

Ordinance No. BL2020-____

An ordinance amending Chapter 12.48 of the Metropolitan Code regarding loading and unloading zones to allow the Traffic and Parking Commission to make rules establishing a curb loading zone management program, governing the use of certain designated curb loading zones, and allowing it to set the amounts of related fees including fees to be charged to users thereof.

WHEREAS, it is desirable to increase availability and efficiency of curb loading zones and reduce double parking by loading vehicles; and,

WHEREAS, allowing the Traffic and Parking Commission to establish a curb loading zone management program would help achieve these objectives.

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

Section 1. Section 12.48.020 of the Metropolitan Code is hereby amended in the following ways:

- A. By deleting subsection A.1. of Section 12.48.020 in its entirety and replacing it with the following:

The traffic and parking commission shall not designate or sign any curb loading zone upon special request of any person unless such person makes application therefor in writing on a form supplied by the commission. The commission, upon granting a permit and erecting such signs, shall collect from the applicant and deposit in the general fund a service fee in an amount to be set by the Metropolitan Traffic and Parking Commission.

- B. By deleting subsections A.1.a. through A.1.c. of Section 12.48.020 in their entirety.
- C. By deleting subsection B. of Subsection 12.48.020 in its entirety and replacing it with the following:

The establishment of a loading zone as the result of such special request, and upon the payment of such fees by the applicant, shall in no manner entitle the applicant to any rights in such loading zone superior to the use of the general public. As an exception to the preceding, however, the Traffic and Parking Commission may, in regulations it adopts as part of its curb loading zone management program, under the authority delegated to it by Section 12.48.025, allow certain curb loading zone spaces to be designated for the exclusive use of some users, upon certain conditions being met, such as the payment of additional fees by those users.

Section 2. Chapter 12.48 of the Metropolitan Code is hereby amended by adding the following new Section 12.48.025:

12.48.025 – Curb Loading Zone Management Program

Curb loading zone management program. (a) The Traffic and Parking Commission shall establish a curb loading zone management program (“program”). The purpose of the program is to increase availability and efficiency of curb loading zones and reduce double parking by loading vehicles. The Curb loading zone management program may include continuing to treat some curb loading zones as they always have been treated while identifying some specially designated curb loading zones to be subjected to special curb management regulations enacted pursuant to this section, for example allowing those specially designated curb loading zones to be limited to the exclusive use of some users, upon certain conditions being met, such as the payment of additional fees by those users. The Director of Public Works shall submit rules for this program to the Traffic and Parking Commission for approval. The program rules may include: (1) Establishing loading zone usage permits and fees; (2) Determining minimum curb loading zone space requirements; (3) Providing for enhanced enforcement, which may include the following: (A) Dedicated enforcement personnel; (B) Improved signage; and (C) Automated enforcement; (4) Determining eligibility for use of curb loading zones or specially designated curb loading zones; (5) Providing for methods of payments of required fees; and (6) Establishing requirements for monitoring loading zone performance and for adjusting usage rates, loading zone space requirements, and enforcement to improve performance.

Section 3. This ordinance shall take effect from and after its enactment, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

APPROVED AS TO AVAILABILITY OF FUNDS:

SPONSORED BY:

Kevin Crumbo, Director
Metropolitan Department of Finance

APPROVED AS TO FORM AND LEGALITY:

Assistant Metropolitan Attorney

Member(s) of Council