

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY



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MEMORANDUM

TO: Vice Mayor Angie Henderson
Metropolitan Council

FROM: Allison Bussell, Associate Director of Law

DATE: April 30, 2026

SUBJECT: Report of Final Judgment

Pursuant to Metro Code of Ordinances § 2.40.115 B., the Department of Law reports the following judgment against the Metropolitan Government, which recently became final:

Case Name	Court	Docket #	Amt of Judgment
<i>Shaw, Elijah, et al v. Metro Government</i>	Chancery Court - Part II	17-1299-II	N/A

Description of Claims and Defenses:

Plaintiffs challenged the constitutionality of Metro Code § 17.16.250.D.3, which placed restrictions on certain types of home-based businesses. Plaintiffs (a hairdresser and professional music producer) argued that the Code provisions limiting the number and times of client visits to home businesses, and the requirement to maintain a log of visits, were more restrictive than the Code provisions governing day cares, STRPs, historic home event venues, and residential properties zoned SP—businesses that also exist on residentially zoned property. Metro argued that the purposes of each and authorization processes were all different.

Procedural Posture:

The Trial Court ruled in Metro’s favor, but the Court of Appeals reversed, holding that there was not a rational basis for the differential treatment. The Court noted that Plaintiffs’ residences with home-based businesses did not differ visibly from other residences, that the work and clients could not be heard outside the residences, that the customers parked in the driveways like any other visitor to a home, and that there had been no complaints from the neighbors about the customer visits. The Court found that the Plaintiffs’ businesses had no greater impact on the residential nature of neighborhoods than the other residential uses at issue.

BL 2026-1318, amending Metro Code 17.16.250, has been filed to remedy the deficiencies that the Court found.

Parties and Counsel:

Plaintiff: Elijah Shaw, Patricia Raynor

Plaintiff's Counsel: Paul Avelar, Keith Neely, Meggan DeWitt

Defendant: Metropolitan Government of Nashville and Davidson County