

ORDINANCE NO. BL2018-1407

An ordinance amending Section 15.64.170(B) to clarify that all construction within the floodway must be consistent with requirements of the Stormwater Management Manual.

WHEREAS, pursuant to Metropolitan Code Section 15.64.170(A) no new structure shall be constructed in the floodway; and,

WHEREAS, wise use of the floodplain is encouraged to minimize adverse effects on flood heights, flow velocities, and stormwater quality, as well as maximize land conversation, greenways, floodplain preservation, and hazard mitigation; and,

WHEREAS, Section 15.64.170(B) of the Metropolitan Code gives the Stormwater Division authority to allow construction within the floodway, provided the structure is designed and engineered in such a manner as to have no adverse impact; and,

WHEREAS, notwithstanding Section 15.64.170(B), all construction in the floodway is subject to the provisions of the Stormwater Management Manual.

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

Section 1. That Title 15, Section 15.64.170(B) be amended by deleting it in its entirety and replacing it with the following:

“B. Notwithstanding the provisions of subsection A. to the contrary, the stormwater division may allow the construction of the following types of structures within the floodway, consistent with the provisions of the stormwater management manual, provided that the structure is designed and engineered, in such a manner so as to have no adverse impact:”

Section 2. That this Ordinance shall take effect after its adoption, the welfare of the Metropolitan Government of Nashville and Davidson County requiring it.

RECOMMENDED BY:

Scott A. Potter, Director
Water and Sewerage Services

INTRODUCED BY:

Council Member(s)

APPROVED AS TO FORM
AND LEGALITY:

Assistant Metropolitan Attorney