



Metro Codes

E - News for Professionals

Metropolitan Government of Nashville and Davidson County

Metro Codes Works with Habitat For Humanity

Codes inspectors often keep strange hours.

In order to meet the demands of their rigorous professions, inspectors may be called out at all hours for a variety of reasons. Sometimes, these hours can cause some unhappiness, but there were no frowns among Metro Code inspectors working with Habitat for Humanity in pre-dawn inspections in early November.

"When Habitat for Humanity called to let us know that there would be 10 new houses in Providence Park which needed early morning inspections, we knew it would be no problem," Terry Cobb, Metro Codes Director said of the special request. "Habitat makes a difference in this community every day so all of the Codes staff was ready to do what it took to help in the project."

From the first inspector at 5:30 a.m. on Monday morning to the final inspection on Friday afternoon, Metro Codes exhibited a willingness to improve the quality of life as well as protect the safety of all Nashvillians.

Habitat for Humanity and Whirlpool Corporation entered into this joint effort to build an entire block of 10 homes in just a week as part of the new "Building Blocks" program. This planned annual event was hosted for the first time by Nashville Area Habitat for Humanity (NAHFH).

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In addition to the director, Mechanical-Gas Division Chief Jim Daly, Plumbing Division Chief Dell Myers and Buildings Division Chief Byron Hall along with inspectors Jim Hudgins and Jim Guschke assisted Habitat with the project.



The 10 homes were built in the Providence Park area, Nashville's first all-Habitat community and quickly growing into one of the nation's largest contiguous all-Habitat community. Providence Park was started in 2003 by NAHFH and now has more than 65 Habitat homes, with plans to complete more than 140 homes by the end of 2007. The Building Blocks project will be the largest multi-home build in NAHFH's 21-year history.

During the build week, business leaders from around the country participated in a corporate summit to discuss effective corporate social responsibility and developing knowledge among new leaders, Habitat affiliates and their surrounding communities. The build culminated in home dedications and a Thanksgiving-style luncheon prepared by local chefs for the 10 families and hundreds of volunteers.



Nashville Area Habitat for Humanity is a non-profit, ecumenical Christian housing ministry that provides families with the life-changing opportunity to purchase a decent, affordable home. The agency has tripled in size since 2002 and closed its 2005 fiscal year

with a record number of homes built (30).

Additionally, the NAHFH HomeWORKS program provides hundreds of hours of classes for partner families on budgeting, credit management, mortgage finance, and home maintenance. These classes build each individual's leadership, citizenship and life skills.

Habitat for Humanity International

Habitat for Humanity International, based in Americus, Ga., is an ecumenical Christian ministry that welcomes to its work all people

dedicated to the cause of eliminating poverty housing. Since 1976, Habitat has built more than 200,000 houses in nearly 100 countries, providing simple, decent and affordable shelter for more than one million people. For more information, visit

www.habitat.org



Nashville Mayor Purcell Named Top Public Official by **GOVERNING Magazine**

Mayor Bill Purcell earned **GOVERNING** Magazine's Public Official of the Year honor as a mayor "who simultaneously improved his city's quality of life and spurred business expansion with an ambitious agenda that included strengthened public schools and revitalized neighborhoods."

Purcell became the first Nashville mayor to receive the honor in the magazine's 13 years of presenting the Public Official of the Year awards to the nation's top state and local government leaders. Former Gov. Ned McWherter was similarly honored the first year awards were made in 1994, at the end of his second term in office.

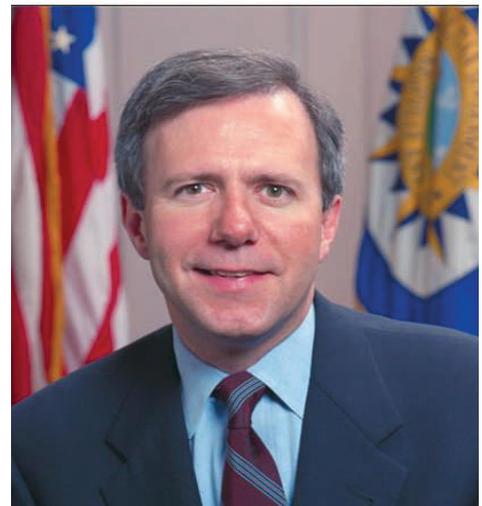
GOVERNING Magazine's Public Official of the Year awards are given in recognition of outstanding achievement at the state and local level. A total of nine 2006 awards were announced by the magazine covering executive and legislative, elected and appointed posts.

The winners also include Mississippi's governor, the speaker of the Massachusetts House, the executive of King County, Washington; the president of the New Jersey Senate, Chicago's library commissioner, Philadelphia's chief information officer, the Bush administration homelessness czar, and the city manager of Ventura, California.

"These individuals have exhibited a remarkable flexibility," said Alan Ehrenhalt, **GOVERNING's** executive editor. "They have thrived in the face of the most daunting and unexpected obstacles, from a natural disaster to a health care crisis to entrenched corruption. Their versatile leadership and innovative policies should serve as models for their peers nationwide."

The award winners are profiled in the November issue of GOVERNING and will be honored at a dinner November 15 in Washington, D.C. GOVERNING, now 19 years old, is an independent national magazine devoted to coverage of state and local government. It has a circulation of 85,000.

This year we have access to the Public Officials of the year 2006 Award Ceremony video online. To view a copy of the recent edition, please visit their website at: <http://connectlive.com/events/poy2006awards/>. You can view each award winner as they receive and accept their award. Search for a single winner by name or watch the entire presentation.



Nashville Named One Of America's Most Digital Cities for 2006

Sacramento, Calif.—The most technology-advanced cities in America have been named by the Center for Digital Government (www.centerdigitalgov.com) based on its 2006 Digital Cities Survey. The sixth annual study examines how city governments are utilizing digital technologies to better serve their citizens and streamline operations.

"We were so happy to see the fantastic improvements and innovations made by cities from coast to coast," said Cathilea Robinett, executive director for the Center for Digital Government. "Each year, while conducting the Digital Cities Survey and other popular survey programs, we continually see America's state and local governments raising the bar and expanding their use of technology to serve citizens. We can't help but be inspired and impressed by the amazing strides made by this year's participating cities."

While the survey is open to all U.S. cities with populations of 30,000 or more, there are a handful of cities consistently at the front of the pack. Of note, Corpus Christi, TX has been in the top 10 since 2003 as has Madison, WI who each too top honors in their categories. In cities between 125, 000 and 50,000 in population Alexandria, VA shares first place with Madison, WI after holding forth place last year. Other top performers from Beach, FL who took first place last year in their first year in the survey.

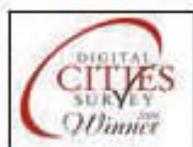
This year's Digital Cities Survey was sponsored by Hyland Software, developers of OnBase (www.onbase.com) and CDW-G (www.cdg.com), both proud partners of state and local governments across America. Winners will be honored at a special awards ceremony conducted by the Center for Digital Government on December 7, 2006 in Reno, Nevada.

Below, you will find the top 10 cities from the 250,000 or more population:

Congratulations, Digital Cities Top Ten!

250,000 or more population category:

- 1st—City of Corpus Christi, TX
- 2nd—City of Tampa, FL
- 3rd—City of Tucson, AZ
- 4th—City of Aurora, CO
- 5th—City of Nashville, TN**
- 6th—City of Colorado Springs, CO
- 7th—City of San Diego, CA
- 8th—City of Miami, FL
- 9th—Cities of Mesa, AZ / Washington, D.C.
- 10th—Cities of Phoenix, AZ / Riverside, CA



TECHNICALLY SPEAKING

Use and Occupancy Permits

By Rick Shepherd
Chief Zoning Examiner



Section 17.40.520 Of the Metro Zoning Code requires an application for a zoning permit must be filed with the Zoning Administrator prior to any person or entity commencing any construction or alteration of a structure or initiating a change in use of the property. No building permit shall be issued except on presentation of a valid zoning permit.

What is a change of use? If a use of a property and or / building or any portion there of is proposed to be changed to a use other than the what it is currently or has last been used, a permit is required. As an example if a building is being used for an office and the proposed use is a retail establishment a permit is required to make this change. It does not matter whether there is construction work proposed with the change. A change of use permit is still required. Another example is converting a residence that may have been recently rezoned and is now being converted to a business must have a change of use permit.

What is the purpose for a change of use permit? Different occupancies under the zoning, building, fire and various other codes often apply differently than for the previous occupancy. As an example the parking requirements under the zoning code may be different. The building and or fire codes could have more stringent exiting requirements. Any number of requirements could be different which could prohibit the Change of Use or require alterations to a property to be able to comply with applicable codes for a new use.

Some of the biggest problems we have seen persons get themselves into as unsuspecting business owners were a result of not getting a change of use permit. It has caused problems for the tenants but also for leasing and sales agents. This has often times been discovered after persons have spent money for rehab, purchased properties without first obtaining permits. The consequences in some cases can be irreversible.

In addition to this any change of use generally requires new signage. This requires that sign permits be obtained in addition to a change of use permit. We will not issue sign permits on a location until the change of use permit has been issued when required.

We urge all persons connected with the opening of a business or persons in the business of offering real estate that will result in a change of occupancy to make sure proper permits are in place. The consequences of not obtaining a permit can be irreversible and expensive in some cases.

Fence Construction in Davidson County

The old adage “fences make good neighbors” is not always correct, but improperly built and maintained fences always makes for bad neighbors and can get you into trouble.

You don't have to have a building permit from the Metropolitan Codes Department (although there are some regulations related to fencing materials) in order to legally build a fence. However, common sense should reign when constructing a fence or repairing an old one. You should bear in mind that while its “your” fence, you “share” it with anyone who is nearby, especially your neighbor.



The first suggestion for property construction of a fence is simple: *do not encroach on your neighbor's property*. Secondly, the Metropolitan Government's Code of Law's Zoning Code establishes the specific regulations for the heights of fences:

The maximum permitted height shall be:

- Two and one-half feet in height within 10 feet of a street right-of-way (property line). Open fences, such as chain link or those of similar nature are permitted to be six feet in height,
- Six feet in height in the remainder of the front setback (leading edge of house)
- Eight feet in height within the required side or rear setback (side and rear yards).

Maximum height is measured from finish grade level on the side of the wall or fence with the greatest vertical exposure.

Fences must be constructed of the following materials:

- Woven wire or chain link
- Wrought iron
- Wood, vinyl, steel, or aluminum slats of no more than one inch by six inches in width hung vertically, or diagonally between steel, wood, or vinyl posts no further than ten feet apart;
- Masonry consisting of brick, concrete block, split-face block, dry stack stones, or stones and mortar;
- Plastic or other synthetic material treated in a manner to maintain the fence in good structural condition and with an appearance that is aesthetically compatible with the type of fence it represents;

Decorative-type split rail or dry-stack stone may be used for decorative fences.

Metal fences will consist of materials manufactured and/or treated in a manner to prevent rust or corrosion. Wood fences shall be painted, stained, or preserved in

a manner to maintain the fence in good structural condition.

All fences must be maintained in a manner to preserve the structural integrity and appearance of the fence, including (but not limited to) the replacement of broken boards or sections and preventing paint from peeling.

Finally, if you live in a neighborhood which has a zoning overlay (historic, conservation or similar zoning overlay), you should discuss your fence with the Metro Historical Commission or other agencies of government.

Please direct any questions concerning fences to the Metro Codes, Property Standards Division, at 862-6590.

SHERIFF'S OFFICE PROVIDES SOBER RIDES FOR 22nd CONSECUTIVE YEAR

Once again this year, the Davidson County Sheriff's Office is sponsoring *Sober Ride*. This is a service that provides free, safe and sober rides for those in Davidson County too intoxicated to drive on New Year's Eve.



Sheriff Daron Hall has said “*Sober Ride* is a Nashville Tradition and people have come to depend on this service. Over the past 10 years, we have taken about 11,000 people home including almost 2,500 last year, and we feel certain a tragedy has been avoided by keeping these people off the roads.”

All drivers are Sheriff's Office employees and many of the nearly 200 volunteers have made *Sober Ride* their New Year's Eve Tradition. Many individuals work at headquarters answering phones, verifying calls, and mapping pick-up locations.

Drivers will take people home, but not to another party or bar, and serves only Davidson County. No reservations are allowed.

“The most important decision someone will make this holiday – or any holiday for that matter – is to not drink and drive. I encourage anyone who has had one too many to call *Sober Ride* and arrive home safely,” Hall added.

For a free, safe, and sober ride home this New Year's Eve, call **862-RIDE**. Operating hours are from 10 p.m. to 3 a.m. This project is funded in part under an agreement with the Tennessee Department of Transportation, Governor's Highway Safety Office and the National Highway Transportation Safety Administration.



10th Annual Metro Codes Charity Golf Tournament

The 10th Annual Metro Codes Charity Golf Tournament was held on October 28th at the Ted Rhodes Golf Course. One hundred twenty-eight golfers participated in the blind-draw scramble and 99 corporate sponsors assisted the department with hosting the event. Metro Plumbing Inspector and committee member, Ronnie Douglas said; *"The event was clearly our most enjoyable and successful to date."*

All tournament proceeds have been donated through the Metro Employees Consolidated Charities Campaign (MECCC) to three local charities: the Easter Seal Camp for Physically Challenged Youth on Old Hickory Lake, the Harris-Hillman School and Miriam's Promise. This year's proceeds totaled \$20,000.

The idea for the tournament began ten years ago when a small group of codes inspectors got together with a group of local contractors on a Saturday morning for a round of golf. Former Codes Inspector, Roy Davis, and his wife, Glenda, are credited with the original idea to host a charity golf tournament annually at a local public golf course for the benefit of local charities. Though Roy Davis is now retired from Metro Codes, the tournament continues to grow each year. Several sites have been used over the years, but the Ted Rhodes Golf Course is now designated as the official tournament site.

Tournament committee member Wade Hill (Chief Plans Examiner), said; *"Ted Rhodes manager, Fred Bryant and his staff have given us incredible support over the past several years. We decided that it was the perfect place to host our fall tournament for many years to come."* Hill added; *"Next year's tournament is being planned for mid-September, 2007."*

Major sponsors for this year's tournament included, Platinum Sponsors: Enterprise Electric, Ole South Properties and Solomon Builders. Gold Sponsors included: Haury & Smith, Hawkins Development, Craighead Development, Powell Building Group, Sullivan Electric, Belfor USA Group and Northwest Plumbing of TN, as well as in-kind sponsors Ferguson Bath, Kitchen & Lighting Gallery and John A. Hobbs and the Hobbs family for food and beverages, respectively. The International Code Council provided a sleeve of golf balls for every registered golfer. Metro Codes Director, Terry Cobb, said; *"This year, we had support from a total of 99 corporate sponsors, making this event an overwhelming success."* Cobb added;



L to R: Terry Cobb tees off the 1st tee at Ted Rhodes as Mid-South Electric's Jim Winchester and Electrical Inspector, Freddy Morgan, look on.

A History of Codes Administration Airs On Channel 3



"A History of Codes Part I" began broadcasting on Metro Channel 3 (Comcast Cable Channel 3) in October.

"A History of Codes, Part I & II" are the first two episodes in a series of 10 programs that will highlight the Department of Codes and the role that it has played in the evolution of Nashville into a major American city.

"This series provides an opportunity for the public to see the contribution that the Codes Department has made as it addresses building and public safety issues as well as quality of life issues that have affected the community, said Terry Cobb, director of Codes and Building Safety.

Cobb, who has served as the Director of Codes Administration since 1990, believes that this series will go a long way toward answering many questions that the public may have regarding Codes Administration and its policies.

The series title, "The Metro Department of Codes and Building Safety Presents..." will be produced in cooperation with Metro Channel 3 and marks the first time that a program concerning Codes Administration has been featured on the local government channel.

Upcoming programs include, "The Structure of Codes", "Rehab Codes & Downtown Redevelopment", "Responsive & Pro-Active Code Enforcement", "The Other Public Safety Agency" and "Zoning 101".

Director Speaks to Remodelers Council

Codes Director Terry Cobb speaks to a crowd of 60 at the November RMC meeting at Hermitage Lighting Gallery. The staff at Hermitage Lighting led by John Whitaker again provided a Thanksgiving meal fit for a king's table. Terry brought the remodelers up to date on new code changes and online permitting taking place with the Department of Codes Administration.



The Remodelers Council is a council of the Home Builder's Association of Middle Tennessee.



Department of Codes and Building Safety



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Mayor - Bill Purcell

Director - Terry Cobb
Plans Examination chief - Wade Hill

Office Hours: Mon-Fri / 7:30-4:00

Terry Cobb and **Wade Hill** welcome your feedback on our e-newsletter. Please send your comments to [Wade Hill](mailto:Wade.Hill@metro-nashville.gov), Plans Examination Chief, 862-6520

Who We Are

When Lon "Sony West" is introduced it often goes something like:



"When pioneer James Robertson first came to what is now Nashville, he had to get a variance of his property on the bluffs (since forts were a non-conforming use) of the Cumberland River. When he went to the Zoning office, Sony West denied it and he had to appeal to the BZA" and so on.

Sony gets a bit of "ribbing" from time to time since he has been with Metro before it was Metro!

Sony, now in his 51st year of service to Metropolitan Nashville and Davidson County (and the City of Nashville before Metro started in 1963) has been the Metropolitan Zoning Administrator since 1985.

As Zoning Administrator, Sony supervises Permits, Zoning Examinations, and maintains public records for the Codes Department.

But his service has included work in the Finance Department as well as the Department of Law (where he represented codes, the Planning Commission, the Historical Commission as well as Storm Water Management.

He has lectured widely on a number of subjects before professional associations including the Tennessee Municipal League, the Tennessee County Services Association, the Middle Tennessee Code Officials as well as the National Business Institute. Known for his expertise in zoning matters, Sony co-authored a publication, "Land Use in Tennessee" and was a drafter of the new comprehensive zoning ordinance for Nashville.

Sony is a member of the American Bar Association, the American Planning Association and is a member of the zoning Advisory Committee. He is licensed to practice law in Tennessee.

A graduate of Vanderbilt University (where he holds a bachelor's degree as well as a law degree), Sony lives in Bellevue. He is married to Barbara and the couple share six children and 13 grandchildren.



For information regarding accessibility, please contact Manley Biggers at (615) 862-6521 or fax (615) 862-6499. He can also be reached at manley.biggers@nashville.gov on email