



Metropolitan Council

**PROPOSED AMENDMENTS TO
ORDINANCES TO BE FILED WITH
THE METRO CLERK
FOR THE COUNCIL MEETING OF
TUESDAY, OCTOBER 15, 2019**

AMENDMENT NO. ____
TO
ORDINANCE NO. BL2019-1

Mr. President:

I hereby move to amend Ordinance No. BL2019-1 by deleting Section 3 in its entirety and substituting in lieu thereof the following:

Section 3. This Ordinance shall take effect ~~from and after its enactment on December 1, 2019~~, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

Colby Sledge
Member of Council

AMENDMENT NO. A
TO
ORDINANCE NO. BL2019-4

Mr. President –

I hereby move to amend Ordinance No. BL2019-4 as follows:

I. By amending the ordinance to add the following recitals:

WHEREAS, aerial advertising proves distracting for drivers on the ground, can cause unwanted noise from low-flying planes, and harms the aesthetics of the city by cluttering the skyline; and

WHEREAS, cities such as Honolulu, Hawaii have adopted ordinances to prohibit aerial advertising. The Honolulu ordinance has been upheld by the Ninth Circuit Court of Appeals in *Skysign International, Inc. v. City and County of Honolulu*, 276 F.3d 1109 (9th Cir. 2000) and again in *Center for Bio-Ethical Reform, Inc. v. City and County of Honolulu*, 455 F.3d 910 (9th 2006). In these cases, Ninth Circuit held that the Honolulu ordinance was not preempted by federal law and, in *Center for Bio-Ethical Reform*, that the ordinance does not run afoul of the First Amendment to the United State Constitution.

II. By amending Section 4 of the ordinance by amending proposed Section 6.04.035, Subsection A.1, to delete the phrase "or and" in the first sentence and substitute in lieu thereof the word "and".

INTRODUCED BY:

Colby Sledge
Member of Council

AMENDMENT NO. B
TO
ORDINANCE NO. BL2019-4

Mr. President –

I hereby move to amend Ordinance No. BL2019-4 by amending Section 3 of the ordinance by deleting proposed Section 6.04.030, Subsection B.1, and substituting in lieu thereof the following:

1. This section shall not prohibit the display of an identifying mark, trade name, trade insignia, or trademark ~~on~~ affixed to the exterior of the body of an aircraft or self-propelled or buoyant airborne object if the displayed item is under the ownership or registration of the aircraft's or airborne object's owner or operator.

INTRODUCED BY:

Colby Sledge
Member of Council