

CHAPTER NO. 63

SENATE BILL NO. 1962

By Clabough

Substituted for: House Bill No. 1997

By Overbey, McCord

AN ACT To amend Chapter 27 of the Private Acts of 1967; as amended by Chapter 472 of the Private Acts of 1968 and Chapter 193 of the Private Acts of 1984; and any other acts amendatory thereto, relative to the City of Maryville.

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

SECTION 1. Chapter No. 27 of the Private Acts of 1967, as amended by Chapter No. 472 of the Private Acts of 1968 and Chapter No. 193 of the Private Acts of 1984, and any other acts amendatory thereto, is further amended by adding in Article II, Section 1, after Item (36), the following language as a new, appropriately numbered item:

(37) (A) To adopt by ordinance or resolution, by a two-thirds vote of the city council, a comprehensive program to plan and coordinate the maintenance and expansion of public infrastructure facilities. The fundamental purpose of such program shall be to ensure that all such maintenance and expansion occurs in a manner that is orderly, incremental, efficient, effective, environmentally sound, and fiscally responsible.

(B) To adopt by ordinance or resolution, by a two-thirds vote of the city council, such definitions, threshold standards, policies, and procedures as may be reasonably necessary in order to make approval of any proposed commercial, industrial, or residential development contingent upon the adequacy of public infrastructure facilities to concurrently accommodate increased demands likely to occur as a result of the proposed development. The fundamental purpose of such adequate facilities requirements shall be to ensure that all such development occurs in a manner that is consistent with the orderly, incremental, efficient, effective, environmentally sound, and fiscally responsible maintenance and expansion of public infrastructure facilities.

(C) To adopt by ordinance or resolution, by a two-thirds vote of the city council, such interim development controls as may be reasonably necessary to protect and promote the public welfare during the period required to formulate, adopt, and implement the public infrastructure facilities planning and coordination program authorized pursuant to subitem (A) and the adequate public facilities requirements authorized pursuant to subitem (B). Any such interim development controls shall cease to be effective upon actual implementation of such planning and coordination program and adequate public facilities requirements or after twenty-four (24) months, whichever shall first occur.

(D) As used in this item, the term "public infrastructure facilities" includes, but is not necessarily limited to, the following publicly supported systems, utilities, and services:

- (i) Schools;
- (ii) Libraries;
- (iii) Electricity;
- (iv) Water, sewers, and wastewater treatment;
- (v) Solid waste collection and disposal;
- (vi) Storm water drainage;
- (vii) Roadways and transportation networks;
- (viii) Law enforcement;
- (ix) Fire protection;
- (x) Emergency response; and
- (xi) Parks and recreation.

(E) Prior to the first reading of an ordinance or resolution for the adoption of the comprehensive program authorized pursuant to subitem (A), the adequate public facilities requirements authorized pursuant to subitem (B), or the interim development controls authorized pursuant to subitem (C), or any amendments or revisions to such program, requirements or development controls, the city council shall conduct three (3) public hearings on three (3) separate days at which any citizen of the city shall have the right to appear and comment on the proposal. The first public hearing shall be conducted at least three (3) weeks prior to such first reading. The city council shall publish a notice of each public hearing in a newspaper of general circulation within the City of Maryville at least five (5) days prior to each such public hearing.

SECTION 2. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the City Council of Maryville. Its approval or nonapproval shall be proclaimed by the presiding officer of the City Council and certified to the Secretary of State.

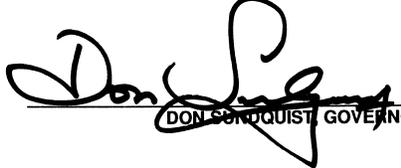
SECTION 3. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 2.

PASSED: June 21, 2001


JOHN S. WILDER
SPEAKER OF THE SENATE


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 27th day of June 2001


DON S. QUIGLEY, GOVERNOR