

**AMENDMENT NO. \_\_\_\_**  
**TO**  
**ORDINANCE NO. BL2019-1633, AS SUBSTITUTED**

Mr. President –

I move to amend Ordinance No. BL2019-1633, as substituted, as follows:

I. By deleting the fourth recitals clause in its entirety and substituting in lieu thereof the following:

~~WHEREAS, the needs of long term residents should be balanced with the allowance of short term rentals.~~

WHEREAS, in 2018, the Tennessee General Assembly adopted the Short Term Rental Unit Act, now codified at Tenn. Code Ann. §13-7-601, et seq., which created inconsistencies with existing short term rental property regulations under the Metropolitan Code of Laws, necessitating revisions included below; and

WHEREAS, the web-based platform marketing of non-owner occupied short-term rental properties has emerged unexpectedly within recent years in Nashville and Davidson County and elsewhere. This transformative and disruptive development posed significant challenges to the Metropolitan Government’s longstanding zoning and land use regulations. As evidenced by multiple legislative initiatives, the Metropolitan Council -- like local legislative bodies across the United States -- has struggled to craft an appropriate regulatory environment. Many relied upon initial regulatory frameworks established by the Metropolitan Government, including specifically those who acquired interests in and invested in RM-zoned property for purposes of developing short term rental units. To the extent this regulatory framework has proven unsustainable and requires reform, equity and fairness requires that those who relied in good faith upon previous regulations be provided limited exemptions from ordinances that eliminate prior permitted uses. In so doing, the Metropolitan Government does not establish, enable, or intend to encourage any additional exemptions to others not similarly situated.

II. By adding the following text as new Section 7, and re-numbering the remaining sections as necessary.

Section 7. That Section 17.16.250 of the Metropolitan Code is hereby amended by adding the following as subsection E.1.g thereto:

g. Notwithstanding any provision herein to the contrary, any residential dwelling created by or contained within a horizontal property regime pursuant to Tenn. Code Ann. § 66-27-101, et seq. shall not be limited or otherwise restricted by subsections (e) or (f) of this section if a permit was issued on or before July 1, 2019.

III. By deleting Section 14 in its entirety and substituting in lieu thereof the following:

Section 15. That Section 17.16.070 of the Metropolitan Code is hereby further amended by deleting Subsection U.4.k in its entirety and substituting the following:

k. A STRP permit shall not be transferred or assigned to another individual, person, entity, or address, nor shall the permit authorize any person, other than the person named therein, to operate a STRP on the property. Provided however that upon the purchase or acquisition of property zoned RM for which a STRP permit was previously issued on or before May 31, ~~2020~~ 2022, the new owner may apply for and be issued a STRP permit only if the previously issued permit was in good standing at the time of purchase or acquisition. After said date, the maximum number of times any subsequent owner may apply for and be issued an STRP permit is two (2); and each such STRP permit issued shall be recorded with the Davidson County Register of Deeds by the subsequent owner within thirty (30) days of issuance. Additionally, the subsequent owner must make application for the permit within thirty (30) days of acquisition or closing, whichever occurs first. Failure to record and make application for a permit as set forth herein, regardless of reason, shall render the property ineligible for a STRP permit or any subsequent STRP permit.

IV. By deleting Sections 17 and 18 in their entirety and substituting in lieu thereof the following:

Section 18. The provisions of Sections ~~1 through 6~~ 1, 14, and 15 of this Ordinance shall become effective May 31, 2020. The remaining Sections of this Ordinance shall take effect from and after its final passage, and such change shall be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

~~Section 18. This Ordinance shall take effect from and after its final passage, and such change shall be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.~~

INTRODUCED BY:

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Burkley Allen

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Freddie O'Connell  
Members of Council