

AMENDMENT NO. 3
TO
ORDINANCE NO. BL2024-478

Madam President –

I hereby move to amend Ordinance No. BL2024-478 by amending Section 3 as follows:

Section 3. That Section 6.28.030 of the Metropolitan Code of Laws is hereby amended by deleting Subsection A.3.b.iv. in its entirety and replacing it with the following:

iv. For owners applying for an owner-occupied permit, ~~five~~ four documents giving proof of owner-occupation shall be provided. Each document must be current and show the owner's name and address matching that of the property to be utilized for short term rental. Two documents are required from Group A and ~~three~~ two documents are required from Group B:

(1) Group A acceptable documentation includes: (a) Tennessee Driver's license; (b) other valid State of Tennessee identification card; (c) Davidson County voter registration card; (d) Internal Revenue Service tax reporting form, such as a W-2 or 1099; (e) Current Motor Vehicle Registration or Title.

(2) Group B items include (a) current automobile insurance, (b) current life insurance, or (c) current homeowners' insurance policy. (Wallet Cards not accepted); (~~b-d~~) paycheck/check stub, (~~e-e~~) a bank statement (~~d-f~~) current employer verification of residential address or a letter from the employer on company letterhead with original signature, excluding applicants that are self employed (If the employer does not have letterhead, the signature of the employer must be notarized.).

SPONSORED BY:



Rollin Horton
Member of Council

ADOPTED: October 15, 2024

AMENDMENT NO. 2
TO
ORDINANCE NO. BL2024-478

Madam President,

I move to amend Ordinance No. BL2024-478 as follows:

I. By amending Section 6 as follows:

Section 6. That Section 6.28.030 of the Metropolitan Code of Laws is hereby amended by adding the following sentence to the end of Subsection A.5.k:

If the zoning administrator determines that there has been a change in ownership ~~as set forth under State law~~, the permit will no longer be valid, and the new property owner must apply for a permit under the regulations in effect at the time the new application is received.

II. By amending Section 9 as follows:

Section 9. That Section 6.28.030 of the Metropolitan Code of Laws is hereby amended by adding the following sentence to the end of Subsection B.5.k:

If the zoning administrator determines that there has been a change in ownership ~~as set forth under State law~~, the permit will no longer be valid, and the new property owner must apply for a permit under the regulations in effect at the time the new application is received.

SPONSORED BY:



Burkley Allen
Member of Council

ADOPTED: October 15, 2024

AMENDMENT NO. 1
TO
ORDINANCE NO. BL2024-478

Madam President,

I move to amend Ordinance No. BL2024-478 as follows:

I. By adding the following Section 2 and renumbering the subsequent sections.

Section 2. That Section 6.28.030 of the Metropolitan Code of Laws is hereby amended by deleting Paragraph 6.28.030.A.2.c in its entirety and replacing it with the following:

c. To qualify for an STRP—Owner-occupied permit, the owner of the property occupy the subject property of the STRP as their primary residence as proven by the documents required in Section 6.28.030.A.b.iv. For conforming uses in single-family and one and two-family zoning districts, the owner may occupy as their primary residence in a residential unit on the same lot. The owner of the property: (1) must be a natural person or persons; (2) may not be a limited liability entity, including without limitation a corporation or limited liability company; and (3) may not be an unincorporated entity, including without limitation a partnership, joint venture, or trust.

II. By amending the newly renumbered Section 3 as follows:

Section 2 3. That Section 6.28.030 of the Metropolitan Code of Laws is hereby amended by deleting Subsection A.3.b.iv. in its entirety and replacing it with the following:

iv. For owners applying for an owner-occupied permit, five documents giving proof of owner-occupation shall be provided. Each document must be current and show the owner's name and address matching that of the property to be utilized for short term rental. Two documents are required from Group A and three documents are required from Group B:

(1) Group A acceptable documentation includes: (a) Tennessee Driver's license; (b) other valid State of Tennessee identification card; (c) Davidson County voter registration card; (d) Internal Revenue Service tax reporting ~~W-2~~ form, such as a W-2 or 1099; (e) Current Motor Vehicle Registration or Title.

(2) Group B items include (a) current automobile, life, or homeowners' insurance policy. (Wallet Cards not accepted); (b) paycheck/check stub, (c) a bank statement (d) current employer verification of residential address or a letter from the employer on company letterhead with original signature, excluding applicants that are self employed (If the employer does not have letterhead, the signature of the employer must be notarized.).

III. By amending the newly renumbered Section 4 as follows:

Section 3 4. That Section 6.28.030 of the Metropolitan Code of Laws is hereby amended by adding the following as Subsection A.3.c:

- c. The zoning administrator has the discretion to deny applications for an owner-occupied short term rental application on the following grounds:
 - i. Any documentation, including written statements by the owner, that ~~the owner does not permanently reside on the property~~ is not the primary residence of the owner or would cease to permanently reside on the property be the primary residence of the owner during the period for which the permit is valid.
 - ii. Affidavits from neighbors regarding the primary residency of the applicant.

SPONSORED BY:



Burkley Allen
Member of Council

ADOPTED: October 1, 2024

Metropolitan Nashville and Davidson County, TN Legislation

Bill (Ordinance): BL2024-478

File Number: BL2024-478

An ordinance to amend Chapter 6.28 of the Metropolitan Code pertaining to Short Term Rental Properties.

WHEREAS, short-term rental of homes can provide homeowners an opportunity to derive income to help defray the cost of homeownership; and

WHEREAS, short-term rental of homes can provide a flexible housing stock that allows travelers a safe accommodation while contributing to the local economy; and

WHEREAS, the needs of long-term residents must be balanced with the allowance of short-term rentals; and

WHEREAS, to further this goal, Nashville's Short Term Rental Property ordinance should be updated for greater clarity.

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

Section 1. That Section 6.28.010 of the Metropolitan Code of Laws is hereby amended by deleting Section A. in its entirety and replacing it with the following:

Every person operating a hotel, roominghouse, or Short Term Rental Property, engaged in the business of lodging transients, shall keep a book or register in which shall be listed the name and address of each of its guests or lodgers, together with the date of arrival and the date of departure.

Section 2. That Section 6.28.030 of the Metropolitan Code of Laws is hereby amended by deleting Subsection A.3.b.iv. in its entirety and replacing it with the following:

iv. For owners applying for an owner-occupied permit, five documents giving proof of owner-occupation shall be provided. Each document must be current and show the owner's name and address matching that of the property to be utilized for short term rental. Two documents are required from Group A and three documents are required from Group B:

(1) Group A acceptable documentation includes: (a) Tennessee Driver's license; (b) other valid State of Tennessee identification card; (c) Davidson County voter registration card; (d) Internal Revenue Service tax reporting W-2 form; (e) Current Motor Vehicle Registration or Title.

(2) Group B items include (a) current automobile, life, or homeowners' insurance policy. (Wallet Cards not accepted); (b) paycheck/check stub, (c) a bank statement (d) current employer verification of residential address or a letter from the employer on company letterhead with original signature, excluding applicants that are self employed (If the employer does not have letterhead, the signature of the employer must be notarized.).

Section 3. That Section 6.28.030 of the Metropolitan Code of Laws is hereby amended by adding the following as Subsection A.3.c:

c. The zoning administrator has the discretion to deny applications for an owner-occupied short term rental application on the following grounds:

i. Any documentation, including written statements by the owner, that the owner does not permanently reside on the property or would cease to permanently reside on the property during the period for which the permit is valid.

ii. Affidavits from neighbors regarding the residency of the applicant.

Section 4. That Section 6.28.030.A.5.i of the Metropolitan Code of Laws is hereby amended by adding subsection 6.28.030.A.5.i.v as follows:

v. The zoning administrator may require additional proof of residency if there are concerns regarding the authenticity or accuracy of previously submitted documentation.

Section 5. That Section 6.28.030 of the Metropolitan Code of Laws is hereby amended by adding the following sentence to the end of Subsection A.5.k:

If the zoning administrator determines that there has been a change in ownership as set forth under State law, the permit will no longer be valid, and the new property owner must apply for a permit under the regulations in effect at the time the new application is received.

Section 6. That Section 6.28.030.A.5.l of the Metropolitan Code of Laws is hereby amended by inserting a new subsection 6.28.030.A.5.l.v as follows and renumbering the subsequent subsections accordingly:

v. Upon the final determination of denial of an STRP permit, no new permit application may be filed by the applicant for the same property for a period of six months from the date the denied application was filed.

Section 7. That Section 6.28.030 of the Metropolitan Code of Laws is amended by deleting Subsection B.2.d.ii and replacing it with the following:

ii. Notwithstanding subsection (d)(i) of this section, a STRP permit applicant may be exempt from the minimum distance requirements set forth herein upon the adoption of a resolution, after a public hearing, by the metropolitan council receiving twenty-one affirmative votes approving the exemption of the STRP unit from said minimum distance requirements. One resolution and public hearing may be held for the exemption of multiple dwelling units on a single tax parcel or within a single multifamily development containing one or multiple parcels if the permit applications are submitted at the same time and the dwelling units are owned by the same owner. The department of codes administration shall notify the councilmember for the district in which the applicant unit is located in writing within five business days from the date the application is filed requesting the waiver of distance requirements. The public hearing required by this subsection shall be conducted by the council at a regular meeting of the council. Public notification of the hearing shall be conducted pursuant to the public notice requirements for amendments to the official zoning map in accordance with Article XV of Chapter 17.40 of the metropolitan code, provided that notice by mail shall be sent to all property owners within six hundred feet of the unit seeking the exemption from the minimum distance requirements not later than fourteen days prior to the scheduled public hearing on the resolution. Further, a public notice sign meeting the general requirements of Section 17.40.730 of the metropolitan code shall be posted on the property of the applicant seeking the exemption from the minimum distance requirements at least fourteen days prior to the scheduled public hearing. The costs for the public notification requirements shall be paid by the applicant. The applicant shall

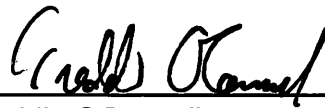
coordinate the scheduling of the public hearing with the metropolitan clerk's office prior to the filing of the resolution for purposes of including the date and time of the public hearing in the public notice to be mailed.

Section 8. That Section 6.28.030 of the Metropolitan Code of Laws is hereby amended by adding the following sentence to Subsection B.5.k:

If the zoning administrator determines that there has been a change in ownership as set forth under State law, the permit will no longer be valid, and the new owner must apply for a permit under the regulations in effect at the time the new application is received.

Section 9. This Ordinance shall take effect from and after its final passage, the welfare of the Metropolitan Government of Nashville and Davidson County requiring it.

Mayor


Freddie OConnell

Date

NOV 12 2024

Metropolitan Nashville and Davidson County, TN

Legislative History

File Number: BL2024-478

File ID: BL2024-478

Type: Bill (Ordinance)

Status: Passed

Version: 2

**Agenda
Section:**

In Control: Government
Operations and
Regulations
Committee

File Created: 07/30/2024

Subject:

Final Action: 11/07/2024

Caption: An ordinance to amend Chapter 6.28 of the Metropolitan Code pertaining to Short Term Rental Properties.

Sponsors: Allen and Horton

Enactment Date:

Attachments: Amendment No. 1 to BL2024-478, Amendment No. 2 to BL2024-478, Amendment No. 3 to BL2024-478

LS:

Hearing Date:

Entered by:

Effective Date:

Related Files:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
2	Metropolitan Council	07/30/2024	filed				
2	Metropolitan Council	08/06/2024	passed on first reading				
2	Metropolitan Council	08/20/2024	deferred				
2	Metropolitan Council	09/06/2024	advertised				
2	Government Operations and Regulations Committee	10/01/2024	approved with an amendment				
	Notes: 8/20/24 deferred to 10/1/24						
2	Metropolitan Council	10/01/2024	public hearing				
2	Metropolitan Council	10/01/2024	amended				
2	Metropolitan Council	10/01/2024	deferred				
2	Metropolitan Council	10/15/2024	amended				
2	Metropolitan Council	10/15/2024	passed on second reading as amended				

Legislative History Continued (BL2024-478)

2	Metropolitan Council	11/07/2024 passed on third reading
2	Mayor	11/12/2024 approved
