

AGENDA
City of Hohenwald
Council Meeting
Tuesday, April 2, 2024, 5:00 p.m.

Prayer by Scottie Bass

Pledge of Allegiance by Steve Vineyard

- 1. Call to order**
- 2. Announcement of quorum**
- 3. Introduction of guests**
- 4. Citizen input**

Any citizen shall be given up to three minutes to address the Mayor and Council on any issue. When the Mayor asks, please raise your hand if you wish to speak.

- 5. Consent Agenda**
 - A. Approval of minutes from February 2024**
 - B. Police Report: Kevin Carroll**
 - C. Fire Department Report: Chief Steve Vineyard**
 - D. Building Inspector**
 - E. Community Development**

6. Old Business

- A. 2nd Reading – Ordinance to Limit Retail Liquor Stores**

7. New Business

- A. Resolution to Appoint members to the Board of Zoning Appeals**
- B. Ordinance to Amend Building Codes for Day Care Centers**
- C. Ordinance to Amend Fire Code**
- D. PILOT for Wedlake Discussion**

8. Announcements

9. Adjournment

RESOLUTION NUMBER 3963 (04-01-24)

A RESOLUTION TO RE-APPOINT MEMBERS TO THE HOHENWALD BOARD OF ZONING APPEALS

WHEREAS, vacancies exist on the Hohenwald Board of Zoning Appeals; and

WHEREAS, Clasha Tanner, Jim Graves, and Kevin Baker are willing to serve on this board.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF HOHENWALD, that Clasha Tanner, Jim Graves, and Kevin Baker be appointed for terms which will expire April 2027.

BE IT FURTHER RESOLVED that this resolution shall become effective upon its adoption, the welfare of the City requiring it.

Motion to adopt the foregoing resolution having been made by _____, seconded by _____, a roll call vote was held and the following voted:

AYE:

NAY:

THE VOTE BEING TAKEN, MAYOR MCKNIGHT DECLARED THIS RESOLUTION DULY ADOPTED, THIS THE 2nd DAY OF APRIL 2024.

ORDINANCE NUMBER 761

AN ORDINANCE OF THE CITY OF HOHENWALD, TENNESSEE
AMENDING THE MUNICIPAL ZONING ORDINANCE REGARDING DAY CARE CENTERS

WHEREAS, the City of Hohenwald regulates community facility activities, and, specifically, day care centers through the Municipal Zoning Ordinance; and

WHEREAS, the City of Hohenwald had previously adopted a minimum square footage requirement of forty thousand (40,000) square feet for lots on which day care centers are located; and

WHEREAS, this requirement is much more restrictive than regulations of the State of Tennessee; and

WHEREAS, the Hohenwald City Council desires to eliminate this unduly restrictive requirement; and

WHEREAS, the Mayor and City Council believe it is in the best interest of the citizens of the City of Hohenwald that the amended Article VII, Section 7.080(I)(2)(b), attached hereto and incorporated herein by reference to this Ordinance No. ____, be adopted.

NOW, THEREFORE, MAY IT BE ORDAINED THAT THE HOHENWALD ZONING ORDINANCE BE AMENDED BY REMOVING THE MINIMUM LOT SIZE RESTRICTION FOUND IN ARTICLE VII, SECTION 7.080(I)(2)(B), SPECIFIC STANDARDS FOR COMMUNITY FACILITY ACTIVITIES, AND RENUMBERING THE REMAINING REQUIREMENTS AS FOLLOWS:

b. Day Care Center

- (1) All bulk and setback regulations of the district shall be met.
- (2) One (1) accessory off-street parking space for each five (5) children accommodated in the child care facility shall be provided.
- (3) Special passenger loading and unloading facilities shall be provided on the same zone lot for vehicles to pick-up or deliver passengers. Such facilities shall provide for driveways that do not require any back-up movements by vehicles to enter or exit the zone lot.
- (4) All regulations of the State of Tennessee that pertain to the use shall be met, including licensure and minimum square footage requirements.
- (5) The facility shall be located so as to be compatible with the surrounding area and provide safety to those using such facility.
- (6) Fencing, screening, and landscaping shall be provided as appropriate to protect the surrounding area.
- (7) The site and architectural plans of such a facility shall be approved by the Planning Commission taking into account the above conditions as well as any other pertinent factors.

THEREFORE, BE IT FURTHER ORDAINED that this Ordinance shall take effect immediately upon passage, the public welfare of the citizens of the City of Hohenwald requiring the same.

AYE:

NAY:

Passed First Reading:

Public Hearing:

Passed Second and Final Reading:

The public hearing was advertised in The Lewis County Herald on February ____, 2024

APPROVED:

ATTEST:

DANNY MCKNIGHT, Mayor

KYLE HAMM, City Recorder

APPROVED AS TO LEGALITY AND FORM:

TIMOTHY V. POTTER, City Attorney

Exhibit "A"

Article VII, Section 7.080(I)(2)(b), Specific Standards for Community Facility Activities:

b. Day Care Center

- (1) All bulk and setback regulations of the district shall be met.
- (2) One (1) accessory off-street parking space for each five (5) children accommodated in the child care facility shall be provided.
- (3) Special passenger loading and unloading facilities shall be provided on the same zone lot for vehicles to pick-up or deliver passengers. Such facilities shall provide for driveways that do not require any back-up movements by vehicles to enter or exit the zone lot.
- (4) All regulations of the State of Tennessee that pertain to the use shall be met, including licensure and minimum square footage requirements.
- (5) The facility shall be located so as to be compatible with the surrounding area and provide safety to those using such facility.
- (6) Fencing, screening, and landscaping shall be provided as appropriate to protect the surrounding area.
- (7) The site and architectural plans of such a facility shall be approved by the Planning Commission taking into account the above conditions as well as any other pertinent factors.

ORDINANCE NUMBER 762

ORDINANCE TO AMEND SECTION 7-202 OF THE MUNICIPAL CODE TO MODIFY THE INTERNATIONAL FIRE CODE

WHEREAS, by Title 7, Chapter 2, Section 7-201 of the Hohenwald Municipal Code, the City of Hohenwald adopted the International Fire Code (the “Fire Code”); and

WHEREAS, Title 7, Chapter 2, Section 7-202 (2) enumerates modifications and insertions to the Fire Code; and

WHEREAS, it has come to the attention of the Mayor and City Council for the City of Hohenwald, Tennessee, that the Fire Code should be modified in order to prohibit the operation of open-flame cooking devices on balconies; and

WHEREAS, the Mayor and City Council believe it is in the best interest of the citizens of the City of Hohenwald that the amended Title 7, Chapter 2, attached hereto and incorporated herein by reference to this Ordinance No. ___, be adopted.

WHEREAS, the Mayor and City Council further find that such amendment is needed in order to protect the public health, safety, and welfare.

NOW, THEREFORE, BE IT ORDAINED, that Title 7, Chapter 2 of the City of Hohenwald Municipal Code is hereby amended per the modified and attached language.

BE IT FURTHER ORDAINED, that this Ordinance is hereby approved by the City of Hohenwald City Council and shall become a part of the Fire Code, as adopted by the City of Hohenwald, Tennessee.

BE IT FURTHER ORDAINED, that this Ordinance shall take effect the day after its passage on the second and final reading, the public welfare requiring it.

AYE:

NAY:

Passed First Reading:

Public Hearing:

Passed Second and Final Reading:

The public hearing was advertised in The Lewis County Herald on February ____, 2024

APPROVED:

ATTEST:

DANNY MCKNIGHT, Mayor

KYLE HAMM, City Recorder

APPROVED AS TO LEGALITY AND FORM:

TIMOTHY V. POTTER, City Attorney

CHAPTER 2

FIRE CODE¹

SECTION

- 7-201. Fire code adopted.
- 7-202. Modifications.
- 7-203. Available in recorder's office.
- 7-204. Amendments.
- 7-205. Violations and penalty.

7-201. Fire code adopted. Pursuant to authority granted by Tennessee Code Annotated, §§ 6-54-501 to 6-54-506, the International Fire Code, 2012 edition, and Appendices B, D, E, F, G, H and I thereto, as prepared and published 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 fire code.

7-202. Modifications. (1) Definitions. Whenever the fire code refers to the "chief appointing authority" it shall be deemed a reference to the mayor, with confirmation of the city council. Whenever the fire code refers to the "fire code official," it shall be deemed a reference to such person as the mayor shall have appointed or designated to administer and enforce the provisions of the fire code.

(2) Modifications and insertions. The following modifications and insertions are made to the fire code:

- 101.1 Title - Insert "City of Hohenwald Tennessee"
- 103 Department of Fire Prevention - Delete
- 104.6 Official records - Revise the second sentence to read: "Such official records shall be retained as required by law."
- 105.3.1 Expiration - Delete the second and third sentences in their entirety
- 105.3.2 Extensions - Delete
- 109.4 Violation penalties - Delete
- 111.4 Failure to comply – Delete
- 308.1.4 Open-flame cooking devices – Revise the first sentence to read: "Charcoal burners and other open-flame cooking devices shall not be operated on balconies or within 10 feet (3048 mm) of combustible construction." Delete the second and third exceptions in their entirety.

7-203. Available in recorder's office. Pursuant to the requirements of Tennessee Code Annotated, § 6-54-502, one (1) copy of the fire code has been placed on file in the recorder's office and shall be kept there for the use and inspection of the public.

¹ Municipal code reference

Building, utility, and residential codes: title 12.

7-204. Amendments. In accordance with Tennessee Code Annotated, § 6-54-502(c), the mayor, as the municipal code administrative official, shall adopt administrative regulations to incorporate subsequent changes and amendments to the fire code as prepared and published from time to time by the International Code Council. These amendments shall be identified by the mayor as to date and source and shall take effect as provided in Tennessee Code Annotated, § 6-54-502(d), unless disapproved by resolution of the city council.

7-205. Violations and penalty. It shall be unlawful for any person to violate or fail to comply with any provision of the fire code as herein adopted by reference and modified.