

BILL NO. BL2018-1385 (HENDERSON) – This ordinance would require that any individual or entity to which a permit is issued by Metro or any Metro department, agency, board, or commission, must act at all times in compliance with the terms, conditions and requirements of the permit until the permit terminates or expires. The ordinance would, in essence, adopt permit compliance as a law of general application.

If an individual or entity does not comply with the terms, conditions, or requirements of the permit, that permit may be revoked or suspended following any notice requirements and subject to any recognized rights of appeal. Permits issued based on false, inaccurate, or misleading information from an applicant could further be revoked or suspended. Appellate decisions in Tennessee have recognized the Metropolitan Government's authority to rescind a permit issued in error, or where it was illegally issued, unauthorized, or violates or does not comply with zoning laws, or where it was issued under a mistake of fact. Revocation or suspension of a permit would be in addition to other penalties or enforcement measures authorized by relevant Metropolitan Code provisions governing the issuance of a particular permit.