

City of Red Bank

Eddie Pierce
Mayor

Tim Thornbury
City Manager

BOARD OF COMMISSIONERS' MEETING

Agenda

December 3, 2019

6:00 p.m.

- I. **Call to Order – Mayor Eddie Pierce**
- II. **Roll Call – City Manager**
Mayor Pierce ____, Vice Mayor Jeno ____, Commissioner Howell ____, Commissioner LeCompte ____,
Commissioner Rose ____
- III. **Invocation –**
- IV. **Pledge of Allegiance –**
- V. **Consideration of the Minutes for approval or correction:**
 - A. **November 19, 2019 Agenda Work Session**
 - B. **November 19, 2019 Commission Meeting**
- VI. **Communication from the Mayor**
- VII. **Commissioner's Report**
 - A. **Vice Mayor Ruth Jenó**
 - B. **Commissioner Tyler Howell**
 - B. **Commissioner Ed LeCompte**
 - C. **Commissioner Carol Rose**
- VIII. **City Manager's Report**
- IX. **Unfinished Business -**
 - A. **ORDINANCE NO. 19-1159 – AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE, AMENDING THE ZONING MAP TO REZONE PROPERTY LOCATED AT HAMILTON COUNTY TAX MAP PARCEL NUMBERS 126C D 012 THROUGH 126C D 015 AND 126F C 028 AND 126F C 028.01 LOCATED AT 201, 205, 207, 209 AND 224 HEDGEWOOD DRIVE AND 123 EVERLY DRIVE, FROM R-1 RESIDENTIAL TO R-T/Z RESIDENTIAL ZERO LOT LINE (SECOND AND FINAL READING)**
- X. **New Business**
 - A. **ORDINANCE NO. 19-1160 – AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE, TO PLACE AN ENFORCEMENT MORATORIUM UPON AND FOR A STATED PERIOD OF TIME, SUSPEND THE RED BANK DESIGN REVIEW ORDINANCE, ORDINANCE NOS. 17-1090 AND 19-1143 (FIRST READING)**
 - B. **ORDINANCE NO. 19 – 1161 – AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE TO PLACE A MORATORIUM UPON AND FOR A STATED PERIOD OF TIME SUSPEND THE OPERATION AND ENFORCEMENT OF RED BANKS CITY CODE, SECTION 9-845(2)(C) WITH RESPECT TO REMOVAL OF “POLE SIGNS” IN CERTAIN CIRCUMSTANCES (FIRST READING)**
- XI. **Citizen Comments from Red Bank Citizens about Red Bank business (3 minute limit)**
- XII. **Adjournment**

City of Red Bank
COMMISSIONERS AGENDA WORK SESSION
RED BANK CITY HALL

Minutes
November 19, 2019
5:00 p.m.

The Board of Commissioners met in a public and advertised Agenda Work Session on November 5, 2019 at 5:00 p.m. The purpose of the meeting was to receive information on upcoming business items. Those in attendance were Mayor Eddie Pierce, Vice Mayor Ruth Jenó, Commissioner Tyler Howell, and Commissioner Carol Rose. Commissioner Ed LeCompte was absent. Also present were City Manager Tim Thornbury, City Attorney Arnold Stulce Jr., Police Chief Dan Seymour, Fire Chief Mark Mathews, Finance Director John Alexander and City Recorder Ruth Rohen. There were no citizen attendees.

1. City Manager Thornbury advised that there is a public hearing and first reading of an ordinance to rezone several parcels of property located at 201, 205, 207, 209 and 224 Hedgewood Drive and one property located at 123 Everly Drive from R-1 residential to R-T/Z residential townhouse zero lot line. He advised that all of the properties are owned by one person. He advised that the Planning Commission reviewed the rezoning request at an advertised Public Hearing on October 17th and has recommended approval.
2. Mayor Pierce advised that there is a resolution on the agenda tonight to approve an agreement with Total Resource for temporary labor services. He advised that this agreement is for a term of 12 months and at a cost not to exceed \$18,000.00. It was also noted that this is a budgeted item.
3. City Manager Thornbury advised that there is a resolution on the agenda tonight to apply for a traffic signal modernization grant offered through the State of Tennessee TDOT.. He advised that this is a 100% grant and if awarded will be used to upgrade traffic signals and signage.
4. Mayor Pierce advised that there is a resolution on the agenda tonight to designate several items of city owned property, seized property, found property and unclaimed property as surplus and authorize the items to be sold, traded or destroyed.
5. City Manager Thornbury advised that there is a resolution on the agenda tonight to grant a special exceptions permit to Eve Williams, the owner of MOJO Burrito. He advises that Ms. Williams would like to construct outdoor seating in front of her new location at 3512 Dayton Blvd. He explained that because alcohol is sold at her establishment, City ordinances require a special exceptions permit if the outdoor seating area is located between the building and a public street.
6. City Attorney Stulce presented several options for Commissioners to consider in regard to the sign ordinance as it relates to graduated elimination of existing pole signs. Following through on conversations with the city manager He advised that there are several aspects to consider when requiring businesses to remove existing pole signs and suggested a time frame of seven years or more to accomplish the goal. He also advised that adequate notice should be given to business owners, giving them an opportunity to address the Commission on the subject. Significant ordinance revisions will be required if the commission wishes to move forward.

The meeting was adjourned at 5:48 p.m.

Mayor

City Recorder

BOARD OF COMMISSIONERS' MEETING

Minutes

November 19, 2019

6:00 p.m.

- I. **Call to Order** – Mayor Pierce called the meeting to order at 6:00 p.m.
- II. **Roll Call** – City Manager Thornbury called the roll. Mayor Pierce, Vice Mayor Jenó, Commissioner Howell and Commissioner Rose were present. Commissioner LeCompte was absent. Also present were City Attorney Arnold Stulce, Fire Chief Mark Mathews, Police Chief Dan Seymour, Finance Director John Alexander, City Recorder Ruth Rohen and those listed on Exhibit A.
- III. **Invocation** – Mayor Pierce gave the Invocation.
- IV. **Pledge of Allegiance** – Fire Chief Mark Mathews led the Pledge of Allegiance.
- V. **Consideration of the Minutes for approval or correction:**
 - A. **November 5, 2019 Agenda Work Session**
 - B. **November 5, 2019 Commission Meeting**Mayor Pierce made a motion to approve both sets of minutes as printed, second by Commissioner Rose. Both sets of minutes were approved with all Commissioners voting “yes”.
- VI. **Communication from the Mayor**
 - Welcomed all
 - Recently attended a Tennessee Municipal League meeting. Several informative topics effecting local cities were discussed.
- VII. **Commissioners Report**
 - **Vice-Mayor Ruth Jenó**
 - Welcomed everyone
 - Has delivered Christmas Festival flyers to several businesses.
 - Advised that numerous families were served by the Red Bank Food Pantry last Thursday. She advised the food pantry continues to take monetary and food donations.
 - **Commissioner Tyler Howell**
 - Thanked everyone for coming tonight.
 - The Red Bank Food Pantry is open on the first and third Thursday of the month.
 - Enjoyed attending the Chamber Luncheon today.
 - Reminded everyone that the Christmas Festival is on December 6th.
 - Thanked City employees for their hard work.
 - **Commissioner Ed LeCompte**
 - Absent
 - **Commissioner Carol Rose**
 - Welcomed all.
 - Thanked City Manager Thornbury and the Public Works Department for planting trees along Browntown Road.
 - The sign ordinance was revisited during the Work Session today, feels that the City would be more visibly attractive and that traffic issues would be improved if there were less pole signs in the city. She suggested that the City Manager and City Attorney look into alternatives.

VIII. PUBLIC HEARING

Mayor Pierce explained that the Public Hearing is in regard to a request to rezone properties located at 201, 205, 207, 209 and 224 Hedgewood Drive and 123 Everly Drive from R-1 Residential to R-T/Z Residential Townhouse Zero Lot Line.

Mayor Pierce called the applicant/property owner, Tyler Smith, forward. Mr. Smith advised that he recently purchased and that the City rezoned the properties across the street from these properties and is now in the process of building homes on those properties. He presented a site plan before the Commission this evening and advised that if the rezoning is approved he proposes to develop these properties in the same fashion and to complement the project already underway. He advised that he proposes to subdivide existing lots and has worked with area neighbors to reconfigure some existing lot lines.

It was noted that the Planning Commission reviewed this item at an advertised Public Meeting and after thoroughly reviewing the request recommended approval.

Mayor Pierce invited citizen comments, of which there were none. After no further comments, the Public Hearing was closed.

IX. Unfinished Business – None

X. New Business –

A. ORDINANCE NO 19-1159 – AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE, AMENDING THE ZONING MAP TO REZONE PROPERTY LOCATED AT HAMILTON COUNTY TAX MAP PARCEL NUMBERS 126C D 012 THROUGH 126C D 015 AND 126F C 028 AND 126F C 028.01, LOCATED AT 201, 205, 207, 209 AND 224 HEDGEWOOD DRIVE AND 123 EVERLY DRIVE, FROM R-1 RESIDENTIAL TO R-T/Z RESIDENTIAL TOWNHOUSE ZERO LOT LINE (FIRST READING)

Mayor Pierce advised that this item was discussed during the earlier Public Hearing. He advised that the Planning Commission has reviewed the rezoning request at an advertised Public Hearing and recommended approval. Commissioner Rose made a motion to approve the ordinance, second by Vice Mayor Jenó. There were no citizen comments. **Roll Call Vote: Mayor Pierce “yes”, Vice Mayor Jenó “yes”, Commissioner Howell “yes”, Commissioner Rose “yes”,** Ordinance No. 19-1159 was approved on first reading with all Commissioners voting “yes”.

B. RESOLUTION NO. 19-1324 – A RESOLUTION AUTHORIZING AN AGREEMENT WITH TOTAL RESOURCE INC., IN AN AMOUNT NOT TO EXCEED \$18,000.00. FOR TEMPORARY LABORER I SERVICES

City Manager Thornbury advised that the City solicited quotes for temporary labor services to assist during leaf pick-up season. He explained that the lowest quote was submitted by Total Resource Inc. in the amount of \$13.80 an hour. He advised that this is a budgeted item and that the agreement is in an amount not to exceed \$18,000.00. Commissioner Howell made a motion to approve the resolution, including authorizing the City Manager to sign the agreement upon approval by the City Attorney, second by Commissioner Rose. There were no citizen comments. Resolution No. 19-1324 was approved with all Commissioners voting “yes”.

C. RESOLUTION NO. 19-1325 – A RESOLUTION AUTHORIZING THE CITY OF RED BANK TO SUBMIT AN APPLICATION TO PARTICIPATE IN THE TRAFFIC SIGNAL MODERNIZATION GRANT PROGRAM

City Manager Thornbury advised that this resolution will authorize the City to submit a grant application to the Tennessee Department of Transportation for funding to upgrade signalization and traffic signage. He explained that this is a 100% funded grant that requires no local matching funds. Vice Mayor Jenó made a motion to approve the resolution, second by Mayor

Pierce. There were no citizen comments. Resolution No. 19-1325 was approved with all Commissioners voting "yes".

D. RESOLUTION NO. 19-1326 – A RESOLUTION DECLARING SEIZED, FOUND, UNCLAIMED, CITY OWNED PROPERTY AS SURPLUS AND AUTHORIZING THE SALE, TRADE, OR DESTRUCTION THEREOF

Mayor Pierce advised that this resolution will authorize the city to dispose of surplus city owned property, seized, found and unclaimed property. Mayor Pierce advised that items will be auctioned on GOVEDEALS.COM as customarily done in the past. He explained that these items are listed in the resolution. Commissioner Howell made a motion to approve the resolution, second by Vice Mayor Jenó. There were no citizen comments. Resolution No. 19-1326 was approved with all Commissioners voting "yes".

E. RESOLUTION NO. 19-1327 – A RESOLUTION OF THE CITY OF RED BANK, TENNESSEE, AUTHORIZING THE ISSUANCE OF A SPECIAL EXCEPTIONS PERMIT TO EVE WILLIAMS, MOJO BURRITO, 3612 DAYTON BOULEVARD

City Manager Thornbury advised that Eve Williams, the owner of MOJO Burrito, is relocating her business to a building located at 3512 Dayton Blvd. He explained that Ms. Williams has submitted an application for a special exceptions permit to allow outdoor seating where beer will be served. Keith Washington and Aaron Cole were in attendance to represent Ms. Williams. Mr. Washington advised that the intent is to construct the outdoor seating area between the building and Dayton Blvd. City Manager Thornbury advised that city ordinances require a special exceptions permit because the area is located between the building and a public street and beer will be sold at the location. The applicant was advised that all city regulations related to screening and outdoor seating where beer will be sold will necessarily have to be followed. Upon inquiry, Mr. Cole advised that there are no plans at this time to heat the outdoor seating area. Commissioner Rose made a motion to approve the resolution granting the Special Exceptions Permit, second by Vice Mayor Jenó. There were no citizen comments. Resolution No. 19-1327 was approved with all Commissioners voting "yes".

XI. Citizen Comments – None

XII. Adjournment

The meeting was adjourned at 6:24p.m.

Mayor Eddie Pierce

City Recorder Ruth Rohen

ORDINANCE NO. 19-1159

AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE,
AMENDING THE ZONING MAP TO REZONE PROPERTIES LOCATED AT HAMILTON
COUNTY TAX PARCEL NUMBERS 126C D 012-015 AND 126F C 028 AND 028.01 AT
201, 205, 207, 209 AND 224 HEDGEWOOD DRIVE AND 123 EVERLY DRIVE FROM R-1
RESIDENTIAL TO R-TVZ RESIDENTIAL TOWNHOUSE\ZERO LOT LINE

WHEREAS *Tennessee Code Annotated* (TCA) § 13-7-201 allows municipal governments the authority to regulate land use through zoning of its jurisdictional territory; and

WHEREAS the Red Bank Municipal Planning Commission has certified zoning districts as provided for in TCA § 13-7-202; and

WHEREAS TCA §13-7-204 authorizes amendments to the municipal zoning map and provides for that process; and

WHEREAS the applicants, Tyler Smith and Britton Elmore, have requested that a portion of the property at 201 Hedgewood Drive, and the properties at 205, 207, 209 And 224 Hedgewood Drive and 123 Everly Drive be rezoned from R-1 Residential to R-TVZ Residential Townhouse\Zero Lot Line; and

WHEREAS the legal descriptions for said property is included with Plat Book 115 Page 17 and Plat Book 9 Page 20; and

WHEREAS the Red Bank Planning Commission thoroughly reviewed the rezoning request and provided an opportunity for citizens to submit comments in favor of or against the proposed rezoning at an advertised public hearing held in conjunction with its regular meeting on October 17, 2019; and

WHEREAS, the Red Bank Planning Commission recommended approving the rezoning request; and

WHEREAS the City Commission provided an opportunity for citizens to submit comments in favor of or against the proposed rezoning at an advertised public hearing held during its regularly scheduled Commission Meeting on November 19, 2020; and

WHEREAS the City Commission finds that the proposed development afforded by the rezoning request would not have a negative impact on adjacent properties and that the rezoning and development promotes the goals of the Red Bank 2020 Land Use Plan

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF RED BANK,
TENNESSEE, AS FOLLOWS:

SECTION 1. The Zoning Ordinances and Zoning Maps of this City are hereby amended by rezoning a portion of the property at 201 Hedgewood Drive, and the properties at 205, 207,

209 And 224 Hedgewood Drive and 123 Everly Drive, shown in Exhibit A as Hamilton County tax parcel numbers 126C D 012-015 and 126F C 028 and 028.01 from R-1 Residential to R-T\Z Residential Townhouse\Zero Lot Line

SECTION 2. Upon the adoption of this Ordinance, the Zoning maps of the City shall be amended and changed to reflect this rezoning with the limited condition noted.

SECTION 3. Every section, sentence, clause, and phrase of this ordinance is separable and severable. Should any section, sentence, clause, or phrase be declared unconstitutional or invalid by a court of competent jurisdiction, said unconstitutionality or invalidity shall not effect or impair any other section, sentence, clause, or phrase.

SECTION 4. This ordinance shall take effect from and after the date of its final passage, the public welfare of the City of Red Bank, Tennessee requiring it.

MAYOR OF RED BANK

CITY RECORDER

11/19/2019

PASSED ON FIRST READING

PASSED ON SECOND READING

APPROVED AS TO FORM:

CITY ATTORNEY

Exhibit A. Map

126C D 012-015 and 126F C 028 and 028.01
201, 205, 207, 209 and 224 Hedgewood Drive and 123 Everly Drive

ORDINANCE 19 - 1159

Rezoning Request, R-1 to R-TVZ

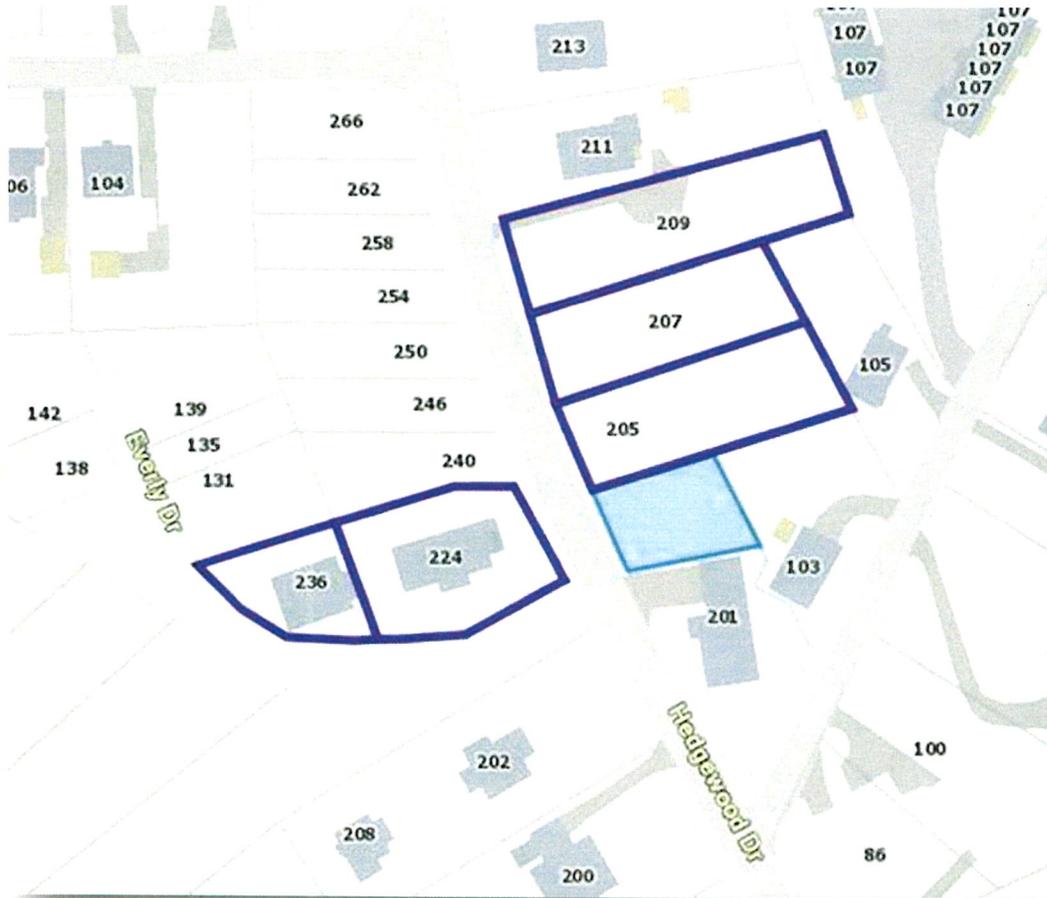
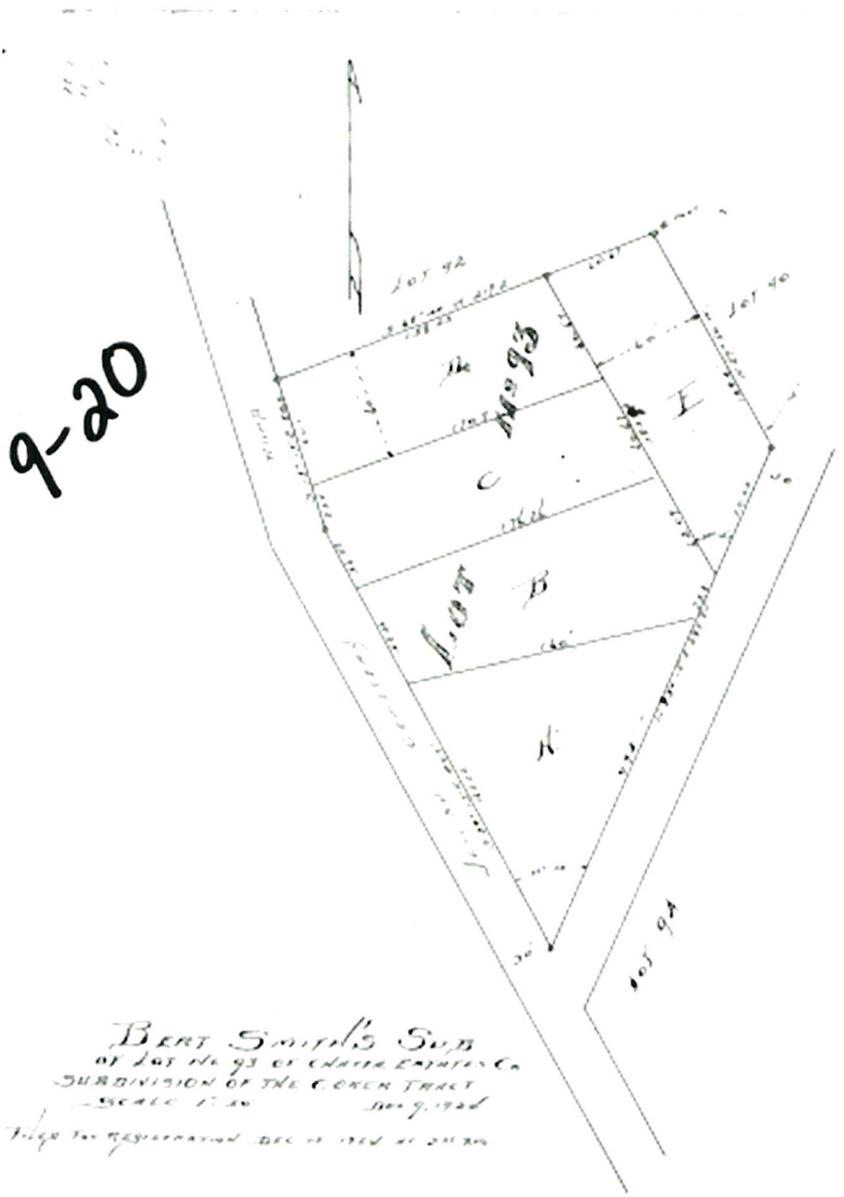


Exhibit C. Plat Book 9 Page 20

9-20



BERT SMITH'S SUB
OF LOT NO 93 OF CHATELAIN TRACT
SUBDIVISION OF THE CORNER TRACT
SCALE 1" = 20' JAN 9, 1922
Filed for registration DEC 11 1922 at 2:30 PM

ORDINANCE NO. 19-1160

AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE, TO PLACE AN ENFORCEMENT MORATORIUM UPON AND FOR A STATED PERIOD OF TIME, SUSPEND THE RED BANK DESIGN REVIEW ORDINANCE, ORDINANCE NOS. 17-1090 AND 19-1143.

WHEREAS, effective on second and final reading on May 16, 2017, the City Commission for the City of Red Bank adopted Ordinance No. 17-1090 and later amended by Ordinance No. 19-1143 and thereby put in place and later amended a set of regulations with respect to and with the stated intent of improving the overall quality of commercial development in the City of Red Bank, enhancing pedestrian safety in the City's commercial corridor, ensuring the compatibility of new and revitalized developments and land uses and to ensure that a design review process is accessible and easy to understand; and

WHEREAS, in the almost twenty-four (24) months since its initial adoption, later amendment and implementation, City Administration has worked diligently to implement and to enforce the terms, provisions and conditions set out within the Design Review Ordinance as amended; and

WHEREAS, experience has dictated and shows that, in multiple instances, that while the overall concept is extremely well received, that there have been and continue to be instances of impositions and some hardships being placed upon current property owners, prospective property purchasers, businesses and developments which result, may result, or may have resulted in lost opportunities for businesses and property owners in the context of perhaps overly detailed requirements as otherwise set out within the Design Review Ordinance; and

WHEREAS, the City Commission has, over time, been made aware of multiple circumstances, situations and instances related to the Design Review regulations and especially concerning commercial design review standards that may be having unanticipated negative impacts upon the City and its Citizens and Businesses; and

WHEREAS, after consideration and review of specific occurrences, conversation in open meetings, consideration of certain specific situations and requirements, the City Commission is of the opinion that some and various of the regulations of the Design Review Standards may be too stringent and/or overly burdensome for property owners, business owners, prospective property owners and developments and so it is appropriate to revisit and conduct a comprehensive study of the Design Review Ordinance and the regulations contained therein, their respective interrelated workings, requirements and mandatory provisions in order to balance the rights, concerns and legitimate interest of owners, prospective owners, developers and business located or intending to locate in the City as those requirements, provisions and regulations were enacted and implemented when the Design Review Ordinance was first implemented and as later amended.

NOW THEREFORE, BE IT ORDAINED, by the City Commission of the City of Red Bank, Tennessee, that:

SECTION 1:

- (a) A MORATORIUM, for a period from the date of the enactment of this Ordinance on second and final reading, extending up through and including December 31, 2020 is hereby declared during which time the Design Review Ordinance, as amended, shall not be applicable and shall not be enforced.
- (b) The City Manager appoint a Committee and shall conduct and oversee a comprehensive study of the City's current Design Review Ordinance regulations and standards all in the best interest of the citizens of the City of Red Bank and the safety, health, morals and welfare of the citizens of the City of Red Bank, Tennessee.

- (c) This MORATORIUM shall expire at 11:59 p.m. on December 31, 2020, unless modified or extended, and shall become null and void upon that date and at that time and the terms, provisions and conditions of the Design Review Ordinance No. 17-1090 as amended by Ordinance No. 1-1143 shall automatically and ipso facto be once again in full force and effect and shall thereafter be enforced; this Moratorium shall be of no further force or effect unless the City Commission shall, in the interim, otherwise act, by Ordinance to lift, remove, and declare null and void this MORATORIUM and/or shall lawfully enact, in the interim alternative terms, provisions, ordinances, regulations and/or other legislative acts in the nature of Design Review Standards to be codified at Title 14, Chapter 5 of the Red Bank Municipal Code.
- (d). This Ordinance and the MORATORIUM enacted and set in place hereby may and shall be interpreted as a temporary and time limited REPEAL of the terms, provisions and conditions of Ordinance No. 17-1090.

SECTION 2: The Red Bank Municipal Planning Commission shall not, during the period of this MORATORIUM have any right, power, or authority as the Design Review Commission except, and when and as the City Manager and the City Commission shall otherwise lawfully assign duties to the Red Bank Municipal Planning Commission.

BE IT FURTHER ORDAINED, that every section, sentence, clause, and phrase of this ordinance is separable and severable. Should any section, sentence, clause, or phrase be declared unconstitutional or invalid by a court of competent jurisdiction, said unconstitutionality or invalidity shall not effect or impair any other section, sentence, clause, or phrase.

FINALLY, BE IT ORDAINED that this ordinance shall take effect from and after the date of its final passage, subject to the time limited provisions set forth hereinabove and until such time as the same shall be further modified, superseded and/or overridden by the City Commission of the City of Red Bank, Tennessee, all being required by the public welfare of the City of Red Bank, Tennessee.

MAYOR

CITY RECORDER

PASSED ON FIRST READING

PASSED ON SECOND AND FINAL READING

APPROVED AS TO FORM:

CITY ATTORNEY

ORDINANCE NO. 19-1161

AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE TO PLACE A MORATORIUM UPON AND FOR A STATED PERIOD OF TIME SUSPEND THE OPERATION AND ENFORCEMENT OF RED BANK CITY CODE SECTION 9-845(2)(c) WITH RESPECT TO REMOVAL OF “POLE SIGNS” IN CERTAIN CIRCUMSTANCES.

WHEREAS, the City Commission for the City of Red Bank has previously enacted the Red Bank Sign Ordinance, and codified at Title 9, Chapter 8, Sections 800 et seq., of the Red Bank City Code for the purpose of regulating governing the placement, replacement, repair, maintenance, compatibility, sight line distances, and overall visual attractiveness of advertising signs in commercial and, to a limited extent, residential and other zoned areas in the City of Red Bank, Tennessee; and

WHEREAS, the City Commission has determined, generally, that any continued proliferation and existence of pole signs that effect traffic sightlines, traffic obscuring distraction and visual clutter of Pole Signs is an undesirable aspect of the existence of “Pole Signs” within the City of Red Bank; and

WHEREAS, the City Commission has upon study, review, personal and corporate observation and based upon input from City Administration and from the Citizenry of the City of Red Bank, that the health, safety and welfare of the Citizens of the City of Red Bank would be better served by prohibiting any further proliferation of Pole Signs within the City and also by providing for the timed amortization and gradual sunseting of currently existing, erected and in place Pole Signs in the City of Red Bank; and

WHEREAS, the City Commission for the City of Red Bank declares and further affirms its intent to prohibit further erection of any more or additional Pole Signs in the City of Red Bank and in a timely, fair, and permissible manner to phase out the existence of Pole Signs over a period of years; and

WHEREAS, the Sign Ordinance in general and as particularly codified at Red Bank City Code Section 9-845(2)(c) contains provisions which while intended to address the matters set forth hereinabove and the general health, safety and welfare of the Citizens of the City of Red Bank including but not limited to issues related to traffic sightlines, pedestrian sightlines, and usage of sidewalks, streets, and roads in the City of Red Bank may not be appropriate for continued enforcement while other means, mechanisms and solutions are addressed.

NOW THEREFORE, BE IT ORDAINED, by the City Commission of the City of Red Bank, Tennessee, that:

SECTION 1:

- (a) A MORATORIUM, for a period from the date of the enactment of this Ordinance on second and final reading, extending up through and including December 31, 2020 is hereby declared during which time the provisions of Red Bank City Code Section 9-845(2)(c) shall not be applicable and shall not be enforced.
- (b) The City Manager shall appoint a Study Committee and shall conduct and oversee a comprehensive study of the City’s current Ordinance with respect to sunseting and amortized the usages and existence of “Pole Signs” in the City of Red Bank all in the best interest of the citizens of the City of Red Bank and the safety, health, morals and welfare of the citizens of the City of Red Bank, Tennessee.

- (c) This MORATORIUM shall expire at 11:59 p.m. on December 31, 2020, unless modified or extended, and shall become null and void upon that date and at that time and the terms, provisions and conditions of the currently existing Red Bank City Code Section 9-845(2)(c) shall automatically and ipso facto be once again in full force and effect and shall thereafter be enforced and this Moratorium shall be of no further force or effect unless the City Commission shall, in the interim, otherwise act, by Ordinance to lift, remove, and declare null and void this MORATORIUM and/or shall lawfully enact, in the interim alternative terms, provisions, ordinances, regulations and/or other legislative acts of and with respect to the regulation, removal and sunseting of Ordinances otherwise permitting the existence of pole signs in the City of Red Bank.
- (d). This Ordinance and the MORATORIUM enacted and set in place hereby may and shall be interpreted as a temporary and time limited REPEAL of the terms, provisions and conditions of Red Bank City Code Section 9-845(2)(c).

BE IT FURTHER ORDAINED, that every section, sentence, clause, and phrase of this ordinance is separable and severable. Should any section, sentence, clause, or phrase be declared unconstitutional or invalid by a court of competent jurisdiction, said unconstitutionality or invalidity shall not effect or impair any other section, sentence, clause, or phrase.

FINALLY, BE IT ORDAINED that this ordinance shall take effect from and after the date of its final passage, subject to the time limited provisions set forth hereinabove and until such time as the same shall be further modified, superseded and/or overridden by the City Commission of the City of Red Bank, Tennessee, all being required by the public welfare of the City of Red Bank, Tennessee.

MAYOR

CITY RECORDER

PASSED ON FIRST READING

PASSED ON SECOND AND FINAL READING

APPROVED AS TO FORM:

CITY ATTORNEY