Municipal Code," hereinafter referred to as the "municipal code."

Section 2. Ordinances repealed. All ordinances of a general, continuing, and permanent application or of a penal nature not contained in the municipal code are hereby repealed from and after the effective date of said code, except as hereinafter provided in Section 3 below.

Section 3. Ordinances saved from repeal. The repeal provided for in Section 2 of this ordinance shall not affect: Any offense or act committed or done, or any penalty or forfeiture incurred, or any contract or right established or accruing before the effective date of the municipal code; any ordinance or resolution promising or requiring the payment of money by or to the town or authorizing the issuance of any bonds or other evidence of said town's indebtedness; any appropriation ordinance or ordinance providing for the levy of taxes or any budget ordinance; any contract or obligation assumed by or in favor of said town; any ordinance establishing a social security system or providing coverage under that system; any administrative ordinances or resolutions not in conflict or inconsistent with the provisions of such code; the
portion of any ordinance not in conflict with such code which regulates speed, direction of travel, passing, stopping, yielding, standing, or parking on any specifically named public street or way; any right or franchise granted by the town; any ordinance dedicating, naming, establishing, locating, relocating, opening, paving, widening, vacating, etc., any street or public way; any ordinance establishing and prescribing the grade of any street; any ordinance providing for local improvements and special assessments therefor; any ordinance dedicating or accepting any plat or subdivision; any prosecution, suit, or other proceeding pending or any judgment rendered on or prior to the effective date of said code; any zoning ordinance or amendment thereto or amendment to the zoning map; nor shall such repeal affect any ordinance annexing territory to the town.

Section 4. Continuation of existing provisions. Insofar as the provisions of the municipal code are the same as those of ordinances existing and in force on its effective date, said provisions shall be considered to be continuations thereof and not as new enactments.

Section 5. Penalty clause. Unless otherwise specified in a title, chapter or section of the municipal code, including the codes and ordinances adopted by reference, whenever in the municipal code any act is prohibited or is made or declared to be a civil offense, or whenever in the municipal code the doing of any act is required or the failure to do any act is declared to be a civil offense, the violation of any such provision of the municipal code shall be punished by a civil penalty of not more than fifty dollars ($50.00) and costs for each separate violation; provided, however, that the imposition of a civil penalty under the provisions of this municipal code shall not prevent the revocation of any permit or license or the taking of other punitive or remedial action where called for or permitted under the provisions of the municipal code or other applicable law. In any place in the municipal code the term "it shall be a misdemeanor" or "it shall be an offense" or "it shall be unlawful" or similar terms appears in the context of a penalty provision of this municipal code, it shall mean "it shall be a civil offense." Anytime the word "fine" or similar term appears in the context of a penalty provision of this municipal code, it shall mean "a civil penalty."

Each day any violation of the municipal code continues shall constitute a separate civil offense.

1 State law reference
For authority to allow deferred payment of fines, or payment by installments, see Tennessee Code Annotated, § 40-24-101 et seq.
Section 6. Severability clause. Each section, subsection, paragraph, sentence, and clause of the municipal code, including the codes and ordinances adopted by reference, is hereby declared to be separable and severable. The invalidity of any section, subsection, paragraph, sentence, or clause in the municipal code shall not affect the validity of any other portion of said code, and only any portion declared to be invalid by a court of competent jurisdiction shall be deleted therefrom.

Section 7. Reproduction and amendment of code. The municipal code shall be reproduced in loose-leaf form. The board of mayor and aldermen, by motion or resolution, shall fix, and change from time to time as considered necessary, the prices to be charged for copies of the municipal code and revisions thereto. After adoption of the municipal code, each ordinance affecting the code shall be adopted as amending, adding, or deleting, by numbers, specific chapters or sections of said code. Periodically thereafter all affected pages of the municipal code shall be revised to reflect such amended, added, or deleted material and shall be distributed to town officers and employees having copies of said code and to other persons who have requested and paid for current revisions. Notes shall be inserted at the end of amended or new sections, referring to the numbers of ordinances making the amendments or adding the new provisions, and such references shall be cumulative if a section is amended more than once in order that the current copy of the municipal code will contain references to all ordinances responsible for current provisions. One copy of the municipal code as originally adopted and one copy of each amending ordinance thereafter adopted shall be furnished to the Municipal Technical Advisory Service immediately upon final passage and adoption.

Section 8. Construction of conflicting provisions. Where any provision of the municipal code is in conflict with any other provision in said code, the provision which establishes the higher standard for the promotion and protection of the public health, safety, and welfare shall prevail.

Section 9. Code available for public use. A copy of the municipal code shall be kept available in the recorder's office for public use and inspection at all reasonable times.

Section 10. Date of effect. This ordinance shall take effect from and after its final passage, the public welfare requiring it, and the municipal code, including all the codes and ordinances therein adopted by reference, shall be effective on and after that date.
Passed 1st reading, **August 11**, 2009.
Passed 2nd reading, **January 12**, 2010.

[Signatures of Mayor and Recorder]
TITLE 1

GENERAL ADMINISTRATION

CHAPTER
1. BOARD OF MAYOR AND ALDERMEN.
2. TOWN ADMINISTRATOR.
3. CODE OF ETHICS.

1Charter references
See the charter index, the charter itself and footnote references to the charter in the front of this code.

Municipal code references
Building code: title 12.
Fire code: title 7.
Wastewater treatment: title 18.
CHAPTER 1

BOARD OF MAYOR AND ALDERMEN

SECTION
1-101. Time and place of regular meetings.
1-102. General rules of order.
1-103. Notice of meetings.

1-101. **Time and place of regular meetings.** Regular meetings of the board of mayor and aldermen of the Town of Thompson's Station, Tennessee, shall be held at 7:00 P.M. on the second Tuesday of each month, except for the months of July and December (in which there shall be no regularly scheduled meetings), in the Thompson's Station Community Center at 1555 Thompson's Station Road West, Thompson's Station, Tennessee, 37179. However, if this day falls on a holiday, or a day observed as a holiday, the regular meeting shall be held at the same time and place on the next regular work day. (Ord. #07-8, Sept. 2007)

1-102. **General rules of order.** All meetings of the mayor and board of aldermen shall be governed by the procedure known as Robert's Rules of Order, Newly Revised. (Ord. #90-3, Jan. 1991)

1-103. **Notice of meetings.** (1) The town recorder shall be responsible for giving adequate public notice of all meetings of governmental bodies of the town as set forth herein.

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1Charter references

For charter provisions related to the board of mayor and aldermen, see Tennessee Code Annotated, title 6, chapter 3. For specific charter provisions related to the board of mayor and aldermen, see the following sections:

- City administrator: § 6·3·101.
- Compensation: § 6·3·109.
- Duties of Mayor: § 6·3·106.
- Election of the board: § 6·3·101.
- Oath: § 6·3·105.
- Ordinance procedure
  - Publication: § 6·2·101.
  - Readings: § 6·2·102.
- Residence requirements: § 6·3·103.
- Vacancies in office: § 6·3·107.
- Vice-Mayor: § 6·3·107.
The town recorder shall publish notice of all regular meetings of the governmental bodies of the town on the town's website at least seven (7) days prior to the regular meeting. The town recorder shall also publish annually notice of all regular meetings of the board of mayor and aldermen in a newspaper of general circulation within the town.

The town recorder shall post notices of the date, time, purpose, and place of all special called meetings of the governmental bodies of the town as soon as reasonably possible after such meeting is called. At a minimum, the recorder shall post the notice of a special called meeting on the town's website at least forty-eight (48) hours before such meeting. Whenever possible, notice of special called meetings shall be published in a newspaper of general circulation before such meeting. The town recorder shall also make a reasonable effort to provide the local media of the time, place, and purpose of such meeting.

Notices of all regular and special called meetings shall also be posted at town hall, the Thompson's Station Post Office, and the town park. (Ord. #08-21, Nov. 2008)
CHAPTER 2
TOWN ADMINISTRATOR\(^1\)

SECTION
1-201. Office of town administrator created.
1-202. Town administrator to serve under control of board.
1-203. Duties of town administrator.

**1-201. Office of town administrator created.** There is here and now created as an officer of government the position of city administrator for the Town of Thompson’s Station, Tennessee. (Ord. #005-001, Feb. 2005)

**1-202. Town administrator to serve under control of board.** The town administrator shall act and serve under the control and direction of the mayor and board of aldermen, hereinafter referred to as the "board." (Ord. #05-001, Feb. 2005)

**1-203. Duties of town administrator.** The town administrator is responsible for the efficient management and operation of the affairs of the town in accordance with state law, town ordinances and such directives, regulations, and policies as the board of mayor and alderman may from time-to-time adopt. The specific duties and responsibilities of the town administrator are as follows:

1. **Day-to-day operation of the town.** The town administrator shall:
   - Ensure all property, real and personal, owned by the municipality is well maintained;
   - Ensure that all state, county and local ordinances and regulations are followed within the town limits;
   - Ensure a well run system of sewers;
   - Ensure storm water quality through a comprehensive storm water management program;
   - Manage the efficient operation of the town office;
   - Identify and where feasible, implement new and more efficient methods of operations for town departments; and
   - Performs such other duties consistent with this office as may by vote of the BOMA be required.

2. **Reports and recommendations to board and committees.** The town administrator shall:
   - Make recommendations to the Board for improving quality and

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\(^1\) Charter reference
City administrator: § 6-4-101.
quantity of public services to be rendered by the officers and employees to the inhabitants of the municipality;

- Keep board fully advised as to the conditions and needs of the municipality;
- Report to the board the condition of all property, real and personal, owned by the municipality and recommend repairs and replacement as needed;
- Recommend to the board and suggest priority of programs or projects involving public works or public improvements that should be undertaken by the municipality;
- Recommend specific personnel positions, as may be required for the needs and operations of the municipality, and may propose personnel policies and procedures for approval of the board; and
- Consult and cooperate with the committees of the board in the administration of the city's affairs.

(3) Manage town employees. The town administrator shall:

- Recruit, hire, evaluate, direct, and, if necessary, discipline and fire town employees;
- Examine or cause to be examined the affairs or conduct of any department or employee under his/her control to insure the proper performance of duties and shall have access to all town records, books or papers to properly perform this function;
- Establish and maintain effective working relationships with employees;
- Conduct regular staff meetings to review progress, accomplishments, budgets, strategies, and plans for the town;
- Facilitate and work within a "team oriented" environment, being both an effective team leader and team member;
- Support other staff in the development and implementation of goals, objectives, policies, or priorities;
- Train and supervise all staff including consultants; and
- Handles confidential information with tact and discretion.

(4) Interact effectively with diverse community members. The town administrator shall:

- Establish and maintain effective working relationships with town officials, the business community, the general public and state, regional and federal officials;
- Communicate effectively with the public and development community orally and in writing;
- Educate the public on town, county, and state ordinances, regulations, and plans;
- Communicate the town's position effectively in public forums and meetings;
- Works closely with the public receiving inquiries and complaints
• Seek innovative solutions to problems while implementing town regulations and goals; and
• Participate in various local and regional groups. (Ord. #05-001, Feb. 2005, as replaced by Ord. #12-008, Sept. 2012)
CHAPTER 3

CODE OF ETHICS

SECTION
1-301. Applicability.
1-302. Definition of "personal interest."
1-303. Disclosure of personal interest by official with vote.
1-304. Disclosure of personal interest in non-voting matters.
1-305. Acceptance of gratuities, etc.
1-306. Use of information.
1-307. Use of municipal time, facilities, etc.
1-308. Use of position or authority.
1-309. Outside employment.

State statutes dictate many of the ethics provisions that apply to municipal officials and employees. For provisions relative to the following, see the Tennessee Code Annotated (T.C.A.) sections indicated:

Campaign finance: Tennessee Code Annotated, title 2, ch. 10.


Conflict of interests disclosure statements: Tennessee Code Annotated, § 8-50-501 and the following sections.


Crimes involving public officials (bribery, soliciting unlawful compensation, buying and selling in regard to office): Tennessee Code Annotated, § 39-16-101 and the following sections.

Crimes of official misconduct, official oppression, misuse of official information: Tennessee Code Annotated, § 39-16-401 and the following sections.

Ouster law: Tennessee Code Annotated, § 8-47-101 and the following sections.

A brief synopsis of each of these laws appears in Appendix A of this municipal code.
1-301. Applicability. This chapter is the code of ethics for personnel of the municipality. It applies to all full-time and part-time elected or appointed officials and employees, whether compensated or not, including those of any separate board, commission, committee, authority, corporation, or other instrumentality appointed or created by the municipality. The words "municipal" and "municipality" include these separate entities. (Ord. #06-015, Dec. 2006)

1-302. Definition of "personal interest." (1) For purposes of §§ 1-303 and 1-304, "personal interest" means:
   (a) Any financial, ownership, or employment interest in the subject of a vote by a municipal board not otherwise regulated by state statutes on conflicts of interests; or
   (b) Any financial, ownership, or employment interest in a matter to be regulated or supervised; or
   (c) Any such financial, ownership, or employment interest of the official’s or employee’s spouse, parent(s), step parent(s), grandparent(s), sibling(s), child(ren), or step child(ren).
   (2) The words "employment interest" include a situation in which an official or employee or a designated family member is negotiating possible employment with a person or organization that is the subject of the vote or that is to be regulated or supervised.
   (3) In any situation in which a personal interest is also a conflict of interest under state law, the provisions of the state law take precedence over the provisions of this chapter. (Ord. #06-015, Dec. 2006)

1-303. Disclosure of personal interest by official with vote. An official with the responsibility to vote on a measure shall disclose during the meeting at which the vote takes place, before the vote and so it appears in the minutes, any personal interest that affects or that would lead a reasonable person to infer that it affects the official’s vote on the measure. In addition, the official may recuse himself¹ from voting on the measure. (Ord. #06-015, Dec. 2006)

1-304. Disclosure of personal interest in non-voting matters. An official or employee who must exercise discretion relative to any matter, other than casting a vote, and who has a personal interest in the matter that affects

¹Masculine pronouns include the feminine. Only masculine pronouns have been used for convenience and readability.
or that would lead a reasonable person to infer that it affects the exercise of the discretion shall disclose, before the exercise of the discretion when possible, the interest on a form provided by and filed with the recorder. In addition, the official or employee may, to the extent allowed by law, charter, ordinance, or policy, recuse himself from the exercise of discretion in the matter. (Ord. #06-015, Dec. 2006)

1-305. **Acceptance of gratuities, etc.** An official or employee may not accept, directly or indirectly, any money, gift, gratuity, or other consideration or favor of any kind from anyone other than the municipality:

   (1) For the performance of an act, or refraining from performance of an act, that he would be expected to perform, or refrain from performing, in the regular course of his duties; or

   (2) That might reasonably be interpreted as an attempt to influence his action, or reward him for past action, in executing municipal business. (Ord. #06-015, Dec. 2006)

1-306. **Use of information.** (1) An official or employee may not disclose any information obtained in his official capacity or position of employment that is made confidential under state or federal law except as authorized by law.

   (2) An official or employee may not use or disclose information obtained in his official capacity or position of employment with the intent to result in financial gain for himself or any other person or entity. (Ord. #06-015, Dec. 2006)

1-307. **Use of municipal time, facilities, etc.** (1) An official or employee may not use or authorize the use of municipal time, facilities, equipment, or supplies for private gain or advantage to himself.

   (2) An official or employee may not use or authorize the use of municipal time, facilities, equipment, or supplies for private gain or advantage to any private person or entity, except as authorized by legitimate contract or lease that is determined by the governing body to be in the best interests of the municipality. (Ord. #06-015, Dec. 2006)

1-308. **Use of position or authority.** (1) An official or employee may not make or attempt to make private purchases, for cash or otherwise, in the name of the municipality.

   (2) An official or employee may not use or attempt to use his position to secure any privilege or exemption for himself or others that is not authorized by the charter, general law, or ordinance or policy of the municipality. (Ord. #06-15, Dec. 2006)

1-309. **Outside employment.** An official or employee may not accept or continue any outside employment if the work unreasonably inhibits the
performance of any affirmative duty of the municipal position or conflicts with any provision of the municipality’s charter or any ordinance or policy. (Ord. #06-15, Dec. 2006)

1-310. Ethics complaints. (1) The town attorney is designated as the ethics officer of the municipality. Upon the written request of an official or employee potentially affected by a provision of this chapter, the town attorney may render an oral or written advisory ethics opinion based upon this chapter and other applicable law.

(2) (a) Except as otherwise provided in this subsection, the town attorney shall investigate any credible complaint against an appointed official or employee charging any violation of this chapter, or may undertake an investigation on his own initiative when he acquires information indicating a possible violation, and make recommendations for action to end or seek retribution for any activity that, in the attorney’s judgment, constitutes a violation of this code of ethics.

(b) The town attorney may request the governing body to hire another attorney, individual, or entity to act as ethics officer when he has or will have a conflict of interests in a particular matter.

(c) When a complaint of a violation of any provision of this chapter is lodged against a member of the municipality’s governing body, the governing body shall either determine that the complaint has merit, determine that the complaint does not have merit, or determine that the complaint has sufficient merit to warrant further investigation. If the governing body determines that a complaint warrants further investigation, it shall authorize an investigation by the town attorney or another individual or entity chosen by the governing body.

(3) The interpretation that a reasonable person in the circumstances would apply shall be used in interpreting and enforcing this code of ethics.

(4) When a violation of this code of ethics also constitutes a violation of a personnel policy, rule, or regulation or a civil service policy, rule, or regulation, the violation shall be dealt with as a violation of the personnel or civil service provisions rather than as a violation of this code of ethics. (Ord. #06-015, Dec. 2006)

1-311. Violations. An elected official or appointed member of a separate municipal board, commission, committee, authority, corporation, or other instrumentality who violates any provision of this chapter is subject to punishment as provided by the municipality’s charter or other applicable law, and in addition is subject to censure by the governing body. An appointed official or an employee who violates any provision of this chapter is subject to disciplinary action. (Ord. #06-015, Dec. 2006)
TITLE 2

BOARDS AND COMMISSIONS, ETC.

[RESERVED FOR FUTURE USE]
TITLE 3
MUNICIPAL COURT

CHAPTER 1
TOWN JUDGE

SECTION
3-101. Qualifications.
3-102. Appointment; vacancy; temporary absence.
3-103. Court schedule; compensation.
3-104. Jurisdiction.

3-101. Qualifications. The town judge for the Town of Thompson's Station shall be at least twenty-five (25) years of age, licensed in the State of Tennessee to practice law, and shall be a resident of Williamson County. (Ord. #07-005, June 2005, modified)

3-102. Appointments; vacancy; temporary absence. (1) The town judge shall be appointed by, and serve at the will and pleasure of, the governing body.
   (2) Vacancies in the office of city judge shall be filled by the governing body.
   (3) During the absence or disability of the town judge, the governing body may appoint a town judge pro tem to serve until the town judge returns to his duties. The judge pro tem shall have all the qualifications required of the town judge under this chapter, and shall have all the authorities and powers of the town judge. (Ord. #07-005, June 2005)

3-103. Court schedule; compensation. The town judge shall hold court every three (3) months and his or her compensation shall be five hundred dollars ($500.00) per court session. (Ord. #07-005, June 2005)

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1Charter references
   City Judge--City Court: § 6-4-301.
3-104. **Jurisdiction.** The town judge is an appointed judge and shall have jurisdiction only over violations of municipal ordinances. (Ord. #07-005, June 2005)
CHAPTER 2

CODE ENFORCEMENT IF NO JUDGE APPOINTED

SECTION
3-201. Enforcement by Williamson County Sheriff.
3-202. Prosecution in General Sessions Court for Williamson County.

3-201. Enforcement by Williamson County Sheriff. Pursuant to Tennessee Code Annotated, § 8-8-201(34) the Williamson County Sheriff's Department has the authority to enforce the ordinances of the town, provided the town has adopted an ordinance expressing its intent to have the sheriff enforce its ordinances. A certified copy of all ordinances of a penal nature shall be provided to the Williamson County Sheriff's Department and the General Sessions Court Clerk. (Ord. #08-004, April 2008)

3-202. Prosecution in General Sessions Court for Williamson County. Any ordinance violations may be prosecuted in the General Sessions Court for Williamson County pursuant to Tennessee Code Annotated, § 16-15-501, until such time as the town appoints a town judge. (Ord. #08-004, April 2008)
CHAPTER 3

OFFICE OF ADMINISTRATIVE HEARING OFFICER

SECTION
3-301. Creation of administrative hearing officer; number.
3-302. Jurisdiction.
3-303. Citations; procedures.

3-301. Creation of administrative hearing officer; number.
(1) Pursuant to Tennessee Code Annotated, § 6-54-1001 et seq., there is created the office of administrative hearing officer to hear building and property maintenance violations.
(2) The administrative hearing officer of the town shall be appointed for a four (4) year term but shall serve at the pleasure of the board of mayor and aldermen. Administrative hearing officers shall be qualified according to Tennessee Code Annotated, § 6-54-1006 and receive training required by Tennessee Code Annotated, § 6-54-1007. In addition, the town may also contract with the State Administrative Procedures Division to employee an administrative law judge on a temporary basis to serve as administrative hearing officer. (as added by Ord. #11-010, Jan. 2012)

3-302. Jurisdiction. The administrative hearing officer shall have the authority to hear cases involving violations of all municipal ordinances regulating building and property maintenance, including the International Residential Code of 2003 and the International Building Code of 2003 now or hereafter adopted by board of mayor and aldermen. In addition, the violation of any building and property maintenance ordinances, or other ordinances regulating any subject matter commonly found in the above mentioned codes, including such ordinances adopted by the town after the effective date of this chapter, may also be heard by the hearing officer. (as added by Ord. #11-010, Jan. 2012)

3-303. Citations; procedures. Upon the issuance of a citation for violation of a municipal ordinance referenced herein, the issuing officer and administrative hearing officer shall follow the procedures and notice requirements set forth Tennessee Code Annotated, § 6-54-1001 et seq, as may be amended. A copy of the statute is of record in the office of the city recorder. (as added by Ord. #11-010, Jan. 2012)
TITLE 4

MUNICIPAL PERSONNEL

CHAPTER 1

TRAVEL REIMBURSEMENT REGULATIONS

SECTION
4-101. Enforcement.
4-102. Travel policy.
4-103. Travel reimbursement rate schedules.
4-104. Administrative procedures.

4-101. **Enforcement.** The chief administrative officer (CAO) of the town or his or her designee shall be responsible for the enforcement of these travel regulations. (Ord. #93-3, Sept. 1993)

4-102. **Travel policy.** (1) In the interpretation and application of this chapter, the term "traveler" or "authorized traveler" means any elected or appointed municipal officer or employee, including members of municipal boards and committees appointed by the mayor or the municipal governing body, and the employees of such boards and committees who are traveling on official municipal business and whose travel was authorized in accordance with this chapter. "Authorized traveler" shall not include the spouse, children, other relatives, friends, or companions accompanying the authorized traveler on town business, unless the person(s) otherwise qualifies as an authorized traveler under this chapter.

(2) Authorized travelers are entitled to reimbursement of certain expenditures incurred while traveling on official business for the town. Reimbursable expenses shall include expenses for transportation; lodging; meals; registration fees for conferences, conventions, and seminars; and other actual and necessary expenses related to official business as determined by the CAO. Under certain conditions, entertainment expenses may be eligible for reimbursement.

(3) Authorized travelers can request either a travel advance for the projected cost of authorized travel, or advance billing directly to the town for registration fees, air fares, meals, lodging, conferences, and similar expenses. Travel advance requests aren't considered documentation of travel expenses. If travel advances exceed documented expenses, the traveler must
immediately reimburse the town. It will be the responsibility of the CAO to initiate action to recover any undocumented travel advances.

(4) Travel advances are available only for special travel and only after completion and approval of the travel authorization form.

(5) The travel expense reimbursement form will be used to document all expense claims.

(6) To qualify for reimbursement, travel expenses must be:
   (a) Directly related to the conduct of the town business for which travel was authorized, and
   (b) Actual, reasonable, and necessary under the circumstances.

The CAO may make exceptions for unusual circumstances.

Expenses considered excessive won't be allowed.

(7) Claims of five dollars ($5.00) or more for travel expense reimbursement must be supported by the original paid receipt for lodging, vehicle rental, phone call, public carrier travel, conference fee, and other reimbursable costs.

(8) Any person attempting to defraud the town or misuse town travel funds is subject to legal action for recovery of fraudulent travel claims and/or advances.

(9) Mileage and motel expenses incurred within the town aren't ordinarily considered eligible expenses for reimbursement. (Ord. #93-3, Sept. 1993)

**4-103. Travel reimbursement rate schedules.** Authorized travelers shall be reimbursed according to the federal travel regulation rates. The town's travel reimbursement rates will automatically change when the federal rates are adjusted.

The municipality may pay directly to the provider for expenses such as meals, lodging, and registration fees for conferences, conventions, seminars, and other education programs. (Ord. #93-3, Sept. 1993)

**4-104. Administrative procedures.** The town adopts and incorporates by reference—as if fully set out herein—the administrative procedures submitted by MTAS to, and approved by letter by, the Comptroller of the Treasury, State of Tennessee, in June 1993. A copy of the administrative procedures is on file in the office of the town recorder. (Ord. #93-3, Sept. 1993)
TITLE 5
MUNICIPAL FINANCE AND TAXATION

CHAPTER
1. MISCELLANEOUS.
2. PRIVILEGE TAXES.
3. WHOLESALE BEER TAX.
4. PURCHASING POLICY.

CHAPTER 1
MISCELLANEOUS

SECTION

5-101. **Official depository for town funds.** The First Tennessee Bank Franklin, Tennessee, is hereby designated as the official depository for all funds of the Town of Thompson's Station. (90-5, Jan. 1991)

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1Charter references
For specific charter provisions on depositories of municipal funds, see Tennessee Code Annotated, § 6-4-402.
CHAPTER 2
PRIVILEGE TAXES

SECTION
5-201. Tax levied.
5-202. License required.
5-203. Privilege tax on retail sale of alcohol.

5-201. **Tax levied.** Except as otherwise specifically provided in this code, there is hereby levied on all vocations, occupations, and businesses declared by the general laws of the state to be privileges taxable by municipalities, an annual privilege tax in the maximum amount allowed by state laws. The taxes provided for in the state's "Business Tax Act" (Tennessee Code Annotated, § 67-4-701, et seq.) are hereby expressly enacted, ordained, and levied on all businesses, business activities, vocations, and occupations carried on within the town at the rates and in the manner prescribed by the Business Tax Act. (Ord. #05-20, Dec. 2005)

5-202. **License required.** No person shall exercise any such privilege within the town without a currently effective privilege license, as shall be issued by the town recorder to each applicant therefor upon the applicant's payment of the appropriate privilege tax. Violation of this section shall subject the person failing to obtain a privilege license to a fine of fifty dollars ($50.00) each day constituting a separate offense. (Ord. #05-20, Dec. 2005)

5-203. **Privilege tax on retail sale of alcohol.** Pursuant to Tennessee Code Annotated, § 57-4-301(b)(2), a privilege tax is here and now levied and shall be collected from every person or entity who engages in the business of selling at retail within the municipal limits of the Town of Thompson's Station for consumption of alcoholic beverages on premises. Said tax shall be an annual privilege tax. The sum(s) which shall hereafter become due and payable unto the Town of Thompson's Station, Tennessee are fully set forth in Tennessee Code Annotated, § 57-4-301, et seq., all of which is incorporated by reference as a part or this chapter. The amount of sum(s) to be paid to the municipality are the maximum amounts of the stated 2003 level, as set forth in said statutory provision, as amended. (Ord. #04-9, Jan. 2005)
CHAPTER 3
WHOLESALE BEER TAX

SECTION
5-301. To be collected.

5-301. To be collected. The mayor is hereby directed to take appropriate action to assure payment to the town of the wholesale beer tax levied by the "Wholesale Beer Tax Act," as set out in Tennessee Code Annotated, title 57, chapter 6.¹

¹State law reference
Tennessee Code Annotated, title 57, chapter 6 provides for a tax of 17% on the sale of beer at wholesale. Every wholesaler is required to remit to each municipality the amount of the net tax on beer wholesale sales to retailers and other persons within the corporate limits of the municipality.
CHAPTER 4

PURCHASING POLICY

SECTION

5-401. Definitions.
5-402. Purchasing agent.
5-403. General procedures.
5-404. Rejection of bids.
5-405. Sealed bid requirements for purchases of $10,000.00 or greater.
5-406. Bid deposit.
5-407. Record of bids.
5-408. Considerations in determining bid awards.
5-409. Statement when award not given to low bidder.
5-410. Award in case of tie bids.
5-411. Emergency purchases.
5-412. Waiver of the competitive bidding process.
5-413. Goods and services exempt from competitive bidding.
5-414. Leases or lease-purchases beyond fiscal year.
5-415. Additional forms and procedures.
5-416. Effective date.
5-417. Severability.
5-418. Repealer.

5-401. Definitions. For the purpose of implementing this chapter, the following definitions shall apply:

(1) "Bid." A vendor's response to an invitation for bids or request for proposal; the information concerning the price or cost of materials or services offered by a vendor.

(2) "Bidder." Any individual, company, firm, corporation, partnership or other organization or entity bidding on solicitations issued by the town and offering to enter into contracts with the town.

(3) "Bid bond." An insurance agreement in which a third party agrees to be liable to pay a certain amount of money should a specific vendor's bid be accepted and the vendor fails to sign the contract as bid.

(4) "Bid opening." The opening and reading of the bids, conducted at the time and place specified in the invitation for bids and in the presence of anyone who wishes to attend.

(5) "Bid solicitation." Invitations for bids.

(6) "Capital items." Equipment which has a life expectancy of one (1) year longer and a value in excess of ten thousand dollars ($10,000.00).

(7) "Competitive bidding." Bidding on the same undertaking or material items by more than one (1) vendor.
(8) "Evaluation of bid." The process of examining a bid to determine a bidder's responsibility, responsiveness to requirements, qualifications, or other characteristics of the bid that determine the eventual selection of a winning bid.

(9) "Fiscal year." An accounting period of twelve (12) months, July 1 through June 30.

(10) "Invitation for bid." All documents utilized for soliciting bids.

(11) "Invoice." A written account of merchandise and process, delivered to the purchaser; a bill.

(12) "Local bidder." A bidder who has and maintains a business office located within the corporate limits of Thompson's Station, Tennessee.

(13) "Pre-bid conference." A meeting held with potential vendors a few days after an invitation for bids has been issued to promote uniform interpretation of work statements and specifications by all prospective contractors.

(14) "Public purchasing unit." Means the State of Tennessee, any county, town, governmental entity and other subdivision of the State of Tennessee, or any public agency, or any other public authority.

(15) "Purchase order." A legal document used to authorize a purchase from a vendor. A purchase order, when given to a vendor, should be pre-numbered and contain statements about the quantity, description, and price of goods or services ordered, agreed terms of payment, discounts, date of performance, transportation terms, and all other agreements pertinent to the purchase and its execution by the vendor.

(16) "Reject." Refuse to accept, recognize, or make use of; repudiate, to refuse to consider or grant.

(17) "Responsive bidder." One who has submitted a bid which conforms in all materials respects to the invitation for bids.

(18) "Safe source procurement." An award for a commodity which can only be purchased from one supplier, usually because of its technological, specialized, or unique character.

(19) "Town." The Town of Thompson's Station, Tennessee.

(20) "Vendor." The person who transfers property, goods, or services by sale. (Ord. #08-023, January 2009)

5-402. Purchasing agent. The town administrator shall be the purchasing agent for the municipality. Except as otherwise provided in this policy, all supplies, materials, equipment, and services of any nature shall be approved and acquired by the purchasing agent or his/her representative. Purchases by other employees or officers of the town are prohibited unless approved by the purchasing agent. (Ord. #08-023, January 2009)

5-403. General procedures. The following procedures shall be followed by all town employees when purchasing goods or services on behalf of the town. For all purchases over one thousand dollars ($1,000.00), a written purchase
order for the item(s) to be purchased shall be created and delivered to the purchasing agent. Such request shall include a brief description of the item(s) to be purchased, specifications for the item being purchased, the estimated cost of the items, and shall indicate whether the item(s) have been approved in the annual budget.

(1) For purchases under five hundred dollars ($500.00), the purchasing agent shall use his/her best offers to obtain the best value for the town, but shall not be required to obtain competitive prices for these purchases. For purchases between five hundred dollars ($500.00) and one thousand dollars ($1,000.00), the purchasing agent shall contact at least two (2) vendors, but shall not be required to obtain and record formal quotes for competitive pricing before authorizing such purchase.

(2) For purchases between one thousand dollars ($1,000.00) and two thousand five hundred dollars ($2,500.00), the purchasing agent shall obtain at least two (2) verbal or written quotes, documented and filed including the name of the vendor, date and amount of quote. Bids for these purchases may be solicited by phone, direct mail, fax, email or any other method reasonably calculated to obtain competitive bids.

(3) For purchases between two thousand five hundred ($2,500.00) and ten thousand dollars ($10,000.00), the purchasing agent shall obtain at least two (2) written quotes and shall receive the approval of the mayor before making such purchase. Bids for these purchases may be solicited by phone, direct mail, fax, email or any other method reasonably calculated to obtain competitive bids.

(4) For purchases in excess of ten thousand dollars ($10,000.00), competitive sealed bids shall be obtained as set forth in § 5-405 below.

Nothing within this section shall prohibit the purchasing agent from obtaining quotes or conducting competitive bidding for purchases of the less than the amounts set forth above. (Ord. #08-023, January 2009)

5-404. Rejection of bids. The purchasing agent shall have the authority to reject any and all bids, parts of bids, or all bids for anyone or more supplies or contractual services included in the proposed contract, when the public interest will be served thereby. The purchasing agent may choose not to accept the bid of a vendor or contractor who is in default on the payment of taxes, licenses, fees or other monies of whatever nature that may be due the town by said vendor or contractor. (Ord. #08-023, January 2009)

5-405. Sealed bid requirements for purchases of $10,000.00 or greater. (1) On all purchases and contracts estimated to be in excess of ten thousand dollars ($10,000.00), except as otherwise provided in this chapter, formal sealed bids shall be submitted at a specified time and place to the purchasing agent. The purchasing agent shall submit all such bids for award by the board of mayor and aldermen at the next regularly scheduled board meeting
or special-called meeting together with the recommendation as to the lowest responsive bidder.

(2) Notice inviting bids shall be published at least once in a newspaper of general circulation in Williamson County, and at least five (5) days preceding the last day to receive bids. The newspaper notice shall contain a general description of the article(s) to be secured, and the date, time, and place for opening bids.

(3) In addition to publication in a newspaper, the purchasing agent may take other actions deemed appropriate to notify all prospective bidders of the invitation to bid, including, but not limited to, advertisement in community bulletin boards, metropolitan newspapers, professional journals, and electronic media. (Ord. #08-023, January 2009)

5-406. Bid deposit. When deemed necessary, bid deposits may be prescribed and noted in the public notices inviting bids. The deposit shall be in such amount as the purchasing agent shall determine and unsuccessful bidders shall be entitled to a return of such deposits within ten (10) calendar days of the bid opening. A successful bidder shall forfeit any required deposit upon failure on his/her part to enter a contract within ten (10) days after the award. (Ord. #08-023, January 2009)

5-407. Record of bids. The purchasing agent shall keep a record of all bids submitted in competition thereon, including a list of the bidders, the amount bid by each, and the method of solicitation and bidding, and such records shall be open to public inspection and maintained in the town recorder's office. As a minimum, the bid file shall contain the following information:

(1) Request to start bid procedures.
(2) A copy of the bid advertisement.
(3) A copy of the bid specifications.
(4) A list of bidders and their responses.
(5) A copy of the purchase order.
(6) A copy of the invoice. (Ord. #08-023, January 2009)

5-408. Considerations in determining bid awards. The following criteria shall be considered in determining all bid awards:

(1) The ability of the bidder to perform the contract or provide the material or service required.
(2) Whether the bidder can perform the contract or provide the service promptly, or within the time specified, without delay or interference.
(3) The character, integrity, reputation, judgment, experience, and efficiency of the bidder.
(4) The previous and existing compliance by the bidder with laws and ordinances relating to the contract or service.
(5) The quality of performance of previous contracts or services, including the quality of such contracts or services in other municipalities, or performed for private sector contractors.

(6) The sufficiency of financial resources and the ability of the bidder to perform the contract or provide the service.

(7) The ability of the bidder to provide future maintenance and service for the use of the supplies or contractual service contracted.

(8) Compliance with all specifications in the solicitation for bids.

(9) The ability to deliver and maintain any requisite bid bonds or performance bonds.

(10) Total cost of the bid, including life expectancy of the commodity, maintenance costs, and performance. (Ord. #08-023, January 2009)

5-409. Statement when award not given to low bidder. When the award for purchases and contracts in excess of one thousand dollars ($1,000.00) is not given to the lowest bidder, a full and complete statement of the reasons for placing the order elsewhere shall be prepared by the purchasing agent and filed with all the other papers relating to the transaction. (Ord. #08-023, January 2009)

5-410. Award in case of tie bids. When two (2) or more vendors have submitted the low bid, the following criteria shall be used to award the bid:

(1) If all bids received are for the same amount, quality of service being equal, the purchase contract shall be awarded to the local bidder.

(2) If two (2) or more local bidders have submitted the low bid, quality of service being equal, the purchase contract shall be awarded by a coin toss or drawing lots.

(3) If no local bids are received and two (2) or more out-of-town bidders have submitted the low bid, quality of service being equal, the purchase contract shall be awarded by a coin toss or drawing lots.

(4) When the award is to be decided by coin toss or drawing lots, representatives of the bidders shall be invited to observe. In no event shall such coin toss or drawing lots be performed with less than three (3) witnesses. (Ord. #08-023, January 2009)

5-411. Emergency purchases. When in the judgment of the purchasing agent an emergency exists, the provisions of this ordinance may be waived; provided, however, the purchasing agent shall report the purchases and/or contracts to the board of mayor and aldermen at the next regular board meeting stating the item(s) purchased, the amount(s) paid, from whom the purchase(s) was made, and the nature of the emergency. (Ord. #08-023, January 2009)
5-412. **Waiver of the competitive bidding process.** Upon the recommendation of the mayor, and the subsequent approval of the board of mayor and aldermen, that it is clearly to the advantage of the town not to contract by competitive bidding, the requirements of competitive bidding may be waived provided that the following criteria are met and documented in a written report to the board of mayor and aldermen:

1. **Single source of supply.** The availability of only one vendor of a product or service within a reasonable distance of the town as determined after a complete and thorough search by the using department and the purchasing agent.

2. **State department of general services.** A thorough effort was made to purchase the product or service through or in conjunction with the state department of general services or via a state contract, such effort being unsuccessful.

3. **Purchase from other governmental entities.** A thorough effort was made to purchase the product or service through or in conjunction with other municipalities or from any federal or state agency. These purchases may be made without competitive bidding and public advertisement.

4. **Purchases from non-profit organizations.** A thorough effort was made to purchase the goods or services from any non-profit organization whose sole purpose is to provide goods and services specifically to municipalities.

5. **Purchases from Tennessee state industries.** A thorough effort was made to purchase the goods or services from Tennessee state industries (prison industries).

6. **Purchases from instrumentalities created by two or more co-operating governments.** An effort was made to purchase the goods or services from a co-op or group of governments which was formed to purchase goods and services for their members. (Ord. #08-023, January 2009)

5-413. **Goods and services exempt from competitive bidding.** The following goods and services need not be awarded on the basis of competitive bidding; provided, however, that the purchasing agent and/or the department head shall make a reasonable effort to assure that such purchases are made efficiently and in the best interest of the town:

1. **Certain insurance.** The town may purchase tort liability insurance, without competitive bidding, from the Tennessee Municipal League or any other plan offered by a governmental entity representing cities and counties. All other insurance plans, however, are to be awarded on the basis of competitive bidding.

2. **Certain investments.** The town may make investments of municipal funds in, or purchases from, the pooled investment fund established pursuant to [Tennessee Code Annotated, § 9-17-105](https://www.tn.gov/content/dam/tennessee/gov/tn/legis/tc/code/ch9/9-17-105.pdf).

3. **Motor fuel, fuel products, or perishable commodities.** Such commodities may be purchased without competitive bidding.
(4) Professional service contracts. Any services of a professional person or firm, including attorneys, accountants, physicians, architects, engineers, and other consultants required by the town, whose fee is less than two thousand five hundred dollars ($2,500.00), may be hired without competitive bidding. In those instances where such professional service fees are expected to exceed two thousand five hundred dollars ($2,500.00), a written contract shall be developed and approved by the board of mayor and aldermen prior to the provision of any goods or services. Contracts for professional services shall not be awarded on the basis of competitive bidding; rather, professional service contracts shall be awarded on the basis of recognized competence and integrity. (Ord. #08-023, January 2009)

5-414. Leases or lease-purchases beyond fiscal year. All leases or lease-purchase contracts which would extend beyond the current fiscal year shall be approved by the board of mayor and aldermen. (Ord. #08-023, January 2009)

5-415. Additional forms and procedures. The purchasing agent is hereby authorized and directed to develop such forms and procedures as are necessary to comply with this chapter. (Ord. #08-023, January 2009)

5-416. Effective date. This chapter shall be in full force and effect from and after its date of passage by the board of mayor and aldermen. (Ord. #08-023, January 2009)

5-417. Severability. Should any section, paragraph, sentence, clause, or phrase of this chapter or its application to any person or circumstance be declared unconstitutional or invalid for any reason, or should any portion of this chapter be preempted by state or federal law or regulation, such decision or legislation shall not affect the validity of the remaining portions of this chapter or its application to other persons or circumstances. (Ord. #08-023, January 2009)

5-418. Repealer. All ordinances or parts of ordinances which are inconsistent with the provisions of this chapter are hereby repealed to the extent of such inconsistency. (Ord. #08-023, January 2009)
TITLE 6

LAW ENFORCEMENT

[RESERVED FOR FUTURE USE]
TITLE 7

FIRE PROTECTION AND FIREWORKS

CHAPTER
1. FIRE CODE.
2. FIREWORKS.

CHAPTER 1

FIRE CODE

SECTION
7-102. Enforcement.
7-103. Violations and penalties.

7-101. Fire code adopted. Pursuant to authority granted by Tennessee Code Annotated, §§ 6-54-501 through 6-54-506, and for the purpose of providing a reasonable level of life safety and property protection from the hazards of fire, explosion or dangerous conditions in new and existing buildings, structures, and premises, and to provide safety to fire fighters and emergency responders during emergency operations, the NFPA1 Uniform Fire Code and the NFPA 101 Life Safety Code, 2003 editions, as recommended by the National Fire Protection Association, hereby adopted by reference and included as a part of this code. Pursuant to the requirement of Tennessee Code Annotated, § 6-54-502, one (1) copy of each of these codes has been filed with the town recorder and is available for public use and inspection. Said codes are adopted and incorporated as fully as if set out at length herein and shall be controlling within the corporate limits. (Ord. #04-008, Nov. 2004, modified)

7-102. Enforcement. The fire code herein adopted by reference shall be enforced by the chief of the fire department. He shall have the same powers as the state fire marshal.

7-103. Violations and penalties. It shall be unlawful for any person to violate any of the provisions of this chapter or the codes herein adopted, or fail to comply therewith. The violation of any section of this chapter shall be

1 Municipal code reference
   Building, utility and housing codes: title 12.

2 Copies of this code are available from the International Code Council, 900 Montclair Road, Birmingham, Alabama 35213-1206.
punishable by a penalty under the general penalty provision of this code. Each day a violation is allowed to continue shall constitute a separate offense. The application of a penalty shall not be held to prevent the enforced removal of prohibited conditions.
CHAPTER 2

FIREWORKS

SECTION
7-201. Sales prohibited generally.
7-203. Temporary use permit.
7-204. Permit fee.
7-205. Location.
7-206. Unlawful activity.
7-207. Permit not transferable.

7-201. Sales prohibited generally. It is hereby declared unlawful to sell fireworks, wholesale or retail, within the municipal limits of the Town of Thompson's Station, Tennessee. (Ord. #05-10, May 2005)

7-202. Retailers permitted on August 1, 2004. (1) Any seasonal retailer who lawfully held a permit and engaged in the seasonal retail sale of fireworks at a permitted location within the municipal limits on August 1, 2004 shall be entitled to sell fireworks on a seasonal retail basis subject to the regulatory measures hereinafter set out.

(2) A seasonal retailer for the sale of common fireworks who owns real property or is the lessee under a valid lease and who has heretofore been a permit holder under subsection (1) above may engage in the seasonal retail sale of fireworks within a zone district permitting the same. (Ord. #06-001, April 2006)

7-203. Temporary use permit. (1) A seasonal retailer must first obtain from the town a temporary use permit, exhibiting thereto evidence of ownership of the real property or leasehold rights upon which seasonal retail sales will be conducted. Seasonal retail sale period(s) shall be from June 20 through July 5 and December 15 through January 1 of each year.

(2) Any seasonal retailer making application for a temporary use to sell fireworks within the municipal limits, as heretofore stated, must further comply with all state and federal regulations and obtain pursuant to Tennessee Code Annotated, title 68, chapter 104, a seasonal retailer fireworks permit.

(3) All permits issued are temporary in nature for sales within the stated seasonal retail periods and permits for the temporary site shall not exceed thirty (30) days. Any approved sale site must at all times be free of litter and debris. (Ord. #06-001, April 2006)

7-204. Permit fee. In conjunction with the issuance of a temporary use permit, the seasonal retailer shall pay the sum of one thousand dollars
($1,000.00) to the town, annually, in advance of the seasonal retail periods. (Ord. #06-001, April 2006, modified)

7-205. Location. Permissible sale of common fireworks shall be in a location or facility in accordance with the regulations of the State Fire Marshal's Office and in compliance with the standard fire codes adopted by the town. (Ord. #06-001, April 2006)

7-206. Unlawful activity. It shall be unlawful to sell fireworks to children under the age of ten (10) years or to any intoxicated person. Further, no fireworks shall be ignited at the location or facility where seasonal retail fireworks are sold. (Ord. #06-001, April 2006)

7-207. Permit not transferable. Upon the transfer of ownership or change of use as to permitted location the rights to thereafter obtain a permit for seasonal retail sales of fireworks shall lapse and cannot be transferred to another location. (Ord. #06-001, April 2006)
TITLE 8

ALCOHOLIC BEVERAGES

CHAPTER 1

BEER

SECTION

8-102. Meetings of the beer board.
8-103. Record of beer board proceedings to be kept.
8-104. Requirements for beer board quorum and action.
8-105. Powers and duties of the beer board.
8-106. "Beer" defined.
8-107. Permit required for engaging in beer business; privilege tax.
8-108. Beer permits shall be restrictive.
8-109. Types of permits.
8-110. Interference with public health, safety, and morals prohibited.
8-111. Issuance of permits to persons convicted of certain crimes prohibited.
8-112. Prohibited conduct or activities by beer permit holders.
8-113. Suspension and revocation of beer permits.
8-114. Civil penalty in lieu of revocation or suspension.
8-115. Revocation of clerk's certification for sale to minor.

8-101. **Beer board established.** There is hereby established a beer board to be composed of the board of mayor and aldermen. The mayor shall be chairman of the beer board. (Ord. #96-001, April 1996)

8-102. **Meetings of the beer board.** All meetings of the beer board shall be open to the public. The board shall hold regular meetings in the town hall at such times as it shall prescribe. When there is business to come before

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1State law reference
   Tennessee Code Annotated, title 57.

2State law reference
   For a leading case on a municipality's authority to regulate beer, see the Tennessee Supreme Court decision in *Watkins v. Naifeh*, 635 S.W.2d 104 (1982).
the beer board, a special meeting may be called by the chairman, provided he
gives a reasonable notice thereof to each member. The board may adjourn a
meeting at any time to another time and place. (Ord. #96-001, April 1996)

8-103. **Record of beer board proceedings to be kept.** The town
recorder shall make a record of the proceedings of all meetings of the beer board.
The record shall be a public record and shall contain at least the following: the
date of each meeting; the names of the board members present and absent; the
names of the members introducing and seconding motions and resolutions, etc.,
before the board; a copy of each such motion or resolution presented; the vote of
each member thereon; and the provisions of each beer permit issued by the
board. (Ord. #96-001, April 1996)

8-104. **Requirements for beer board quorum and action.** The
attendance of at least a majority of the members of the beer board shall be
required to constitute a quorum for the purpose of transacting business.
Matters before the board shall be decided by a majority of the members present
if a quorum is constituted. Any member present but not voting shall be deemed
to have cast a "nay" vote. (Ord. #96-001, April 1996)

8-105. **Powers and duties of the beer board.** The beer board shall
have the power and it is hereby directed to regulate the selling, storing for sale,
distributing for sale, and manufacturing of beer within this town in accordance
with the provisions of this chapter. (Ord. #96-001, April 1996)

8-106. **"Beer" defined.** The term "beer" as used in this chapter shall
mean and include all beers, ales, and other malt liquors having an alcoholic
content of not more than five percent (5%) by weight. (Ord. #96-001, April 1996)

8-107. **Permit required for engaging in beer business; privilege
tax.** (1) It shall be unlawful for any person to sell, store for sale, distribute for
sale, or manufacture beer without first making application to and obtaining a
permit from the beer board. The application shall be made on such form as the
board shall prescribe and/or furnish, and pursuant to Tennessee Code
Annotated, § 57-5-101(b), and shall be accompanied by a non-refundable
application fee of two hundred and fifty dollars ($250.00). Said fee shall be in the
form of a cashier's check payable to the Town of Thompson's Station, Tennessee.
Each applicant must be a person of good moral character and certify that he has
read and is familiar with the provisions of this chapter.

(2) **Privilege tax.** There is hereby imposed on the business of selling,
distributing, storing or manufacturing beer, an annual privilege tax of one
hundred dollars ($100.00). Any person, firm, corporation, joint stock company,
syndicate or association engaged in the sale, distribution, storage or
manufacture of beer shall remit the tax on January 1, 1994, and each successive
January 1, to the Town of Thompson's Station, Tennessee. At the time a new
permit is issued to any business subject to this tax, the permit holder shall be
required to pay the privilege tax on a prorated basis for each month or portion
thereof remaining until the next tax payment date. (Ord. #96-001, April 2006)

8-108. **Beer permits shall be restrictive.** (1) All beer permits shall
be restrictive as to the type of beer business authorized under them. Separate
permits shall be required for selling at retail, storing, distributing, and
manufacturing. It shall be unlawful for any beer permit holder to engage in any
type or phase of the beer business not expressly authorized by his permit. It
shall likewise be unlawful for him not to comply with any and all express
restrictions or conditions which may be written into his permit authorized by
the beer board.

(2) A beer permit issued hereunder shall be issued only in the name
of the individual, manager or employee applicant. A permit, except as
authorized stated in this chapter, shall continue to be valid so long as that
individual, manager or employee is engaged in business at the location
authorized in the permit. The individual, manager or employee is charged with
compliance of this chapter at the permit location. A permit does not run with the
land or business. (Ord. #96-001, April 2006)

8-109. **Types of permits.** Permits issued by the beer board shall consist
of three (3) types:

(1) An "on-premises permit" shall be used for the consumption of beer
only on the premises. To qualify for an on-premises permit, an establishment,
in addition to meeting the other regulations and restrictions in this chapter,
must:

   (a) Be a restaurant or eating place; and
   (b) Be able to seat a minimum of thirty (30) people, including
       children, in booths and at tables, in addition to any other seating it may
       have; and
   (c) Have all seating in the interior of the building under a
       permanent roof.

(2) An "off-premises permit" shall be issued for the consumption of
beer only off of the premises. To qualify for an off-premises permit, an
establishment, in addition to meeting the other regulations herein, must:

   (a) Be a grocery store or convenience type market; and
   (b) In either case, be primarily engaged in the sale of grocery
       and personal and home care and cleaning articles, but may also sell
gasoline.

(3) A "special event permit" may be issued by the beer board for the
sale of beer for consumption on the premises of a special event upon an
application describing the location and type of event. The beer board may waive
the permit fee and tax for special events sponsored by a bona fide charitable or
non-profit organization or a governmental entity. The duration of a special event beer permit shall not exceed seventy-two (72) hours and shall not be issued to the same person or entity more than once within any thirty (30) day period. (Ord. #96-001, April 1996, as amended by Ord. #08-012, June 2008)

8-110. Interference with public health, safety, and morals prohibited. No permit authorizing the sale of beer will be issued when such business(es) would cause congestion of traffic or would interfere with public health, safety and morals. In no event will a permit be issued authorizing the storage, sale or manufacture of beer by the permit holder within three hundred feet (300') of any school or church as measured in a straight line from the nearest corner of the school or church to the nearest corner of the structure where the beer is to be stored, sold or manufactured. (Ord. #05-004, March 2008)

8-111. Issuance of permits to persons convicted of certain crimes prohibited. No beer permit shall be issued to any person who has been convicted for the possession, sale, manufacture or transportation of intoxicating liquor or any crime involving moral turpitude, within the past ten (10) years. No person, firm, corporation, joint-stock company, syndicate or association having at least a five percent (5%) ownership interest in the applicant shall have been convicted of any violation of the laws against possession, sale, manufacture, or transportation of beer or other alcoholic beverages or any crime involving moral turpitude within the past ten (10) years. (Ord. #96-001, April 1996)

8-112. Prohibited conduct or activities by beer permit holders. It shall be unlawful for any beer permit holder to:
(1) Make or allow sale of beer between the hours of 12:00 midnight and 6:00 A.M.;
(2) Allow any loud, unusual or obnoxious noises to emanate from the premises;
(3) Make or allow any sale of beer to a person under twenty-one (21) years of age;
(4) Allow any person under twenty-one (21) years of age to loiter in or about his place of business;
(5) Make or allow any sale of beer to any intoxicated person or to any feeble-minded, insane or otherwise mentally incapacitated person;
(6) Allow drunk persons to loiter about the premises;
(7) Serve, sell or allow the consumption on his premises of any alcoholic beverage with an alcoholic content of more than five percent (5%) by weight; and
(8) "Off-premises" permit holders shall not allow the consumption of alcohol in or about their premises whatsoever;
(9) Allow gambling on his premises;
(10) "On-premises" permit holders shall not fail to provide and maintain sanitary toilet facilities;

(11) Allow an employee of the permit holder who is under the age of eighteen (18) years to sell beer. (Ord. #96-001, April 1996, as amended by Ord. #07-009, Sept. 2007)

8-113. Suspension and revocation of beer permits. (1) The beer board shall have the power to suspend or revoke any beer permit issued under the provisions of this chapter when the holder thereof is guilty of making a false statement or misrepresentation in his application or of violating any of the provisions of this chapter. However, no beer permit shall be suspended or revoked until a public hearing is held by the board after reasonable notice to all the known parties in interest. Suspension or revocation proceedings may be initiated by any member of the beer board.

(2) Pursuant to Tennessee Code Annotated, § 57-5-608, the beer board shall not revoke or suspend the permit of a "responsible vendor" qualified under the requirements of Tennessee Code Annotated, § 57-5-606 for a clerk's illegal sale of beer to a minor if the clerk is properly certified and has attended annual meetings since the clerk's original certification, unless the vendor's status as a certified responsible vendor has been revoked by the alcoholic beverage commission. If the responsible vendor's certification has been revoked, the vendor shall be punished by the beer board as if the vendor were not certified as a responsible vendor. "Clerk" means any person working in a capacity to sell beer directly to consumers for off-premises consumption. Under Tennessee Code Annotated, § 57-5-608, the alcoholic beverage commission shall revoke a vendor's status as a responsible vendor upon notification by the beer board that the board has made a final determination that the vendor has sold beer to a minor for the second time in a consecutive twelve (12) month period. The revocation shall be for three (3) years. (Ord. #96-001, April 1996, as amended by Ord. #07-009, Sept. 2007)

8-114. Civil penalty in lieu of revocation or suspension. (1) Definition. "Responsible vendor" means a person, corporation or other entity that has been issued a permit to sell beer for off-premises consumption and has received certification by the Tennessee Alcoholic Beverage Commission under the "Tennessee Responsible Vendor Act of 2006," Tennessee Code Annotated, § 57-5-601, et seq.

(2) Penalty, revocation or suspension. The beer board may, at the time it imposes a revocation or suspension, offer a permit holder that is not a responsible vendor the alternative of paying a civil penalty not to exceed two thousand five hundred dollars ($2,500.00) for each offense of making or permitting to be made any sales to minors, or a civil penalty not to exceed one thousand dollars ($1,000.00) for any other offense.
The beer board may impose on a responsible vendor a civil penalty not to exceed one thousand dollars ($1,000.00) for each offense of making or permitting to be made any sales to minors or for any other offense.

If a civil penalty is offered as an alternative to revocation or suspension, the holder shall have seven (7) days within which to pay the civil penalty before the revocation or suspension shall be imposed. If the civil penalty is paid within that time, the revocation or suspension shall be deemed withdrawn.

Payment of the civil penalty in lieu of revocation or suspension by a permit holder shall be an admission by the holder of the violation so charged and shall be paid to the exclusion of any other penalty that the town may impose. (Ord. #07-009, Sept. 2007)

8-115. **Revocation of clerk's certification for sale to minor.** If the beer board determines that a clerk of an off-premises beer permit holder certified under Tennessee Code Annotated, § 57-5-606, sold beer to a minor, the beer board shall report the name of the clerk to the alcoholic beverage commission within fifteen (15) days of determination of the sale. The certification of the clerk shall be invalid and the clerk may not reapply for a new certificate for a period of one (1) year from the date of the beer board's determination. (Ord. #07-009, Sept. 2007)
TITLE 9

BUSINESS, PEDDLERS, SOLICITORS, ETC.

[RESERVED FOR FUTURE USE]
TITLE 10

ANIMAL CONTROL

[RESERVED FOR FUTURE USE]
TITLE 11

MUNICIPAL OFFENSES

CHAPTER
1. OFFENSES AGAINST THE PEACE AND QUIET.

CHAPTER 1

OFFENSES AGAINST THE PEACE AND QUIET

SECTION
11-101. Hours of construction work.

11-101. **Hours of construction work.** (1) **Definitions.** For purposes of this section the following words shall have the meanings set forth herein.

(a) "Construction work." Any site preparation, excavation, grading assembly, erection, paving, substantial repair, alteration or similar action, but excluding demolition, for or of any structures, utilities, public or private rights of way or other property.

(b) "Demolition work." Any dismantling, intentional destruction or removal of structures, utilities, public or private rights of way or other property.

(2) **Construction or demolition work.** The carrying on of any construction or demolition work is prohibited at any time on Sundays, or at any time other than between the hours of 7:00 A.M. and 6:00 P.M. prevailing time, on Saturdays, or between the hours of 7:00 A.M. and 6:00 P.M. prevailing time, on any other days. The provisions of this section shall not apply to interior or exterior repairs or interior alterations when the work is actually performed by a homeowner or occupant between the hours of 8:00 A.M. and 9:00 P.M. prevailing time, provided the work is done without creating any noise disturbance across a residential real property boundary. (Ord. #08-016, August 2008)

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1Municipal code references
Housing codes: title 12.
Fireworks and explosives: title 7.
Traffic offenses: title 15.
Streets and sidewalks (non-traffic): title 16.
TITLE 12
BUILDING, UTILITY, ETC. CODES

CHAPTER
1. BUILDING CODE.
2. RESIDENTIAL CODE.
3. BUILDING PERMITS.
4. IMPACT FEES.

CHAPTER 1
BUILDING CODE

SECTION
12-102. Definitions.
12-103. Available in recorder's office.
12-104. Violations.

12-101. Building code adopted. Pursuant to authority granted by Tennessee Code Annotated, §§ 6-54-501 through 6-54-506, and for the purpose of regulating the construction, alteration, repair, use, occupancy, location, maintenance, removal, and demolition of every building or structure or any appurtenance connected or attached to any building or structure, the International Building Code, 2003 edition, as prepared and adopted by the International Code Council, is hereby adopted and incorporated by reference as a part of this code, and is hereinafter referred to as the building code. (Ord. #04-008, Nov. 2004, modified)

1 Municipal code references
   Fire protection, fireworks, and explosives: title 7.
   Planning and zoning: title 14.
   Streets and other public ways and places: title 16.
   Wastewater: title 18.

2 Copies of this code (and any amendments) may be purchased from the International Code Council, 900 Montclair Road, Birmingham, Alabama 35213.
12-102. **Definitions.** Whenever the building code refers to the "Building Official" or "Director of Public Works," it shall, for the purposes of the building code, mean the building official or building inspector of the Town of Thompson's Station, appointed or designated to administer and enforce the provisions of the building code, or his designee. (Ord. #04-008, modified)

12-103. **Available in recorder's office.** Pursuant to the requirements of the Tennessee Code Annotated, § 6-54-502, one (1) copy of the building code has been placed on file in the recorder's office and shall be kept there for the use and inspection of the public. (Ord. #04-008, Nov. 2004, modified)

12-104. **Violations.** It shall be unlawful for any person to violate or fail to comply with any provision of the building code as herein adopted by reference and modified.
CHAPTER 2

RESIDENTIAL CODE

SECTION
12-201. Residential code adopted.
12-203. Available in recorder's office.
12-204. Violations.

12-201. Residential code adopted. Pursuant to authority granted by Tennessee Code Annotated, §§ 6-54-501 through 6-54-506, and for the purpose of regulating the fabrication, erection, construction, movement, equipment, enlargement, alterations, repair, location, removal and demolition of detached one (1) and two (2) family dwellings and their appurtenances and accessory structures, and multiple single family dwellings (townhouses) not more than three (3) stories in height, the International Residential Code,\(^1\) 2003 edition, as prepared and adopted by the International Code Council, is hereby adopted and incorporated by reference as a part of this code, and is hereinafter referred to as the residential code. (Ord. #04-008, Nov. 2004, modified)

12-202. Definitions. Whenever the words "Building Official" are used in the code, they shall refer the building official or inspector for the Town of Thompson's Station, or his designee. (Ord. #04-008, Nov. 2004, modified)

12-203. Available in recorder's office. Pursuant to the requirements of Tennessee Code Annotated, § 6-54-502, one (1) copy of the residential code has been placed on file in the recorder's office and shall be kept there for the use and inspection of the public. (Ord. #04-008, Nov. 2004, modified)

12-204. Violations. It shall be unlawful for any person to violate or fail to comply with any provision of the residential code as herein adopted by reference and modified.

\(^1\)Copies of this code (and any amendments) may be purchased from the International Code Council, 900 Montclai Road, Birmingham, Alabama 35213.
CHAPTER 3

BUILDING PERMITS

SECTION
12-301. Fee schedule.
12-302. Building official to issue permits.
12-303. Failure to obtain permit.
12-304. Calculation of permit fees; reinspection fees.

12-301. Fee schedule. All permit fees and collection of fees shall be established by resolution or ordinance adopted by the mayor and board of aldermen and shall be payable to the Town of Thompson's Station, Tennessee. The fee schedule shall be available for viewing in the office of the recorder. (Ord. #04-008, Nov. 2004, modified)

12-302. Building official to issue permits. The building official, upon payment of sums according to the town's fee schedule will issue a permit for all new structures erected, either built on site or off site, or to be constructed or placed, as well as structures or buildings to be altered, repaired, remodeled, used and occupied or any appurtenance connected or attached to any building or structure, or construction requiring improvements for which an inspection is required, or for construction or placement of accessory structures, demolition of structures, connection of driveways to a structure connecting to a public street, installation of swimming pools, retaining walls, certain fences, temporary use structures, moving of structures, site preparation requiring grading, excavation or blasting. (Ord. #04-008, Nov. 2004, modified)

12-303. Failure to obtain permit. In the event that work has commenced for which a permit is required, prior to obtaining a requisite permit, all fees shall double, but payment of double fees shall not relieve any persons from fully complying with the requirements of all building codes in the execution if the work or prevent the levy of a civil penalty.

The building official is authorized to issue any necessary stop work orders for failure to secure a permit and for failure to comply with any and all building codes. (Ord. #04-008, Nov. 2004, modified)

12-304. Calculation of permit fees; reinspection fees. For purposes of definition, "built space," as to be calculated on a per square foot basis for issuance of a permit shall mean all space under roof, enclosed or not, basement and garage areas, but shall not include attic area not intended for use as a living area or capable of being converted to a future use living area by plan or design submitted by an applicant for permit issuance.
Reinspection fees are authorized for failure of an applicant to perform work in accordance with the building code for any scheduled inspection required and said reinspection fee must be paid prior to requesting reinspection. (Ord. #04-008, Nov. 2004, modified)
CHAPTER 4

IMPACT FEES

SECTION
12-401. Title, authority, applicability.
12-402. Definitions.
12-403. Intent and purposes.
12-404. Basis for fees.
12-405. Use of fees.
12-406. Fee calculations.
12-407. Payment of fee; appeals.

12-401. Title, authority, applicability. (1) This article shall be known and may be cited as the "impact fee ordinance."

(2) Authority to implement this article is granted under the General Law Mayor-Aldermanic Charter, and such other additional powers granted to municipalities by the state legislature. The enumeration of particular powers in this article is not exclusive of others, not restrictive of general words or phrases granting powers and all powers shall be construed so as to permit the town to exercise freely any one (1) or more such powers.

(3) Except as provided herein, this article shall be applicable to all new buildings constructed or additions to existing buildings constructed after the effective date of this chapter. (as added by Ord. #13-016, Sept. 2013)

12-402. Definitions. The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

"Accessory building" or "accessory structure" means a detached, subordinate building or structure, the use of which is clearly incidental and related to a principal building or use of the land, and which is located on the same lot as that of the principal building or use.

"Adjusted base trip cost" means the base trip cost as defined in this section, adjusted for estimated future contributions toward the cost of public works projects from currently unidentified sources other than locally generated revenues.

"Base trip cost" means the town's share of the cost of certain public works projects, as determined by action of the board of mayor and aldermen, divided by total trips, as determined pursuant to this article.

"Bonds" means bonds, interim certificates or other financial obligations of a municipality issued by its governing body pursuant to this article, or pursuant to any other law, as supplemented by, or in conjunction with this article.
"Building" means any permanent structure having a roof and used or built for the enclosure or shelter of persons, animals, vehicles, goods, merchandise, equipment, materials or property of any kind.

"Building permit" means an official document or certificate issued by the town authorizing the construction of a building.

"Capacity" means the maximum number of vehicles for a given time period which a road can safely and efficiently carry; usually expressed in terms of vehicles per day.

"Dwelling unit" means a structure designed and intended for human habitation.

"Impact fee" means the fee established by this article based upon traffic generation information, growth projections, public works project cost estimates, and future public works project requirements as established by the board of mayor and aldermen.

"Land development activity" and "building activity that generates increased traffic" means any building activity on a tract of land or vacant lot on which may be constructed one (1) or more structures or any change in the use or appearance of any structure within the guidelines of the applicable land use zoning that attracts or produces vehicular trips over and above that produced by the existing use of land.

"Major road network system" means all arterial and collector roads within the town, including future arterial and collector roads necessitated by land development and building activity.

"Worship facility" means a building or a portion thereof which is used by a religious institution for worship services and customarily incidental functions.

"Public works project" includes any one (1) or more or any combination of the following improvements: bridges, tunnels, viaducts, flood control, streets, roads, avenues, alleys, highways, sidewalks, curbs, gutters, stormwater sewers or drains, and all property real and personal, appurtenant thereto or connected with such work, including an extension, addition, betterment or improvement.

"Site related improvements" means road construction or road improvements at or near the development site which are necessary to interface the development with the major road network system. Site related improvements shall include acceleration and deceleration lanes and necessary right-of-way dedications which are related to the development and any other right-of-way dedicated to the town within thirty feet (30') of the centerline of existing roadways.

"Traffic impact analysis" means a study prepared by a qualified professional engineer, licensed to practice within the state, to determine the vehicular impact of a development upon the major road network system. This study shall include, but is not limited to, determination of trip generation; trip distribution; traffic assignment; capacity analyses; and improvements to the roadway system necessitated by the development, such as required new roads, additional lanes and signalization.
"Trip" means a one-way movement of vehicular travel from an origin (one trip end) to a destination (the other trip end). For the purposes of this article, trip shall have the meaning which it has in commonly accepted traffic engineering practice and which is substantially the same as that definition in the previous sentence.

"Trip generation" means the attraction or production of trips caused by a given type of land development. (as added by Ord. #13-016, Sept. 2013)

12-403. Intent and purposes. (1) The board of mayor and aldermen has determined that the rapid growth rate which the town has experienced and is expected to experience in the foreseeable future necessitates public works projects and makes it necessary to regulate land development and building activity that generates increased traffic. It is the intent of the town that the capacity of the road network in the community should handle the traffic demands generated by new development, thus maintaining a satisfactory quality of life in Thompson's Station.

(2) In order to finance the necessary public works projects required to meet the traffic demands created by growth in population and business activity, a variety of financial sources shall be used to fund the planning, engineering, and construction of future road projects.

(3) It shall be the purpose of this article to establish a regulatory system and method by which the town calculates, collects, and obligates a regulatory fee hereinafter referred to as the impact fee. Except as otherwise provided for in this article, this fee shall be assessed on each new building or addition to an existing structure constructed within the town. The fee shall provide a portion of the revenues required to complete infrastructure and public works projects necessary to service this new development.

(4) The public health, safety, and general welfare is protected when adequate financial resources are available to fund the public works projects needed to handle traffic demand generated from land development activities and the construction of new buildings in the town.

(5) The intent of this chapter is to allow for continued land development and new building construction in accordance with orderly fulfillment of appropriate transportation related public works projects.

(6) The impact fee shall be assessed to each new land development and building based on reasonably estimated proportionate share of the anticipated cost of future public works projects. The traffic generation for each land use category shall serve as the basis for establishing and modifying the fee. (as added by Ord. #13-016, Sept. 2013)

12-404. Basis for fees. The board of mayor and aldermen shall approve by resolution the capital improvement projects and the estimated costs of each project, which shall establish the basis for the impact fee schedule. The impact fee schedule shall also be based upon use of available land use planning data.
related to the town, other transportation studies in the vicinity and other available transportation related studies and traffic general analysis and basic assumptions as updated by the Institute of Transportation Engineers (ITE). (as added by Ord. #13-016, Sept. 2013)

12-405. Use of fees. The impact fees generated by this chapter shall be used to pay for the public infrastructure required by new development. Upon the recommendation of the town administrator, the board of mayor and aldermen shall approve all impact fee fund expenditures as related to the costs of public infrastructure. (as added by Ord. #13-016, Sept. 2013)

12-406. Fee calculations. (1) A schedule of impact fees, based on the method of calculation promulgated by this section, shall be adopted by resolution of the board of mayor and aldermen.

(2) For each land use, a demand factor shall be determined for use in calculating the appropriate impact fee. Such demand factors shall be based on the estimated trip generation rates for various land uses as identified in the latest edition of the ITE's Trip Generation. In order to avoid the double counting of vehicular trips between land uses, the ITE's estimated trip generation rate shall be divided by two (2) to determine the appropriate demand factor.

(3) The base trip cost shall be determined by dividing the total estimated cost to the town of the public works projects, as designated by the board of mayor and aldermen, by the number of total daily trips for all land uses in the prior year as estimated by the town's planning and codes department. The base trip cost as so determined may be adjusted for estimated future contributions toward the cost of public works projects from currently unidentified sources other than locally generated revenues. The demand factor for each land use shall be multiplied by the adjusted base trip cost to yield the appropriate impact fee per type of land use.

(4) Any land use generating local sales tax revenues from retail operations shall be eligible for a twenty percent (20%) reduction of the per unit impact fee calculation based on space allocated within that land use for retail operations.

(5) Revisions to fee schedule:

(a) Construction data used as a basis for the calculation of impact fees shall be reviewed annually as a part of the town's capital improvements program and periodically modified based upon actual bid documentation. Fluctuation in the base trip cost resulting from changes in the technical data base or in the scope, size, status or cost of the designated public works projects shall not necessarily dictate an adjustment in the impact fee structure. Adjustments in the fee structure shall occur, when, in the determination of the board of mayor and aldermen, based on a recommendation from the town administrator:
(i) The variance between the estimated base trip cost and the base trip cost used to establish impact fees is significant enough to warrant a change; or

(ii) The variance between the estimated demand factors and the demand factors used to establish impact fees is significant enough to warrant a change.

(b) Upon such a determination, a revised schedule of impact fees shall be adopted by resolution of the board of mayor and aldermen.

(6) Alternative fee determination: An alternative determination of the impact fee for a land use may be allowed under the following criteria and conditions:

(a) An applicant may appeal in writing to the town administrator for review of an alternative proposal related to land use traffic generation calculations.

(b) Documentation in support of an alternative trip generation calculation shall be provided in the form of a traffic impact analysis and shall include, but not be limited to, the following factors:

(i) Traffic characteristics and levels of service of existing major road network systems directly affected by the proposed new development.

(ii) Trip generation, trip distribution, and trip projections for the proposed new development.

(iii) Impacts of the proposed new development on affected major road network systems including anticipated changes in the level of service.

(iv) Impacts of previously approved new development affecting the same major road network systems combined with the proposed new development.

(v) Benefits of proposed roadway system improvements to be made a part of the new development, including intersection improvements such as turn lanes and signalization.

(c) If the applicant's alternative calculation of the public work project fee is accepted by the town commission, the town reserves the right to review the actual traffic trip generation for the development for a period of two (2) years after completion. If the actual traffic generation is found to exceed by ten percent (10%) that figure previously projected by the development, the town reserves the right to require an additional payment up to one hundred fifty percent (150%) of the scheduled impact fee level.

(7) If a land use for a specific property or facility is changed to one which would fall into a land use category for which a higher fee would apply, then a fee based upon the current fee schedule shall be assessed for the new land use, less the amount applicable for the prior land use under the then existing fee schedule. (as added by Ord. #13-016, Sept. 2013)
12-407. Payment of fee; appeals. (1) Payment of the impact fee shall be made at the time that a building permit is issued by the town.

(2) Appeals. (a) A person may challenge the calculation or application of a fee imposed pursuant to this article by filing with the town administrator a written notice of appeal with a full statement of the grounds and an appeal fee of two hundred dollars ($200.00) or such other amount as may be fixed from time to time by resolution of the board of mayor and aldermen. Notwithstanding the appeal, the building permit for the land use may be issued if the notice of appeal is accompanied by a bond, cashier's check or other security acceptable to the town administrator in an amount equal to the fee. Appeals filed pursuant to this section must be submitted prior to issuance of the building permit or within ten (10) days thereafter.

(b) The appellant bears the burden of demonstrating that the amount of the fee was not calculated or applied according to the procedures established in this article.

(c) The board of mayor and aldermen shall hear the appeal at a regularly scheduled meeting or special call meeting which falls within thirty (30) days following receipt of the notice of appeal by the town administrator. The determination of the board of mayor and aldermen shall be announced at the conclusion of the hearing or at the next regular meeting of the board of mayor and aldermen. The determination of the board of mayor and aldermen shall be final. (as added by Ord. #13-016, Sept. 2013)
TITLE 13

PROPERTY MAINTENANCE REGULATIONS

CHAPTER
1. OVERGROWN AND DIRTY LOTS.

CHAPTER 1

OVERGROWN AND DIRTY LOTS

SECTION
13-103. Duty of owner and occupant to clear on notice.
13-104. Hearing rights; appeals.
13-105. Town's right to remedy violations; collection of costs.
13-106. Violation and penalty.

13-101. Definitions. The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

(1) "Building materials" means any materials or other substances accumulated as a result of repairs or additions to existing buildings or structures, construction of new buildings, demolition of existing buildings or moving of buildings.

(2) "Garbage" means the byproduct of animal or vegetable foodstuffs resulting from handling, preparation, cooking and consumption of food, or other matter which is subject to decomposition, decay, putrefaction or the generation of noxious or offensive gases or odors, or which during or after decay, may serve as breeding or feeding material for flies or other insects or animals.

(3) "Improved property" means a parcel less than five (5) acres containing any manmade, immovable structure intended for or suitable for occupancy by humans which becomes part of, is placed upon, or is affixed to real estate, whether such structure has been completed or not.

(4) "Litter" means all discarded manmade materials, including, but not limited to, building materials, trash, garbage, industrial waste, refuse and other solid waste.

(5) "Parcel" means a subdivided lot or tract of land which may be improved property or vacant.

(6) "Refuse" means solid waste consisting of garbage or trash.

(7) "Trash" means accumulation of waste from households, yards or businesses.
13-102. **Prohibited practices.** Pursuant to the authority granted municipalities by Tennessee Code Annotated, § 6-54-113 and the powers and authority granted by the charter of the town, as the same may be amended or replaced, it shall be unlawful for any property owner or occupant of property to:

1. Fail to cut grass, weeds and other overgrowth vegetation on improved property or on vacant parcels less than five (5) acres when such vegetation is of a height greater than one foot (1') on the average, such condition being declared a nuisance in that it may permit the property to serve as a refuge for rodents, snakes and/or other vermin, or create a fire hazard. All other vacant parcels adjacent to improved property shall be similarly kept cut within one hundred feet (100') of such improved property. Weeds and grass on heavily wooded parcels where equipment cannot maneuver because of the natural density of the vegetation are exempt from these provisions. In addition, the tilling, planting and harvesting of agricultural crops are exempt from the provisions stated herein.

2. Permit or cause trash, garbage or miscellaneous refuse, or any other substance which may cause foul odor to accumulate on improved property or vacant parcels so as to serve as a refuse for rodents, snakes and/or other vermin. Such condition is or may become a nuisance, or may endanger or threaten the health, safety and/or welfare of residents or occupants of nearby property.

3. Have on their premises materials that would create or permit a littered condition such as but not limited to dilapidated furniture, appliances, machinery, equipment, building material, automobile parts, tires, or any other items which are in a wholly or partially rusted, wrecked, junked, dismantled or inoperative condition, which are not completely enclosed within a building, dwelling or opaque fencing/screening. Such materials may endanger or cause injury to the residents or occupants of nearby property. (Ord. #08-015, Aug. 2008)

13-103. **Duty of owner and occupant to clear on notice.** (1) Within ten (10) days' written notice of a violation of this chapter from the town's code enforcement supervisor or his designee, it shall be the duty of the owner and occupant to cut and remove all grass, weeds and other overgrowth vegetation and to remove all trash, litter, materials and other offending conditions from the property. The notice shall include a brief statement of this section and the consequences of failing to remedy the noted condition; the person, office, address and telephone number of the person giving official notice; a cost estimate for remedying the noted condition; and a place where the notified party may request a hearing to appeal the enforcement action.
(2) If the property owner is a carrier engaged in the transportation of personal property or is a utility transmitting communications, electricity, gas, liquids, steam, sewerage or other materials, the ten (10) day period of this section shall be twenty (20) days, excluding Saturdays, Sundays and legal holidays. (Ord. #08-015, Aug. 2008)

13-104. Hearing rights; appeals. (1) Should the owner or occupant of any property notified of a violation of this chapter request a hearing, the town shall provide for a hearing by the town administrator or his designee. A request for such hearing must be made within ten (10) days following the receipt of the notice issued pursuant to this chapter. Failure to make the request within this time shall without exception constitute a waiver of the right to a hearing.

(2) Any person aggrieved by an order or act of the town under the provisions of this chapter may seek judicial review of the order or act. The time period established in this chapter shall be stayed during the pendency of the hearing. (Ord. #08-015, Aug. 2008)

13-105. Town's right to remedy violations; collection of costs. (1) Should the owner or occupant of any parcel fail to remove such weeds, trash, garbage, grass or other objects or substances within ten (10) days after notice of violation of this chapter, thereafter the town shall have the authority to enter onto such parcel and immediately cause the offending conditions to be remedied or removed; and to charge the cost or expense of such action, including associated legal fees and/or other administrative costs, against such owner and/or occupant. The town is authorized to use either internal labor and equipment or private contractors at its discretion to enforce the provisions of this chapter.

(2) If the owner fails to pay the expense of the cleanup within thirty (30) days from receipt of a certified invoice, the amount shall be certified to the town attorney who shall process a lien with the register of deeds on the properties upon which the expenditure was made. These costs shall be collected by the municipal tax collector at the same time and in the same manner as property taxes are collected. If the owner fails to pay the costs, they may be collected at the same time and in the same manner as delinquent property taxes are collected and shall be subject to the same penalty and interest as delinquent property taxes. (Ord. #08-015, Aug. 2008)

13-106. Violation and penalty. In addition to any other action the town may take against a permit holder in violation of this chapter, such violation shall be punishable by civil penalty not to exceed fifty dollars ($50.00). Each day a violation occurs shall constitute a separate offense. Nothing herein shall prohibit the town from seeking other remedies, including injunctive relief or claims for damages to its rights-of-way, to enforce the purposes of this chapter. (Ord. #08-015, Aug. 2008)
13-107. **Enforcement by town recorder.** The city recorder of the Town of Thompson's Station, Tennessee is hereby designated as the appropriate department or person to carry out the provisions of this chapter, to promote the general welfare of the municipality as it pertains to the removal of vegetation and debris from parcels of property lying within the municipality. (Ord. #91-005, Oct. 1991, modified)
TITLE 14
ZONING AND LAND USE CONTROL

CHAPTER
1. MUNICIPAL PLANNING COMMISSION.
2. DESIGN REVIEW COMMISSION.
3. ZONING ORDINANCE.
4. REVIEW CHARGES AND INSPECTION FEES.
5. [DELETED.]

CHAPTER 1
MUNICIPAL PLANNING COMMISSION

SECTION
14-102. Membership and terms.
14-103. Duties.
14-104. Training required.

14-101. Creation. Pursuant to the provisions of Tennessee Code Annotated, § 13-4-101, there is here and now created and established a municipal planning commission for the municipality consisting of seven (7) members residing within the municipal limits of the town. The municipal planning commission shall be known as the Thompson's Station Municipal Planning Commission. (Ord. #03-004, Dec. 2003, as amended by Ord. #06-017, Jan. 2007)

14-102. Membership and terms. One (1) of the members shall be mayor of the municipality or a person designated by the mayor and one (1) of the members shall be one of the aldermen of the town to be selected by the chief legislative body, the mayor and board of aldermen. All other members shall be appointed by the mayor, who shall strive to insure racial composition of the planning commission which is at least proportionately reflective of the municipality's racial minority population. The appointed members from the citizenry of the town shall be of such length whereby the term of one (1) member shall expire each year. By virtue of the expansion of the size of membership of the municipal planning commission, the additional two (2) membership terms shall be for one (1) and two (2) years and thereafter, shall be for an appointment term of three (3) years. Any vacancy in an appointed member shall be filled for the unexpired term by the mayor of the municipality, who shall also have the authority to remove any appointed member at the mayor's pleasure. The mayor
shall, upon expiration of a member's term(s), either reappoint a member(s) for an additional three (3) year term(s) or make a new appointment of a citizenry member for a three (3) year term. The alderman of the chief legislative body's term serving on the municipal planning commission shall be for that alderman's term of office as a member of the chief legislative body. (Ord. #06-017, Jan. 2007)

14-103. Duties. Pursuant to Tennessee Code Annotated, § 13-4-102, the planning commission of the municipality shall elect a chair among its appointed members. The terms of the chair shall be one (1) year with eligibility for re-election. The planning commission shall adopt rules for the transactions, findings and determinations, which shall be a public record. The planning commission shall adopt by-laws at its organizational meeting, appoint such employees and staff as it may deem necessary for its work and funding for the planning commission shall be within amounts appropriated for the purpose by the mayor and board of aldermen.

The secretary of the municipal planning commission shall keep an official record of all minutes and other documents filed and acted upon by the municipal planning commission and shall execute, as required, approvals made by said body. (Ord. #03-004, Dec. 2003)

14-104. Training required. Each planning commissioner shall, within one (1) year of initial appointment and each calendar year thereafter, attend a minimum of four (4) hours of training and continuing education in one (1) or more of the subjects as listed in Tennessee Code Annotated, § 13-4-101, subdivision (c)(5). Certification shall be made by December 31 of each calendar year. The requisite attendance by written statement filed with the secretary of such individual's respective planning commission. Each such requisite statement shall identify the date of the program attended, its subject matter, location, sponsors and the time spent in each program. The town shall be responsible for paying the training and continuing education course registration and travel expenses for each planning commissioner. (Ord. #03-004, Dec. 2003)

14-105. Powers. The planning commission shall have all powers to promote municipal planning as set forth in Tennessee Code Annotated, § 13-4-103, et seq., to carry out all planning functions for the municipality within the parameters of state law. (Ord. #03-004, Dec. 2003)
CHAPTER 2

DESIGN REVIEW COMMISSION

SECTION
14-201. Creation and authority.
14-203. Subordinate to planning commission; appeal.

14-201. Creation and authority. There is here and now created a design review commission for the Town of Thompson's Station, Tennessee which shall have the authority to develop general guidelines and to develop procedures for the approval of such guidelines for the exterior appearance of all non-residential property, multi-family residential property (as defined by the 2003 International Building Code) and any entrance to non-residential developments within the municipality.

A copy of the "Design Guidelines" adopted by the town September 9, 2008 is located in Appendix B of this code. (Ord. #07-002, Feb. 2007, modified)

14-202. Membership. The board of mayor and aldermen shall designate and appoint five (5) citizens of the municipality to serve as members of the design review commission, with staggered terms to be established by said commission under by-laws as it shall adopt. (Ord. #07-002, Feb. 2007)

14-203. Subordinate to planning commission; appeal. The authority granted to the design review commission of the town is subordinate to and in no way exceeds the authority delegated to the Thompson's Station Municipal Planning Commission pursuant to Tennessee Code Annotated, title 13, chapter 4, as amended.

Any property owner aggrieved by a decision promulgated under the guidelines of the design review commission may appeal such decision to the Thompson's Station Municipal Planning Commission for review of the decisions made by filing a written appeal with the office of the town recorder not less than thirty (30) days following the decision of the design review commission. Said appeal shall be de novo. (Ord. #07-002, Feb. 2007)

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1Municipal code reference
Design guidelines: Appendix B.
CHAPTER 3

ZONING ORDINANCE

SECTION
14-301. Land use to be governed by zoning ordinance.

14-301. Land use to be governed by zoning ordinance. Land use within the Town of Thompson's Station shall be governed by Ordinance #91-002 titled "Zoning Ordinance, Thompson's Station, Tennessee," and any amendments thereto.¹

¹Ordinance #91-002, and any amendments thereto, are published as separate documents and are of record in the office of the town recorder.
CHAPTER 4

REVIEW CHARGES AND INSPECTION FEES

SECTION
14-401. Costs for review and inspection to be paid by developer or owner.
14-402. Reimbursement required.
14-403. Charges due when application filed.

14-401. Costs for review and inspection to be paid by developer or owner. All owners, developers and applicants, individually or by their authorized agents, employees or servants, seeking municipal approval for any proposed development/improvement of land by: subdivision, planned unit development, site plan, special exceptions approved by the board of zoning appeals, use changes, landscape plans, sketch plats, preliminary plats, final plats, construction plans, grading plans, roadway plans, drainage plans, wastewater facility plans, matters requiring the establishment of performance bonding, dedication of easements and facilities/structures associated with any of the foregoing, shall be responsible for the reimbursement to the Town of Thompson's Station for all actual review charges including, but not limited to, engineering review, engineering oversight and project site inspection charges/fees for services incurred by said town by virtue of, and as relate to the foregoing, by the town's designated consulting engineer and/or his appointed designee, town attorney or any other designated consultant rendering services ancillary to the foregoing for and on behalf of the municipality.

Such charges and fees are not deemed to be taxes, but rather offset actual incurred engineering expenses of the municipality for an owner, developer and applicant seeking development of land and improvement of lands within the municipality. (Ord. #04-001, April 2004, modified)

14-402. Reimbursement required. All actual charges to be reimbursed to the municipality shall be paid within fifteen (15) days from the date of billing by the municipality. In the event said reimbursed charges are not paid, timely, any permit or approval before given or issued shall become void and default may be declared upon any performance bonding posted with the Town of Thompson's Station. (Ord. #04-001, April 2004)

14-403. Charges due when application filed. Notwithstanding the foregoing, certain charges shall be paid at the time of submittal or time application is made to the town or its planning commission as a base minimum. The schedule of such charges to be paid in advance, as set by ordinance, shall be maintained in the town recorder's office. (Ord. #04-001, April 2004, modified)
CHAPTER 5

[DELETED]

(This chapter was deleted by Ord. #13-016, Sept. 2013)
TITLE 15

MOTOR VEHICLES, TRAFFIC AND PARKING\textsuperscript{1}

CHAPTER
1. MISCELLANEOUS.
2. SPEED LIMITS.
3. HEAVY TRUCK REGULATIONS.
4. ENFORCEMENT.

CHAPTER 1

MISCELLANEOUS

SECTION
15-101. Adoption of state traffic statutes.


\textsuperscript{1}Municipal code reference
Excavations and obstructions in streets, etc.: title 16.
CHAPTER 2

SPEED LIMITS

SECTION
15-201. In general.
15-203. In school zones.

15-201. In general. It shall be unlawful for any person to operate or drive a motor vehicle upon any highway or street within the Town of Thompson's Station at a rate of speed in excess of thirty (30) miles per hour except where official signs have been posted indicating other speed limits, in which cases the posted speed limit shall apply. (Ord. #99-002, Oct. 1999)

15-202. On U.S. Highway 31. The maximum speed limit upon U. S. Highway 31 beginning at a point which is .4 miles north of Thompson's Station Road and continuing in a southerly direction to the southernmost corporate limit of the town shall hereinafter be forty-five (45) miles per hour. (Ord. #99-002, Oct. 1999)

15-203. In school zones. Pursuant to Tennessee Code Annotated, § 55-8-152, a special school zone speed limit is here and now established as twenty (20) miles per hour and shall be in effect only when proper signs have been posted with appropriate warning flashers in operation. It shall be unlawful for any person to violate such special school limit exceeding the speed of twenty (20) miles per hour when passing a school with warning flashers in operation ninety (90) minutes before and after the opening of school or a period of ninety (90) minutes before and after the closing of school. (Ord. #99-002, Oct. 1999)
CHAPTER 3

HEAVY TRUCK REGULATIONS

SECTION
15-301. Heavy trucks defined.
15-302. Prohibited on certain streets.
15-303. Exceptions; limitations.
15-304. Application to use restricted street.
15-305. Violation and penalty.

15-301. Heavy trucks defined. Heavy trucks shall be defined as any vehicle:
   (1) With a gross vehicle weight in excess of fourteen (14) tons; or
   (2) Any loaded vehicle with three (3) or more axles. (Ord. #07-013, Nov. 2007)

15-302. Prohibited on certain streets. All heavy trucks shall be prohibited from operating upon the following streets: Thompson's Station Road East and Thompson's Station Road West. In addition, the city's engineer is hereby authorized to direct the posting of official traffic signs on any street, alley, or other public way or portion thereof in which there is an inadequate base or foundation to withstand heavy truck traffic. (Ord. #07-013, Nov. 2007)

15-303. Exceptions; limitations. Nothing herein shall be deemed to prohibit the operation of a heavy truck on such streets with the sole purpose of making a routine pick-up or delivery upon such street. A routine pick-up or delivery shall mean the operation of not more than eight (8) such truck trips over a restricted street within a twenty-four (24) hour period. More than eight (8) trips over the same street within a twenty-four (24) hour period by the same heavy truck, or by multiple heavy trucks owned by the same individual(s) or entity, is prohibited.

The operation of heavy trucks owned by the town or operated pursuant to contract with the town are exempt from this chapter. (Ord. #07-013, Nov. 2007)

15-304. Application to use restricted street. For truck operations which would require multiple trips on any restricted street, the truck operator shall make application with the town engineer for a permit to use the restricted street. The operator shall be required to post a cash bond or irrevocable letter of credit with the town to cover the costs to repair any damage to the road foundations, surfaces, or structures which the town engineer determines may result from the proposed truck operations. The town administrator shall have
the discretion to exempt businesses located within the town limits from the bond or letter of credit requirement. (Ord. #07-013, Nov. 2007)

15-305. Violation and penalty. A violation of this chapter shall be punishable by civil penalty of up to fifty dollars ($50.00) per violation. Nothing herein shall limit the town's ability to seek other remedies including claims for damages to the town's roads. (Ord. #07-013, Nov. 2007)
CHAPTER 4

ENFORCEMENT

SECTION
15-401. Violation and penalty.

15-401. Violation and penalty. Any violation of this title shall be punishable by a civil penalty up to fifty dollars ($50.00) for each separate offense.
TITLE 16
STREETS AND SIDEWALKS, ETC.¹

CHAPTER
1. EXCAVATIONS AND CUTS.

CHAPTER 1
EXCAVATIONS AND CUTS

SECTION
16-101. Intent and purpose
16-102. Permit required.
16-103. Applications.
16-104. Failure to apply.
16-105. Deposit.
16-106. Manner of excavating; barricades, signage and lights.
16-110. Inspection.
16-111. Specifications.
16-112. Insurance.
16-113. Indemnification.
16-114. Time limits.
16-115. Supervision.
16-116. Stop work order.
16-117. Facility relocation.
16-118. Violation and penalty.

16-101. **Intent and purpose.** In order to provide for the public health, safety and welfare of the citizens of the Town of Thompson's Station, as well as to ensure the structural integrity of the town's streets and related infrastructures; to minimize the disruption to the traveling public; and to ensure the costs incurred by the town to maintain, and manage the rights-of-way and that they are properly allocated among the various users of the rights-of-way, the town hereby establishes standards for authorizing and managing the placement of facilities in rights-of-way; performing installation, maintenance,
and other work in the rights-of-way; and appropriately recovering costs incurred by the town related to such activities. (Ord. #07-015, Sept. 2007)

16-102. Permit required. (1) It shall be unlawful for any person, firm, corporation, public or private utility, association, or others to make any cut or excavation in any street, curb, sidewalk, alley, or public rights-of-way in the town without having first obtained a rights-of-way construction permit, as herein required, and without complying with the provisions of this chapter; and it shall be unlawful to violate, or to vary from, the terms of any such permit; provided, however, any person maintaining existing pipes, lines, driveways, or other facilities in or under the surface of any public rights-of-way may proceed with an opening without a permit when emergency circumstances demand the work to be done immediately, provided the permit could not reasonably and practicably have been obtained beforehand. The person shall thereafter apply for a permit on the first regular business day on which the office of the town administrator is open for business, and said permit shall be retroactive to the date when the work was begun; however, the town administrator or his designee shall have the authority to waive emergency permits.

(2) No one shall cut, build, or maintain a commercial or residential driveway across public rights-of-way without first obtaining a right-of-way construction permit from the town administrator or his designee and receiving the necessary lines and grades from the town engineer. Such a permit will not be issued when the contemplated driveway is to be so located or constructed as to create an unreasonable hazard to pedestrian and/or vehicular traffic. (Ord. #07-015, Sept. 2007)

16-103. Applications. Applications for such permits shall be made to the town administrator, or such person designated by him to receive such applications, and shall include, but not be limited to the following:

(1) Name of the owner or operator of the facility; and
(2) A sketch or drawing of the project; and
(3) Dates of the construction activity, the proposed start and stop times and any proposal to temporarily reopen any roadway for any "peak hour" period; and
(4) The names of any known subcontractors working on the proposed project under the applicant's responsibility and authority; and
(5) Proof of payment of all money due the town for rights-of-way construction permit fees and any invoiced cost, loss, damage, or expense suffered by the town as a result of the applicant's prior construction activity including but not limited to any emergency action taken by the town; and
(6) Evidence that the applicant has obtained the insurance coverage required by § 16-112; and
(7) A traffic control plan if traffic is going to be impacted; and
(8) A list of the applicant's emergency providers, including name of company, local contact person, mailing and e-mail address, twenty-four (24) hour emergency phone number, and pager or fax number. This information shall be kept current by written notice to the town administrator or his designee.

(9) For major projects, as determined by the town administrator or his designee the following may be required:
   (a) Detailed engineering plans. The plans shall show the location and area of the proposed project, the locations of all existing and proposed equipment and/or facilities, the height and/or depth of the proposed equipment and/or existing facilities, and the spatial relationship with any adjacent infrastructure, rights-of-way line, easement, utility, and/or other physical features. The plans shall be prepared under the direction of and signed by a registered professional engineer, and shall meet the size and scale as set forth in the Department of Public Works' Standard Design Criteria Manual; and
   (b) A copy of the engineering plans in an electronic format acceptable to the city administrator or his designee; and
   (c) The applicant shall meet with the town administrator or his designee for a pre-work conference prior to issuance of a rights-of-way construction permit. (Ord. #07-015, Sept. 2007)

16-104. Failure to apply. Any person that fails to comply with § 16-103 shall be precluded from obtaining any rights-of-way construction permit or performing any further construction within the town's rights-of-way for up to three (3) months from the date of notification, in addition to any monetary penalty imposed by the town.

The fee for such rights-of-way construction permits shall be set by resolution as adopted by the board of mayor and aldermen of the Town of Thompson's Station. (Ord. #07-015, Sept. 2007)

16-105. Deposit. It shall be the responsibility of the permittee to place with the Town of Thompson's Station a cash deposit or a surety bond either by the job or activity or on an annual basis. The amount of the deposit shall be determined by the town administrator or his designee based upon the size and nature of the permitted work within the rights-of-way. The town may use the deposit to cover its cost should a failure of restoration work occur to the public rights-of-way facility. (Ord. #07-015, Sept. 2007)

16-106. Manner of excavating; barricades, signage and lights. Any person, firm, corporation, public or private utility, association, or others making any excavation or tunnel shall do so according to the specifications and standards issued by the Town of Thompson's Station and must comply with the provisions of the Tennessee Underground Utility Damage Prevention Act (Tennessee Code Annotated, § 65-31-101, et seq.). Sufficient and proper
barricades, signage, and lights shall be maintained to protect persons and property from injury by or because of the excavations being made. If any sidewalk is blocked by any such work, a temporary sidewalk shall be constructed and provided which shall be safe for travel and convenient for users. It shall be the responsibility of the permittee to adhere to the manual on uniform traffic-control devices. (Ord. #07-015, Sept. 2007)

16-107. Restoration of public rights-of-way. Any person, firm, corporation, public or private utility, association or others making any excavation or tunnel in or under any street, curb, alley or public rights-of-way in the town shall backfill said street, curb, alley or public rights-of-way and restore the same including final surfacing to town specifications and standards promptly upon the completion of the work for which the excavation or tunnel is made. Final surfacing may be done by the town at the expense of the entity for which the excavation or tunnel is made, if requested, providing that town crews can schedule the work within twenty-four (24) hours of this request: If not, the entity will be required to place final surfacing in accordance with the requirements of this chapter. No excavation or tunnel in or under any street, curb, sidewalk, alley, or public rights-of-way shall be permitted to obstruct the flow of traffic unless the permit holder coordinates with the town engineer or town administrator and provides a plan to address the impact on traffic flow. In the event final resurfacing cannot be completed immediately after backfilling, the entity shall use temporary resurfacing materials such as coldmix or steel plate or an approved detour around such opening or excavation which would aid the flow of traffic.

The detour must be approved by the town administrator prior to establishing any such detour. Such detour routes must be adequately signed and marked according to the Manual on Uniform Traffic-Control Devices. Maintenance of signage and markings will be the responsibility of the permittee. (Ord. #07-015, Sept. 2007)

16-108. Existing facilities in rights-of-way. Each existing right-of-way occupant with more than one hundred (100) linear feet of facilities shall provide the town the following information:

(1) The name, address, telephone number and form of business of the individual, company or corporation owning facilities within the public rights-of-way of the Town of Thompson's Station, and the names and addresses of all persons authorized to act on behalf of the individual, company or corporation;

(2) The name, address and telephone number of a responsible person whom the town may notify or contact at any time concerning the rights-of-way occupant's facilities;

(3) A detailed description of the physical facilities owned, operated, managed or leased by the rights-of-way occupant. Detailed description is to
include, but not be limited to, as built drawings and plans of existing facilities showing the locations of the facilities, including any manholes or overhead poles, the size, type and depth of any conduit or other enclosures, and the relationship of the system to all other existing poles, utilities, sidewalks, pavement, telecommunication facilities, and other improvements within the rights-of-way.

Such information must be submitted in hard copy and, if available, digitally. Any individuals, companies and corporations who have failed to provide the information required in this section shall be prohibited from making extensions, modifications or improvements to any existing facilities within the rights-of-way of the Town of Thompson's Station and will not be approved to install any new facilities within the rights-of-way of the Town of Thompson's Station until the information required in this section is provided. Nothing in this section shall be construed as granting permission or authority for an unauthorized facility to remain in the town's rights-of-way. (Ord. #07-015, Sept. 2007)

16-109. **Perpetual care.** Any person, firm, corporation, public or private utility, association, or others affecting a public rights-of-way within the town, shall be responsible for any defects which occur to the public facility within the public rights-of-way due to workmanship or materials. The cost for repairs shall be the responsibility of the utility owners of the facility which was placed within the Town of Thompson's Station rights-of-way. The town engineer will be responsible for making the repairs of having the work contracted. The town may allow the utility to make the repair if requested to do so. Repairs shall be made in accordance with specifications furnished by the Town of Thompson's Station or the town's engineering consultants. (Ord. #07-015, Sept. 2007)

16-110. **Inspection.** It shall be the responsibility of any person, firm, corporation, public or private utility, association, or others to call the director of public works for an inspection of the permitted facility as required by the rights-of-way construction permit. The permit shall specify, based upon the size and scope of the permitted work, the type of inspection to be required. The cost of all inspections shall be borne by the owner of the permitted work whether the work is performed by the staff of the Town of Thompson's Station or by a third party service. The permittee is to be bound by the rules and regulations as specified on the permit. (Ord. #07-015, Sept. 2007)

16-111. **Specifications.** Each rights-of-way construction permit shall be assigned a set of restoration specification standards. These specifications will be referenced by number and so indicated on the permit. It shall be the responsibility of the town engineer to maintain and provide the specification standards. The permittee may request a copy as required. The cost of the specification shall be limited to reproduction cost and paid by the permittee. (Ord. #07-015, Sept. 2007)
16-112. **Insurance.** In addition to making the deposit hereinbefore provided to be made, each person applying for a rights-of-way construction permit shall file a certificate of insurance or other suitable instrument indicating that he is insured against claims for damages for personal injury as well as against claims for property damage which may arise from or out of the performance of the work, whether such performance be by himself, his subcontractor, or anyone directly or indirectly employed by him. Such insurance shall cover collapse, explosive hazards, and underground work by equipment on the street, and shall include protection against liability arising from completed operations. The amount of the insurance shall be prescribed by the town administrator in accordance with the nature of the risk involved; provided, however, that the liability insurance for bodily injury in effect shall not be in an amount less than the current limits found in the Tennessee Governmental Tort Liability Act (Tennessee Code Annotated, §§ 29-20-101, et seq.). (Ord. #07-015, Sept. 2007)

16-113. **Indemnification.** Each rights-of-way occupant and permittee shall, at its sole cost and expense, indemnify, hold harmless, and defend the town, its elected and appointed officials, officers, boards, commissions, commissioners, agents, employees, and volunteers against any and all claims, suits, causes of action (whether frivolous or otherwise) proceedings, and judgments for damages or equitable relief arising out of the installation, construction, maintenance, or operation of facilities by the rights-of-way occupant or permittee; the conduct of the rights-of-way occupant’s business in the town; or in any way arising out of the rights-of-way occupant’s enjoyment or exercise of the privileges granted by the town or applicable law, regardless of whether the act or omission complained of is authorized, allowed, or prohibited by the town, other applicable law, or the terms of any grant to occupy the rights-of-way.

Each rights-of-way occupant and permittee shall indemnify and hold harmless the town, and its elected and appointed officers, officials, boards, commissions, commissioners, employees, agents, and volunteers from and against any and all claims, demands, suits, or causes of action (whether frivolous or otherwise) of any kind or nature, and the resulting losses, costs, expenses, reasonable attorneys' fees, liabilities, damages, orders, judgments, or decrees sustained by the town arising out of, or by reason of, or resulting from or of the acts, errors, or omissions of the rights-of-way occupant or permittee, or its agents, independent contractors, or employees related to or in any way arising out of the construction, operation or repair of the facilities in question.

The indemnity provision of this section includes, but is not limited to, the town's reasonable attorneys' fees incurred in defending against any such action, claim, suit (whether frivolous or otherwise), or proceeding, as well as the reasonable value of any services rendered by the town attorney, or town staff or employees.
Nothing in this chapter shall be construed to waive any immunity the town enjoys under applicable law, or the Tennessee Constitution.

Acceptance of the provisions of this section shall be a condition of all rights to occupy town rights-of-way or to obtain a rights-of-way construction permit. (Ord. #07-015, Sept. 2007)

16-114. **Time limits.** Each application for a permit shall state the length of time it is estimated will elapse from the commencement of the work until the restoration of the surface of the ground or pavement, or until the refill is made ready for the pavement to be put on by the town if the town restores such surface pavement. It shall be unlawful to fail to comply with this time limitation unless permission for an extension of time is granted by the town administrator. (Ord. #07-015, Sept. 2007)

16-115. **Supervision.** The town administrator or his designee shall monitor all excavations and tunnels being made in or under any public street, curb, sidewalk, alley, or other public rights-of-way in the town and see to the enforcement of the provisions of this chapter. Notice shall be given to him before the work of refilling any such excavation or tunnel commences and said work may not commence until the inspector arrives at the site or gives verbal permission to proceed. (Ord. #07-015, Sept. 2007)

16-116. **Stop work order.** If at any time that any person, firm, corporation, public or private utility, association, or others is making any cut or excavation in any street, curb, alley, or public rights-of-way, or is tunneling under any street, curb, alley, or public rights-of-way in the town and it is determined by the town administrator or his designee that the work being performed is not in compliance with the town's regulations, state or federal regulations or recognized construction and/or safety practices, the town administrator or his designee shall issue a stop work order and the person, firm, corporation, public or private utility, association, or others that is making the cut or excavation in any street, sidewalk, curb, alley, or public rights-of-way, or is tunneling under any street, sidewalk, curb, alley, or public rights-of-way shall cease work in the town's rights-of-way until corrective measures are taken and the town administrator or his designee rescinds the stop work order. (Ord. #07-015, Sept. 2007)

16-117. **Facility relocation.** A rights-of-way occupant shall, within three (3) months from the date of notification, at its own expense, permanently relocate, protect, or modify any part of its facility when required by the town by reason of traffic safety, public safety, road construction, change of street grade, installation of water, stormwater, or sanitary pipes, traffic signal devices, or any other types of town improvement projects. The town administrator may recommend such actions in order to prevent interference by the rights-of-way
occupant's facilities with: a present or future town use of the town's rights-of-way; or a capital improvement project funded and scheduled to be undertaken by the town; or an economic development project in which the town has an interest or investment. The town administrator may also recommend such actions: when the public health, safety and welfare require it; or when necessary to prevent interference with the safety and convenience of ordinary travel over the rights-of-way, both vehicular and pedestrian; or when above-ground equipment is located in such a manner as to create an obstruction to a driver's line of sight. The rights-of-way occupant may for due cause make application to the town administrator or his designee for an extension to complete such relocation as required by this section.

Failure by the rights-of-way occupant to relocate its facilities within the three (3) months from date of notification shall result in the rights-of-way occupant being assessed liquidated damages for each day of the delay. The daily amount of liquidated damages shall be determined by the liquidated damages contained in any construction contract(s) the town may have entered into in conjunction with infrastructure improvements that necessitate the need for the rights-of-way occupant to relocate its facilities. In those cases where the town is performing the infrastructure improvements with town forces, the amount of the daily liquidated damages shall be the average of the daily liquidated damages amounts found in all town contracts for the past two (2) years commencing with the date of notification referenced above. If the rights-of-way occupant fails to pay the town for the liquidated damages as charged, the total amount of liquidated damages (daily amount x the number of days delayed) shall be attached to the cost of any future permit the rights-of-way owner may apply for, to install, extend or improve their facilities within the town's rights-of-way and no permit shall be issued until the total costs are paid.

(Ord. #07-015, Sept. 2007)

16-118. Violation and penalty. In addition to any other action the town may take against a permit holder in violation of this chapter, such violation shall be punishable by civil penalty not to exceed fifty dollars ($50.00). Each day a violation occurs shall constitute a separate offense. Nothing herein shall prohibit the town from seeking other remedies, including injunctive relief or claims for damages to its rights-of-way to enforce the purposes of this chapter.

(Ord. #07-015, Sept. 2007)
TITLE 17

REFUSE AND TRASH DISPOSAL\textsuperscript{1}

[RESERVED FOR FUTURE USE]

\textsuperscript{1}\textsuperscript{Municipal code reference}

Property maintenance regulations: title 13.
TITLE 18

WATER AND SEWERS

CHAPTER
1. WASTEWATER RECLAMATION AND REUSE.
2. WASTEWATER SYSTEM USER RATES.

CHAPTER 1

WASTEWATER RECLAMATION AND REUSE

SECTION
18-102. Authority.
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1Municipal code references
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18-101. **Purpose.** Thompson's Station recognizes the need to manage wastewater that is generated within the town's service area, which is deemed to be the municipal corporate limits of the town. The reclamation and reuse of wastewater is identified as a viable means for providing public sewer service to new development(s) within the town and potentially to serve existing residences and businesses. Thompson's Station also recognizes that these wastewater reclamation and reuse systems must be properly designed, constructed, and financed to protect the public health, safety, and general welfare of the residents of the town.

This chapter sets forth the minimum standards for wastewater reclamation and reuse systems that will be located within the Thompson's Station service area. This chapter is not intended to replace the role of the Tennessee Department of Environment and Conservation, Division of Water Pollution Control. It sets forth some provisions that relate the reclamation and reuse systems within Thompson's Station to the unique environmental conditions and the development goals of the town. It is imperative that plans and designs comply with the Tennessee Department of Environment and Conservation's Design Criteria for Sewage Systems and the additional provisions that have been added to the Tennessee Design Criteria to include items not currently addressed in the Division of Water Pollution Control Standards. (These provisions are referenced in this chapter.)

18-102. **Authority.** The Town of Thompson's Station Board of Mayor and Aldermen is authorized to adopt by majority vote of the board, ordinances, including requirements for the posting of performance bonds and maintenance bonds, governing the operation and maintenance of nontraditional sewage systems (wastewater reclamation and reuse) that serve more than one (1) household. Such regulations shall be consistent with or more stringent than the Water Quality Control Act, compiled in Tennessee Code Annotated, title 69, chapter 3, part 1. Such regulations adopted pursuant to the Water Quality Control Act shall he approved in writing by the commissioner of environment and conservation. As used in this chapter, "nontraditional sewage disposal systems that serve more than one (1) household" does not include subsurface sewage disposal systems that are subject to the permitting requirements of
Tennessee Code Annotated, title 68, chapter 221, part 4 ("Subsurface Sewage Disposal Systems") or to wastewater treatment facilities owned or operated by a governmental entity or public utility. Such authority is expressly granted in Tennessee Code Annotated, § 68-221-607(16) (1999).

Pursuant to Tennessee Code Annotated, § 7-35-401, et seq., the mayor and board of aldermen, the governing body of the municipality, shall serve and perform as the authorized board of the town's wastewater works systems and facilities. Said mayor and board of aldermen are empowered and shall control the supervision of construction and operation of such works systems within the town, all in conformity with Tennessee Code Annotated, § 7-35-406. (Ord. #04-003, April 2004, as amended by Ord. #05-012, August 2005)

18-103. **Jurisdiction.** This chapter shall govern all new developments within the Town of Thompson's Station's service areas.

No building permit or certificate of occupancy shall be issued for any parcel or plat of land which was created by subdivision after the effective date of, and not in conformity with the provisions of this chapter and the referenced State of Tennessee statutes or rules/regulations. (Ord. #04-003, April 2004)

18-104. **Policy.** It is intended that this chapter shall be consistent with and assist efforts to implement the provisions contained in the town's zoning ordinance, major thoroughfare plan, subdivision regulations, and the open space planning program. (Ord. #04-003, April 2004)

18-105. **Development and cost responsibility.** Following the procedures outlined herein, the developer shall be responsible for the planning, design, permitting, and construction of all wastewater reclamation and reuse systems. The cost of planning, design, permitting, and construction of all wastewater reclamation and reuse systems shall be borne by the developer. (Ord. #04-003, April 2004)

18-106. **Ownership.** All of the components of the wastewater reclamation and reuse system, including the collection system, shall be dedicated, owned and operated by the Town of Thompson's Station or a designated agent. Conveyance shall be made to the town in fee simple, free, clear and unencumbered, by warranty or special warranty deed. The land area for the irrigation reuse shall be developed as multipurpose open space and be dedicated to the town so it may be integrated into a town-wide park system which would provide multiple benefits to the town, including the reuse of wastewater (no discharge of pollutants), detention of stormwater runoff (mitigation of non-point pollution) and recreation open space for the general welfare of the residents. (Ord. #04-003, April 2004)
18-107. **Interpretation, conflict and separability.** (1) In their interpretation and application, the provisions of this chapter shall be held to be the minimum requirements for promotion of the public health, safety and general welfare.

(2) It is established that this chapter is not intended to interfere with, abrogate or annul any regulations, statutes or laws. In any case where this chapter imposes restrictions different from those imposed by any other provision herein or another ordinance, or any other regulation, law or statute, whichever provision is more restrictive or imposes stricter standards shall control.

(3) If any part or provision of this chapter or application thereof is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision or application directly involved in all controversy in which such judgment was rendered. The remainder of this chapter shall be considered valid and in full force and effect. (Ord. #04-003, April 2004)

18-108. **Saving provisions.** This chapter shall not he construed as altering, modifying, vacating or nullifying any action now pending or any rights or obligations obtained by any person, firm, or corporation by lawful action of Town of Thompson's Station and/or the Town of Thompson's Station prior to the adoption of this chapter. (Ord. #04-003, April 2004)

18-109. **Definitions.** For the purpose of this chapter, certain numbers, abbreviations, terms, and words used herein shall be used, interpreted, and defined as set forth in this section. Where words within this chapter have not been defined, the standard dictionary definition shall prevail.

Unless the context clearly indicates to the contrary, words used in the present tense include the future tense; and words in the plural include the singular.

(1) "Buffer zone." Minimum distance from the irrigation reuse area, or other portions of the treatment facilities or any system component as may be defined in other sections of this chapter to a property line, habitable structure, water well, right-of-way line, watercourse or other location as may be defined.

(2) "Building sewer." A sewer conveying wastewater from the premises of a user to the publicly owned sewer collection system.

(3) "Domestic wastewater." Wastewater having a quality typical to that generated in an average home with BOD, loading equal to or less than two hundred fifty (250) milligrams per liter (mg/l).

(4) "Easement." Authorization by a property owner for the use by another, and for a specified purpose, of any designated part of his property.

(5) "Effluent." The reclaimed water discharged from wastewater reclamation and reuse system applied to the irrigation reuse area(s).

(6) "Final plat." Plat map or plan of record of a subdivision and any accompanying material, as described in subdivision regulations.
(7) "Irrigation area or irrigation reuse area." The land area on which reclaimed water is applied at properly controlled rates to enhance vegetation growth (agricultural, silvicultural, or aquacultural products).

(8) "Lot." A parcel of land that:
   (a) Is undivided by any street or private road;
   (b) Is occupied by or designated to be developed for buildings or principal uses which must meet all zoning and subdivision requirements.
   (c) Contains the accessory buildings or uses customarily incidental to such building, use, or development, including such open spaces and yards as are designed and arranged or required by the zoning ordinance for such building, use, or development.

(9) "Owner." The Town of Thompson's Station shall be the ultimate owner and operator of all wastewater reclamation and reuse systems and all of the components, including the necessary land and collection system.

(10) "Planning commission." The municipal planning commission for the Town of Thompson's Station which has duly adopted subdivision regulations.

(11) "Preliminary plat." The preliminary drawing or drawings, described in the town's subdivision regulations, indicating the manner or layout of the subdivision to be submitted to the planning commission for approval.

(12) "Pretreatment." The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants into a publicly owned sewer. The reduction or alteration can be obtained by physical, chemical, biological processes, or process changes or other means, except through dilution.

(13) "Sketch plan." A generalized concept plan of subdivision presenting information, as described in the town's subdivision regulations, in regard to proposed improvements and natural features of the property in question prepared prior to preliminary plat to save time and expense in reaching general agreement as to the form of the plat and the objectives of this chapter.

(14) "Slope." The deviation of the land surface from the horizontal per unit horizontal distance changed, generally expressed in percent, i.e., vertical rise or fall per foot dividing the horizontal distance between contour lines into the vertical interval of the contours as required by the appropriate regulations.


(16) "State of Tennessee operating permit." Permit issued by TDEC granting approval and authority for the operation of a wastewater reclamation and reuse system within the State of Tennessee.

(17) "Subdivision regulations." The documents entitled "Subdivision Regulations of the Town of Thompson's Station, Tennessee," latest revision.

(18) "Tennessee Department of Environment and Conservation (TDEC)." Tennessee governmental agency responsible for regulatory compliance
with environmental regulations, formerly, the Tennessee Department of Health and Environment (TDHE). TDEC and TDHE may be used interchangeably.

(19) "Town." Town of Thompson's Station, Tennessee, a municipal corporation governed by its mayor and board of aldermen. May also include the superintendent of wastewater facilities for the town or designated agent. Any reference herein to "city" shall mean town.

(20) "Town's reclamation system operator." Including, but not limited to, the town or the private firm or a utility selected by the town to supervise the operation of the wastewater reclamation and reuse systems, and collection system, and who is charged with certain duties and responsibilities by this chapter, or his duly authorized representative. Operator being duly certified under applicable law or regulation.

(21) "User." Any property owner and/or person who contributes, causes or permits the contribution of wastewater into the town's POTW.

(22) "Utility." Any construction of public roads, public water, public drainage, public sanitary facilities, or any other improvement that is or will be dedicated to public use.

(23) "Wastewater treatment system." A system used to collect, reclaim, store, filter, disinfect, and reuse purified wastewater. (Ord. #04-003, April 2004)

18-110. Requirements for proper wastewater discharge.  (1) It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the service area of the town, any human or animal excrement, garbage, or other objectionable waste.

(2) It shall be unlawful to discharge to any waters of the state within the service area of the town any sewage or other polluted waters, except where suitable treatment has been provided in accordance with provisions of this chapter and this section.

(3) Except as herein provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage.

(4) The owner of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes situated within the service area in which there is now located or may in the future be located a public sanitary sewer, is hereby required at its expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this chapter, within sixty (60) days after date of official notice to do so, provided that said property abuts upon a street or other public way containing a sanitary sewer. (Ord. #04-003, April 2004)

18-111. Maintenance of building sewers. Each individual property owner shall be entirely responsible for the construction, maintenance, repair or
replacement of the building sewer as deemed necessary to meet specifications of the town. Owners failing to maintain or repair building sewers or who allow storm water to enter the sanitary sewer may face enforcement action by the town, up to and including discontinuation of sewer service. (Ord. #04-003, April 2004)

18-112. Sewer extensions. All expansion or extension of the public sewer constructed by property owners or developers must follow policies and procedures developed by the town. In the absence of policies and procedures the expansion or extension of the public sewer must be approved in writing by the town. All plans and construction must follow the latest edition of Tennessee Design Criteria for Sewerage Works. Contractors must provide the superintendent or manager with documentation that all mandrel, pressure and vacuum tests as specified in design criteria were acceptable prior to use of the lines. Contractor's one (1) year warranty period begins with occupancy or first permanent use of the lines. Contractors are responsible for all maintenance and repairs during the warranty period and final inspections as specified by the superintendent or manager. The manager must give written approval to the contractor to acknowledge transfer of ownership to the town. Failure to construct or repair lines to acceptable standards could result in denial or discontinuation of sewer service. (Ord. #04-003, April 2004)

18-113. User discharge requirements. (1) General discharge prohibitions. No user shall contribute or cause to be contributed, directly or indirectly, any pollutant or wastewater which will pass through or interfere with the operation and performance of the wastewater reclamation and reuse system or any other wastewater system approved by the town. Violations of the general and specific prohibitions of this chapter may result in discontinuance of sewer service and other fines.

(2) A user may not discharge the following into the public sewer system:

(a) Any liquids, solids, or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances to cause fire or explosion, or be injurious or interfere in any other way to the wastewater reclamation and reuse system or to its operation.

At no time, shall two successive readings on an explosion hazard meter, at the point of discharge into the system (or at any point in the system) be more than five percent (5%) nor any single reading over twenty percent (20%) of the lower explosive limit (LEL) of the meter. Prohibited flammable materials including, but not limited to, waste streams with a closed cap flash point of less than one hundred forty degrees Fahrenheit (140° F) or sixty degrees Celsius (60° C) using the test methods specified in 40 CFR 261.21. Prohibited materials include, but are
not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromate, carbides, hydrides and sulfides and any other substances which
the town, the state or EPA has notified the user is a fire hazard or a
hazard to the system.

(b) Any wastewater having a pH less than 5.5 or higher than 9.5
or wastewater having any other corrosive property capable of causing
damage or hazard to structures, equipment, and/or personnel wastewater
reclamation and reuse systems and collection system.

(c) Solid or viscous substances in which may cause obstruction
to the flow in a sewer or other interference with the operation of the
wastewater reclamation and reuse system, such as but not limited to:
fats, oils, greases, gravel, ashes, bones, sand, mud, coal, straw, shavings,
metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole
blood, hair and fleshings, entrails, and paper dishes, cups, milk
containers, etc., either whole or ground by garbage grinders.

(d) Pollutants which result in the presence of toxic gases,
vapors, or fumes within the POTW in a quantity that may cause acute
worker health and safety problems.

(e) Petroleum oil, nonbiodegradable cutting oil, or products of
mineral oil origin in amounts that will cause interference or pass
through.

(f) Any wastewater containing any toxic pollutants, chemical
elements, or compounds in sufficient quantity, either singly or by
interaction with other pollutants, to injure or interfere with any
treatment process, constitute a hazard to humans or animals, creates a
public nuisance.

(g) Trucked or hauled wastewater or residues except at
discharge points designated by the town.

(h) Any substance that may cause the wastewater reclamation
and reuse system reclaimed water unsuitable for reclamation and reuse.

(i) Any stormwater, surface water, groundwater, roof runoff,
subsurface drainage, and all other unpolluted drainage shall be
discharged to such sewers as are specifically designated as storm sewers,
or to a natural outlet approved by the superintendent and the Tennessee
Department of Environment and Conservation. Industrial cooling water
or unpolluted process waters may be discharged to the wastewater
reclamation and reuse system with the prior written approval of the
town.

(3) Grease traps and other interceptors. Fat, oil, and grease (FOG),
waste food, and sand interceptors may be required when, in the opinion of the
town, they are necessary for the proper handling of liquid wastes containing
fats, oils, and grease, flammable wastes, ground food waste, sand, soil, and
solids, or other ingredients in excessive amount which impact the wastewater
collection system or the wastewater reclamation and reuse system. All interceptors shall be of a type and capacity approved by the superintendent, and shall be located as to be readily and easily accessible for cleaning and inspection. The interceptors shall be cleaned on a regular basis to prevent impact upon the wastewater collection and treatment system. Owners whose interceptors are deemed to be ineffective by the superintendent may be asked to change the cleaning frequency or to increase the size of the interceptors. Owners or operators of washing facilities will prevent the inflow of rainwater into the sanitary sewers.

The interceptors shall be designed in accordance with Tennessee Department of Environment and Conservation engineering standards. Underground equipment shall be tightly sealed to prevent inflow of rainwater and easily accessible to allow regular maintenance. Control equipment shall be maintained by the owner or operator of the facility so as to prevent a stoppage of the collection system. If the town is required to clean out the public sewer lines as a result of a stoppage resulting from poorly maintained control equipment, the property owner shall be required to refund the labor, equipment, materials and overhead costs to the town. Nothing in this subsection shall be construed to prohibit or restrict any other remedy the town has under this chapter, or state or federal law. The town retains the right to inspect and approve installation of control equipment.

(4) Right to establish more restrictive criteria. No statement in this section is intended or may be construed to prohibit the town from establishing specific wastewater discharge criteria more restrictive where wastes are determined to be harmful or destructive to the facilities or to create a public nuisance, or to cause the discharge of the wastewater reclamation and reuse system to be unsuitable for reuse at the minimum buffer standards.

(5) Enforcement response plan. (a) Whenever the town or superintendent has reason to believe that a violation of any provision of the discharge regulations is occurring, or is about to occur, suit may be filed in the chancery or circuit court requesting injunctive relief, civil penalties and recovery of damages which have occurred.

(i) Damages include: damage or destruction of physical facilities, disruption of operation of facilities due to the discharge of prohibited substances, damage or disruption of treatment processes, clean up costs and expenses associated with returning facilities and processes to normal operations, injury to personnel, attorneys' fees and other expenses borne by the town because of a prohibited discharge.

(ii) Emergency action. (A) Whenever the superintendent finds that an emergency exists requiring immediate action to protect the public health, safety or welfare, the health of animals, fish or aquatic life, a public water supply, or the facilities of the POTW, the superintendent may, without
prior notice, issue an order reciting the existence of such an emergency and requiring that any action be taken as the superintendent deems necessary to meet the emergency.

(B) If the violator fails to respond or is unable to respond to the order, the superintendent may take any emergency action as he deems necessary, or contract with a qualified person or persons to carry out the emergency measures. The superintendent may assess the person or persons responsible for the emergency condition for the actual costs incurred by the town in meeting the emergency.

(C) If emergency action is taken, suit will be filed according to the provisions of (A) against the violator for damages and other relief. (Ord. #04-003, April 2004)

18-114. User charges. The town will implement by ordinance user charges to establish rates so as to have a self-sustaining enterprise fund for the operation, maintenance, administration, depreciation and other attributable costs. This chapter for wastewater reclamation and reuse systems shall further be subject to future amendment so as to establish fees and charges, which may include inspection and installation fees, fees for application of discharge, surcharge fee and any other fees and charges as the town may hereafter establish. User charges for the use of the wastewater systems and services supplied by the wastewater system by the town will be reviewed not less than annually. Further, by separate ordinance, the town may adopt billing and collection procedures and resolutions to implement the same. (Ord. #04-003, April 2004)

18-115. Enforcement. Violation of this chapter shall be enforceable in law and equity, including, but not limited to, injunctive relief in the chancery court for Williamson County, Tennessee. Violation of this chapter may also result in the issuance of a citation and violators shall be subject to a fifty dollar ($50.00) civil penalty. Each separate day of violation shall constitute a separate offense. Violation hereof may also constitute a separate state offense punishable under applicable law. (Ord. #04-003, April 2004)

18-116. Conformance with subdivision regulations. It is the intention of the town and its municipal planning commission that the procedures for submittal and review of wastewater reclamation and reuse systems conform to the general and specific procedures presented in the subdivision regulations. (Ord. #04-003, April 2004)

18-117. Concurrent TDEC approval. Review and approval of wastewater reclamation and reuse system will be required from both the TDEC and the town. It is anticipated that this review and approval process will be
accomplished on a concurrent basis. However, planning staff or designated agents shall not approve any wastewater reclamation and reuse system or the final plat of the development that they shall serve, until such time as the Tennessee Department of Environment and Conservation has completed their review and issued an approval to construct the system. (Ord. #04-003, April 2004)

**18-118. Requirements for sketch plan.** The sketch plan submitted to the municipal planning commission for approval shall contain a feasibility assessment of the reclamation and reuse system. The general intent of the feasibility assessment shall be to confirm how the wastewater reclamation and reuse concept desired by the town will be met on the proposed site. The work will include identification of sites and initial sizing of the reclamation system and irrigation system, initial soils identification, and the beginning of the TDEC review process.

Required components of the wastewater reclamation and reuse feasibility assessment:

1. Identification of site development and land and constraints;
2. Number and type of homes and/or buildings;
3. Site development and/or land use plan;
4. Initial parameters for the wastewater reclamation and reuse system including flow rates, wastewater quality, special considerations;
5. How the wastewater reclamation and reuse system fits into the site and town's development plan including meeting standards for green space and other environmental goals;
6. Permitting process and any special considerations;
7. Wastewater flow: in gallons/day (GPD);
8. Land area estimates and proposed site locations for the treatment and irrigation areas and preliminary sizing of these units;
9. Preliminary construction cost;
10. Preliminary annual operation and maintenance cost;
11. Topographic surveys and mapping (if available);
12. Soil borings and/or hydrogeologic information (related to construction activity), if available;
13. Location of any on-site utilities.

If a developer proposes to use wastewater treatment processes other than the deep cell lagoon reclamation system desired by the town, the developer will prepare a detailed written explanation containing both technical, and capital and operating cost evaluations justifying its use because of economic hardship. This justification will be prepared and submitted along with the feasibility assessment. (Ord. #04-003, April 2004, modified)

**18-119. Requirements for preliminary plat.** The preliminary plat submitted to the planning commission for its approval shall contain an
engineering report that is consistent with the engineering report guidelines outlined in the State of Tennessee Department of Environmental Conservation, Division of Water Pollution Control, Design Criteria for Sewage Works, latest edition. The engineering report shall be submitted to TDEC before the preliminary plat is approved. (Ord. #04-003, April 2004)

18-120. Requirements for final plat. The final plat submitted to the planning commission for its approval shall contain detailed construction plans and specifications for the wastewater reclamation and reuse system. The construction plans and specifications shall be consistent with final engineering plans and specifications outlined in the State of Tennessee Department of Environmental Conservation, Division of Water Pollution Control, Design Criteria for Sewage Works, latest edition.

Prior to approval of the final plat, the developer shall obtain an approved state operating permit and construction permit for the wastewater reclamation and reuse system from TDEC. (Ord. #04-003, April 2004)

18-121. Requirements prior to construction. The detailed plans and specifications for the wastewater reclamation and reuse system shall be submitted to and approved by TDEC and a construction permit secured before construction can be initiated in the development. (Ord. #04-003, April 2004)

18-122. Construction inspection. The town shall require that frequent, comprehensive, and sound inspections occur during construction. The developer shall ensure that competent and experienced personnel, preferably the design engineer or his representative, carefully monitor the progress of construction, and the town will inspect for compliance that all work essentially conforms to the approved plans and specifications. The developer or his representative shall maintain records of inspection activities, and, based on those records, certify that the project has been constructed as designed and approved. (Ord. #04-003, April 2004)

18-123. Final inspection. Upon completion of construction and testing as the town may in its discretion require, there shall be a final inspection and final approval by TDEC in accordance with the State of Tennessee Department of Environmental Conservation, Division of Water Pollution Control, Design Criteria for Sewage Works, latest edition. As-built plans shall be submitted simultaneously therewith, properly sealed. (Ord. #04-003, April 2004)

18-124. Acceptance by town. As described in this chapter, the wastewater reclamation and reuse system will be dedicated, owned, and operated by the Town of Thompson's Station. The construction of the wastewater reclamation and reuse system shall be completed and approved by TDEC, an operating permit must be issued by TDEC, the design engineer shall
submit certification that the system was constructed in accordance with approved construction plans and specifications, and TDEC will perform and approve the final inspection, prior to acceptance by the town and the issuance by the town's building official utilizing a system within a development and upon a lot being served under the terms of this chapter. (Ord. #04-003, April 2004, amended by Ord. #05-012, Aug. 2005)

18-125. **Assurance for completion and operation of improvements: bonding requirements.** A performance bond in the form of an irrevocable stand-by letter of credit will be required for all projects utilizing a wastewater reclamation and reuse system. The bond shall be in an amount as determined by the town's consultant(s) as deemed to be sufficient to secure and assure the town the satisfactory construction, installation and dedication of uncompleted required improvements, including all necessary off-site improvements. Upon completion of the required improvements, the performance bond may be reduced to a maintenance bond of not less than thirty percent (30%) of the performance amount. The requisite maintenance bond shall remain in place until the system is accepted by the town. (Ord. #05-012, Aug. 2005)

18-126. **Easements and access.** All required wastewater utility easements shall be shown on plat or site plan. Easements shall be provided to allow access and to perform future maintenance by the town or its agents to all components of the wastewater collection, reclamation, and reuse systems. (Ord. #04-003, April 2004)

18-127. **Design criteria -- in general.** This section establishes technical criteria to be used in the design of all wastewater reclamation and reuse systems in Thompson's Station. The criteria are based upon established TDEC and U.S. EPA design criteria. These criteria may be modified to accommodate site specific conditions and changes in TDEC requirements.

The criteria do not apply to single residential or non-residential lots utilizing septic tanks for their treatment and disposal of wastewater, which shall be designed and constructed in accordance with Tennessee Department of Environment and Conservation Rules, Chapter 1200-1-6, entitled "Regulations to Govern Subsurface Sewage Disposal Systems." (Ord. #04-003, April 2004)

18-128. **TDEC design criteria.** The Tennessee Department of Environmental Conservation has issued criteria for the design and construction of wastewater facilities, including components of the reclamation and reuse systems. The latest revisions of these criteria, entitled "Design Criteria for Sewage Works," are hereby incorporated by reference into this chapter. Individual items in the TDEC design criteria may be modified as described in specific sections herein to conform to the requirements of Thompson's Station. (Ord. #04-003, April 2004)
18-129. Reclamation and reuse system design. The treatment system of choice for Thompson's Station is a deep cell, long duration reclamation cell followed by reuse of high quality effluent through irrigation of green space. Except as noted, design criteria for the reclamation cells should follow TDEC's Design Criteria, Section 9, entitled "Ponds and Aerated Lagoons." Except as noted, design criteria for the irrigation system, whether surface spray irrigation or subsurface drip irrigation, should follow TDEC's Design Criteria, Section 16, entitled "Slow Rate Land Treatment" or other design criteria accepted by TDEC. Additional requirements for subsurface drip emitter systems are presented in subsequent paragraphs of this section.

The town will allow use of alternative wastewater reclamation and reuse systems on a case-by-case, hardship, basis. Design criteria for these systems shall follow the appropriate section of the TDEC design criteria. (Ord. #04-003, April 2004)

18-130. Applicability. This chapter applies to all wastewater management systems developed in Thompson's Station.

The town has selected deep cell, long duration aerated lagoon treatment followed by irrigation as its wastewater reclamation and reuse system of choice. Use of systems other than the above will not be prohibited, but will be considered when a developer shows that the use of the system of choice will cause an economic hardship. If a developer proposes to use other wastewater treatment processes, they shall prepare a detailed written explanation containing both technical, and capital and operating cost evaluations justifying its use. Final approval of all systems shall lie with the mayor and board of aldermen of the town.

This chapter will not apply to point discharge systems which operate through the National Pollution Discharge Elimination System (NPDES) or septic systems utilizing land disposal to serve single residential lots, or non-residential lots with flows less than one thousand five hundred (1,500) gallons per day (GPD). (Ord. #04-003, April 2004)

18-131. Other requirements. (1) Wastewater treatment or reclamation systems covered by this chapter that require septic tanks as part of the treatment process will require septic tanks be pumped on a regular basis. As a minimum, septic tanks shall be pumped out at least every three (3) years. If required for proper operation, the septic tanks must be pumped more frequently. In addition, sealed septic tanks that are part of systems regulated by this chapter will have leak testing performed every three (3) years. All such septic tanks will be water tight, and a minimum of one thousand (1,000) gallons capacity, or larger, as determined by the town's review process.

(2) Section 16.1.3 of chapter 16 of the TDEC design criteria is revised as follows: The irrigation sites shall be located above the ten (10) year flood plain elevation and shall not be utilized when covered by flood waters. The
wastewater treatment system shall be located outside or above the one hundred (100) year flood plain elevation.

(3) Section 16.9.3, buffer zone requirements, of chapter 16 of the TDEC design criteria shall have the following paragraphs added:

Width of buffer zones shall be determined based upon the quality of the reclaimed water. Reclaimed water that contains 2.4 fecal coliforms per 100 ml and a turbidity level 3 NTU does not require any buffer zone, other than as may be specified in the town's zoning ordinance.

The quality of the reclaimed water that will be reused on public areas will be reviewed by the TDEC and Town of Thompson's Station on a case-by-case basis. Irrigation will be scheduled when the public areas are "closed" so that the application does not interfere with usage. When a wastewater reclamation and reuse system is designed and operated, the following issues should be considered:

(1) The system operator discontinues irrigation pumping of effluent to the site in the event of an obvious plant upset.

(2) When the reuse water falls below 2.4 fecal coliforms per one hundred (100) ml and turbidity exceeds three (3) NTUs, irrigation is interrupted until the reuse water quality is within compliance.

(3) All reuse water valves or outlets will be appropriately tagged to warn the public that the water is not to be used for drinking or bathing.

(4) All piping, valves, and outlets will be marked to differentiate reuse water from domestic or other potable water. A different pipe material can be used to facilitate water system identification.

(5) All reuse water valves, outlets, and sprinkler heads will be operated only by authorized personnel. Where hose bibs are present on domestic and effluent water lines, differential sizes will be established to preclude the interchange of hoses.

(6) Adequate means of notification will be provided to inform the public that reuse water is being irrigated. At golf courses, notices will also be printed on score cards and at all water hazards containing effluent reuse water.

(7) Application or use of reuse water will be done so as to prevent or minimize public contact with the reuse water and precautions shall be taken to ensure that the reuse water is not being sprayed on walkways, passing vehicles, buildings, picnic tables, domestic water facilities, or areas not under control of the user. Also:

(a) Application of the reuse water should take place during periods when the grounds will have maximum opportunity to dry before use by the public unless provisions are made to exclude the public from areas during and after spraying with effluent water.

(b) Windblown spray from the application of effluent water should not carry beyond the reuse irrigation area.

(c) Reuse water will be kept separate from domestic water wells and reservoirs.
(d) Drinking water fountains will be protected from direct or windblown reuse water spray.

(8) Adequate measures will be taken to prevent the breeding of flies, mosquitoes, and other vectors of public health significance during the process of reuse irrigation.

(9) Operation of reclamation and reuse systems shall not create odors.

(Ord. #04-003, April 2004)

18-132. Requirements for drip emitter systems. Chapter 16 of the Department of Environment and Conservation's Design Criteria does not address the use of drip emitter systems for the disposal of treated effluent.

Wastewater reclamation and reuse systems utilizing subsurface drip emitters shall meet the reclaimed water quality standards established in chapter 16 of the TDEC's Design Criteria for Sewage Works. The town will review each application and may require more stringent treatment standards as it deems necessary.

The following provisions shall apply for drip emitter systems:

(1) Buffer zones, public access and protection of water supply wells. Buffer zones are required to provide adequate access to buried drip lines and to ensure that no wastewater leaves the site. The following minimum buffer zones must be provided for all systems:

(a) A twenty-five-foot (25') buffer must be maintained between the edge of the subsurface piping and the property line. A minimum fifty-foot (50') buffer must be maintained between the edge of surface piping and the property line. This requirement is subject to change as a result of site topography and the flushing system provided.

(b) A twenty-five foot (25') undisturbed natural vegetative buffer is required between the drip piping and the edge of any perennial lake, stream, or channelized intermittent watercourse. If application of wastewater causes a non-channelized intermittent watercourse to become perennial, a twenty-five foot (25') buffer requirement will apply. All buffer requirements for trout streams and sedimentation and erosion control will also apply.

(c) Requirements for buffer areas in relation to potable water wells will be determined after reviewing groundwater pollution susceptibility and groundwater recharge maps or by contacting the Division of Water Supply, Tennessee Department of Environment and Conservation. In no case shall a wastewater application system be located within three hundred feet (300') of a drinking water well. Wellhead protection requirements may increase the buffer distances as necessary.

(d) An operation plan that presents the procedures to assure that the drip emitter system remains functional public access to the emitter field shall be restricted by posting signs and fencing of disposal fields. Fencing and access road gates shall be provided along property
lines adjacent to residential and other developed areas. Fencing is required around all wastewater treatment systems, storage facilities, pump stations, and holding ponds.

(2) Surface drainage and run-off control. Drip emitter systems shall also include provisions to stop irrigation and hold wastewater for a minimum of ten (10) days for storage when soil conditions are wet or when flooding occurs. The wastewater storage requirements utilizing spray application disposal method shall be in accordance with chapter 16 of TDEC's design criteria for sewage works.

Storm run-off should be considered in the design of drip irrigation systems. If properly designed and constructed, drip emitter systems will not produce any runoff. All areas that acquire a wet surface should have the hydraulic loading rate reduced to prevent the situation from recurring. Areas exhibiting a wet surface on a regular basis must be eliminated from future applications unless the surface wetting can be corrected. A reassessment of the design should be performed to determine if reconstruction or repair of the failing area would correct the deficiency. Any areas taken out of service because of failure will subsequently cause a reduction in the permitted system capacity.

Indirect runoff as a result of underflow, changes in slope, and shallow restrictive soil layers can be anticipated at some drip emitter system sites. Indirect runoff will be reviewed on a case-by-case basis by the town.

Water resulting from line flushing must be dispersed over a wide area and will be reviewed on a case-by-case basis by the town. Direct discharge of these flows into any watercourse is prohibited. Effluent from line flushing should be absorbed by the surrounding area within a few minutes of line flushing. Line flushing should not be performed during any rain event.

(3) Distribution systems, maintenance and construction. Hydraulic calculations for the pump and distribution system must be submitted for review. Field pressure and flow variation due to friction loss and changes in static head should not exceed plus or minus ten percent (10%) of the design emitter pressure or flow. If this criterion cannot be met, revisions to field layout, emitter output, or any other viable option should be used to comply with this requirement. The system will not be allowed to initiate operations if the total flow or pressure variation is in excess of ten percent (10%) of the design. The ten percent (10%) difference should be the difference between any two (2) emitters in the entire system. Fields should be laid out so that the irrigation lines follow the contour of the site. Flushing flows and static head calculations can be addressed on a field-by-field basis. Each field should define total flow (gpm) proposed, total length of emitter piping, emitter spacing, line spacing, total numbering of lines and total number of lines to be included per flushing. This layout information should be shown on a topographic map. All proposed main line sizes and lengths along with individual irrigation line lengths should be shown. All return piping sizes and lengths should also be shown and should not exceed manufacturers' specifications to insure equal distribution to each...
Emitter. Emitter and line spacing should be in accordance with manufacturers' recommendations.

System should be self-draining to prevent freezing during the winter months. The plan of operation and management should address disinfection and flushing of emitter lines to prevent solids build-up. Flushing of lines should be performed according to the manufacturers' recommendations but at minimum on a bi-monthly basis. Velocities must be a minimum of two feet (2') per second at the end of each irrigation or return line during the flushing operation. Calculations supporting the two feet (2') per second velocity requirement should be included.

Satisfactory operation of the drip irrigation system is necessary to safeguard the health of the public and to insure that the wastewater effluent is disposed of in an environmentally sound manner. Emitter manufacturers must supply documentation that placing the emitter in the root zone of the cover crop will not interfere with the emitter performance. Emitters should be buried no less than five inches (5") nor more than seven inches (7") from the surface for optimum nutrient uptake. Variance from this depth of burial will be evaluated on a case-by-case basis if supported by manufacturers' recommendations. All systems must be equipped with audible and visual alarms to signal system malfunctions. Telemetry systems should also be installed where the facility is not manned during normal working hours. Monitoring equipment must be provided to detect a five percent (5%) change in flow rate to any given field. If a change is detected which shows a ten percent (10%) variance, evaluations must be performed to determine if it is a result of clogging filters, force main breaks, emitter clogging, leaks in field lines, a flush valve failure, etc. The plan of operation and management should address what actions are required to correct any such problem should it occur. Pumping equipment must be provided with pressure and flow sensitive controls which will disengage pumps if a main breaks or clogs.

Prior to pumping to the drip field distribution system, the wastewater must be screened to remove fibers, solids and other matter that might clog drip emitters. As a minimum, screens with a nominal diameter smaller than the smallest flow opening in the drip emitter tubing should be provided. Screening to remove solids greater than one-third (1/3) the diameter of the smallest drip emitter opening is recommended. (Ord. #04-003, April 2004, as amended by Ord. #05-012, Aug. 2005)

18-133. Collection system design criteria. (1) No person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof. A connection fee shall be paid to the town at the time the application is filed.

(2) All costs and expenses incident to the installation, connection, and inspection of the building sewer shall be borne by the owner. The owner shall
indemnify the town from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

(3) A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.

(4) Old building sewers may be used in connection with new buildings only when they are found on examination and tested by the superintendent to meet all requirements of this chapter. All others may be sealed to the specifications of the superintendent.

(5) Building sewers shall conform to the following requirements:
   (a) The minimum size of a building sewer shall be as follows:
       Conventional sewer system - Four inches (4"").
       Small diameter gravity sewer - Two inches (2"").
   (b) The minimum depth of a building sewer shall be eighteen inches (18"").
   (c) Building sewers shall be laid on the following grades:
       Four-inch (4"") sewers - One-eighth inch (1/8"") per foot.
       Two inch (2"") sewers - Three-eighths inch (3/8"") per foot.
       Larger building sewers shall be laid on a grade that will produce a velocity when flowing full of at least two feet (2') per second.
   (d) Slope and alignment of all building sewers shall be neat and regular.
   (e) Building sewers shall be constructed only of ductile iron pipe class 50 or above or polyvinyl chloride pipe schedule 40 or and SDR-21 or greater. Joints shall be rubber or neoprene "O" ring compression joints or solvent welded.
   (f) A cleanout shall be located five feet (5') outside of the building, one as it crosses the property line and one at each change of direction of the building sewer that is greater than forty-five degrees (45°). Additional cleanouts shall be placed not more than seventy-five feet (75') apart in horizontal building sewers of six inch (6"") nominal diameter and not more than one hundred feet (100') apart for larger pipes. Cleanouts shall be extended to or above the finished grade level directly above the place where the cleanout is installed. A "Y" (wye) and one-eighth (1/8) bend shall be used for the cleanout base. Cleanouts shall not be smaller than four inches (4"").
   (g) Connections of building sewers to the public sewer system shall be made only by the town and shall be made at the appropriate existing wyes or tee branch using compression type couplings or collar type rubber joint with stainless steel bands. Where existing wye or tee
branches are not available, connections of building services shall be made by either removing a length of pipe and replacing it with a wye or tee fitting using flexible neoprene adapters with stainless steel bands of a type approved by the superintendent. All such connections shall be made gastight and watertight.

(h) The building sewer may be brought into the building below the basement floor when gravity flow from the building to the sanitary sewer is at a grade of one-eighth inch (1/8") per foot or more if possible. In cases where basement or floor levels are lower than the ground elevation at the point of connection to the sewer, adequate precautions by installation of check valves or other backflow prevention devices to protect against flooding shall be provided by the owner. In all buildings in which any building drain is too low to permit gravity flow to the public sewer sanitary sewage carried by such building drain shall be lifted by a step or grinder pump and discharged to the building sewer at the expense of the owner, pursuant to § 18-105.

(i) The methods to be used in excavating, placing of pipe, jointing, testing, backfilling the trench, or other activities in the construction of a building sewer which have not been described above shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the town or to the procedures set forth in appropriate specifications of the ASTM and Water Environment Federation Manual of Practice FD-5. Any deviation from the prescribed procedures and materials must be approved by the superintendent before installation.

(j) An installed building sewer shall be gastight and watertight.

(6) All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the town.

(7) No person shall make connection of roof downspouts, exterior foundation drains, areaway drains, basement drains, sump pumps, or other sources of surface runoff or groundwater to a building directly or indirectly to a public sanitary sewer.

(8) Inspection of connections. (a) The sewer connection and all building sewers from the building to the public sewer main line shall be inspected before the underground portion is covered, by the superintendent or his authorized representative.

(b) The applicant for discharge shall notify the superintendent when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the superintendent or his representative.

(9) Maintenance of building sewers. Each individual property owner shall be entirely responsible for the construction, maintenance, repair or
replacement of the building sewer as deemed necessary by the superintendent to meet specifications of the town. Owners failing to maintain or repair building sewers or who allow storm water to enter the sanitary sewer may face enforcement action by the superintendent up to and including discontinuation of service.

(10) **Sewer extensions.** All expansion or extension of the public sewer constructed by property owners or developers must follow policies and procedures developed by the town. In the absence of policies and procedures the expansion or extension of the public sewer must be approved in writing by the superintendent or manager of the wastewater collection system. All plans and construction must follow the latest edition of Tennessee Design Criteria for Sewerage Works. (Ord. #04-003, April 2004)

18-134. **Grinder pump wastewater systems.** (1) When connection of building sewers to the public sewer by gravity flow lines is impossible due to elevation differences or other encumbrances, Grinder Pump (GP) systems may be installed subject to the regulations of the town board.

(2) **Installation requirements.** Location of tanks, pumps, and effluent lines shall be subject to the approval of the town. Installation shall follow design criteria for STEP and OP systems as provided by the superintendent.

(3) **Costs.** GP equipment for new construction shall be purchased and installed at the developer's, homeowner's, or business owner's expense according to the specification of the town and connection will be made to the town sewer only after inspection and approval of the town.

(4) **Ownership and easements.** Homeowners or developers shall provide the town with ownership and an easement. Access by the town to the GP system must be guaranteed to operate, maintain, repair, restore and service. Access manholes, ports, and electrical disconnects must not be locked, obstructed or blocked by landscaping or construction.

(5) **Use GP systems.** Home or business owners shall follow the GP users guide provided by the system manufacturer and as supplemented by the town. Home or business owners shall provide an electrical connection that meets specifications and shall provide and pay for electrical power. Home or business owners shall be responsible for maintenance drain lines from the building to the GP tank.

(6) **Prohibited uses of the GP system.** (a) Connection of roof guttering, sump pumps or surface drains;
(b) Disposal of toxic household substances;
(c) Use of garbage grinders or disposers;
(d) Discharge of pet hair, lint, or home vacuum water;
(e) Discharge of fats, grease, and oil.

(7) **Additional charges.** The town shall be responsible for maintenance of the GP equipment. Repeat service calls for identical problems shall be billed
to the homeowner or business at a rate of no more than the actual cost of the service call. (Ord. #04-003, April 2004)
CHAPTER 2

WASTEWATER SYSTEM USER RATES

SECTION
18-201. Rates and tap fees by governing body.
18-202. Vacant or un-built lots.
18-203. Maximum residential fee.
18-204. Adjustment of bills.
18-205. Failure to pay bill when due.

18-201. Rates and tap fees by governing body. User rates and tap fees for the town’s wastewater treatment services are set by the board, subject to the limitations in this chapter. A schedule of the current user rates and tap fees shall be maintained in the town recorder's office.

18-202. Vacant or un-built lots. There shall be no minimum monthly rates charged for vacant or un-built lots. Monthly rates shall begin to be assessed upon issuance of a building permit and connection to the public water system, regardless of whether the structure is occupied. (Ord. #07-016, Jan. 2008)

18-203. Maximum residential fee. The maximum monthly sewer fee that will be assessed against one residential structure shall be fifty-five dollars ($55.00). This maximum fee shall not apply to multi-unit structures, multi-family residences, multiple structures on the same property or any other circumstances where the residential structure represents more than one (1) residential unit. (Ord. #07-016, Jan. 2008)

18-204. Adjustment of bills. The town administrator shall have the authority to make adjustments to sewer bills upon application of a customer and upon a showing that the calculation based upon water use is inaccurate for that billing period. Such adjustments shall be limited to one time per twelve (12) month period per customer. (Ord. #07-016, Jan. 2008)

18-205. Failure to pay bill when due. Any payment not received by the due date shall be assessed a ten percent (10%) penalty on all unpaid fees. (Ord. #07-016, Jan. 2008)
TITLE 20

MISCELLANEOUS

[RESERVED FOR FUTURE USE]
APPENDIX

A. ETHICS PROVISIONS PROVIDED BY STATUTE.
B. DESIGN GUIDELINES.

APPENDIX A

ETHICS PROVISIONS PROVIDED BY STATUTE.
Appendix A


All candidates for the chief administrative office (mayor), any candidates who spend more than $500, and candidates for other offices that pay at least $100 a month are required to file campaign financial disclosure reports. Civil penalties of $25 per day are authorized for late filings. Penalties up to the greater of $10,000 or 15 percent of the amount in controversy may be levied for filings more than 35 days late. It is a Class E felony for a multicandidate political campaign committee with a prior assessment record to intentionally fail to file a required campaign financial report. Further, the treasurer of such a committee may be personally liable for any penalty levied by the Registry of Election Finance (T.C.A. § 2-10-101–118).

Contributions to political campaigns for municipal candidates are limited to:
   a. $1,000 from any person (including corporations and other organizations);
   b. $5,000 from a multicandidate political campaign committee;
   c. $20,000 from the candidate;
   d. $20,000 from a political party; and
   e. $75,000 from multicandidate political campaign committees.

The Registry of Election Finance may impose a maximum penalty of $10,000 or 115 percent of the amount of all contributions made or accepted in excess of these limits, whichever is greater (T.C.A. § 2-10-301–310).

Each candidate for local public office must prepare a report of contributions that includes the receipt date of each contribution and a political campaign committee's statement indicating the date of each expenditure (T.C.A. § 2-10-105, 107).

Candidates are prohibited from converting leftover campaign funds to personal use. The funds must be returned to contributors, put in the volunteer public education trust fund, or transferred to another political campaign fund, a political party, a charitable or civic organization, educational institution, or an organization described in 26 U.S.C. 170(c) (T.C.A. § 2-10-114).

2. Conflicts of Interest.

Municipal officers and employees are permitted to have an “indirect interest” in contracts with their municipality if the officers or employees publicly acknowledge their interest. An indirect interest is any interest that is not “direct,” except it includes a direct interest if the officer is the only supplier of
goods or services in a municipality. A "direct interest" is any contract with the official himself or with any business of which the official is the sole proprietor, a partner, or owner of the largest number of outstanding shares held by any individual or corporation. Except as noted, direct interests are absolutely prohibited (T.C.A. § 6-2-402, T.C.A. § 6-20-205, T.C.A. § 6-54-107–108, T.C.A. § 12-4-101–102).


Conflict of interest disclosure reports by any candidate or appointee to a local public office are required under T.C.A. §§ 8-50-501 et seq. Detailed financial information is required, including the names of corporations or organizations in which the official or one immediate family member has an investment of over $10,000 or 5 percent of the total capital. This must be filed no later than 30 days after the last day legally allowed for qualifying as a candidate. As long as an elected official holds office, he or she must file an amended statement with the Tennessee Ethics Commission or inform that office in writing that an amended statement is not necessary because nothing has changed. The amended statement must be filed no later than January 31 of each year (T.C.A. § 8-50-504).

4. Consulting fee prohibition for elected municipal officials.

Any member or member-elect of a municipal governing body is prohibited under T.C.A. § 2-10-124 from "knowingly" receiving any form of compensation for "consulting services" other than compensation paid by the state, county, or municipality. Violations are punishable as Class C felonies if the conduct constitutes bribery under T.C.A. § 39-16-102. Other violations are prosecuted as Class A misdemeanors. A conviction under either statute disqualifies the offender from holding any office under the laws or Constitution of the State of Tennessee.

"Consulting services" under T.C.A. § 2-10-122 means "services to advise or assist a person or entity in influencing legislative or administrative action, as that term is defined in § 3-6-301, relative to the municipality or county represented by that official." "Consulting services" also means services to advise or assist a person or entity in maintaining, applying for, soliciting or entering into a contract with the municipality represented by that official. "Consulting services" does not mean the practice or business of law in connection with representation of clients by a licensed attorney in a contested case action, administrative proceeding or rule making procedure;
"Compensation" does not include an “honorarium” under T.C.A. § 2-10-116, or certain gifts under T.C.A. § 3-6-305(b), which are defined and prohibited under those statutes.

The attorney general construes "Consulting services" to include advertising or other informational services that directly promote specific legislation or specifically target legislators or state executive officials. Advertising aimed at the general public that does not promote or otherwise attempt to influence specific legislative or administrative action is not prohibited. Op. Atty.Gen. No. 05-096, June 17, 2005.

5. Bribery offenses.

a. A person who is convicted of bribery of a public servant, as defined in T.C.A. § 39-16-102, or a public servant who is convicted of accepting a bribe under the statute, commits a Class B felony.

b. Under T.C.A. § 39-16-103, a person convicted of bribery is disqualified from ever holding office again in the state. Conviction while in office will not end the person's term of office under this statute, but a person may be removed from office pursuant to any law providing for removal or expulsion existing prior to the conviction.

c. A public servant who requests a pecuniary benefit for performing an act the person would have had to perform without the benefit or for a lesser fee, may be convicted of a Class E felony for solicitation of unlawful compensation under T.C.A. § 39-16-104.

d. A public servant convicted of “buying and selling in regard to offices” under T.C.A. § 39-16-105, may be found guilty of a Class C felony. Offenses under this statute relevant to public officials are selling, resigning, vacating, or refusing to qualify and enter upon the duties of the office for pecuniary gain, or entering into any kind of borrowing or selling for anything of value with regard to the office.

e. Exceptions to 1, 3, and 4, above include lawful contributions to political campaigns, and a “trivial benefit” that is “incidental to personal, professional, or business contacts” in which there is no danger of undermining an official’s impartiality.


a. Public misconduct offenses under Tennessee Code Annotated § 39-16-401 through § 39-16-404 apply to officers, elected officials, employees,
candidates for nomination or election to public office, and persons performing a governmental function under claim of right even though not qualified to do so.

b. Official misconduct under Tennessee Code Annotated § 39-16-402 pertains to acts related to a public servant’s office or employment committed with an intent to obtain a benefit or to harm another. Acts constituting an offense include the unauthorized exercise of official power, acts exceeding one’s official power, failure to perform a duty required by law, and receiving a benefit not authorized by law. Offenses under this section constitute a Class E felony.

c. Under Tennessee Code Annotated § 39-16-403, “Official oppression,” a public servant acting in an official capacity who intentionally arrests, detains, frisks, etc., or intentionally prevents another from enjoying a right or privilege commits a Class E felony.

d. Tennessee Code Annotated § 39-16-404 prohibits a public servant’s use of information attained in an official capacity, to attain a benefit or aid another which has not been made public. Offenses under the section are Class B misdemeanors.

e. A public servant convicted for any of the offenses summarized in sections 2-4 above shall be removed from office or discharged from a position of employment, in addition to the criminal penalties provided for each offense. Additionally, an elected or appointed official is prohibited from holding another appointed or elected office for ten (10) years. At-will employees convicted will be discharged, but are not prohibited from working in public service for any specific period. Subsequent employment is left to the discretion of the hiring entity for those employees. Tennessee Code Annotated § 39-16-406.

7. Ouster law.

Some Tennessee city charters include ouster provisions, but the only general law procedure for removing elected officials from office is judicial ouster. Cities are entitled to use their municipal charter ouster provisions, or they may proceed under state law.

The judicial ouster procedure applies to all officers, including people holding any municipal “office of trust or profit.” (Note that it must be an “office” filled by an “officer,” distinguished from an “employee” holding a “position” that does not have the attributes of an “office.”) The statute makes any officer subject to such removal “who shall knowingly or willfully misconduct himself in office, or who shall knowingly or willfully neglect to perform any duty enjoined upon such officer by any of the laws of the state, or who shall in any public place be in a state of intoxication produced by strong drink voluntarily taken, or who shall
engage in any form of illegal gambling, or who shall commit any act constituting a violation of any penal statute involving moral turpitude” (T.C.A. § 8-47-101).

T.C.A. § 8-47-122(b) allows the taxing of costs and attorney fees against the complainant in an ouster suit if the complaint subsequently is withdrawn or deemed meritless. Similarly, after a final judgment in an ouster suit, governments may order reimbursement of attorney fees to the officer targeted in a failed ouster attempt (T.C.A. § 8-47-121).

The local attorney general or city attorney has a legal “duty” to investigate a written allegation that an officer has been guilty of any of the mentioned offenses. If he or she finds that “there is reasonable cause for such complaint, he shall forthwith institute proceedings in the Circuit, Chancery, or Criminal Court of the proper county.” However, with respect to the city attorney, there may be an irreconcilable conflict between that duty and the city attorney’s duties to the city, the mayor, and the rules of professional responsibility governing attorneys. Also, an attorney general or city attorney may act on his or her own initiative without a formal complaint (T.C.A. § 8-47-101–102). The officer must be removed from office if found guilty (T.C.A. § 8-47-120).
APPENDIX B

DESIGN GUIDELINES.
TOWN OF THOMPSON'S STATION, TENNESSEE

DESIGN GUIDELINES
Adopted September 9, 2008
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PURPOSE
Thompson's Station is a community of colorful contrasts and rich resources. Townspeople, merchants, retirees, families, students, and visitors contribute to the diversity of a community that is mellowed with years of tradition.

The purpose of this manual is to provide developers and designers with clear answers to the question: What does Thompson's Station consider "good design?" The Town's intention for these "Design Guidelines" is to assure that new designs remain in continuity with the town's existing design "successes," and at the same time inspire exciting and creative additions to the community.

TOWN WIDE DESIGN CRITERIA
These design criteria apply to all new development or redevelopment in Thompson's Station. Physical characteristics and constraints always take precedence in determining the ultimate development intensity of a site. These guidelines are offered to help designers deal with such constraints efficiently and effectively.

Site development issues include landscape preservation, siting of buildings, parking and circulation, and stormwater management. Architectural character issues deal with proportion and scale, building materials, color and texture, and architectural detail. Landscape character issues include entranceways, streetscapes, and tree and plant selection, including size and variety.

CRITERIA FOR DESIGN
Here are some general guidelines for Thompson's Station design:

Livability: Buildings and outdoor spaces should be designed to fit human scale, harmonize with design of streets, and accommodate pedestrian traffic.

Visual Impact: New public and private projects should be visually appealing, and compatible with other development in the surrounding area.

Vegetation: Landscape design concepts should preserve existing trees and incorporate native new trees and shrubbery. The landscape theme should be aesthetically compatible with that of the surrounding neighborhood.

Mobility: Land design concepts should provide a network of roads, bicycle paths and lanes, and sidewalks that give strong consideration to the safety of motorists, cyclists, joggers, and walkers.

Activity Centers: Structures and complexes should enhance community life by use of "destination points" such as arcades, lobbies, and ground-level retail stores, while at the same time providing for safe movement of vehicles and pedestrians.
Views: Streets, buildings, and parking lots should enhance the environment by providing pleasant vistas and geographic orientations.

IMPLEMENTATION OF GUIDELINES
Some of the design guidelines contained in this book will be incorporated into the Town's Design Manual and Engineering Standards, as appropriate. Others will be adopted within the Town's Development Ordinance. These Design Guidelines are intended to communicate the high standards of design that the Town of Thompson's Station expects from its development community.

Should you have any questions concerning the guidelines, or need further assistance, the staff is always available to assist you.

SITE DEVELOPMENT

KEY DESIGN OBJECTIVES
Preserve natural land contours and natural drainage-ways.

Keep design compatible with the positive character of the surrounding area in terms of both existing character and desired future character.

Create development that remains pleasant in character and human in scale, while promoting smooth circulation of people and traffic.

Where possible, incorporate significant tree masses and/or specimen trees as an integral design factor.

Minimize harm and disruption to existing plant and animal life.

OPEN SPACE
Proposed recreation areas or uses should complement nearby existing uses.

Land set aside for ballfields should be level and otherwise suitable for the purpose.

Extension of existing parks or recreation areas into a proposed development is a highly desirable design feature.

Preservation of environmentally-sensitive areas is considered a legitimate "recreational purpose."

The developer must provide for maintenance of both active and passive recreation areas over the life of the project. This can be achieved through the
establishment of a homeowners' association or dedication to the Town, where appropriate.

Design for parks and recreation areas should achieve these general goals:
  Achieve a balance and compatibility between active and passive recreational uses;
  Provide visual appeal;
  Ensure environmental diversity;
  Foster pride among users; and
  Provide safety for users.

Design concepts also should incorporate these more specific principles:
  Observe appropriate relationships between the various elements of a park complex;
  Relate park and recreation areas to surroundings in both an aesthetic and practical sense;
  Adapt land use to the features of the terrain instead of altering the terrain to suit the use;
  Provide for ease of supervision;
  Make site design compatible with human, physical and aesthetic preferences;
  Blend man-made features with existing features;
  Match scale of outdoor facilities with human scale;
  Consider site features when determining which activities should be encouraged in an area; and
  Consider sun orientation and climatic conditions when locating facilities (example: tennis courts should be on an acceptable geographic orientation).

GREENWAYS
A development located near or adjacent to a greenway should provide safe and efficient pedestrian connection to that greenway and to adjacent properties that might include pedestrian systems in the future.

Designs should include buffer zones separating greenway paths from residential, commercial and office buildings.

Most of Thompson's Station's major streams are designated as greenways. It is intended that one function of these greenways is to link various centers of activities—schools, parks, commercial areas and employment areas.

When a proposed development contains a planned greenway or is near a greenway, the developer should consult with the Town early in the design process.
PRESERVATION OF NATURAL DRAINAGE PATTERNS
Capitalize on natural drainage-ways through innovative building and site design that transforms steep slopes and edges into major site amenities.

Preserve natural drainage patterns where practical.

Make sure that on-site drainage occurs only in areas designed to serve a drainage function.

Design so as to prevent storm water from flowing over sidewalks and paths.

SITE DESIGN
Areas whose physical site conditions make them unsuitable for development should be set aside as conservation areas or as open space.

Wooded sites should be developed with careful consideration for the site's natural characteristics. When portions of the woods must be developed, wooded perimeters or the most desirable natural site features should be protected to retain the visual character of the site.

Isolated pockets of existing trees should be protected, and used to enhance the site's visual impact.

The buildability or potential for development of sites is defined as follows:

Prime Buildable: Land with little or no building restrictions which occur as a consequence of slope conditions. These areas are defined as slopes of less than 10 percent.

Secondary Buildable: In areas with slopes of 10 to 15 percent, site preparation techniques should be utilized which minimize grading and site disturbance.
Conserved: In areas with slopes of 15 to 25 percent, building and site preparation can occur, but restrictions are severe. These areas require customized architectural solutions and specialized site design techniques and approaches.

Preserved: In areas with slopes greater than 25 percent; a detailed "site analysis" of soil conditions, hydrology, bedrock conditions, and other engineering and environmental considerations should be made to determine acceptable building and site engineering techniques. Generally, the high cost of development associated with acceptable techniques precludes development in these areas.

The buildability or potential for development of sites is classified in four ways: (A) Prime Buildable Land, containing slopes less than 10 percent; (B) Secondary Buildable Land, containing slopes between 10 and 15 percent, subject to site preparation techniques which minimize grading and site disturbance; (C) Conserved Land, containing slopes between 15 and 25 percent, and requiring specialized architectural and site design techniques; and (D) Preserved Land, containing slopes greater than 25 percent, and generally unsuitable for development.

GRADING
Buildings should be designed to harmonize with existing topography, thereby minimizing land disruption.

Grading should be held to a minimum and should complement natural land forms.

Developments should fit the capacity of existing topography, natural drainage-ways, soils, geology and other natural site conditions.

Grading should blend gently with contours of adjacent properties, with smooth gradations around all proposed cut-and-fill slopes, both horizontally and vertically.
All sites should be developed according to their natural characteristics. Flat, open areas on the site are the most desirable for parking areas and large buildings, thus minimizing disruption to site contours and vegetation. Wherever possible, slab-on-grade construction is to be avoided in areas where the slope exceeds 5 percent.

On sites containing slopes in excess of 12 percent, mass grading approaches are to be avoided. Custom architectural applications and specialized building techniques should be primary factors in designs for such sites.

**SITING OF BUILDINGS**
Buildings, particularly those on wooded or steeply-sloped sites, should be carefully situated to take advantage of aesthetic features and views. Buildings should harmonize with neighboring areas; this is achieved through careful attention to elements such as size, style, form, color, and materials.

Buildings should be located in a manner that takes into consideration factors such as shadows, changing climatic conditions, noise, safety, and privacy - all of these being elements that impact adjacent outdoor spaces.

"Stepping-back" - terracing of buildings on hillsides - should follow the slope in order to complement natural contours.

In hilly terrain, clustering of buildings is encouraged as a strategy for avoiding development of steep slopes and sensitive natural areas. This practice is valuable for commercial, office and residential development.

Building placement should ensure privacy, as well as individual site and architectural identity.

*V-shaped clusters can be oriented so each unit looks out on the view.*
RELATIONSHIP OF BUILDING TO SITE

Thompson's Station's varied site conditions require special sensitivity in building placement. A cluster of buildings often can create unique and dramatic views that would be impossible with a large single building mass.

In most locations, building heights should not exceed the tree line. However, dramatic views suggest using tall, compact units, giving all units an uninterrupted view. Panoramic views suggest using tall buildings on the higher elevations, with lower Units terracing down the slope.

Building design should be fitted to the natural contours of the site.

SLOPE DESIGN ALTERNATIVES

As slope steepness increases, conventional development opportunity decreases. Slopes in excess of 15 percent require specialized building and site techniques.

On wooded sites, buildings should be carefully situated to take advantage of the shade, pleasing views, and energy conservation advantages provided by trees.

When a wooded site is subdivided, lot lines should be drawn through significantly wooded areas so that trees will be outside areas of construction activity.

*Preservation of slopes and tree cover is recommended to the fullest extent possible.*
Selected tree removal should occur only in areas where site development is inhibited. Building and parking locations should be identified on the basis of preserving natural amenities.

(Below) (A) Territorial views suggest arranging units along the edge of level land, giving each part of the view. (B) Panoramic views suggest tall buildings on the higher elevations, with lower units terracing down the slopes. (C) Views into a valley are preferable to views away. (D) Dramatic views suggest tall compact units giving all units an uninterrupted view. (E) Slope design is an exercise in the sensitive conservation and preservation of existing vegetation.
STREETS, PARKING AND CIRCULATION
Much of Thompson's Station's existing character is based on past development that encourages extensive automobile use. Travel by foot, bicycle, or transit should be made attractive and safe by site design and by connection to Town-wide systems.

ROADWAY LOCATION
Whenever possible, road location and design should avoid difficult topography including stream crossings, steep valleys, and greenways. If one of these must be crossed, the developer should explore the feasibility of a bridge crossing, with provisions for pedestrian movement under the bridge structure. If a bridge is not appropriate, the developer should consider an innovative means of stream crossing such as an arched culvert.

If the site's landform is hilly and/or steep, a curving route paralleling one contour is recommended because less steep roads provide more comfortable access for pedestrians and bicycle riders. Such roads also require less power output from automobile engines and therefore decrease both noise and air pollution.

Major streets or access roads should be designated to take advantage of unfolding views and vistas, thereby focusing attention on the area's more pleasing elements.

Roadways should be sited so that they do not interfere with natural drainage patterns.

*Roads and pedestrian paths are best placed along the contours of a site. This minimizes fuel consumption in automobiles and makes for ease of access for pedestrians.*
STREETS
All major developments are expected to have two points of street access, except when:

All surrounding land already has been developed, precluding dual access to a street;

The second means of access can be achieved best by subsequent development of an adjacent piece of land, and a road stub-out to that land is provided; or

Traffic impact analysis justifies a waiver of the requirement for two or more points of access.

NEW STREETS
The Town of Thompson's Station Subdivision Regulations identify parameters for new streets (right-of-way width, pavement width, curb-and-gutter, etc.) according to the street's classification. It is the Town's policy to require full compliance with the engineering standards for projects within newly developing areas. These standard parameters can be varied in special circumstances. For example:

In an almost fully developed area, the design of new streets should reflect the best characteristics of nearby streets.

In areas of particularly difficult topography, where slopes exceed 15 percent, standards may need to be adjusted (e.g., narrower streets to minimize land disturbance) and current street design requirements relaxed.

Residential streets should be designed to enhance a neighborhood's character. They should be narrower than primary streets, designed to discourage high speeds, and planned to provide pleasure and safety to pedestrians. The site plan should incorporate a "hierarchy" of roadways and walkways that provide for safe, smooth and pleasant movement of vehicles and people.

In planned unit housing developments which desire to recreate the style and character of older parts of the Town, narrow streets without curbs and gutters may be appropriate.

Narrow, winding roads should provide enough room to accommodate automobiles passing cyclists on turns where they may not be able to see oncoming traffic. Because curbs and gutters make it impossible for a cyclist to get off the street without dismounting, their presence can greatly increase the danger of an emergency avoidance maneuver. Conventional curbs and gutters should not,
therefore, be installed on narrow streets. Storm gratings should be of a design that will not catch the wheels of a bicycle.

Links between adjacent and contiguous neighborhoods for pedestrians and bicycles are encouraged. New developments are encouraged to include pedestrian walkways to existing neighborhoods whenever feasible.

The Town's hierarchy of streets is:

**Arterial:** Large streets serving as thoroughfares.

**Collector:** Streets providing access to various buildings, groupings, or lots.

**Local:** Small internal streets, or lanes, serving minimal business or residential lots.

Existing streets adjacent to a proposed development must be upgraded and improved as part of a new development, when such streets are made necessary by increased traffic flow from the development.

Whenever possible, two means of access should be provided for all medium and large-scale developments. Dual access assures an efficient circulation pattern for residents, users, and Town service vehicles; it also promotes movement of pedestrians and vehicles, and assures emergency access in the event that a street becomes temporarily impassable. However, dual access should be designed so that it does not encourage through traffic.

Generally, dual access should be provided for all new projects, except for small subdivisions or development projects.
Arterial Streets
Streets within all new developments should be consistent with the Town's Thoroughfare Plan.

Long tangents and long radii are required.

Attention should be given to alignments that capture significant views or existing features.

Landscaped median islands are encouraged.

Pedestrian crossings should be a part of street design.

Wide outside lanes or striped lanes should be provided to accommodate bicycle traffic.

Collector Streets
Alignment should be simple and direct.

Long tangents and horizontal curves with short radii should be avoided whenever possible.

Graceful, flowing alignments are recommended for enhancing the overall project or area.

Local Streets
These streets should recreate "village-like" qualities through use of design elements including:

Winding, tree-lined lanes;

Accents of local brick and/or stone;

Median strips with trees;

Creative measures for discouraging through traffic;

Stone retaining walls that preserve natural topographical features; and

Streets without curbs and gutters (where drainage characteristics permit).
Street landscaping can be functional and beautiful. Several ways in which this can be accomplished are shown below, (A) Winding, tree-lined lanes with curbs and gutters; (B) the same lanes without curbs and gutters; (C) median strips with trees; and (D) accents of local brick and stone.
Internal Circulation: Streets and Driveways
Safety and convenience of automobile, bicycle and pedestrian movements are critical considerations.

Automobiles should be able to enter a site safely and then move to parking areas. Particular attention should be paid to the location of dumpsters for trash collection. Dumpsters should be completely screened, located behind buildings, and accessible to service vehicles.

Roads and other internal driveways should be designed to accommodate a variety of vehicles in addition to passenger cars, including delivery trucks, sanitation trucks, and emergency vehicles.

Pedestrian access must be safe and convenient within a site. Sidewalks must be clearly separated from driving areas. Sidewalk systems must connect buildings to each other, to parking areas, and to sidewalks or pedestrian paths adjacent to the site.

Special attention should be paid to points at which pedestrian, bicycle, and automobile movements are in conflict. Hazards in these areas can be reduced by clearly marked crosswalks (painted or indicated by a change in surface), or by sensitive routing of pedestrian paths away from main automobile traffic areas.

PARKING
Parking lots should not be focal points of a development. Parking areas should be located away from streets - preferably behind buildings. Parking areas adjacent to streets or residential areas should be screened by berms, trees, shrubs, walls and fences. In some cases, parking structures offer a solution that provides required parking while reducing the unsightliness of large parking areas.

Parking lots should not spoil views from neighboring properties or from streets. Thompson's Station's rolling topography makes it important to disperse parking masses in order to protect views.

Parking lots and site roads should follow existing grades and land forms where possible in order to minimize environmental disturbance.
Earth berms combined with trees provide an effective method for screening cars.

Paths and sidewalks should connect destinations.
Surface Parking
Surface parking bays should be kept small, and be separated from each other by native vegetation or by landscaped areas. This strategy minimizes required grading and takes advantage of natural drainage. New plantings help to capture surface runoff; small-size bays allow smooth pedestrian movement.

Streets and pedestrian walks can be set apart from each other by contrasting paving materials, special plantings, and lighting effects.

Parking lot configuration and location should harmonize with site conditions - including topography, drainage patterns, and natural amenities.

Flat, open areas on the site should be the designer's first choice for parking to minimize disruption to site contours and vegetation.

Parking is best located in the rear portions of a site, thereby using buildings as effective visual barriers.

In hillside developments, consideration should be given to parking areas that wrap around buildings. This breaks up the massing of cars and reduces site grading requirements.

Parking lots should be located where they will not keep the new development from blending into its natural setting.

(A) Large expanses of unrelieved pavement create stormwater runoff problems and poor comfort conditions for pedestrians.
(B) These problems can be lessened through landscaped planting areas which include shade trees.

(C) Parking is best placed behind buildings on the downhill side of the road, and in front on the uphill side.

In an optimum parking arrangement there should be no more than 10 cars in any continuous bay, and dead-end runs should not exceed 200 feet.
For parking lots of 100 cars or more, an internal pedestrian system should be provided, safely separating pedestrians from vehicles. Clearly defined crosswalks, where driveways meet public streets, can be made both effective and attractive through use of contrasting textures, materials, pathway lighting, and plantings.

Parking lot paving materials other than asphalt or concrete may be appropriate, depending upon topography, subsoil conditions, drainage characteristics and intensity of use.

**Parking Decks**

Parking decks may be either free-standing or located under a building. Parking structures or decks are appropriate especially on small tracts, or on sites whose contours make much of the area unbuildable. Care should be taken to avoid overloading small sites with excessive parking.

The following guidelines apply to parking structures:

Height of a parking structure is limited to three decks above grade. Parking structures should be less prominent than the buildings they serve.

Parking structures that are not integrated within buildings should be located inconspicuously behind buildings or screened by vegetation.

Parking structures should not be located immediately adjacent to major Town streets or to principal activity and amenity areas. If separation by buildings or dense landscaping is not practical, then exposed parking structure facades should be integrated into their surroundings by architectural detailing, plantings, terracing, or other design techniques.

Parking structures located beneath buildings or open spaces should use the natural change in grade or create a new elevated grade. This technique reduces excavation costs and provides adequate natural light and ventilation. Open edges and internal courts should be provided, to keep users oriented and promote a safe, pleasant atmosphere within the enclosure.

The design should use natural changes in site grade levels to make horizontal pedestrian connections between parking structures and the buildings they serve. This technique minimizes the need for multiple flights of stairs to and from parked cars.
(A) Parking structures should be screened from site access roads or amenity areas by buildings or vegetation.

(B) Parking decks should be less prominent in height than the buildings they serve.

(C) Placing parking structures behind the buildings they serve and utilizing trees and shrubbery as screening devices provides an optimum siting arrangement.
Building Entrance Considerations
Service and all-day employee parking should be separated from visitor and front-entrance traffic, if possible.

Entrance drives should be widened at the building entrance to provide a visitor drop-off zone.

Parking spaces at the building entrance should be wider than usual to accommodate frequent arrivals and departures.

Required handicapped parking should be convenient to the main entrance to each building.

Service/Storage Areas
All outside service and storage areas of commercial buildings should be completely screened with the use of architectural compatible walls or fencing material and the incorporation of landscape treatments.

Areas used for storage should be away from major streets, residential areas, and other high visibility zones, and located preferably on the rear half of the site. This requirement also applies to outdoor storage of equipment, service vehicles and U-haul vehicles.

(A) Buildings should be utilized to screen service yards and parking.

(B) Storage and service zones are best placed at the rear of a site, away from the street.
PEDESTRIANS
All new developments should assure that pedestrian access is safe, pleasant, and convenient.

The internal system should be linked with neighborhoods or Town-wide systems, particularly to greenways and parks (existing or planned).

Identifiable pedestrian crossings should be a part of street design.

Plans for pedestrian easements (easements located outside public rights-of-way) should identify clearly the party responsible for the easement’s perpetual maintenance.

*Internal pedestrian movement systems should be located in continuous, landscaped easements.*

Major residential subdivisions should develop a system for internal pedestrian movement.

**Internal Walkways**
Walkways should be designed to promote safe pedestrian movement to parking areas, to other buildings, and to the external sidewalk system. Internal walkways should be protected from automobile traffic by raised curbs, and should be routed to minimize conflicts with automobiles. Where intersections occur, pedestrian walkways should be clearly marked with paint or a contrasting surface material.

Walkways or sidewalks should be provided along all public streets. Recommended design solutions include:

Separating sidewalks from the roadway by a planted strip;
Allocating a wider-than-usual pedestrian section when the sidewalk bends and meanders;

Bending the sidewalk into adjoining lands;

Providing an asymmetric road section with a wide pedestrian area on one side and a narrow one on the other;

Depressing or raising the walk and constructing adequate barriers to ensure safety;

Providing parking adjacent to the walk as an additional barrier and measure of safety;

Installing special expanded sidewalks at intersections as a strategy for making motorists aware of the presence of a pedestrian crossing, and encouraging drivers to reduce speed before entering the block;

Making the walk compatible with walks in the existing neighborhoods by using similar materials; and

Providing for handicapped access along walkways at street/driveway intersections and whenever appropriate.

_Variations in walkway construction can have a beneficial impact on pedestrian activity. Some typical variations are as follows:_

_A) Curbstone planting strips;_

_B) Meandering paths;_
(C) Detours around natural features;

(D) Width of sidewalks and placement within right-of-way;

(E) Elevation; and

(F) Materials and patterns of construction.

BICYCLES
Thompson's Station's intends to encourage alternate modes of transportation inclusive of bicycles. Whenever practicable, developments should incorporate new bikeways into its plans.

In addition, if a development's location or function makes it likely to attract significant bicycle traffic, development planning should include areas for bicycle storage and parking.
Bicycle Parking
Bicycle parking should be a part of the plan for all new construction and renovation projects. The kinds of bicycle parking needed are related to the function of the project, as follows:

Multi-unit dwellings should provide proper facilities for the safe and sheltered storage of bicycles. Bicycle parking and storage should be as convenient and close to a dwelling entrance as automobile parking.

The number per dwelling unit of bicycles for which storage should be provided should be appropriate to the location and expected clientele.

Bicycle parking for businesses:

Businesses and organizations should recognize the needs of cyclists who may bicycle to work as well as patrons of the business or organization. These cyclists need convenient use of a bicycle rack.

STORMWATER MANAGEMENT
Prudent site planning includes special consideration for storm water management for the purpose of (1) preserving natural drainage-ways and (2) slowing storm water run-off from individual sites en route to streams and rivers by use of catchment ponds and retention-sedimentation basins. Storm water discharge should be directed away from slopes and into such ponds. The rate of discharge must correspond to the rate prior to site development. It is important that natural drainage systems be kept free of development in order to avoid drainage bottlenecks on individual sites. Where "rip-rap" is to be utilized, local use of stone (for color) should be used. The use of "blue/gray" stone, in areas of high visibility, is discouraged.

Detention Ponds
Detention ponds for run-off and sedimentation should be located where a natural holding pond already exists.

Disruption to hillsides should be minimized so that the natural drainage pattern might continue uninterrupted, resulting in a gradual run-off rate that minimizes downstream erosion.

Retention and/or detention ponds on wooded sites should be located in existing ponds or drainage tributaries that subsequently feed into major valleys.

Ponds should be designed as part of the landscape with grades so gradual that no fencing is required.
In retention ponds that always contain water, pond design should provide for aeration (by use of a fountain, for example).

Detention areas designed for temporary run-off should be designed and graded to fit naturally into the landscape; erosion-prone slopes should be planted with wetland vegetation.

**UTILITIES**

In new-site development, all utility lines and electrical power lines with a capacity less than 3-phase must be placed underground. Underground installation of all lines is encouraged.

Where overhead lines are necessary, they should be located in a manner that minimizes their visual impact.

Utility easements and installations should overlay site access drives, wherever possible, to minimize disturbance of native vegetation.

In areas of vegetation, trees should remain as dominant vertical visual elements. Utility poles should not extend above the tree line.

Overhead utility lines should be located inconspicuously by reducing the length of straight, elongated easements. To minimize vegetation disturbance, easement widths should be kept to a minimum, and cut in a manner that will reduce "tunnel" effects. The planting of low-growing trees within the easement will enhance its natural appearance and are encouraged.

Utility poles and supports should be neutral in color.

Utility easements should be planted with native plant species to help blend into the surrounding vegetation. Developers should check with local utility companies to determine their varying planting standards.

Landscaping should be planted to recognize existing or below-ground utilities. Appropriate plant materials should be selected that will not, when mature, interfere with above ground utilities, or create problems with routine underground maintenance practices.

Landscaping in the vicinity of surface mounted transformers and switching boxes should allow for sufficient distance to perform routine maintenance of these facilities.
ARCHITECTURAL CHARACTER

KEY DESIGN OBJECTIVES

Buildings should be designed and located so that they provide visual interest and create enjoyable, human-scale spaces.

Building design should blend with the natural terrain by means such as terracing or other techniques that minimize grading.

Designs should be compatible, in form and proportion, with the neighboring area.

Designers should strive for creativity in form and space wherever contrast and variety are appropriate to the larger environment.

PROPORTION AND SCALE
Proportion: the relationship of elements to one another in a building.

A development's buildings should be designed so as to relate to the proportions of architectural forms, planes and details within the existing physical context. Proportions are the ratios established by length, width, and height; and may exist as planar or volumetric measurements. Doors, windows, stairs, porches, pediments, architraves, roof shapes, and entire facades are frequently used as sources for proportions.

Scale: The relationship of building to a person.

Designs should incorporate architectural elements that give scale, or a sense of scale, to buildings. For example: Small windows make a building look larger; use of textured concrete lends "scale" to a building's mass.

ARCHITECTURAL DETAILS

Entrances
Entrances should clearly identify important access points.

Entrances should provide an introductory statement for a building, and should be landscaped with plants complementary to the building's architecture and style.

Facade Treatment
All elevations of a building's exterior design should be coordinated with regard to color, materials, architectural form and detailing.
The number of different materials on exterior facades should be limited.

When a portion of a building faces onto a greenway or park, it should be similar in design to the front facade of the building.

**Setbacks**

Building setback (distance from street) should be compatible with positioning of existing buildings on the block or Street.

Business blocks should maintain a continuous neighborhood facade - for definition of sidewalk space and pedestrian interest.

*Proportions derived from existing forms, surfaces, and details can be the basis for decisions concerning architectural character. The heavy black shapes and lines shown below are some of the formal elements of a language of design in this streetscape.*

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**Roof Design**

Roof shape, color and texture should be coordinated with treatment of the building’s perimeter walls.

Roof design should minimize the negative impact of roof protrusions by grouping plumbing vents, ducts and other utility structures together.

All rooftop mechanical and electrical equipment should be screened from view of people on the street.

On hillside sites, a stepped roofline helps relate the building to the topography and natural vegetation.
Large, flat-roofed areas viewable from the street are unacceptable.

*Roofshape and silhouette strongly influences architectural character. (A) Rooftop mechanical systems, elevator penthouses and other features are best screened by a parapet. (B) In hillside situations where the possibility exists for viewing roofs from above, it may be necessary to incorporate mechanical systems into the roof design, (C) or place them in a screened area at ground level.*
EXTERIOR BUILDING MATERIALS
Some nonresidential recommended facing materials are as follows: stone; unglazed and un-patterned brick in soft colors; painted, stained or weathered wood siding or shingles; textured concrete; and aluminum siding in soft colors and fine textures.

There should be strong transitions between changes of materials and surfaces, in newly developed areas, an overall and simple geometry for the building mass is recommended.

Color and Texture
Simple buildings can be made interesting by having their openings and entryways clearly expressed with offsets, and with changes of texture or color. Basic materials, texture, and color should be compatible with other buildings in the area.

Entries are transition areas and may be reinforced by special paving, planting and lighting treatment. Architecturally, they should be expressed by simple changes in form, line, color or texture.

Color and texture for architectural finishes should be selected to provide visual unity.

Texture of the roof and wall finishes should provide scale or a reference point for the pedestrian in proximity to the structure.
(A) The use of offsets in walls and building masses can make simple structures quite interesting.

(B) This same reasoning applies to controlled variations in level, form, line, and patterns of materials.
(C) Textures - both visual and tactile can help reinforce scale in buildings.

LIGHTING
Exterior lighting and site furniture should be architecturally integrated with the building's style, material, and color.

Lighting intensities should be controlled to assure that excessive light spillage and glare are not directed toward neighboring areas and motorists.

Down lighting should be used to reinforce the circulation corridor; up lighting is better suited for highlighting transition points.

Incandescent fixtures, on light posts of appropriate size, should be used to indicate onsite, pedestrian-circulation systems. Low lights should be located along driveways and other internal site corridors to provide continuous illumination of the pavement. Areas between parking lanes, as well as pedestrian-ways through parking areas, should be emphasized by low angle lighting of the vegetation.

Low-angle lighting of buildings generally is not encouraged. However, such lighting can be attractive if it is incorporated carefully into the architectural design.

When adjacent to greenways and parks, site lighting should be compatible with neighboring lighting systems.
Down-lighting is most effective in illuminating a circulation corridor. For safety, lighting is needed especially at stairs along such corridors.

LANDSCAPE CHARACTER

KEY DESIGN OBJECTIVES
A landscape theme should foster unity of design and reinforce existing vegetation with compatible plantings. (Example, new seedling plantings could expand an existing tree canopy.)

Entrances into developments should be sensitively landscaped. Appropriate signs, compatible with the building(s), should be installed to identify the project and frame the entryway.

Appropriate landscaping should be used around structures to blend with the natural landscape.

Trees should be retained, where they provide screening or soften views of the site.

Landscaping should be massed or clustered - not spread out in thin, linear patterns.

BUFFERS
Developers are encouraged to provide street tree plantings that establish an attractive and consistent streetscape and scale.

Natural vegetation along property edges is useful for hiding parking areas.

Storage and loading areas must be screened with planted buffers at least six feet in height, or rising two feet above material or equipment being stored, whichever is greater.
All loading berths and refuse containers should be within the building or concealed by means of a screening wall of material similar to and compatible with that of the building. Suitable plant materials could be used at the base and corners of the screening wall to soften the wall's appearance.

Buffers should be located carefully so that they are not just edge strips. This can be achieved through placement of plantings, and in some cases by the addition of plant materials beyond buffer requirements.
This illustration shows the desirable use of landscaping buffers between roads, parking areas and buildings.

(A) The minimum height for effectively screening a storage area is 6 feet. (B) Landscaped buffers serve as both visual and physical screens for pedestrians and motorists.
The Planting Plan

Quality landscaping is essential to a good environment, and a good environment helps maintain the occupancy level of a completed development as much as any other factor. Locating a few trees on the site is unacceptable; landscape development should be an integral part of the project early in the planning process.

Variations in street tree planting arrangements can enhance landscape character.
From top to bottom:

(A) Single row on either side;
(B) Double row on one side;
(C) Single row in median;
(D) Break in formal planting pattern;
(E) Informal planting pattern;
(F) Single row on either side and in median.
Trees planted on the north side of the street provide shade for houses. Trees also act as a windscreen, creating a protected area as much as ten times in width as the average tree height.

Intersections and Street profiles reveal many possibilities for landscaping and pedestrian walkway design.
INTERSECTION B

LEVEL GRADE STREET PROFILE - Alternative A

LEVEL GRADE STREET PROFILE - Alternative B
TRANSITIONS AND ENTRIES
Arrival points and building edges are intended to serve as transitional zones between the vehicles, pedestrians and buildings. The arrival area should be landscaped to make a positive introductory statement about the site.

A 20- to 40-foot transitional zone consisting of special landscaping and paving materials should be provided along building edges to separate pedestrian and vehicular traffic as well as introduce the visitor or user to the main entrance.

Entries
Entries bring people onto a site. Special landscaping provides a sense of arrival and introduces the visitor or user to the building's main entrance.

Entries may be landscaped formally or informally, depending upon natural site conditions and the image desired.
Use of landscaped median islands is encouraged for medium or large-sized developments. Landscaping should provide consistency with surrounding neighborhood and consist of low-maintenance plants.
PARKING AREAS
Views from buildings into parking areas should be broken by strategic placement of planting islands within the parking area.

Visual buffers should be solid enough to screen the mass of pavement and cars from neighboring properties and streets. This buffering should be achieved with existing vegetation wherever possible.

Buffering materials should be placed in clustered units.

Interior planter islands should be large enough to sustain canopy tree growth. Ends of parking aisles should contain landscaped islands at least eight feet in width. These islands delineate driveways, entrances, and exits of the parking lot.

Natural contouring should occur in the required buffer-yards and be supplemented by earth berms, where appropriate, to blend in with the character of the site while effectively screening the parking area.
In parking lots of more than 100 cars, landscaped dividers of sufficient size and foliage density are necessary to break up the mass of pavement. In such cases, clusters of wide planted islands are encouraged. The intent is to generate a landscaped mass within parking areas of sufficient size to break parking into manageable areas.

In parking lots of 200 cars or more, a pedestrian walkway separated from traffic aisles is recommended in order to minimize conflicts between pedestrians and vehicles.

**Recommended Parking-area Details**

**Tree Planting:** Trees planted between rows of cars and around the parking lot perimeters provide important visual screening.

**Berms:** Berms are planted earth mounds which physically, and often gracefully, block views without relying on architectural elements. Berms are most useful where the mounding is natural and there is plenty of room.

**Fences and Walls:** These architectural solutions are immediate, effective, and inexpensive methods to screen unwanted views. They require little room and can be designed to solve specific problems.

**Below-grade parking lot:** This is an effective measure that can be worked in with various other site constraints.

**Grassed parking areas:** Bricked or cobble-stoned parking lots, with materials spaced so that grass can grow, can be much more attractive than paved areas. Such areas cannot support heavy wear, but are useful for occasional parking. Landscaped islands should be designed to sustain healthy plant growth.
(A) Hedges and trees can act as visual screens in parking areas.

(B) To be effective on level sites, screens must shield the roofs of cars and vans from view.

(C) Sunken parking areas are more effective in shielding automobiles from view if augmented by trees and shrubs.
PLANTS

Preserving Natural Vegetation
Tree preservation is an important issue within Thompson's Station. Significant existing trees exceeding 18 inches in diameter should be preserved wherever possible. At a minimum, selective retention of the more significant trees should occur, particularly within areas where the fragile ecological setting could be disrupted by tree removal.

Vegetation on sloping sites plays a critical role in maintaining aesthetic quality and in minimizing erosion and downstream flooding.

Preservation of specimen trees at entries and within parking areas provides the opportunity to project an image of buildings tucked into, rather than superimposed on, the natural landscape.

During a development's construction phase, preservation of existing trees requires protection by physical barriers, plus adequate supervision during site construction activities.

Plant Selection and Maintenance
New plant material should complement existing site vegetation and be consistent in character with natural site features, particularly where excessive slopes exist.

Planting design should be integrated with all other site features. Indigenous and/or regionally grown plants are preferred.

Tree and shrub plantings should be grouped together to create strong accent points.

Landscaping should be of sufficient size so that mature appearance will be achieved within three to five years of planting.

Deciduous trees should be provided along a building's southern exposure, and conifers and broad evergreen trees along east and west exposures. Such plantings help to lower a building's energy requirements.

Mature plants and shrubs are preferable to immature ones.

FENCING
Walls of natural rock material are a much revered part of Thompson's Station's history. Use of stone walls constructed of local stone materials is strongly encouraged for defining property lines, particularly those along street frontages.
Fencing Needs
Fencing is as much a part of the public environment as it is part of a site's private landscape. Therefore, a complex set of factors must be considered in any fencing scheme, which include:
Fencing uses and purposes
Topography
Connections to structures
Plantings

Fencing Uses and Purposes
In Thompson's Station, fencing is most-commonly used for protection, entrance definition, or for the creation of an outdoor room.

Protection
The basic function of protective fencing is to keep human beings and animals in or out. A fence also can serve as a psychological deterrent to trespassers.

Entrance definition
An entrance zone can be created by using architectural and/or planting elements to define the entrance space. Fencing can direct pedestrian traffic, expand interior space, and extend the architectural expression of a house.

Outdoor room
Fencing can be used to create an outdoor "room," thereby providing a small, private, open space for each household. Such a room can be an extension of the interior of a house or a separate garden or courtyard. A fence can divide a yard into specific areas for work or play; it also can screen storage, garbage cans, and other visually undesirable elements.

Topography
Generally, as fences become more solid, they require flatter topography. Solid board fences, in particular, demand a very flat site.

On topography that is more rolling - 3 percent to 6 percent grade - non-solid or semitransparent fences provide a better fit with the land. Some solid or semi-transparent fences can be effective where retaining walls are planned as an integral part of the fencing scheme.

Long, solid fences should contain offsets or other architectural treatments to break up the appearance of a continuous mass.
Connections to Structures
If a fence is attached to a structure, it is considered an architectural extension and should be built at the same time as the structure and with compatible materials.

Fences that are adjacent, but not attached to a structure, usually are built of similar materials; and may be constructed at a later time. An obvious visual joint exists in such a situation and should be recognized. For a cleaner, neater appearance, the fence should be "offset," featuring occasional angles for visual relief from a straight fence line. Generally, fences should be located at corners or related to some architectural feature of a structure.

Planting
Any fencing design should include detailed plans for planting.

Long, solid fences should be complemented by appropriate landscaping.

Simplicity is important to any successful planting scheme. A well-balanced mixture of materials is preferable to a wide but unrelated variety of plants.

Vines, shrubs, and trees all can be used in fence plantings. In most cases, large-scale trees are as appropriate as vines or shrubs. Vertical lines of trees help to break the often monotonous horizontal line of a fence.

Fence design should take into consideration the play of shadows against the fence. Evergreens have a particular advantage for planting because they provide year-round color and contrast.

Whichever plants are chosen, they should be grouped or massed at key locations along the fence, such as corners or grade changes.

Planting can be used to replace, as well as to complement fences. In many situations a good landscaping plan will eliminate the need for a fence, while providing a "softer" ambience for outdoor activity.
(A) Stepped fencing relates well to undulating topography and gentle slopes. Steeply sloping land suggests the use of retaining walls in conjunction with fence design.

(B) and (C) Fences are also useful in defining circulation paths and in creating individual identities for houses.