



PUBLIC SAFETY COMMITTEE AGENDA

DATE: June 17, 2020

TIME: 4:00 P.M.

LOCATION: IN AN EFFORT TO FACILITATE THE CONTINUED RESPONSE TO THE
CORONAVIRUS DISEASE (COVID-19), THIS MEETING WILL BE
CONDUCTED VIA GOOGLE MEETS

I. CALL TO ORDER

II. ANNOUNCE MEMBERS IN ATTENDANCE (VERIFY QUORUM)

III. ADOPTION OF MINUTES: February 19, 2020

IV. DEPARTMENT REPORTS

1. Building & Codes Department: Monthly Reports
2. Police Department: Monthly Reports
3. Fire Rescue: Monthly Reports

V. COMMITTEE ACTION REQUIRED

None

VI. CITY COUNCIL ACTION REQUIRED

1. Resolution 1-2020-21: A Resolution authorizing an Interlocal Agreement between the City of Clarksville, Tennessee and the E911 Emergency Communication District of Montgomery County, Tennessee. *(Deputy Chief Crockarell)*
2. Resolution 2-2020-21: A Resolution authorizing an Interlocal Agreement between the City of Clarksville and Montgomery County related to shared expenses for autopsies. *(Deputy Chief Crockarell)*
3. Ordinance 1-2020-21: An Ordinance amending Title 5 of the Official City Code to add a new chapter entitled "Short-Term Rentals" to establish regulations pertaining to short-term rental units. *(Councillady Streetman)*

VII. OTHER

Update on CPD Policies *(Deputy Chief Crockarell)*

VIII. ADJOURNMENT

IX. PUBLIC COMMENTS (5 minutes each)



PUBLIC SAFETY COMMITTEE MEETING MINUTES

February 19, 2020 – 4:00 P.M.

City Hall Conference Room

Attending: Councilman Jeff Henley, Chair; Councilman Ron Erb; Councilman Vondell Richmond; Councilman Travis Holleman; Councilwoman Wanda Smith

Others Present: Building & Codes Interim Director David Smith, Police Chief Alonzo Ansley, Fire Chief Freddie Montgomery, Building Official/Deputy Director Justin Crosby, Police Deputy Chief David Crockarell, City Attorney Lance Baker, Paula McWhirter, Gina Johnson

The meeting was called to order at 4:00 p.m. by Chairman Henley and it was noted there was a quorum present.

Minutes from the January 15, 2020 and January 30, 2020 meetings were approved by the committee after a motion was made by Councilwoman Smith, seconded by Councilman Richmond.

BUILDING & CODES DEPARTMENT:

- David Smith presented the department's monthly report and gave a brief overview of the department's stats and stated he would entertain any questions. He thanked the committee for supporting the new plumbing permit fee relative to new residential construction at last month's meeting.
- Mr. Smith introduced Justin Crosby, Building Official/Deputy Director.
- Councilwoman Smith had questions regarding the zone and specific use of the structure located at 423 Ford Street. Mr. Smith advised the structure in question is zoned R-3 and the Young Life facility as well as the mixed use (residential capacity) that they plan for is all permissible in the R-3 zone. Mr. Smith further explained the Young Life Organization is the same concept as the Wesley Foundation and Baptist Student Center. This type construction requires extensive separation requirements and is a sprinklered building. Councilwoman Smith stated she wants to ensure all the proper guidelines are being followed and Mr. Smith assured her they are.
- Councilwoman Smith voiced concerns regarding the Mana Café located on D Street in New Providence. Councilwoman Smith stated she has received several complaints concerning its location, zoning and specific use, etc. After general discussion Lance Baker stated any further comments/discussion should be in an Attorney-Client privilege meeting with the Committee and/or full Council to discuss specifics. Mr. Baker advised he will provide the Committee with articles and citations to specific statutes prior to scheduling the meeting.

POLICE DEPARTMENT:

- Chief Ansley presented the department's monthly report and advised he would answer any questions.
- Chief Ansley introduced Deputy Chief David Crockarell and also informed the Members that Jim Knoll, PIO for the department will be retiring March 31, 2020.
- Chief Ansley stated the department has hired 11 new officers and they will be sworn in on March 2, 2020.

FIRE DEPARTMENT:

- Chief Montgomery presented the department's monthly report and gave a brief breakdown by Division and stated he would answer any questions.
- Chief Montgomery provided a follow up to a question regarding burn permits by informing the Committee residents can now call 931-645-7454 on the day they plan to burn to see if burning is allowed. The key factors in whether open burning may occur are the date and the wind speed.
- Clarksville Fire Rescue Maintenance Division did a great job and saved the City approximately \$10,000 by repairing the bumper on Ladder 10. The truck was recently involved in a fender bender.

COMMITTEE COUNCIL ACTION REQUIRED

Chairman Henley asked David Smith to explain the "Pending Home Improvement License." Mr. Smith gave a detailed overview stating the license would be required for residential remodeling projects from \$3,000 to \$24,999 (total cost or contract, including materials and labor).

According to Mr. Smith this type of license will protect the consumer, especially when it comes to storm chasers because the license would require the individual(s) to provide insurance and workers compensation in addition to their license. Mr. Smith advised the Members the Building & Code Department has been approached by both Councilman Burkhardt and the Home Builders Association (HBA) advocating adopting the states practice of the Home Improvement License. Mr. Smith further advised the Committee larger cities and most large counties in the State of Tennessee recognize and enforce this regulation. Councilwoman Smith asked, in addition to unlicensed individual(s), how can the consumer be protected from being "ripped off" from licensed contractors? Mr. Smith stated although preventing this is difficult there are avenues at the State level to report such actions when the individual is licensed. Chairman Henley asked Mr. Smith to forward the Members copies of the state law as well as MTAS articles explaining the license prior to Committee action.

CITY COUNCIL ACTION REQUIRED

ORDINANCE 63-2019-20 TO ESTABLISH A TEMPORARY PROHIBITION OR MORATORIUM ON ELECTRIC MOTORIZED BICYCLES, SCOOTERS, AND SKATEBOARDS.

Lance Baker stated as requested at the January 15, 2020 Public Safety Committee meeting this version is temporary and if approved will last until midnight on September 3, 2020 expiring automatically unless further action is taken. Councilwoman Smith, Councilman Erb and Councilman Richmond expressed concerns regarding liability to the City, safety issues and regulating enforcement. After lengthy discussion among the Members motion to approve Ordinance 63-2019-20 was made by Councilman Erb and seconded by Councilman Richmond. The vote for the motion was three (3) in favor and two (2) against (Councilman Henley and

Councilman Holleman). Councilman Erb made a motion to amend Ordinance 63-2019-20 by establishing a permanent indefinite ban on electric motorized bicycles, scooters, and skateboards. The motion was seconded by Councilman Richmond. The vote for the motion was three (3) in favor and two (2) against (Councilman Henley and Councilman Holleman).

ADJOURNMENT

There being no further discussion motion to adjourn was made by Councilman Richmond, seconded by Councilman Erb and approved by the committee.

Submitted by:

Paula McWhirter

Building & Codes Department

MEMORANDUM

TO: Public Safety Committee

FROM: David Smith
Interim Director

RE: Statistical and Revenue Data

DATE: June 17, 2020

Enclosed herewith please find a comparison of the total number of permits issued for new construction to include the estimated cost of construction for the 2018 and 2019 (January through December) calendar years. I am also enclosing a permit report for the 2020 calendar year. Also included is a comparison of revenues received for City General during the 2017/2018, 2018/2019 fiscal year and the 2019/2020 fiscal year July through June. If you have any questions or desire additional information please do not hesitate to contact me.

DS:PDM

COMMERCIAL PERMITS 2018

MONTH	NUMBER OF PERMITS	COST OF CONSTRUCTION
JANUARY	9	\$1,260,286.00
FEBRUARY	10	\$1,354,219.00
MARCH	30	\$20,378,397.00
APRIL	16	\$5,294,335.00
MAY	24	\$16,706,631.00
JUNE	26	\$7,048,105.00
JULY	28	\$17,399,943.00
AUGUST	11	\$1,778,158.00
SEPTEMBER	18	\$3,491,522.00
OCTOBER	24	\$5,669,560.00
NOVEMBER	17	\$2,965,613.00
DECEMBER	26	\$10,486,898.00
TOTALS	239	\$83,833,667.00

COMMERCIAL PERMITS 2019

MONTH	NUMBER OF PERMITS	COST OF CONSTRUCTION
JANUARY	19	\$3,133,288.00
FEBRUARY	32	\$3,368,010.00
MARCH	11	\$4,445,161.00
APRIL	16	\$10,028,746.00
MAY	27	\$4,965,490.00
JUNE	19	\$3,492,807.00
JULY	19	\$9,504,287.00
AUGUST	21	\$3,422,253.00
SEPTEMBER	30	\$7,621,031.00
OCTOBER	35	\$16,759,716.00
NOVEMBER	19	\$22,539,669.00
DECEMBER	6	\$2,843,500.00
TOTALS	254	\$69,584,289.00

COMMERCIAL PERMITS 2020

MONTH	NUMBER OF PERMITS	COST OF CONSTRUCTION
JANUARY	14	\$1,599,408.00
FEBRUARY	12	\$6,067,465.00
MARCH	14	\$3,631,253.00
APRIL	15	\$2,472,259.00
MAY	19	\$5,769,694.00
JUNE		
JULY		
AUGUST		
SEPTEMBER		
OCTOBER		
NOVEMBER		
DECEMBER		
TOTALS	74	\$19,540,079.00

MULTI FAMILY PERMITS 2018

MONTH	NUMBER OF PERMITS	COST OF CONSTRUCTION
JANUARY	4	\$620,000.00
FEBRUARY	2	\$420,000.00
MARCH	0	\$0.00
APRIL	2	\$450,000.00
MAY	7	\$2,420,000.00
JUNE	3	\$690,000.00
JULY	14	\$5,513,000.00
AUGUST	4	\$1,000,000.00
SEPTEMBER	8	\$3,718,022.00
OCTOBER	6	\$1,675,000.00
NOVEMBER	5	\$1,319,745.00
DECEMBER	2	\$556,000.00
TOTALS	57	\$18,381,767.00

MULTI FAMILY PERMITS 2019

MONTH	NUMBER OF PERMITS	COST OF CONSTRUCTION
JANUARY	9	\$2,650,000.00
FEBRUARY	6	\$1,955,000.00
MARCH	21	\$4,935,000.00
APRIL	34	\$8,130,000.00
MAY	14	\$6,063,000.00
JUNE	3	\$1,290,000.00
JULY	12	\$6,345,000.00
AUGUST	9	\$3,235,000.00
SEPTEMBER	14	\$4,860,000.00
OCTOBER	17	\$4,679,000.00
NOVEMBER	6	\$1,250,000.00
DECEMBER	8	\$2,390,000.00
TOTALS	153	\$47,782,000.00

MULTI FAMILY PERMITS 2020

MONTH	NUMBER OF PERMITS	COST OF CONSTRUCTION
JANUARY	17	\$4,530,000.00
FEBRUARY	9	\$3,044,000.00
MARCH	0	\$0.00
APRIL	19	\$5,608,000.00
MAY	32	\$7,805,000.00
JUNE		
JULY		
AUGUST		
SEPTEMBER		
OCTOBER		
NOVEMBER		
DECEMBER		
TOTALS	77	\$20,987,000.00

SINGLE FAMILY PERMITS 2018

MONTH	NUMBER OF PERMITS	COST OF CONSTRUCTION
JANUARY	44	\$4,960,978.00
FEBRUARY	52	\$7,814,269.00
MARCH	88	\$ 10,365,725.00
APRIL	57	\$6,179,045.00
MAY	76	\$8,624,512.00
JUNE	77	\$8,313,431.00
JULY	76	\$8,646,111.00
AUGUST	37	\$4,693,554.00
SEPTEMBER	49	\$6,831,000.00
OCTOBER	32	\$4,198,500.00
NOVEMBER	46	\$5,469,614.00
DECEMBER	29	\$4,116,325.00
TOTALS	634	\$80,213,064.00

SINGLE FAMILY PERMITS 2019

MONTH	NUMBER OF PERMITS	COST OF CONSTRUCTION
JANUARY	59	\$6,776,800.00
FEBRUARY	35	\$4,514,890.00
MARCH	89	\$10,891,847.00
APRIL	90	\$11,398,468.00
MAY	80	\$11,107,026.00
JUNE	82	\$11,122,533.00
JULY	39	\$5,400,250.00
AUGUST	103	\$13,377,000.00
SEPTEMBER	86	\$11,170,034.00
OCTOBER	92	\$12,500,155.00
NOVEMBER	71	\$9,936,047.00
DECEMBER	102	\$11,669,013.00
TOTALS	928	\$119,864,063.00

SINGLE FAMILY PERMITS 2020

MONTH	NUMBER OF PERMITS	COST OF CONSTRUCTION
JANUARY	80	\$9,590,036.00
FEBRUARY	101	\$13,658,646.00
MARCH	92	\$12,117,294.00
APRIL	46	\$6,317,211.00
MAY	95	\$13,191,030.00
JUNE		
JULY		
AUGUST		
SEPTEMBER		
OCTOBER		
NOVEMBER		
DECEMBER		
TOTALS	414	\$54,874,217.00

REVENUES GENERATED FOR GENERAL FUND

MONTH	REVENUE
JULY 2017	\$133,824.30
AUGUST 2017	\$195,382.10
SEPTEMBER 2017	\$171,447.80
OCTOBER 2017	\$210,962.80
NOVEMBER 2017	\$119,601.50
DECEMBER 2017	\$108,659.50
JANUARY 2018	\$107,152.00
FEBRUARY 2018	\$118,379.50
MARCH 2018	\$226,199.50
APRIL 2018	\$148,324.00
MAY 2018	\$200,083.00
JUNE 2018	\$174,000.50
TOTAL	\$1,914,016.50

REVENUES GENERATED FOR GENERAL FUND

MONTH	REVENUE
JULY 2018	\$228,208.00
AUGUST 2018	\$125,751.00
SEPTEMBER 2018	\$108,330.00
OCTOBER 2018	\$115,086.94
NOVEMBER 2018	\$120,770.29
DECEMBER 2018	\$118,046.77
JANUARY 2019	\$117,715.14
FEBRUARY 2019	\$130,852.38
MARCH 2019	\$195,485.93
APRIL 2019	\$239,019.36
MAY 2019	\$253,372.90
JUNE 2019	\$187,462.30
TOTAL	\$1,940,101.01

REVENUES GENERATED FOR GENERAL FUND

MONTH	REVENUE
JULY 2019	\$183,881.78
AUGUST 2019	\$212,216.10
SEPTEMBER 2019	\$206,298.88
OCTOBER 2019	\$267,483.19
NOVEMBER 2019	\$237,236.71
DECEMBER 2019	\$169,209.96
JANUARY 2020	\$194,554.79
FEBRUARY 2020	\$198,419.41
MARCH 2020	\$160,373.12
APRIL 2020	\$182,069.42
MAY 2020	\$227,245.41
JUNE 2020	
TOTAL	\$2,238,988.77

BUILDING +
CODES DEPARTMENT



ANALYSIS OF ACTIVITY OF THE
BUILDING & CODES DEPARTMENT
MAY 2020

CODES ENFORCEMENT DIVISION

NEW CASES WORKED

- CITIZEN COMPLAINTS RECEIVED:	200
- SELF INITIATED COMPLAINTS:	0
- TOTAL CASES WORKED:	200
- TOTAL NUMBER OF INSPECTIONS:	380

OTHER:

TOTAL NUMBER OF CASES IN COMPLIANCE:	134
TOTAL NUMBER OF CASES WORKING TOWARD COMPLIANCE:	228
TOTAL NUMBER OF SIGN COMPLAINTS/ILLEGAL SIGNS REMOVED:	81
TOTAL NUMBER OF SIGN PERMITS ISSUED:	31
TOTAL NUMBER OF YARD SALE PERMITS ISSUED:	10
TOTAL NUMBER OF TENT/BIN PERMITS ISSUED:	0
TOTAL NUMBER OF DEMOLITION'S PERMITTED:	5
TOTAL NUMBER OF WARRANTS ISSUED:	0
TOTAL NUMBER OF GRAFFITI CASES	0
TOTAL NUMBER OF DOMESTICATED HEN PERMITS:	3

CONSTRUCTION & PLANS REVIEW DIVISION

TOTAL NUMBER OF PLANS REVIEWED:	23
TOTAL NUMBER OF COMMERCIAL INSPECTIONS CONDUCTED:	94
TOTAL NUMBER OF RESIDENTIAL INSPECTIONS CONDUCTED:	363
TOTAL NUMBER OF REINSPECTIONS	73
TOTAL NUMBER OF LANDSCAPE INSPECTIONS:	3

PLUMBING INSPECTION DIVISION

TOTAL NUMBER OF NEW INSPECTIONS:	645
TOTAL NUMBER OF WATER & SEWER REPLACEMENTS	169
TOTAL NUMBER OF BACKFLOW PREVENTER INSPECTIONS:	7
TOTAL NUMBER OF PLUMBING REINSPECTIONS:	54

GAS / MECHANICAL DIVISION

TOTAL NUMBER OF GAS / MECHANICAL INSPECTIONS:	354
TOTAL NUMBER OF GAS /MECHANICAL REINSPECTIONS:	57

ELECTRICAL DIVISION

TOTAL NUMBER OF NEW INSPECTIONS	577
TOTAL NUMBER OF REINSPECTIONS	41

BUILDING +
CODES DEPARTMENT



BUILDING & CODES DEPARTMENT
ANALYSIS OF PERMITS ISSUED
FOR THE MONTH OF MAY 2020

REVENUES GENERATED FOR GENERAL FUND

MONTHLY

YEAR TO DATE (FISCAL YEAR)

206	Building Permits	\$ 120,681.91	1799	Building Permits	\$ 1,195,123.27
31	Sign Permits	\$ 775.00	323	Sign Permits	\$ 8,875.00
401	Plumbing Permits	\$ 57,670.50	3846	Plumbing Permits	\$ 456,534.00
300	Gas Permits	\$ 21,926.00	3129	Gas Permits	\$ 252,634.00
200	Electrical Permits	\$ 24,492.00	2605	Electrical Permits	\$ 287,603.00
27	Miscellaneous	\$ 1,100.00	661	Miscellaneous	\$ 30,419.00
3	Board of Zoning Appeals	\$ 600.00	39	Board of Zoning Appeals	\$ 7,800.00
1168	MONTHLY TOTAL	\$ 227,245.41	12,402	TOTAL YEAR TO DATE	\$ 2,238,988.27

New Residential Construction this Month \$20,996,030.00
 Non-Residential Construction this Month \$ 5,769,694.00
 Value of Repairs & Alterations this Month \$ 196,701.00
 MONTHLY TOTAL \$26,962,425.00

Total year to date \$ 154,087,336.00
 Total year to date \$ 79,234,348.00
 Total year to date \$ 10,387,427.37
 YEARLY TOTAL \$ 243,709,111.37

4 Houses demolished this month
 1 Non-Residential Construction demolished this month
 0 Houses/structures moved out of the City

Total year to date: 34
 Total year to date: 12
 Total year to date: 0

1 Number of Board of Zoning Appeals Cases this month
 1 Board of Zoning Appeals Cases Approved this month
 0 Board of Zoning Appeals Cases Denied this month
 0 Board of Zoning Appeals Cases Deferred this month
 0 Board of Zoning Appeals Cases (No Action Taken)
 0 Board of Zoning Appeals Cases Withdrawn this month

Total year to date: 34
 Total year to date: 28
 Total year to date: 3
 Total year to date: 3
 Total year to date: 0
 Total year to date: 0

TOTAL MONTHLY REVENUES GENERATED THROUGH THE
 BUILDING & CODES DEPARTMENT.....\$ 227,245.41

MAY ABATEMENT 2020

	A	B	C	D	E	F	G	H	I	J	K	L	M
1	Address	W/O #	NOV #	Rec Date	Comp Date	Grass	Debris	Hrly Rate \$175.00	Lien Fees	Dump Fees	Misc Fees	Total Cost	COMMENTS
2	ACUFF RD 401	6373	CP	5/4/2020	5/4/2020	1		1	\$0.00	\$0.00	\$0.00	\$0.00	CITY PROPERTY
3	ACUFF RD 401	6386	CP	5/19/2020	5/19/2020	1		1	\$0.00	\$0.00	\$0.00	\$0.00	CITY PROPERTY
4	BEECH ST 408	6377	CP	5/12/2020	5/12/2020	1		0.5	\$0.00	\$0.00	\$0.00	\$0.00	CITY PROPERTY
5	BUCHANON DR 31-H / 8	6371	CP	5/4/2020	5/4/2020	1		0.5	\$0.00	\$0.00	\$0.00	\$0.00	CEMETERY
6	CALVERT DR 931	6379	25267	5/12/2020	5/15/2020	1		0.5	\$24.00	\$0.00	\$0.00	\$124.00	
7	CALVERT DR 932	6380	25268	5/12/2020	5/15/2020	1		1	\$24.00	\$0.00	\$0.00	\$199.00	
8	CROSSLAND AVE 1103	6375	CP	5/4/2020	5/4/2020	1		0.5	\$0.00	\$0.00	\$0.00	\$0.00	CITY PROPERTY
9	CROSSLAND AVE 1103	6392	CP	5/15/2020	5/15/2020	1		0.5	\$0.00	\$0.00	\$0.00	\$0.00	CITY PROPERTY
10	FRANKLIN ST 1025	6381	25287	5/12/2020	5/15/2020	1		0.5	\$24.00	\$0.00	\$0.00	\$124.00	
11	FROSTY MORN DR 625	6397	CP	5/19/2020	5/19/2020	1		1	\$0.00	\$0.00	\$0.00	\$0.00	CITY PROPERTY
12	GRACEY AVE 749	6376	25172	4/24/2020	5/6/2020		1	1.5	\$24.00	\$0.00	\$42.00	\$328.50	
13	HARDING DR 1045	6394	CP	5/19/2020	5/19/2020	1		1	\$0.00	\$0.00	\$0.00	\$0.00	CITY PROPERTY
14	HAYDEN DR 776	6384	25290	5/12/2020	5/15/2020	1		0.5	\$0.00	\$0.00	\$0.00	\$0.00	OWNER CORRECTED
15	HELTON DR 617	6383	26306	5/12/2020	5/15/2020	1		1	\$24.00	\$0.00	\$0.00	\$199.00	
16	HUNTER LN 900 / 902	6372	CP	5/4/2020	5/4/2020	1		0.5	\$0.00	\$0.00	\$0.00	\$0.00	CITY PROPERTY
17	HUNTER LN 900 / 902	6395	CP	5/19/2020	5/19/2020	1		1	\$0.00	\$0.00	\$0.00	\$0.00	CITY PROPERTY
18	JAMESTOWN PL 10	6378	CP	5/12/2020	5/12/2020	1		0.5	\$0.00	\$0.00	\$0.00	\$0.00	CITY PROPERTY
19	KELLOGG ST 912	6399	25289	5/12/2020	5/21/2020	1	1	2	\$24.00	\$25.00	\$0.00	\$399.00	
20	MAIN ST 1019	6389	CP	5/15/2020	5/15/2020	1		0.5	\$0.00	\$0.00	\$0.00	\$0.00	CITY PROPERTY
21	MEADOWBROOK DR 103	6385	25264	5/12/2020	5/18/2020	1		0.5	\$0.00	\$0.00	\$0.00	\$0.00	OWNER CORRECTED
22	RICHARDSON ST 724	6374	CP	5/4/2020	5/4/2020	1		0.5	\$0.00	\$0.00	\$0.00	\$0.00	CITY PROPERTY
23	RICHARDSON ST 724	6391	CP	5/16/2020	5/15/2020	1		0.5	\$0.00	\$0.00	\$0.00	\$0.00	CITY PROPERTY
24	SARATOGA DR 109	6387	26307	5/12/2020	5/14/2020	1		2.5	\$24.00	\$50.00	\$0.00	\$511.50	
25	SPEES DR 777	6393	25253	5/6/2020	5/18/2020	1	1	0.5	\$0.00	\$0.00	\$0.00	\$0.00	OWNER CORRECTED
26	SPRING ST S 100	6388	CP	5/15/2020	5/15/2020	1		1	\$0.00	\$0.00	\$0.00	\$0.00	CITY PROPERTY
27	STORY BOOK DR 104	6368	25220	4/24/2020	5/12/2020	1	1	15.5	\$24.00	\$300.00	\$0.00	\$3,036.50	
28	TENTH ST 107	6382	25286	5/12/2020	5/15/2020	1		0.5	\$24.00	\$0.00	\$0.00	\$124.00	
29	WESTCHESTER DR 3051	6390	25282	5/14/2020	5/15/2020	1		1.5	\$24.00	\$0.00	\$0.00	\$199.00	
30													
31													
32	TOTALS					27	4	38.5	\$240.00	\$375.00	\$42.00	\$5,244.50	

6/2/2020

Clarksville Police Department

ABC Stats

MAY 2020

	# applied	\$ paid
Beer Card Applications	7	\$ 140.00
Beer Permit Applications	2	\$ 500.00
Special Event Permit Apps	0	\$ -

	\$ Paid
Privilege Tax	\$ 133.28
Civil Penalties	\$ -

	\$ Paid
Adult Oriented Establishments	\$ -

Beer Board Information:

Special Event Permits Issued:

NONE		

Permanent Permits Issued:

Melvina LLC dba Q Pump	411 Dover Road	OFF Premise
Cracker Barrel Old Country Store #17	200 Cracker Barrel Dr	ON Premise

Citations:

Problem Type Summary

8:30 AM 6/1/2020

Data Source: Data Warehouse

Agency: LAW

Division: Clarksville PD District 1, Clarksville PD District 2, Clarksville PD District 3

Day Range: Date From 5/1/2020 To 5/31/2020

Exclusion:

- Calls canceled before first unit assigned
- Calls canceled before first unit at scene
- Calls canceled after first unit at scene

Select a format

Export



Priority	Description
1	1
2	2
3	3
4	4
5	5

Problem Type	Priority					Total
	1	2	3	4	5	
Unknown						
(L) Alarm Carbon Monoxide	<u>1</u>					<u>1</u>
(L) Alarm Fire		<u>4</u>				<u>4</u>
(L) Alarm Medical	<u>4</u>					<u>4</u>
(L) Ambulance Call	<u>203</u>					<u>203</u>
(L) Ambulance Possible DOA	<u>1</u>					<u>1</u>
(L) Fire Assistance						
(L) Fire Non Structure	<u>6</u>					<u>6</u>
(L) Fire Structure	<u>16</u>					<u>16</u>
(L) Fire Vehicle	<u>8</u>					<u>8</u>
(L) Hazardous Material	<u>5</u>					<u>5</u>
(L) Hosp on Medical Diversion						
(L) Industrial-Commercial Fire						
(L) Legal Blood Draw						
(L) PELA Stand by	<u>3</u>					<u>3</u>
(L) Smoke Unknown Reason	<u>2</u>					<u>2</u>
(L) Stranded Boat						
(L) Water Related Rescue	<u>1</u>					<u>1</u>
Abandoned Vehicle			<u>37</u>			<u>37</u>
Alarm		<u>439</u>				<u>439</u>
Alarm Audible		<u>39</u>				<u>39</u>
Alarm Holdup	<u>42</u>					<u>42</u>
Alarm Panic	<u>27</u>					<u>27</u>
All Weather Related Problems			<u>16</u>			<u>16</u>
Animal Call			<u>162</u>			<u>162</u>
Animal Call Lost/Found Pet					<u>2</u>	<u>2</u>
Animal Call Poaching						
Armed Robbery	<u>1</u>					<u>1</u>
Armed Robbery Attempted						

Assault Already Oced			32			32
Assault In Progress	8					8
Assault Sexual		8				8
Attempt Burg to Business						
Attempt Burg to Residence		6				6
Attempt Theft of Vehicle			1			1
Attempt to Locate			10			10
Attempt to Serve Warrant	634					634
B&E Busn Already Oced		5				5
B&E Busn In Progress	7					7
B&E Resd Already Oced		24				24
B&E Resd In Progress	49					49
B&E Vehicle Already Oced			48			48
B&E Vehicle In Progress	7					7
B&E Vending Machine						
Backup needed by Responder						
Bomb Threat						
Bomb/Explosive Device Found						
Breach of Trust			11			11
Carjacking						
Cell Phone Call				11		11
Child Abuse		12				12
Child Custody		36				36
Child Neglect		18				18
Child Restraint Violation		13				13
Community Contact			40			40
COR Violation			14			14
Dispute/Fight Verbal		144				144
Domestic Already Oced		53				53
Domestic In Progress	356					356
Domestic Rolling	17					17
Drive Thru			217			217
Driving With Device						
Drug Call			82			82
Drunk Driver		44				44
Elder Abuse		1				1
Emergency Message			2			2
Escaped Prisoner						
Escort					5	5
Event or Special					16	16
Eviction		1				1
Executive Order Violation			3			3
Explosion	1					1
Extra Patrol Spotlight					27	27
Fight Already Oced		2				2
Fight In Progress	49					49
Fireworks					19	19
Flag Down/Walk Up			134			134
Flooding						
Foot Pursuit	2					2
Forgery Fraud			55			55
Found Property			36			36
Gang Activity						
Harrassment			59			59
Hit & Run No Injuries		93				93
Hit & Run With Injuries	8					8
Home Invasion	1					1
Hostage Situation						

Identity Theft			7			7
Illegal Parking			20			20
Indecent Exposure		7				7
Information (L)				34		34
Juvenile Problem			78			78
Kidnapping	2					2
Kidnapping Attempted	1					1
Legal Civil Problem/Issue			19			19
Lines Down		13				13
Litter Dumping			6			6
Loitering			8			8
Lost Elderly or Child	6					6
Lost Property			12			12
Lost Stolen Tag			13			13
Loud Disturbance Music			217			217
Mental Patient		12				12
Mental Patient Transport				7		7
Miscellaneous			640			640
Missing Juvenile Runaway			21			21
Missing Person Adult			14			14
Missing Person Found/Retd			5			5
Motorist Assist			152			152
Officer Assistance			190			190
Officer Investigation			511			511
On Foot			224			224
Overdose	15					15
Park Patrol			36			36
Phone Call Request			821			821
Pick Up Prisoner			5			5
Plane, Train Incident						
POF Violation		20				20
Property Damage			54			54
Prowler	1					1
Psych Diversion						
Public Drunk		28				28
Rape	5					5
Rape Attempted						
Reckless Driving			257			257
Recovered Vehicle			2			2
Repo/Towed Vehicle				1		1
Road Rage	33					33
Robbery Strongarm						
Runaway Located						
School Lock Down/Out						
School Threat						
Sex Offender Check			1			1
Sex Offender Registry Viol						
Shooting Already Occd	1					1
Shooting In Progress	2					2
Shoplifter		114				114
Shots Fired	76					76
Sign Down			2			2
Solicitor			21			21
Stabbing	1					1
Stalker		6				6
Stolen Vehicle			48			48
Stolen Vehicle IP						
Street Opened or Closed						

Structure Damage/Collapse						
Suicide	<u>1</u>					<u>1</u>
Suicide Attempt	<u>16</u>					<u>16</u>
Suicide Threatening	<u>78</u>					<u>78</u>
Suspicious Activity			<u>147</u>			<u>147</u>
Suspicious Person			<u>115</u>			<u>115</u>
Suspicious Person Weapons		<u>18</u>				<u>18</u>
Suspicious Vehicle			<u>113</u>			<u>113</u>
Theft In Progress		<u>5</u>				<u>5</u>
Theft of Prop/Services			<u>115</u>			<u>115</u>
Threat		<u>67</u>				<u>67</u>
Traffic Problem			<u>77</u>			<u>77</u>
Traffic Signal/Sign			<u>12</u>			<u>12</u>
Traffic Stop	<u>2989</u>					<u>2989</u>
Transferred Call						
Trespassing			<u>60</u>			<u>60</u>
Underage Drinking						
Unwanted Guest		<u>152</u>				<u>152</u>
Vandalism Already Oced			<u>53</u>			<u>53</u>
Vandalism In Progress		<u>2</u>				<u>2</u>
Vehicle Lockout			<u>8</u>			<u>8</u>
Vehicle Pursuit	<u>2</u>					<u>2</u>
Verify VIN Number			<u>14</u>			<u>14</u>
Voluntary Contact			<u>153</u>			<u>153</u>
Warrant On File		<u>48</u>				<u>48</u>
Welfare Check		<u>773</u>				<u>773</u>
Wreck Property Damage		<u>391</u>				<u>391</u>
Wreck With Heavy Involvement						
Wreck With Injuries	<u>141</u>					<u>141</u>
Total	<u>4829</u>	<u>2598</u>	<u>5210</u>	<u>45</u>	<u>77</u>	<u>12759</u>

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Clarksville Fire Department (TN)

*Monthly Incident Counts By Station

Alarm Date Between {01/01/2020} And {05/31/2020}

Station #	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total	Percent
	0	0	0	0	6	0	0	0	0	0	0	0	6	0.11%
01	160	169	154	122	131	0	0	0	0	0	0	0	736	13.66%
02	34	30	23	26	17	0	0	0	0	0	0	0	130	2.41%
03	154	143	134	87	112	0	0	0	0	0	0	0	630	11.69%
04	72	73	79	55	69	0	0	0	0	0	0	0	348	6.46%
05	91	79	107	83	106	0	0	0	0	0	0	0	466	8.65%
06	233	209	218	172	195	0	0	0	0	0	0	0	1027	19.06%
07	64	61	65	46	70	0	0	0	0	0	0	0	306	5.68%
08	79	74	100	56	79	0	0	0	0	0	0	0	388	7.20%
09	115	105	105	79	138	0	0	0	0	0	0	0	542	10.06%
10	101	98	90	69	81	0	0	0	0	0	0	0	439	8.15%
11	50	53	47	33	62	0	0	0	0	0	0	0	245	4.54%
12	23	35	26	12	23	0	0	0	0	0	0	0	119	2.20%
FP	0	2	0	0	2	0	0	0	0	0	0	0	4	0.07%

Total Runs by Month													
Jan	1176	Feb	1131	Mar	1148	Apr	840	May	1091	Jun	0		
Jul	0	Aug	0	Sep	0	Oct	0	Nov	0	Dec	0		

Grand Total Runs: 5386

Clarksville Fire Department (TN)

Monthly Incident Type Report (Summary)

FDID = "63412" and Alarm Date Between
{05/01/2020} And {05/31/2020}

Incident Type	Count	Pct of Incidents	Total Est Loss	Pct of Losses
	6	0.55%	\$0	0.00%
	6	0.55%	\$0	0.00%
1 Fire				
111 Building fire	7	0.64%	\$170,500	72.47%
112 Fires in structure other than in a building	1	0.09%	\$100	0.04%
113 Cooking fire, confined to container	2	0.18%	\$60	0.02%
131 Passenger vehicle fire	6	0.55%	\$39,600	16.83%
142 Brush or brush-and-grass mixture fire	1	0.09%	\$0	0.00%
143 Grass fire	1	0.09%	\$0	0.00%
151 Outside rubbish, trash or waste fire	5	0.45%	\$0	0.00%
153 Construction or demolition landfill fire	1	0.09%	\$0	0.00%
154 Dumpster or other outside trash receptacle	2	0.18%	\$0	0.00%
160 Special outside fire, Other	1	0.09%	\$0	0.00%
	27	2.47%	\$210,260	89.37%
2 Overpressure Rupture, Explosion, Overheat(no fire)				
251 Excessive heat, scorch burns with no	2	0.18%	\$0	0.00%
	2	0.18%	\$0	0.00%
3 Rescue & Emergency Medical Service Incident				
311 Medical assist, assist EMS crew	68	6.23%	\$0	0.00%
3111 Cardiac Arrest	8	0.73%	\$0	0.00%
3112 Respiratory Arrest or Blocked Airway	2	0.18%	\$0	0.00%
3113 Childbirth and or complications during	1	0.09%	\$0	0.00%
3114 Severe Shock or Burns	1	0.09%	\$0	0.00%
3116 Arterial or Uncontrolled Bleeding	3	0.27%	\$0	0.00%
3118 Amputation or Near Amputation	1	0.09%	\$0	0.00%
3119 Diabetic Emergency	11	1.00%	\$0	0.00%
320 Emergency medical service, other	19	1.74%	\$0	0.00%
321 EMS call, excluding vehicle accident with	182	16.68%	\$0	0.00%
3210 Seizure	50	4.58%	\$0	0.00%
3211 Difficulty Breathing	80	7.33%	\$0	0.00%
3212 Chest Pain	46	4.21%	\$0	0.00%
3213 Asthma Attack	6	0.55%	\$0	0.00%
3214 Stroke	14	1.28%	\$0	0.00%
3215 Allergic Reaction	2	0.18%	\$0	0.00%
3216 Overdose	41	3.75%	\$0	0.00%

Clarksville Fire Department (TN)

Monthly Incident Type Report (Summary)

FDID = "63412" and Alarm Date Between
{05/01/2020} And {05/31/2020}

Incident Type	Count	Pct of Incidents	Total Est Loss	Pct of Losses
3 Rescue & Emergency Medical Service Incident				
3217 Lift Assist	57	5.22%	\$0	0.00%
3218 CFR Personnel Needed to Drive Ambulance	1	0.09%	\$0	0.00%
3219 Unconscious Patient	16	1.46%	\$0	0.00%
322 Motor vehicle accident with injuries	40	3.66%	\$0	0.00%
323 Motor vehicle/pedestrian accident (MV Ped)	6	0.55%	\$0	0.00%
3231 Bicycle Accident	1	0.09%	\$0	0.00%
324 Motor Vehicle Accident with no injuries	107	9.80%	\$25,000	10.62%
3241 D.O.A	10	0.91%	\$0	0.00%
353 Removal of victim(s) from stalled elevator	1	0.09%	\$0	0.00%
365 Watercraft rescue	3	0.27%	\$0	0.00%
3811 Standby For Lifeflight	7	0.64%	\$0	0.00%
	784	71.86%	\$25,000	10.62%

4 Hazardous Condition (No Fire)

400 Hazardous condition, Other	1	0.09%	\$0	0.00%
411 Gasoline or other flammable liquid spill	2	0.18%	\$0	0.00%
412 Gas leak (natural gas or LPG)	2	0.18%	\$0	0.00%
422 Chemical spill or leak	1	0.09%	\$0	0.00%
4221 Meth Related	1	0.09%	\$0	0.00%
424 Carbon monoxide incident	4	0.36%	\$0	0.00%
440 Electrical wiring/equipment problem, Other	1	0.09%	\$0	0.00%
441 Heat from short circuit (wiring),	1	0.09%	\$0	0.00%
444 Power line down	5	0.45%	\$0	0.00%
445 Arcing, shorted electrical equipment	13	1.19%	\$0	0.00%
	31	2.84%	\$0	0.00%

5 Service Call

510 Person in distress, Other	3	0.27%	\$0	0.00%
511 Lock-out	3	0.27%	\$0	0.00%
512 Ring or jewelry removal	1	0.09%	\$0	0.00%
520 Water problem, Other	1	0.09%	\$0	0.00%
521 Water evacuation	1	0.09%	\$0	0.00%
531 Smoke or odor removal	2	0.18%	\$0	0.00%
550 Public service assistance, Other	1	0.09%	\$0	0.00%
551 Assist police or other governmental agency	2	0.18%	\$0	0.00%
553 Public service	1	0.09%	\$0	0.00%
561 Unauthorized burning	7	0.64%	\$0	0.00%
571 Cover assignment, standby, moveup	1	0.09%	\$0	0.00%

Clarksville Fire Department (TN)

Monthly Incident Type Report (Summary)

FDID = "63412" and Alarm Date Between
{05/01/2020} And {05/31/2020}

Incident Type	Count	Pct of Incidents	Total Est Loss	Pct of Losses
5 Service Call				
	23	2.10%	\$0	0.00%
6 Good Intent Call				
600 Good intent call, Other	8	0.73%	\$0	0.00%
611 Dispatched & cancelled en route	58	5.31%	\$0	0.00%
622 No Incident found on arrival at dispatch	32	2.93%	\$0	0.00%
631 Authorized controlled burning	3	0.27%	\$0	0.00%
650 Steam, Other gas mistaken for smoke, Other	1	0.09%	\$0	0.00%
651 Smoke scare, odor of smoke	2	0.18%	\$0	0.00%
671 HazMat release investigation w/no HazMat	2	0.18%	\$0	0.00%
	106	9.71%	\$0	0.00%
7 False Alarm & False Call				
711 Municipal alarm system, malicious false	1	0.09%	\$0	0.00%
715 Local alarm system, malicious false alarm	2	0.18%	\$0	0.00%
731 Sprinkler activation due to malfunction	1	0.09%	\$0	0.00%
733 Smoke detector activation due to	2	0.18%	\$0	0.00%
735 Alarm system sounded due to malfunction	12	1.09%	\$0	0.00%
736 CO detector activation due to malfunction	1	0.09%	\$0	0.00%
741 Sprinkler activation, no fire -	3	0.27%	\$0	0.00%
743 Smoke detector activation, no fire -	26	2.38%	\$0	0.00%
744 Detector activation, no fire -	7	0.64%	\$0	0.00%
745 Alarm system activation, no fire -	49	4.49%	\$0	0.00%
746 Carbon monoxide detector activation, no CO	4	0.36%	\$0	0.00%
	108	9.89%	\$0	0.00%
8 Severe Weather & Natural Disaster				
800 Severe weather or natural disaster, Other	2	0.18%	\$0	0.00%
813 Wind storm, tornado/hurricane assessment	1	0.09%	\$0	0.00%
	3	0.27%	\$0	0.00%
9 Special Incident Type				
911 Citizen complaint	1	0.09%	\$0	0.00%
	1	0.09%	\$0	0.00%

Total Incident Count: 1091

Total Est Loss:

\$235,260

RESOLUTION 1-2020-21

A RESOLUTION AUTHORIZING AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF CLARKSVILLE, TENNESSEE AND THE E911 EMERGENCY COMMUNICATION DISTRICT OF MONTGOMERY COUNTY, TENNESSEE

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:

That the Clarksville City Council hereby authorizes an interlocal agreement, effective July 1, 2020 through June 30, 2021, attached hereto as Exhibit A, between the City of Clarksville, Tennessee, and the Emergency Communication District of Montgomery County, Tennessee.

Mayor

ATTEST:

City Clerk

ADOPTED:

**INTERLOCAL CONTRACT BETWEEN THE CITY OF CLARKSVILLE,
TENNESSEE, AND THE E911 EMERGENCY COMMUNICATION DISTRICT OF
MONTGOMERY COUNTY, TENNESSEE**

This agreement is made and entered into between the City of Clarksville, Tennessee, a political subdivision of the State of Tennessee (hereinafter referred to as "the City"), and the E911 Emergency Communication District of Montgomery County, Tennessee, a corporate body politic organized pursuant to the provisions of Tennessee Code Annotated § 7-86-105 (hereinafter referred to as "the District").

The terms and conditions of this Agreement are as follows:

1. The term of this Agreement is July 1, 2020, through June 30, 2021.
2. During the term of this Agreement, the District agrees to provide use of the first floor of the present E-911 Building situated at the corner of the First and Commerce Streets in Clarksville, Tennessee, including utilities.
3. As compensation for services provide under this Agreement, the City of Clarksville, Tennessee, will pay \$54,048.00 to the District during the term in twelve equal monthly installments of \$4,504.00. The District will endeavor to provide sufficient personnel to answer incoming emergency/non-emergency calls twenty-four hours a day, seven days a week, for the entire duration of this agreement. The District call takers will then forward these calls via the Computer Aided Dispatch terminals (CAD) to the City of Clarksville Public Safety Police / Fire Dispatchers who will dispatch and handle all radio traffic for the Clarksville Police Department and Clarksville Fire Rescue.
4. The District will provide twenty-four (24) hours, toll-free voice and TDD telephone access or an equivalent system for emergency call service for the City; develop and maintain written procedures and telephone numbers for

procuring other emergency services (EMS, Fire Rescue, Ambulance, etc.); provide immediate playback of recorded telephone and radio conversations while maintaining a continuous recording of radio transmissions and emergency telephone conversations within the communications center; develop and maintain written procedures for the prompt handling and appropriate routing of misdirected emergency calls; issue emergency first-aid instructions over the telephone to each caller using approved emergency medical guidelines or materials; maintain backup electrical power to ensure continuous operations in the event of primary power failure; and maintain a telephone system designed to separate emergency from non-emergency calls.

5. The parties further agree that the purpose of this Agreement is to comply with E911 Revenue Standard Number 21 adopted by the Tennessee Emergency Communication Board pursuant to the authority granted it by Tennessee Code Annotated § 7-86-306 (9) and to comply with the provisions of Tennessee Code Annotated § 12-9-101 et seq., regarding Agreements between local governmental units.

IN WITNESS WHEREOF, each party has caused this Interlocal agreement to be executed by an authorized person on the date indicated by his or her name.

CITY OF CLARKSVILLE

APR

Date: _____

By: _____

JOE PITTS
Its: City Mayor

**E911 EMERGENCY COMMUNICATION
DISTRICT OF MONTGOMERY**

Date: _____

By: _____

LIZ HENLEY
Its: Chair

RESOLUTION 2-2020-21

A RESOLUTION TO AUTHORIZE AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF CLARKSVILLE AND MONTGOMERY COUNTY RELATED TO SHARED EXPENSES FOR AUTOPSIES.

WHEREAS, The City Council finds it in the best interest of the City to share in the cost of autopsies with Montgomery County; and

WHEREAS, The City and County wish to formalize an ongoing practice in the shared expenses of autopsies as set forth in the Interlocal Agreement attached hereto, and incorporated herein as Exhibit A; and

WHEREAS, Tennessee Code Annotated (TCA) Section 12-9-108 authorizes local governments to contract with each other to perform any governmental service, activity, or undertaking, which each is authorized by law to perform, provided that such contract is authorized by the governing body of each party to the contract.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:

The attached Interlocal Agreement pertaining to shared expenses for autopsies between Montgomery County, and the City of Clarksville, Tennessee, attached hereto and incorporated herein, is hereby approved and adopted subject to the approval of same by the Montgomery County Commission and same shall be effective as of the date of the last date of the last signature of both Mayors

INTERLOCAL AGREEMENT

This agreement entered into on this _____ day of _____, 2020 by and between the City of Clarksville, Tennessee, hereinafter referred to as "City" and Montgomery County Government, Montgomery County, Tennessee, hereinafter referred to as "County".

WITNESSETH

In order to memorialize the formed obligations of the City and County concerning the process of autopsies, the parties contract and agree as follows:

1. County shall be financially responsible for all expenses incurred for the costs of autopsies requested by the Montgomery County Sheriff's Office or the District Attorney General's Office for the 19th Judicial District of Tennessee; and
2. County will be financially responsible for one-half (1/2) of all expenses incurred for the cost of autopsies requested by the Clarksville Police Department and the City shall be responsible for one-half (1/2); and
3. County shall notify City of any price increase in the cost of autopsies by notifying the City in writing as soon as is practicable after receiving notification from the State.
4. This agreement remains in effect in perpetuity or until such time both parties agree to amend or end this agreement.

In witness thereof, the parties have signed this agreement on the day and date first written above.

 City of Clarksville

Montgomery County, Tennessee

Mayor

Mayor

ORDINANCE 1-2020-21

AN ORDINANCE AMENDING TITLE 5 OF THE OFFICIAL CITY CODE TO ADD A NEW CHAPTER ENTITLED "SHORT-TERM RENTALS" TO ESTABLISH REGULATIONS PERTAINING TO SHORT-TERM RENTAL UNITS.

WHEREAS, with the rise of the sharing economy, the City of Clarksville and cities across the country have seen growth in the popularity of short-term rentals, which are rentals of residential units or dwellings for up to thirty consecutive days; and

WHEREAS, in the absence of a regulatory framework, the City of Clarksville cannot monitor these short-term rental listings and cannot ensure public safety; and

WHEREAS, the City Council finds the best approach to the regulation of short-term rentals is a permit scheme that balances the protection of neighborhoods with the interests of individuals who want to rent their property on a short-term basis; and

WHEREAS, the City Council finds that any short-term rental permitting regulatory scheme should impose minimum safety requirements to protect renters and neighboring properties, and should provide for the collection of applicable taxes; and

WHEREAS, the City Council finds it to be in the best interest of the City and its residents, to include public health and safety, to regulate the operation of short-term rentals within the City of Clarksville.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLARKSVILLE:

The Clarksville City Code, Title 5 (Business, Professions, and Occupations) is hereby amended by adding a new Chapter 3 (Short-Term Rentals) as set forth below:

Section 5-301. Purpose. The City Council finds that the following regulations of Short-Term Rental Units is necessary to protect the health, safety, and welfare of the public.

Section 5-302. Definitions. The following words, terms and phrases, when used in this Chapter, shall have the meanings ascribed to them in this Chapter. The word "shall" is always mandatory and not merely advisory.

- (a) *Code Official.* A City Code Enforcement Officer or the Building Official.
- (b) *Consideration.* The charge, whether or not received, for occupancy in a ShortTerm Rental Unit valued in money, whether to be received in money, goods, labor, or otherwise, including all receipts, cash, credits, property and services of any kind or nature. Nothing in this definition shall be construed to mean that consideration is charged when the Short-Term Rental Unit provided to the Transient Guest(s) is complimentary from the Owner and no consideration of any type is charged to, or received from, any person.

- (c) *Contiguous Property.* Any property that is directly adjacent to the property on which a Short-Term Rental Unit is located, or which is across any street, road, highway, or alley from any property on which a Short-Term Rental Unit is located, and which is within one-hundred (100) feet of the nearest property boundary line of any property on which a Short-Term Rental Unit is located.
- (d) *Dwelling Unit.* A cabin, house, house trailer or mobile home, or structure used or designed to be used as an abode or home of a person, family, or household, and includes a single-family dwelling, a portion of a single-family dwelling, or an individual residential dwelling in a multi-dwelling building, such as a duplex, triplex, an apartment building, condominium, cooperative, or timeshare.
- (e) *Hosting Platform.* A person or entity that facilitates the booking of a Short-Term Rental Unit.

"Facilitate" includes, but is not limited to, the act of allowing an Owner to offer to list or advertise, typically for a charge or fee, the Short-Term Rental Unit on an Internet website, in a print publication, or through another forum provided or maintained by the Hosting Platform.
- (f) *Non-Residential District.* Any zoning district designated in the City of Clarksville that allows residential uses but is not a Residential District.
- (g) *Occupancy.* The use or possession, or the right to the use or possession, of any room(s), lodgings, or accommodations in any Short-Term Rental Unit.
- (h) *Operating Permit.* The city-issued document authorizing an Owner to operate a Short-Term Rental Unit within the City of Clarksville.
- (i) *Owner.* The person who owns property held out as a Short-Term Rental Unit.
- (j) *Residential District.* Any zoning district designated in the City of Clarksville where the principal permitted uses in the district include residential uses, including houses, duplexes, and multi-dwelling structures.
- (k) *Short-Term Rental Unit.* A dwelling unit, a portion of a dwelling unit, or any other structure or space that is occupied or intended or designed or advertised for occupancy by Transient Guests for dwelling, lodging, or sleeping, and which is offered to Transient Guests for Consideration for a period of up to 30 consecutive calendar days. Short-Term Rental Units shall not include dwelling units owned by the federal government, the state, or any of their agencies or political subdivisions; facilities licensed by the state as healthcare facilities, including temporary family healthcare structures; hotels; inns; motels; boarding houses; Bed and Breakfast establishments approved by the City of Clarksville pursuant to the Clarksville Zoning Ordinance; campgrounds; recreational vehicles or campers, or dwelling units rented to the same occupant(s) for more than thirty continuous days.
- (l) *Transient Guest.* A person who occupies a dwelling unit or portion thereof, other than his or her usual place of residence, in exchange for consideration.

Section 5-303. Permit Required for Operation of a Short-Term Rental Unit.

- (a) *Operating Permit Required.* It shall be unlawful to operate or advertise any Short-Term Rental Unit within the City of Clarksville without a Short-Term Rental Unit Operating Permit issued under this Chapter, except as otherwise provided herein.
- (b) *Continued use for properties already being used as short-term rental.* In accordance with T.C.A. § 13-7-603, as may be amended from time to time, this Short-Term Rental Ordinance shall not apply to any property that was being used as a Short-Term Rental Unit by the owner of the property prior to the Clarksville City Council's enactment of this Chapter. The definition of "Used as a short-term rental unit" contained in T.C.A. § 13-7-602, as may be amended from time to time, shall be used in determining whether a property was being used as a Short-Term Rental Unit by the Owner of the property prior to enactment of this Chapter. In accordance with T.C.A. § 13-7-604(b)(3), as may be amended from time to time, any property being used as a Short-Term Rental Unit by the Owner of the property prior to enactment of this Chapter may continue operating said property as a Short-Term Rental Unit, without securing a permit, until the property is sold, transferred, ceases being used as a Short-Term Rental Unit for a period of thirty (30) continuous months, or has been in violation of a generally applicable local law three (3) or more separate times with no appeal rights remaining for any of the three (3) violations.

Section 5-304. Short-Term Rental Unit Operating Permit Application; Permit Availability; Application Form and Fee; Right of Entry.

- (a) *Application.* Except as otherwise provided herein, every Owner desiring to operate a Short-Term Rental Unit shall submit an application for an Operating Permit to the Clarksville Department of Finance and Revenue. Each application shall contain all of the following information, along with a sworn statement that the information being provided is true and accurate, upon penalty of perjury. The permit application shall not be considered complete until all information specified by the application form and required by this chapter, as determined by the Department of Finance and Revenue, has been completed by the applicant.
 - (1) *Acknowledgement of Regulations and Obligation to Pay Hotel / Motel Tax; Submission of Proof of Business License.* The applicant shall include with his or her application a written acknowledgement by the Owner that he/she has read all regulations of this Chapter pertaining to the operation of a Short-Term Rental Unit, that the applicant will comply with and pay as required by law any hotel/motel tax requirements as levied or assessed by the City, Montgomery County, and / or the State of Tennessee, and shall submit a statement that the applicant has obtained a City of Clarksville business license and attach a copy of same thereto.
 - (2) *Affidavit of Life Safety Compliance.* An application for an Operating Permit shall be accompanied by an affidavit from the applicant verifying the number and room location(s) of all required life safety equipment, and that all such equipment is currently fully operational at the time of the application

for the Short-Term Rental Unit. All such life safety equipment will be subject to verification or inspection.

- (3) *Local Contact Person.* A person designated by the Owner who shall be available twenty-four (24) hours per day, seven (7) days per week for the purpose of: (i) being able to physically respond, as necessary, within forty-five (45) minutes of notification of a complaint regarding the condition, operation, or conduct of occupants of the Short-Term Rental Unit, and (ii) taking remedial action necessary to resolve any such complaints. The Local Contact Person may be the Owner or an Owner's agent. If not the Owner, the full legal name, residential street and mailing addresses, the e-mail address, and the telephone number of the Local Contact Person shall be provided.
- (4) *Owner Information.* The full legal name, street and mailing addresses, the e-mail address, and the telephone number of the Owner of the property sought to be used as a Short-Term Rental Unit and, in cases where a business entity or trust is the owner of the property that is sought to be used as a Short-Term Rental Unit, the individual who has the responsibility to oversee the ownership of the property sought to be used as a Short-Term Rental Unit on behalf of the business entity or trust, including the mailing address, the e-mail address, and the telephone number of the individual having such responsibility. If the Owner of a Short-Term Rental Unit is a business entity, information and documentation is required demonstrating the Owner's valid status with the Tennessee Secretary of State.
- (5) *Site Plan.* A site plan and floor plan accurately and clearly depicting the size and location of the existing dwelling and the approximate square footage in the dwelling, the number and location of designated off-street parking spaces and the maximum number of vehicles allowed for overnight occupants. The floor plan shall describe the use of each room in the dwelling, the number, location and approximate square footage of all bedrooms, and any accessory buildings, including but not limited to garages and accessory dwelling structures or units.
- (6) *Confirmation regarding private agreements.* Written acknowledgement by the Owner that he/she/it is solely responsible for confirming and that he/she/it has confirmed that operating the Short-Term Rental Unit would not violate any Home Owners Association agreement or bylaws, Condominium Agreement, Covenants, and / or Restrictions, mortgage agreement, insurance contract, or any other contract or agreement governing and limiting the use of the proposed Short-Term Rental Unit.
- (7) *Notice to surrounding property owners.* The Owner of the Short-Term Rental Unit shall provide written notification of the operation of the Short-Term Rental Unit to each Contiguous Property owner. The Owner of the Short-Term Rental Unit shall provide proof to the City of such written notification at the time of submitting the Operating Permit application. Proof of written notification shall be: (a) the dated signature of each Contiguous

Property owner on a written notice; (b) a signed receipt of U.S. registered or certified mail addressed to each Contiguous Property owner along with a copy of the written notice sent; or (c) notice from the U.S. Postal Service that registered or certified mail to a Contiguous Property owner was refused or not timely accepted along with a copy of the written notice sent.

- (8) *Proof of Insurance.* The Owner shall provide proof of insurance evidencing homeowner's, fire, hazard, and liability insurance on the property sought to be used as a Short-Term Rental Unit. Liability coverage shall have limits of not less than one million dollars per occurrence.

(b) Short-Term Rental Unit Operating Permit Availability.

- (1) *Generally.* A Short-Term Rental Unit Operating Permit is available in any Residential or Non-Residential Districts upon meeting the criteria in this Chapter. A Short-Term Rental Unit Operating Permit may be issued only to the Owner of the Short-Term Rental Unit.
- (2) *Proof of Ownership.* Ownership shall be established by the deed for the property as recorded in the office of the Montgomery County, Tennessee, Register of Deeds.

(c) Operating Permit Application Form. The Department of Finance and Revenue shall develop and supply Short-Term Rental Unit Operating Permit application forms for use by applicants, which shall contain such questions and acknowledgements as are specified herein, to be answered and acknowledged by the applicant under oath and notarized.

(d) Fees. An administrative processing and inspection permit fee in the amount of one-hundred fifty dollars (\$150.00) shall be paid to the Clarksville Department of Finance and Revenue at the time an application for a Short-Term Rental Unit Operating Permit is submitted. There shall be no proration of fees. Application fees shall be non-refundable.

(e) Right of Entry of Fire Department and Building and Codes Department. The submission of an application for a Short-Term Rental Unit Operating Permit shall constitute consent of the applicant to permit the Clarksville Fire Rescue Department and the Clarksville Department of Building and Codes to conduct inspections of the Short-Term Rental Unit, from time to time, between the hours of 8 a.m. and 5 p.m. or during the hours such Short-Term Rental Unit is being rented, to ensure the Short-Term Rental Unit is complying with the requirements of this Chapter, other city ordinances, and state/federal laws and regulations.

Section 5-305. Administrative Processing and Inspections; Issuance.

- (a) Once the Short-Term Rental Unit Operating Permit application is considered complete by the Department of Finance and Revenue, to include the payment of any required fee(s), the original application shall be date-stamped and retained by the Department of Finance and Revenue. The Department of Finance and Revenue shall then forward a copy of the completed application to the Fire and Rescue Department and to the Building and Codes Department for further review and inspections.

- (b) The Fire and Rescue Department shall conduct a fire and life safety inspection of the Short-Term Rental Unit within fifteen (15) calendar days of the date the application is accepted by the Department of Finance and Revenue to ensure that all required fire and life safety equipment is currently operable, and that the Short-Term Rental Unit is in compliance with all applicable fire codes, laws, and regulations. As part of the inspection, the Fire and Rescue Department shall determine the maximum occupancy of Transient Guests for the Short-Term Rental Unit. Upon completion of the fire and life safety inspection, the Fire and Rescue Department shall annotate on a form developed in coordination with the Building and Codes Department whether the Short-Term Rental Unit passed or failed the fire and life safety inspection, and if it failed, shall provide a short and plain summary of the reasons why the Short-Term Rental Unit failed the inspection, and shall cite to the applicable provision(s) of the fire codes, laws, or regulations at issue. In the event of failure of the fire and life safety inspection, an applicant may request a re-inspection, whereupon the applicant shall have ten (10) days from the date of the failed fire and life safety inspection to correct any deficiencies, pass a re-inspection, and pay a re-inspection fee of fifty dollars (\$50.00). An applicant shall only be permitted one opportunity for a fire and life safety re-inspection.
- (c) The Department of Building and Codes shall conduct a building safety inspection of the Short-Term Rental Unit within fifteen (15) calendar days of the date the application is accepted by the Department of Finance and Revenue to ensure compliance with all applicable building, gas, electrical, and plumbing codes, laws, and regulations. Upon completion of the building safety inspection, the Department of Building and Codes shall annotate on the form developed in coordination with the Fire and Rescue Department, whether the Short-Term Rental Unit passed or failed the building safety inspection, and if it failed, shall provide a short and plain summary of the reasons why the Short-Term Rental Unit failed the building safety inspection and shall cite to the applicable provision(s) of the building safety codes, laws, or regulations at issue. In the event of failure of the building safety inspection, an applicant may request a re-inspection, whereupon the applicant shall have ten (10) days from the date of the failed building safety inspection to correct any deficiencies, pass a re-inspection, and pay a re-inspection fee of fifty dollars (\$50.00). An applicant shall only be permitted one opportunity for a building safety re-inspection.
- (d) Within fifteen (15) days of the date of successful completion of the fire and life safety inspection and the building safety inspection (whichever comes later), the Department of Building and Codes shall make a final determination whether the application should be approved or denied.
- (e) If the Department of Building and Codes determines that the application or the Short-Term Rental Unit does not conform to the requirements of this Chapter, or to other applicable laws or regulations, the application for a Short-Term Rental Unit Operating Permit shall be denied. Within five (5) days of any decision denying an application for an Operating Permit, the Department of Finance and Revenue shall inform the applicant of the denial in writing and shall explain the reason(s) for the denial in writing.

- (f) Upon successful completion of all required inspections and payment of the necessary fee(s), if the Department of Building and Codes is satisfied that the application and the Short-Term Rental Unit conform to the requirements of this Chapter and to all other applicable laws and regulations, within five (5) days of approval of the Short-Term Rental Unit Operating Permit application by the Department of Building and Codes, the Department of Finance and Revenue shall inform the applicant of the approval in writing and shall issue a Short-Term Rental Unit Operating Permit to the applicant using a permit form developed by the Department of Finance and Revenue in coordination with the Fire and Rescue Department and the Department of Building and Codes. The Operating Permit shall specify the maximum occupancy of Transient Guests permitted within the Short-Term Rental Unit.
- (g) All permits, whether an original permit or a renewal permit, shall pertain only to one single Short-Term Rental Unit as defined herein, and shall be separately numbered, and the Department of Finance and Revenue shall keep a duplicate of each original permit issued.
- (h) Once issued, the Short-Term Rental Operating Permit shall be valid for one (1) calendar year from the date of issuance, unless the Short-Term Rental Unit Operating Permit is suspended or revoked pursuant to this Chapter, or otherwise terminated by operation of, or in accordance with, law.

Section 5-306. Short-Term Rental Unit Operating Permit Renewals.

Unless suspended or revoked for a violation of any provision of this Chapter or other applicable law or regulation, a Short-Term Rental Unit Operating Permit may be renewed annually, provided that an applicant submits a renewal application and processing fee of one-hundred twenty dollars (\$120.00) no later than thirty (30) calendar days before the Short-Term Rental Unit Operating Permit's expiration. An application for renewal of a Short-Term Rental Unit Operating Permit, which shall include an updated acknowledgement of rules signed by the Owner; an updated affidavit of life safety compliance signed by the Owner; any updated information regarding the local contact person; any updated Owner information; an updated confirmation regarding private agreements signed by the Owner; an updated proof of insurance; and proof of payment of all taxes due, shall be made through the Department of Finance and Revenue. Upon receipt of an application for renewal, together with the renewal application fee, an inspection of the Short-Term Rental Unit, in accordance with the provisions of **Section 5-305** above, shall be made to ensure compliance with all fire safety and building safety requirements. After the Short-Term Rental Unit Operating Permit's expiration, the holder of the Short-Term Rental Unit Operating Permit forfeits the right to renew, and the Owner must reapply for a new Short-Term Rental Unit Operating Permit. A renewed Short-Term Rental Unit Operating Renewal Permit shall be valid for one (1) calendar year from the date of issuance.

Section 5-307. Prohibition Against Transfer.

- (a) *Generally.* No person holding a Short-Term Rental Unit Operating Permit shall sell, lend, lease, or in any manner transfer the permit for value.

- (b) *Permission.* The permission to operate a Short-Term Rental Unit under a Short-Term Rental Unit Operating Permit shall be personal and limited to the Owner to whom the City issued the permit. A Short-Term Rental Unit Operating Permit shall terminate immediately upon the transfer of the property covered by the permit, whether such transfer is by deed, by law, or otherwise.
- (c) *Transfers Invalid.* Any unauthorized transfer or attempt to transfer a Short-Term Rental Unit Operating Permit shall automatically void such permit. Persons violating this provision, including both the transferor and transferee, may be subject to a citation and fine. Each unauthorized transfer or attempt to transfer of a Short-Term Rental Unit Operating Permit shall constitute a separate violation, and the penalty for such violation shall be fifty dollars (\$50.00) per day.

Section 5-308. No Vested Rights.

The provisions of this Chapter concerning Short-Term Rental Units are not a grant of vested rights to continue to operate any Short-Term Rental Unit indefinitely. Any Short-Term Rental Unit use, operation, and / or permits for Short-Term Rental Units are subject to the provisions of ordinances, resolutions, or other City measures, to include declarations of states of emergency, concerning Short-Term Rental Units that may be enacted or adopted at a later date, even though such ordinances, resolutions, or other city measures may change the terms, conditions, allowance, or duration for Short-Term Rental Unit use or operation, including but not limited to those that may terminate some or all Short-Term Rental Unit uses or operations, with or without some period of amortization. While this recitation concerning vested rights is implicit in any uses permitted by the City, this explicit recitation is set forth to avoid any uncertainty or confusion. This Chapter is expressly declared to be enacted pursuant to general police powers, to include those pertaining to general health and welfare, building and fire safety, and is not to be construed as a zoning law.

Section 5-309. Compliance with Laws; Complaints; Remedies; and Permit Revocation.

- (a) *Compliance with city, state, and federal Laws.* It shall be unlawful to operate a Short-Term Rental Unit that does not comply with all applicable city, state, and federal laws and regulations.
- (b) *Operation without permit deemed public safety hazard.* Except as otherwise provided herein, any Short-Term Rental Unit operating or advertising for operation without a valid Short-Term Rental Unit Operating Permit shall be deemed a public safety hazard. The City may issue, and the Owner or the Local Contact Person may receive, a civil citation for operating or advertising for operation without a Short-Term Rental Unit Operating Permit. Such civil citations will be adjudicated in the Clarksville City Court.
- (c) *Public nuisance.* It is unlawful and a violation of this Chapter and is hereby declared a public nuisance for any person to commit, cause, or maintain a violation of any provision or fail to comply with any of the requirements of this Chapter. The City may issue and the Owner, the occupants, or the Local Contact Person may receive a civil citation for any violation of this

Chapter or any other City ordinance by the Owner, the Local Contact Person, or the occupants of the ShortTerm Rental Unit. Such civil citations will be adjudicated in the Clarksville City Court.

- (d) *Complaints.* If a complaint is filed with the City of Clarksville alleging that the Owner has violated the provisions of this Chapter or any other applicable City ordinance or State law, a Code Official shall provide written notification of the complaint by registered mail to the Owner at the Owner's address listed on the application, and the Code Official shall investigate the complaint and inspect the property being used as a ShortTerm Rental. Within twenty (20) days of the date that the notification was sent to the Owner, the Owner may respond to the complaint, present evidence, and respond to evidence produced by the investigation. If the Code Official finds the complaint to be supported by a preponderance of the evidence, the Code Official may suspend or revoke the ShortTerm Rental Unit Operating Permit or take or cause to be taken other enforcement action as provided herein or elsewhere in the City Code. Any false complaint made against a Short-Term Rental Owner may be punishable as perjury under T.C.A. § 39-16-702, as may be amended from time to time.
- (e) *Revocation or Suspension of Permit.* The Code Official may suspend or revoke a Short-Term Rental Unit Operating Permit if the Code Official discovers that (i) an applicant obtained the ShortTerm Rental Unit Operating Permit by knowingly providing false information on the application; (ii) the continuation of the Short-Term Rental Unit presents a threat to public health or safety; or (iii) the Owner or Short-Term Rental Unit has violated any of the provisions of this Chapter or has violated any other City ordinance, State law, or Federal law related to the operation of the Short-term Rental Unit.
- (f) *Effect of Revocation.* Should the Short-Term Rental Unit Operating Permit be revoked, in addition to any other penalty, there shall be a one-year waiting period from the date of revocation for the property to become eligible again for a Short-Term Rental Unit Operating Permit. Upon reapplication, the Owner must pay the full permit fee.
- (g) *Appeal of Suspension or Revocation.* If a Short-Term Rental Unit Operating Permit is suspended or revoked, the Code Official shall state the specific reason(s) for the suspension or revocation. Any Owner whose ShortTerm Rental Unit Operating Permit has been suspended or revoked may appeal such suspension or revocation by submitting a written request to the Department of Building and Codes for a hearing before the Board of Adjustments and Appeals within twenty (20) calendar days of receiving the notice of suspension or revocation. A hearing date will be set within twenty (20) calendar days of the filing of an appeal. All hearings before the Board of Adjustments and Appeals shall be open to the public. The appellant, the appellant's representative, the Code Official or his/her designee, and any person whose interests are affected shall be given an opportunity to be heard. A quorum shall consist of not less than a majority of full membership of the Board of Adjustments and Appeals. The Board of Adjustments and Appeals may reverse or affirm, wholly or in part, or may modify the order, requirement, decision or determination appealed from and may make such order, requirement, decision, or determination as ought to be made. The decision of the Board of Adjustments and Appeals shall be the final administrative decision and shall be subject only to judicial review in the Circuit or Chancery Court pursuant to state law of general application. In addition to any other penalty imposed, if the decision of the Board of Adjustments and Appeals to revoke a Short-Term Rental Unit

Operating Permit is upheld, the Owner shall not be eligible to reapply for a new Short-Term Rental Unit Operating Permit for the premises for a period of one (1) year. Upon reapplication, the Owner shall be required to pay the full Short-Term Rental Unit Operating Permit application fee. During the pendency of any appeal to the Board of Adjustments and Appeals or to any Court as provided herein, the revocation or suspension decision of the Code Official or of the Board, respectively, shall remain in effect.

- (h) *Emergency Suspension.* Notwithstanding any other provision of this chapter, the chief of police, the fire chief, or the building official, or their designee(s), may temporarily suspend a Short-Term Rental Unit Operating Permit and order a temporary cessation of Short-Term Rental operations in a situation involving an immediate danger to public health, safety, or welfare, or to investigate criminal activity that has allegedly occurred on the premises. The chief of police, the fire chief, or the building official, or their designee(s), shall give immediate written notice of the temporary suspension/cessation order to the Owner if present at the premises, or to the Local Contact Person or to any occupant, who shall be required to immediately comply with the order. Thereafter, within a reasonable time, using the most efficacious means possible, the chief of police, the fire chief, or the building official, or their designee(s), shall give written notice of the temporary suspension/cessation order to the permit holder, if not previously served, along with a brief statement of the facts and reasons for the decision to suspend the Short-Term Rental Unit Operating Permit and to terminate the operation of the Short-Term Rental Unit. Such notice shall state that the matter of the temporary suspension/cessation will be heard by the Board of Adjustments and Appeals at the first regularly scheduled board meeting thereafter, or at a special called board meeting, either of which to be held not later than five (5) calendar days from the date of issuance of the temporary suspension/cessation order, unless the Owner shall request in writing additional time, not to exceed ten (10) days, said request to be filed with the board, during which time the temporary suspension/cessation shall continue. The temporary suspension and order of cessation shall be effective when issued by the chief of police, the fire chief, or the building official, or their designee(s), and shall remain in effect until the Board of Adjustments and Appeals reviews the facts, circumstances, and reasons for the temporary suspension and makes a determination whether there is just cause for the suspension to continue, but in no event shall the temporary suspension and cessation order continue beyond ten (10) calendar days without a hearing thereon by the Board of Adjustments and Appeals. At the public hearing, the board may, after a finding of just cause as provided herein, suspend the Operating Permit for a definite time period or may revoke the Operating Permit. If no finding of just cause is established, the board may immediately rescind the temporary suspension, lift the cessation order, and reinstate the Operating Permit.

Section 5-310. City Shall Have No Obligation to Enforce Private Rights or Agreements; No Third Party Beneficiaries.

The City of Clarksville shall not have any duty or obligation or be responsible for making a determination regarding whether the issuance of a Short-Term Rental Unit Operating Permit or the use of a dwelling as a Short-Term Rental Unit is permitted under any private agreement(s) or any covenants, conditions, and restrictions, or private codes, or under any of the regulations or rules of a homeowners' association or maintenance organization, condominium agreement, mortgage agreement, insurance contract, or any other contract or agreement that may be applicable governing and limiting the use of the Short-Term Rental Unit, and the City shall have

no enforcement obligations in connection with such private agreements or covenants, conditions and restrictions or such regulations or rules. The provisions of this chapter, nor the approval of or issuance of any Short-Term Rental Unit Operating Permit shall not be construed to confer any third-party beneficiary status upon any person, business entity, organization or association as against the City of Clarksville.

Section 5-311. Operational Requirements.

- (a) *Safety Standards.* Notwithstanding any code provision to the contrary, during each Short-term Rental Unit Occupancy, each Short-term Rental Unit shall have, at minimum, the following life safety equipment on the premises and installed to manufacturer specifications: (i) a smoke alarm meeting Underwriters Laboratory (UL) 217 standards inside each sleeping room, outside of and within fifteen (15) feet of sleeping rooms, and on each story of the dwelling unit, including basements; (ii) a carbon monoxide detector within fifteen (15) feet of all bedrooms; and (iii) and a fire extinguisher. Every smoke and carbon monoxide alarm must function properly with the alarm sounding after pushing the test button and the fire extinguisher must be operational. It shall be unlawful to operate a Short-term Rental Unit without a smoke alarm, carbon monoxide detector, or fire extinguisher as required by this Chapter.
- (b) *Taxes.* All Short-Term Rental Unit Owners shall be responsible to pay all applicable taxes, including, but not limited to, real and personal property taxes, the hotel/motel tax, sales taxes, gross receipts taxes, and any employment and income taxes, as may be levied or assessed by the City, Montgomery County, the State of Tennessee, or the United States of America.
- (c) *Advertising.* It shall be unlawful to advertise any Short-Term Rental Unit without the Operating Permit number clearly displayed on the advertisement. For the purposes of this Chapter, the terms "advertise," "advertising" or "advertisement" mean the act of drawing the public's attention to a Short-Term Rental Unit in any forum, whether electronic or non-electronic, in any media or medium, in order to promote the availability of the Short-Term Rental Unit.
- (d) *Maximum Occupancy.* The maximum occupancy of any Short-Term Rental Unit by Transient Guests shall not exceed the maximum occupancy limits as prescribed by the Operating Permit. Simultaneous rental to more than one party under separate contracts shall be prohibited.
- (e) *Age Requirement.* The principal renter (Transient Guest) of a Short-Term Rental Unit shall be at least eighteen (18) years of age.
- (f) *Use of Short-Term Rental Unit.* No Transient Guest may use a Short-Term Rental Unit for on-site business or commercial purposes during any rental period.
- (g) *Parking.* Each Short-Term Rental Unit shall provide at least one parking space per bedroom offered for rent.
- (h) *Large Gatherings Prohibited.* Gatherings of twenty (20) or more people at a Short-Term Rental Unit during any rental period are prohibited.

- (i) *Signage*. Signs or other displays on the property indicating that the Dwelling Unit is being utilized, in whole or in part, as a Short-Term Rental Unit, are prohibited and shall be unlawful.
- (j) *Food Service*. No food shall be prepared for, or served to, the Transient Guest(s) by the Owner for any consideration.
- (k) *Contact Information Shall Be Posted*. Notwithstanding the provisions of subsection (i) of this Section, the name and telephone number of the Owner and Local Contact Person shall be conspicuously posted both within the Short-Term Rental Unit and on the exterior of the Short-Term Rental Unit near the primary entranceway.
- (l) *Compliance with Clarksville City Code*. The Owner shall ensure that the use of the Short-Term Rental Unit complies with all applicable noise, nuisance, parking, trash, and property maintenance code, ordinances, regulations, and all other provisions of the City Code. A prohibition against making loud noise in such a manner as to disturb the quiet, comfort or repose of neighboring property owners shall be included in the Short-Term Rental Unit rules and contained in the Short-Term Rental Unit lease agreement.

Section 5-312. Effect of Chapter During Declared State of Emergency.

The provisions of this Chapter, in whole or in part, may be suspended during the pendency of any lawfully declared state of emergency issued by the President of the United States of America, the Governor of the State of Tennessee, or by the Mayor of the City of Clarksville, which may include, but is not limited to, a temporary prohibition on the rental of a Short-Term Rental Unit by an Owner who possesses an otherwise legally valid Short-Term Rental Unit Operating Permit, or on the use or occupation of same by any Transient Guest as defined herein, to the extent permitted or not otherwise prohibited by federal or state law of general application.

Section 5-313. Severability.

If any section, paragraph, sentence, phrase, term, or word of this Chapter for any reason be declared unlawful, invalid, unenforceable, or void, by a court or other administrative tribunal of competent jurisdiction, then the remainder of this chapter shall remain in full force and effect.

FIRST READING:

SECOND READING:

EFFECTIVE DATE: