

ORDINANCE NO. BL2018-1160

An ordinance to provide for the designation of public property within specified areas of downtown Nashville as a temporary “Special Event Zone” during the time period beginning at six o’clock (6:00) a.m. on June 6, 2018, and ending at midnight (12:00) on June 11, 2018, relative to the use of these areas in conjunction with the 2018 CMA Fest and related activities and events.

WHEREAS, the City of Nashville is hosting the 2018 CMA Music Fest in June 2018; and,

WHEREAS, each year, CMA Fest brings thousands of visitors to Nashville, resulting in millions of dollars of direct visitor spending; and,

WHEREAS, the 2018 CMA Fest will have a tremendous positive impact on Nashville’s economy; and,

WHEREAS, given the thousands of visitors and media personnel who will be in attendance, it is necessary that certain areas in and around events related to the 2018 CMA Fest be regulated and controlled to provide for the public health, safety, and welfare of the above mentioned participants; and,

WHEREAS, to that end, it is necessary to establish a Special Event Zone area for the temporary time periods and within the specified boundaries designated in this ordinance.

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. There is hereby established a “Special Event Zone” within the area designated on the map attached hereto and incorporated herein, and whose boundaries are described as follows:

Area 1: 8th Avenue South/Rosa L. Parks Boulevard northward from Korean Veterans Boulevard to Commerce Street; Commerce Street from Rosa L. Parks Boulevard eastward to 2nd Avenue North; 2nd Avenue North from Commerce Street northward to Church Street; Church Street from 2nd Avenue North to 1st Avenue North; 1st Avenue North from Church Street southward to Broadway; 1st Avenue South from Broadway to Korean Veterans Boulevard; Korean Veterans Boulevard from 1st Avenue South westward to 8th Avenue South/Rosa Parks Boulevard.

Area 2: Woodland Street from the East side of the Woodland Street Bridge eastward to South 1st Street; South 1st Street from Woodland Street southward to Russell Street; Russell Street from South 1st Street eastward to Interstate Drive; Interstate Drive southward from Russell Street to Shelby Avenue; Shelby Avenue from Interstate Drive westward to Korean Veterans Bridge.

Area 3: John Seigenthaler Pedestrian Bridge commencing at 3rd Avenue South northward to South Second Street.

Area 4: Woodland Street Bridge commencing at the intersection of 1<sup>st</sup> Avenue North eastward to South 1<sup>st</sup> Street.

Section 2. The Special Event Zone defined in Section 1 hereof shall have a duration beginning at six o'clock (6:00) a.m. on Wednesday, June 6, 2018, and ending at midnight (12:00) on Monday, June 11, 2018.

Section 3. Notwithstanding any other provision of the Metropolitan Code to the contrary, the activities described below on public property or in the public right-of-way within the Special Event Zone conducted by any person or entity, except those approved by both the Metropolitan Government of Nashville and Davidson County and the Country Music Association (CMA), shall be regulated as follows:

1. Except for street vendors with a general vending license issued pursuant to Section 13.08.040 of the Metropolitan Code or other persons with a valid license for such purpose issued by the Metropolitan Government, the sale of any food, beverages, goods, or merchandise shall be prohibited on the public streets, sidewalks, alleys, and rights-of-way. Such licensed street vendors shall be limited to selling the types of food, beverages, or merchandise as the vendor identified in its general street vending permit application. The Metropolitan Department of Public Works shall consult with CMA prior to granting a temporary vending permit to be effective within the Special Event Zone during CMA Fest.
2. No alcoholic beverages shall be provided, served, or sold from any temporary outdoor use.
3. The sale or distribution of merchandise pertaining to the CMA Fest where it is apparent on its face that the merchandise is not licensed by the CMA, regardless of whether the person selling or distributing is operating pursuant to a valid permit, exception, or exemption provided for in this Ordinance or elsewhere in the Metropolitan Code, shall be prohibited.
5. No tents or membrane structures of any kind shall be erected except for those tents and membrane structures sanctioned and authorized by the CMA or erected by the Metropolitan Government for public safety purposes.
6. The construction, placement, occupation, or use of any temporary structure is prohibited except those sanctioned and authorized by the CMA.
7. The distribution, promotional give-away activity, or provision of free products, services, or coupons (otherwise referred to as "sampling") by persons or entities that are not event sponsors officially sanctioned and authorized by CMA is strictly prohibited, provided this shall not apply to written material given away within any Public Participation Area established pursuant to this Ordinance.

Section 4. Nothing in this Ordinance shall be construed as a repeal or suspension of any existing laws prohibiting or governing the issuance of permits outside of the "Special Event Zone" geographical boundaries. Further, nothing in this Ordinance shall be construed as granting a waiver to CMA from all licensing and permitting requirements of the Metropolitan Code necessary for the public health, safety, and welfare.

Section 5. One or more Public Participation Areas shall be established by the Metropolitan Government within the Special Event Zone while the Special Event Zone Ordinance is in effect. Each Public Participation Area shall allow for the reasonable expression by the public in a manner that shall not be disruptive to the 2018 CMA Fest, activities and events. Public

Participation Areas shall be provided for during such reasonable times, and in such reasonable locations within the Special Event Zone as to allow for meaningful and effective expression by the public.

Section 6. If any of the provisions of this Ordinance are for any reason held to be unconstitutional or invalid by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions, and those remaining portions shall be and remain in full force and effect.

Section 7. This Ordinance shall take effect immediately after its passage, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

APPROVED AS TO FORM  
AND LEGALITY:

INTRODUCED BY:

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Metropolitan Attorney

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Member(s) of Council